

The Genesis of the “Stars and Bars”

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Introduction

On 4 March 1861 the Confederate States of America adopted their first flag. Fifty years later a dispute arose over whether that flag was the creation of Orren Randolph Smith of North Carolina or Nicola Marschall of Alabama. The dispute was never definitively resolved, and partisans of the two claimants continue to debate the matter today. This paper will examine the known history of the selection of the first flag of the Confederate States, the evidence supporting the two claimants, and the possibility that the actual genesis of the Stars and Bars may have arisen from an altogether different source.

The Process of Selecting the Flag

The creation of the Provisional Government of the Confederate States of America on 8 February 1861 gave rise to the need for a new flag to represent the new government. Among the first committees created by the Provisional Congress was the Committee on Flag and Seal, chaired by Congressman William Porcher Miles, of Charleston, South Carolina.¹ Had the terms been invented at the time, Miles could have called himself a vexillologist or vexillographer. He referred to the matter of flag design as “my pet hobby”.² The committee was created on 9 February 1861, the



Figure 1.
Congressman William Porcher Miles,
Chairman of the Confederate States
Congressional Committee on Flag
and Seal

submitted by about 130 people. Several were sent from states that had not yet seceded, and two were sent from Northern states, one from Philadelphia and one from Brooklyn, New York.⁷ The number of designs, and the various sources of delivery to the committee's attention, were such that on 16 February 1861 Miles felt compelled to state on the floor on the Congress

that a large number of models are daily submitted to us, and as they have not always been formally presented to us, it was necessary to say to those patriotic citizens who have been so industriously employed in making models and designs, that the committee does not neglect their offering, though no public notice of them may have been taken in this body. It would be con-

first business day of the Congress after the adoption of the Constitution for the Provisional Government. The other members of the committee were Francis S. Bartow of Georgia, James T. Harrison of Mississippi, Jackson Morton of Florida, John Gill Shorter of Alabama, and Edward Sparrow of Louisiana.³

The committee was created just after two flag designs were submitted to the Congress by Christopher G. Memminger.⁴ One was sent by Robert C. Gilchrist, the other by "South Carolina ladies".⁵ The news of the flag proposals and the creation of the committee was reported in newspapers across the country.⁶

The result was a flurry of flag designing. In the surviving records of the committee one can find over two hundred designs that were submitted by about 130 people.

suming a vast deal of time to notice every one that may be handed in.⁸

The models submitted to the committee show a great deal of sentiment for keeping the "old flag". Eleven were the U.S. flag with a reduced number of stars, some of these altering the shape or placement of the blue union. Five others changed the colors around, to create blue and white stripes and a red canton. Some had red and blue stripes, or red, white, and blue stripes, with red or blue cantons. Over 20 of the surviving designs had 13 stripes of one color combination or another. Thirteen had 15 stripes; two each of 12 and 9 stripes; one each of 11 and 10 stripes; three with 8 stripes; eleven with 7 stripes; and five had 6 stripes. This count does not include a number of designs that had stripes, but arranged with crosses or other devices that made them appear less strikingly similar to the flag of the United States. Some of these other designs were rather unusual, and at least one qualified as abstract.⁹

These fond feelings for the "old flag" were expressed, not only by the citizens in their flag proposals, but also on the floor of the Congress. On 13 February 1861, Walker Brooke¹⁰, a delegate representing Mississippi in the Congress, offered the following resolution:

Resolved, That the Committee on Flag and Seal of the Confederacy be instructed to adopt and report a flag, as similar as possible to the flag of the United States, making only such changes as may be necessary to distinguish easily the one from the other, and to adopt the former, in the arrangement of its stars and stripes to the number of States in this Confederacy.¹¹

Brooke spoke in favor of this resolution, stating that the old flag "remains yet the emblem of the former glory, strength, and power of our nation". He acknowledge that the attachment "is but sentiment", but expressed the belief that in "revolutionary times it is desirable to make as little change as possible in those things to which the people have long been accustomed".¹²

Congressman Miles, chairman of the Committee on Flag and Seal,

spoke in opposition to Mr. Brooke's resolution, stating that, should it be adopted, he would "ask to be discharged from" the committee. His first objection was that, if the Congress were to adopt a resolution directing the committee to report a certain flag, they would be a "committee *functus officio*." The whole matter will have been removed from our hands." He had a further objection, however, to the proposal. Admitting that he "may be singular in my views", Miles stated "that the stars and stripes have always appeared to me to be the emblem of a hostile and tyrannical government. From my childhood, whenever I have seen it, I have felt it was not a friendly flag—was not the ensign of a government to which we could look for justice and protection."

Despite the chairman's prejudices against a Confederate States flag based on the design of the United States flag, two of the four designs presented by the committee to the Congress for final approval did draw on the "Stars and Stripes" for inspiration. One of those had a series of red and blue stripes. Writing over eleven years after the fact, Miles could not remember the number of stripes, but seven might be a good guess. The other was composed of three horizontal stripes of red/white/red. Both had a blue canton with a circle of seven stars. The other two designs departed from the old pattern. One was "a red field with a blue ring or circle in the center"; the other was "a saltire, as it is called in heraldry, the same as a St. Andrew's cross of blue with white margin, or border, on a red field with white stars equal to the number of States on the cross".¹³ The latter was Miles' own design, but the one with three bars of red and white was chosen by the Congress.

The report of the committee gives a timeless guide to the rules which should govern flag design:

A flag should be simple, readily made, and, above all, capable of being made up in bunting. It should be different from the flag of any other country, place, or people. It should be readily distinguishable at a distance. The colors should be well contrasted and durable, and, lastly, and not the least important point, it should be effective and handsome.

The committee then went on to describe the chosen flag:

The committee humbly think that the flag which they submit combines these requisites. It is very easy to make. It is entirely different from any national flag. The three colors of which it is composed—red, white, and blue—are the true republican colors. In heraldry they are emblematic of the three grand virtues—of valor, purity, and truth. Naval men assure us that it can be recognized and distinguished at a great distance. The colors contrast admirably and are lasting. In effect and appearance it must speak for itself.

Your committee, therefore, recommend that the flag of the Confederate States of America shall consist of a red field with a white space extending horizontally through the center, and equal in width to one-third the width of the flag. The red spaces above and below to be the same width as the white. The union blue extending down through the white space and stopping at the lower red space. In the center of the union a circle of white stars corresponding in number with the States of the Confederacy.¹⁴

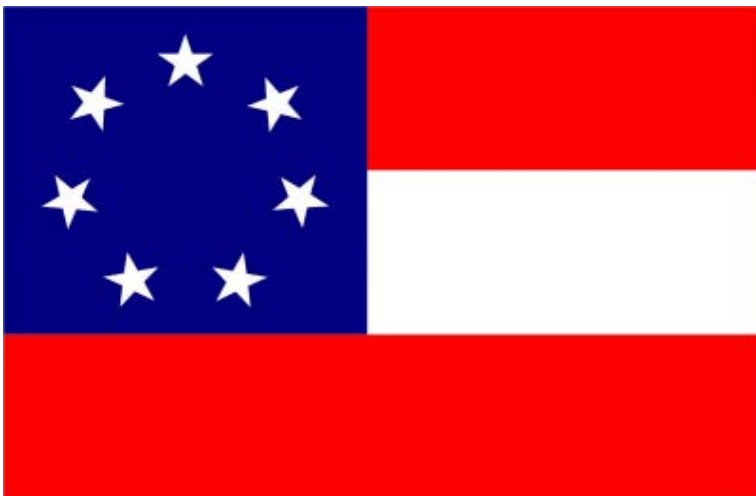


Figure 2. First National Flag of the Confederate States of America

The new flag was adopted by the Congress “a little after noon”¹⁵ on 4 March 1861. The Provisional Congress ordered its Secretary to have a flag prepared and hoisted on the Capitol “immediately”. Commodore Duncan Nathaniel Ingraham was put in charge of the project, assisted by Lt. C. L. Sayne, formerly of the U.S. Marine Corps. They took the business to George Cowles, who owned a dry goods establishment at No. 49 Market Street that included among its inventory “Wheeler & Wilson’s Premium Sewing Machines”.¹⁶ The store apparently doubled as a “Sewing Establishment”.¹⁷ At “a little before 4 o’clock p.m.” the flag was hoisted over the Alabama capitol building by Letitia T. Tyler,¹⁸ granddaughter of former U.S. President John Tyler.¹⁹ This first Confederate flag was “made of merino, there being no bunting at hand”.²⁰ It was given its popular nickname, the “Stars and Bars”, by Johnson J. Hooper, a former newspaper editor who served as the secretary of the Provisional Congress.²¹

So, we know when the flag was adopted, by whom the first one “flung to the breeze” was made, who first hoisted the flag, and who first called it the “Stars and Bars.” But who came up with the design? The records of the Congress or its committee do not answer the question, although some clues may be found. The Montgomery *Daily Advertiser* tells us that the flag “was the work of the committee appointed by Congress, none of the designs sent by individuals as models having been thought suitable”.²² Nevertheless, there were at least two claimants to the design.

The Orren Randolph Smith Claim

Orren Randolph Smith of Louisburg, North Carolina, claimed to have originated the design for the “Stars and Bars” in February 1861. Here is Major Smith’s own story, as told to Gen. Julian S. Carr, commander of the North Carolina division of the United Confederate Veterans, in September 1910:

Three times have I been a soldier at my country’s call, twice fighting under the Stars and Stripes and *once* under the “Stars and Bars”. While with Taylor, south of the Rio Grande, a unit in that proud

army that never let an enemy touch our flag; in Utah with Albert Sidney Johnston, 1857-1858; I learned what the flag meant to the men who were willing to give their lives for "Old Glory" every day and every hour in the day. A soldier's flag must be his inspiration. It stands for home, kindred and country; it must be something more than a piece of bunting or the blending of bright colors.

When at Sumter, that shot was fired that was heard around the world, I realized that a new country had been made and that the new nation must have a new flag, of the deepest, truest significance, to lead the "Men in Gray" against the greatest odds and through the greatest difficulties that any soldiers have ever overcome since the world was made. The idea of my flag I took from the Trinity, "Three in One". The three bars were for the Church, State, and Press. Red represented State, legislative, judiciary and executive; white for Church, Father, Son and Holy Ghost; red for press, freedom of speech, freedom of conscience and liberty of press—all bound together by a field of blue (the heavens over all), bearing a Star for each State in the Confederation. The seven white stars, all the same size, were placed in a circle, showing that each State had equal rights and privileges irrespective of size or population. The circle, having neither head nor foot, stood for eternity and signified "You defend me and I'll protect you". I had the flag complete in my mind before the Confed-



Figure 3. Orren Randolph Smith

erate Congress advertised for models, and when the advertisement appeared I went to my friend, Miss Rebecca Murphy (she is now Mrs. W. B. Winborne, of Wilson, N.C.), and asked if she would make me a little flag, I'd tell her how. I tore the "Bars and cut the Stars" and she sewed the stitches, and when finished the little flag was sent to Montgomery, with the suggestion that a star be added for each State that joined the Confederacy. The flag committee, as you all know, accepted the flag and named it "The Stars and Bars". They also adopted the suggestion, and it was not long before the flag bore eleven stars for the eleven Confederate States that voted for Jefferson Davis to be President. After the small flag was sent to Montgomery I bought dress goods from Bartow's store and asked Miss Rebecca to make me a large flag, 9x12 feet, for whether the flag committee accepted my model or not I was determined that one of my flags should be floating in the breeze. Splicing two tall saplings together, I made a pole one hundred feet high and planted it on the courthouse square at Louisburg, N.C. (where I was then living), and the flag was sent aloft on Monday, March 18, 1861, two months before North Carolina seceded. Over the flag was floated a long blue streamer, like an admiral has on his ship when "homeward bound", and on this pennant I had stars for each State that had seceded and one for North Carolina, for though my State was still in the Union I knew she was "homeward bound." This was the first Confederate flag ever raised in the Old North State, and this is how the "Stars and Bars" came into existence, "Dixie's Flag" that floated over the bravest and hardest to wear out soldiers ever encountered in any war."²³

Major Smith's story was corroborated by Mrs. Catherine Rebecca Winborne in an affidavit dated 30 June 1913:

Early in 1861, the second week in February, my old friend, Orren Randolph Smith, brought me some material and asked me to make him a flag, and that he would tell me exactly how to do it, for the Confederacy had decided that a new flag was to be used in the War for States' Rights, and a committee had been appointed to

decide upon a model, and this committee had advertised for models and he, Mr. Smith, wanted to have this little flag of his own design to send as a model.

The design that I copied was composed of a blue field and three stripes, one white between two red, and on the blue field, which extended across the end of the white and one red stripe, I sewed seven white stars in a circle, a star for each State that up to that time had seceded.

This small flag was about a foot long. The design was made by Orren Randolph Smith, in Louisburg, N.C., and the flag was made by me under his direction and when finished was packed and sent to Montgomery, Ala., and was later the design, without any alterations, that was accepted by the committee, as all the world now knows, and everywhere it is honored and treated with reverence.²⁴

In her affidavit, Mrs. Winborne also corroborates Major Smith's story about the large flag which she made for him, and which he hoisted on 18 March 1861. She has this to say about the blue pennant which Smith flew above the flag:

Over the flag Mr. Smith had floating in the breeze, a long blue pennant, like an admiral's pennant on his ship when homeward bound, and on this pennant were nine white stars. He said that though North Carolina was still in the Union she was homeward bound, and this was the first significant straw that showed which way the wind was blowing.²⁵

These and two other affidavits, as well as other corroboration, were published in a 30-page booklet entitled *History of the Stars and Bars Designed by Orren Randolph Smith February, 1861 at Louisburg, North Carolina*. The author of the book is not stated. It was published by Edwards & Broughton Printing Company, Raleigh, North Carolina, in 1913. However, only one other affidavit, that of Mrs. Sue Jasper Sugg, mentions the model that was sent to the Committee on Flag and Seal.²⁶ The others refer only to the large flag raised at the courthouse square on 18 March 1861.

A critical look at the Smith claim reveals some issues. Major Smith's own account states that "When at Sumter, that shot was fired that was heard around the world, I realized that a new country had been made and that the new nation must have a new flag . . ." The guns that opened the war at Fort Sumter were fired on 12 April 1861, over five weeks *after* the adoption of the "Stars and Bars" as the flag of the Confederate States. However, Major Smith's story as related in 1910 was filled with a great deal of embellishment, and one might overlook this particular flourish in a tale told by a 84 year old man, 49 years after the fact, about an accomplishment of which he was so proud.

There are only two others in the booklet mentioned above who give first-hand testimony of the making of the small flag sent to the Committee in Montgomery. The other four who are quoted give substantiation to the raising of the flag at the town square on 18 March 1861, but do not mention the earlier model sent to the Committee.

In his 1910 statement, Major Smith states that his flag-raising on 18 March 1861 was "was the first Confederate flag ever raised in the Old North State".²⁷ This took place two weeks after the flag's adoption by the Congress. While it may have been the first Confederate flag raised in Louisburg, it was far from the first raised in North Carolina.

A search of the records of the Committee on Flag and Seal in the National Archives does not reveal the flag model sent by Major Smith. Nor is any correspondence or other note mentioning Orren Randolph Smith to be found. This itself, however, is not dispositive, as many of the designs submitted were not accompanied by identification of the maker, and several letters submitting models are no longer accompanied by the models themselves. However, it must be remembered that the Committee itself said that the flag "was the work of the committee appointed by Congress, none of the designs sent by individuals as models having been thought suitable."²⁸



Figure 4. Nicola Marschall

The Nicola Marschall Claim

Nicola Marschall, the son of a tobacco merchant, was born in 1829 in the village of St. Wendel, in Prussia. Marschall was 5 feet 7 inches tall, with blue eyes, a light complexion, and light-colored hair.²⁹ He came to the United States in 1849 and settled in Marion, Alabama, about 80 miles by road west of Montgomery. In Marion he set up a studio, painting portraits and giving instructions in art and music. In 1851 he joined the faculty of the Marion Female Institute as an instructor of arts and language.³⁰

In 1857 Marschall returned to Europe, where he studied at the Düsseldorf Academy, and then in France and Italy. In 1859 he returned to Marion and re-opened his studio there.

Sometime in late February or the beginning of March 1861, Marschall was asked by Mrs. Napoleon Lockett and her daughter, Fannie Lockett, to design a flag for the Confederacy. Marschall sketched three designs, which Mrs. Lockett gave to then Alabama Governor Andrew Barry Moore for delivery to the Congress. This much seems certain.³¹

This was not a one-time effort at flag design by Marschall.³² He is known to have made the flag of the Marion Light Infantry (Co. G, 4th Alabama Infantry Regiment). The Marion Light Infantry flag is a Stars and Bars variant, with a cotton plant in the canton on the obverse. The reverse of the canton contains a circle of eleven stars, indicating it was made probably no earlier than when Tennessee took its first actions towards secession in early May 1861.³³ In 1860 he painted a flag, referred to as the "cotton plant flag" which was presented to the Marion Rifles on 13

December 1860. In April 1862 this same flag was presented to the 28th Alabama Infantry Regiment.³⁴ Marschall also painted a later flag for the 28th Regiment, which has a St. Andrew's Cross battle flag obverse, and a white reverse with a ten-pointed gold star surrounded by golden rays, and the regimental designation, also in gold.³⁵

During the war Marschall served in the army on two occasions. From 10 April 1862 to 25 June 1862, he served in Mobile as a private in Captain John Moore's company of Col. Byrd's Regiment of Ninety-day Troops. On 20 June 1864 he enlisted in the 2nd Regiment of Engineers, Confederate States Army and was assigned as a draftsman with Company B, at the Mobile Bay defenses.³⁶ At that time the chief engineer of the army for the Department of Alabama, Mississippi, and East Louisiana, whose headquarters were at Mobile, was Colonel Samuel Lockett, son of Mr. and Mrs. Napoleon Lockett.³⁷

As mentioned, Mr. Marschall is known to have painted flags for several military companies in the 1860s, at least two of which survive. Fannie Lockett, who was present when her mother asked Marschall to design a flag, wrote that Marschall had in his office "a large book of all kinds of flags",³⁸ and Sumter Lea, whose wife donated white silk from her wedding dress for one of the flags Marschall painted, said that "all in Marion thought Mr. Marschall a connoisseur of flags".³⁹

The following is the story of how Marschall's design came about, in his own words, as published in an article in the *Florida Times-Union* on 17 May 1905.

Mrs. Napoleon Lockett, a beautiful Southern Woman of an old Virginia family and the wife of a wealthy planter, lived at Marion. Her eldest son married the eldest daughter of Governor Moore and of one her younger sons married one of the younger daughters of Governor Moore.

Soon came the first notes of war. Mrs. Lockett was as loyal a daughter as the South had, and was much interested in its affairs. Then she came to me one day and said, "Mr. Marschall, we have

seceded and the Confederate Government wants a flag. Will you make us a design? It must not be too unlike the U. S. flag, but different enough to be distinguishable at a distance." At once I took a pencil and paper and made three different designs. The first was two red stripes and one of white, with a blue field bearing seven white stars—indicating the number of State that had then seceded—in the upper left hand corner. The second design was the same, except that the blue field with stars was at the extreme left of the white stripe instead of the top red stripe. The third design had the two full red stripes at top and bottom, the white stripe in the middle—with the blue field and white stars in the center.⁴⁰

The pamphlet published by the Alabama Department of Archives and History includes an affidavit from one of Mrs. Lockett's daughters, Fannie Lockett, who was with her mother at the time Marschall sketched these flags. She says that Mrs. Lockett asked Marschall to design a flag "at the suggestion of Governor A. B. Moore of Alabama. . . I was with my mother when she spoke to Mr. Marschall about the flags. As I loved to go to his office, for I loved art, and went whenever I could."⁴¹ A son of Mrs. Lockett, Dr. William A. Lockett, wrote that he remembered seeing Marschall's "rough sketches at my mother's home in Marion".⁴²

Col. Edward W. Rucker, who had commanded a brigade in Forrest's Cavalry Corps during the war, paid a visit to Marion in the spring of 1869 with General Forrest. They were invited to dinner by Mrs. Lockett. Upon arriving the former soldiers found that they were also to share dinner with ex-governor Moore. In 1915, Col. Rucker wrote that, at that dinner,

conversation turned much on Confederate happenings in Marion, and Governor Moore, turning to me, said, "By the way, you know Nicola Marschall, who designed the Confederate flag chosen by Congress, is a Marion citizen," and he went on to speak of Marschall's genius as an artist and draftsman. Both Governor Moore and Mrs. Lockett were proud that Marion held this honor.

The next day, General Forrest and Colonel Rucker paid a visit on Marschall. They told Marschall what Governor Moore had told them of him, and congratulated him.

Mr. Marschall was much pleased, and related in detail how Mrs. Lockett came to him to design the flag and her suggestions as to how it should be, and how Congress had chosen the first one he drew.⁴³

In addition to those quoted above, the Alabama Department of Archives and History pamphlet includes affidavits and letters from several others who claimed to know of the designs in February or March 1861 from information relayed directly to them by Mrs. Lockett, and over thirty others who lived in Marion in 1861 and stated that the Marschall connection to the flag was common knowledge in the town at the time.

All together, the evidence seems to be much stronger in favor of the Marschall claim than of the Smith claim. Only two people appeared able to corroborate Major Smith's claim to have designed a flag that was sent in to the Congress in February 1861. The other testimony on his behalf is only to the raising of a flag by Smith at the courthouse square two weeks after Congress adopted the flag. Furthermore, Smith apparently never disclosed his claim—even to his family—until 35 years after the end of the war.

Marschall also has only two witnesses to his drawing of the proposed flag designs. However, others saw the sketches, and many more claimed to have had knowledge that he created the design at the time the flag was adopted in 1861. Colonel Rucker's memory of hearing the story in 1869 from Governor Moore and Mrs. Lockett, as well as from Marschall himself, is most compelling.

None of those testifying on behalf of Mr. Marschall's claim is able to definitely date the event of Mrs. Lockett's visit to his office. Marschall could only say that it was "some time before March 4, 1861".⁴⁴ Mrs. James A. Smith could not "remember the exact date, but it was early in 1861—about the last of February, perhaps, or perhaps first of March—

that the designs were made, but it was before the flag was accepted or raised on the 4th of March."⁴⁵

However, with Marschall, as with Smith, a search of the records of the Committee on Flag and Seal in the National Archives does not disclose Marschall's flag sketches. In fact, the recollection of Dr. Lockett that he had seen the sketches in his mother's home indicates that they had not gone to, or had not stayed with, the committee in Montgomery. Dr. Lockett was not in Marion at the time of the events in question, and his memory of seeing the sketches seems to date to a time after the actual adoption of the flag. His sister, Mrs. Hettie L. Marks, dates the time of his visit to his mother's home in Marion as after he was wounded at the battle of Manassas, in July 1861.⁴⁶ Mrs. Marks (a Lockett daughter) relays that Marschall's flag designs, seen by her brother in the summer of 1861, were "lying on the library table" in her home, and that the "library was always converted into a bed room whenever Gov. Moore visited us from the capitol which was quite often, as his two daughters lived at our home, having married two of my brothers."⁴⁷

Marschall's flag sketches being at Mrs. Lockett's home four or five months after the adoption of the flag may explain why they are not in the committee's records. But that fact raises the question of whether the committee saw the sketches at all. Did Governor Moore take the sketches to the committee, and later return them to Mrs. Lockett? Did Governor Moore leave the sketches at the Lockett home, and relay the designs to Miles verbally? Did Marschall keep a second set of sketches?

Nevertheless, it seems clear that Governor Moore asked Mrs. Lockett to have Marschall make the designs, that Marschall did draft three proposals, and that one of them was the same design as that adopted by the Congress. Governor Moore was to be the courier who took the suggestions to the Miles committee. And Governor Moore believed that the flag adopted by the Congress was one of the three Marschall had drawn.

But still, the committee told the world that the flag "was the work of the committee appointed by Congress, none of the designs sent by individuals as models having been thought suitable."⁴⁸

An Alternate Theory

It is difficult to dismiss the claim that Nicola Marschall designed the flag given the testimony of Governor Moore to Colonel Rucker just eight years later, and the memories of so many people who were residents of Marion, Alabama in 1861. But the fact remains that, at the time of the flag's adoption, the committee told the newspapers that the flag had been designed by the committee, "none of the designs sent by individuals as models having been thought suitable".

If one supposed that Governor Moore left the sketches at the Lockett home on his return to Montgomery, and relayed the idea of the flag to Miles verbally, one must question, in light of the committee's claim that no submitted model was thought suitable, whether the suggestion did not make a deep impression. But is there any reason to believe that, from the models that were submitted to the committee, the committee might have come up with the same design suggested by Miles, and perhaps also by Smith? Could three independent sources have come up with the same, or nearly the same, ideas for a flag?

As has been mentioned earlier, many of the designs sent to the committee were clearly derived from the flag of the United States. The Stars and Bars would have to be included in this category.

A review of the flags submitted reveals that several people submitted nearly identical designs to the committee. In view of the duplication of ideas found in the committee records, and of the simplicity of the design of the Stars and Bars, one could suppose that both Smith and Marschall arrived at the same design. But, again, we have to deal with the statement by the committee that none of the models submitted were found suitable.

The committee records do not contain a model, drawing, or description of the Stars and Bars as adopted. However, one submission is nearly identical to the Stars and Bars as adopted by the Congress, except that its colors are reversed. It came from neither Smith nor Marschall.

Submission No. 64 was sent to William W. Boyce⁴⁹, one of South Carolina's delegates to the Confederate Congress. It was posted from

Winnsboro, South Carolina, on 10 February 1861, and presented to the Congress by Mr. Boyce on 14 February 1861, along with another model received by Boyce from a gentleman of Columbia, South Carolina. Boyce presented the design after that of the man from Columbia, with these words:

The other is sent to me by a lady, with whom I am well acquainted; a neighbor of mine, who resides in the picturesque town of Winnsboro, Fairfield District, S.C. She is a lady of remarkable intelligence, whose path through life has been illustrated by all those virtues which adorn the female character.⁵⁰

The lady who sent this flag to Mr. Boyce was Catharine Stratton Ladd, an educator who was the principal of the Winnsboro Female Institute.⁵¹ It is fortunate for the researcher that Mr. Boyce read to the Congress the full text of Mrs. Ladd's letter and that some newspapers elected to reprint it.⁵² The letter reads:

Southern Confederacy
Winnsboro, S.C., Feb'y 10th, 1861

Hon. W. W. Boyce

Sir,

Enclosed I send to you a flag for the new Republic designed by Mr. Ladd, which is simple, as all national flags should be. It is tri-colored, with a red Union, seven stars, and the crescent moon.

It was all the design of Mr. L., with the exception of the stars in a circle or wreath, and placing the crescent moon among them, which I thought would be a fit emblem for our young Republic; and by placing the stars in a wreath others could be added forming a larger wreath as the other States come in.

I am vain enough, if you please to term it so (but I term it patriotism), to feel that I would wish no greater honor than to see the slightest thing I had a hand in, adopted by the Southern Confederacy.

We have three boys to give to our country; words could not express the glow of pride that throbbed our bosoms when I saw them ready to respond to their country's call. My boys are part of a mother's jewels, freely given when needed. My next greatest glory would be to see the design adopted and flung to the breeze.

May it yet be unfurled,
 Floating proudly and free,
 O'er the bright sunny South
 And the dark rolling sea.

Our great Washington fought for the principles we are now contending for, and that he had secured them. May our young republic honor his memory with the name of "Washington Republic", dating from the 22nd of February. The day would then be kept to celebrate two great events.

Just as I finished the word "events" I heard the news that Mr. Davis had been elected President. Glorious news! We are free! We have institutions of our own—a country that we can call our own—rulers from among our own people. There is not a Southern woman,—wife, mother or maid,—but what feels prouder to-day of her country—knowing, as we do, that we have fathers, husbands, sons, and brothers, who are willing to sacrifice all to duty and honor.

In peace or war, you have with you the prayers and sympathies of every woman, who glories in saying "I am a woman of the South."

Yours, &c.,
 Mrs. C. Ladd⁵³

The letter was accompanied by the color illustration reproduced at right. The Ladd proposal is a horizontal tribar of blue-white-blue, with a square red canton two-thirds the width of the flag, features which became elements of the Confederate flag adopted on 4 March 1861. The canton contains a circle of white stars, equal in number to the

member States of the Confederacy, also exactly as on the Confederate flag of 4 March 1861.

The Ladd proposal differs from the adopted Confederate flag in two particulars. The most glaring is the reversal of the red and blue colors. This was a feature proposed by six others who submitted flag proposals, five with 13 stripes and one with 7 stripes. No other submission, however, included a canton and only three stripes or bars in either the traditional American color arrangement or the reversed colors suggested by Mr. Ladd.



Figure 5.
George and Catharine Ladd's Flag.
From the Archives of the Committee on Flag and Seal

Mrs. Ladd also proposed a white crescent within the circle of stars, the stars representing the States and the crescent representing the Confederacy. Of the surviving models in the committee records, fifteen feature crescents and several of the submitters specifically proposed the crescent to represent the Confederacy. Four of those were from South Carolina. Nine either were anonymously submitted or from people whose residence is unknown. It might be supposed that they also were from South Carolina—the crescent has been a feature of South Carolina vexillography since the American Revolution. But two of the proposals with crescents were submitted by citizens of Mississippi, and the crescent was also a feature of the heraldic iconography of Louisiana (specifically New Orleans) and Missouri. In 1862 it would be featured on the battle flags carried by General Earl Van Dorn's Army of the West in northern Mississippi.

While there are questions about whether flag designs by either Orren Randolph Smith or Nicola Marschall were actually delivered to the Com-



Figure 6. George Ladd

mittee on Flag and Seal, the Ladd design is documented as having been presented to the Congress and delivered to the committee. And while there is some difficulty reconciling the Smith or Marschall claims with the statement that the flag “was the work of the committee appointed by Congress, none of the designs sent by individuals as models having been thought suitable”,⁵⁴ the notion that the committee took the Ladd flag, altered the colors, and removed the crescent to arrive at the final design, is entirely consistent with that statement.

Mrs. Ladd’s letter to Congressman Boyce indicates that the flag was a joint project by her and Mr. Ladd; he designing the basic flag, and she the elements in the canton.

George Ladd had something in common with Nicola Marschall. He, too, was a portrait artist and not a native of the South, being a native of New Hampshire. Like William Driver of “Old Glory” fame, Ladd also had a background as a seaman. In 1828 he married Catharine Stratton, a native of Richmond, Virginia.⁵⁵ Catharine was also an artist in her own right. The marriage of this talented couple was the beginning of an artistic and educational partnership that lasted until George’s death in 1864.⁵⁶

In many ways, the Ladds were typical of Southern educators. As an artist and educator, George “also entered into mercantile partnerships with his sponsors.” While George sought patrons who wanted portraits painted, Catharine sought those “who wished to educate their daughters in refinements and basic academics”.⁵⁷ Pursuing such patrons, the Ladds traveled frequently through the Carolinas and Georgia before finally settling in the Fairfield District (now Fairfield County), South Carolina, in 1843.⁵⁸

Mrs. Ladd apparently was a remarkable woman for her time. Starting out essentially as an itinerant teacher, by 1849 she was the principal of a



Figure 7. Catharine Stratton Ladd

“female seminary”. “Reputable academies with female principals were not the norm after 1820, making her attainment of this title all the more remarkable.”⁵⁹ When the Winnsboro Female Institute was established by the Ladds in 1851, Mrs. Ladd was the principal in charge of a collegiate school with a faculty that included four men and four women.⁶⁰ Additionally, while many female institutes of the day concentrated on an “ornamental curriculum” (e.g., “Painting..., Embroidery, Bead, Wax, Shell, Crystal, Ebony Work, &c.”), Mrs. Ladd’s course of instruction expanded to include “reading, writing, arithmetic, grammar, geography, and marking” as

standard courses, and “natural and moral philosophy, chemistry, ancient and modern history, and rhetoric” as electives.⁶¹ Also required was a foreign language study in either Latin or French.⁶² This was unusual.

Parents wanted their daughters to master the academics, although only to a certain level when female education was considered useful and complete. This often meant that southern females attended school only one or two years, not the full four years offered by academies like Mrs. Ladd’s.⁶³

After the war began, the Ladds closed their school. Mr. Ladd died in 1864, and in February 1865 Sherman’s army burned the business section

of Winnsboro and some homes, include Mrs. Ladd's. However, the Winnsboro Female Institute building was not destroyed, and today houses the Fairfield County Museum. Mrs. Ladd re-opened the school in 1866 and died in 1899.⁶⁴

Conclusion

It may never be possible to have a definitive answer to the question of the authorship of the Stars and Bars. A very impressive body of evidence favors the claim of Nicola Marschall; a less compelling case supports Major Smith's. But both claims contradict the statement by the Committee on Flag and Seal that the flag was the work of the committee and not of any single individual from whom a model was received. The proposal of George and Catharine Ladd most nearly fits with the notion that the committee took a design that came close to being acceptable, and re-arranged it to be what the committee considered a more suitable flag.



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Endnotes

1. *Journal of Congress of the Confederate States of America, 1861–1865*, (Washington: Government Printing Office, 1904) Vol. I, pp. 39-40. Miles had served as mayor of Charleston from 1855 to 1857, and represented the Charleston District in the U.S. House of Representatives from 1857 until the secession of South Carolina in December 1860. Current, Richard R., Editor, *Encyclopedia of the Confederacy*, Vol. 3, p. 1038 (New York, Simon & Schuster, 1993). Miles served as one of South Carolina's delegates to the Provisional Congress (4 February 1861 to 17 February 1862), and represented South Carolina's 2nd Congressional District in the C.S. House of Representatives in both the 1st and 2nd Congresses. Martis, Kenneth C., *The Historical Atlas of the Congresses of the Confederate States of America: 1861–1865*, pp. 11, 32, and 34 (New York, Simon & Schuster, 1994).
2. Letter from William Porcher Miles to Gen. P. G. T. Beauregard, 27 August 1861.
3. *Journal of Congress*, p. 40.
4. Memminger, a South Carolinian who was a native of the Duchy of Württemberg, was a delegate to the convention that formed the Provisional Government and drafted the Constitution of the Confederate States. He served as Secretary of the Treasury in President Davis's government from 1861 until May 1864. *Encyclopedia of the Confederacy*, Vol. 3, pp. 1022–1026.
5. Before secession, Gilchrist was Commissioner for the U.S. District Court and for the Court of Claims for the District of South Carolina. His proposal is number 16 in the records of the Committee on Flag and Seal in the National Archives. The numbers assigned to the submissions do not relate to chronological order, and appear to be random.
6. E.g., *Richmond Dispatch*, 11 February 1861; *Gate-City Guardian* (Atlanta), 12 February 1861; *South Union* (Milledgeville, Georgia), 12 February 1861; *Nashville Union and American*, 13 February 1861; *The Weekly Sentinel* (Ft. Wayne, Indiana), 16 February 1861.
7. The Philadelphia submission was sent to President Davis by a Mr. Wight on 22 February 1861. Mary Thorpe, a native of Louisiana residing at 87 Pineapple Street, Brooklyn, sent two designs on 19 February 1861.
8. *Journal & Messenger* (Macon, Georgia), 27 February 1861.
9. Fifteen stripes would have represented the 15 slave-holding states; 7 stripes, the states which had seceded by March 1861; 6 stripes, the states which organized the CS government on 8 February 1861. The 12-striped submissions apparently were intended to have one stripe of each color for the first six states. The flag



designed by Julia Bonetheau of Charleston, shown here, is an abstract rendering of the stars and stripes that looks more contemporary to the 1960s than the 1860s. Its four sets of converging stripes number 7 of each color.

10. Brooke was a Vicksburg lawyer who, as a delegate to the Mississippi Convention, voted against secession. He had served a year in the U.S. Senate from 1852 to 1853, following the resignation of Senator Foote. *Historical Atlas of the Congresses of the Confederate States*, pp. 11, 32, and 34; Alexander, Thomas B. et al., *The Anatomy of the Confederate Congress* (Nashville: Vanderbilt University Press, 1972), pp. 41, 358-359.
11. *Journal of Congress*, Vol. I, p. 48.
12. *Chronicle & Sentinel* (Augusta, Georgia), 15 February 1861.
13. Letter from William Porcher Miles to Gen. P. G. T. Beauregard, 14 May 1872, as reproduced in *Alabama Legislature Declares Nicola Marschall Designer First Confederate Flag*, Alabama State Department of Archives and History Historical and Patriotic Series No. 12 (Montgomery: Wilson Printing Company, 1931), p. 50.
14. *Journal of Congress*, Vol. I, pp. 101-102.
15. *The [Montgomery] Weekly Mail*, Tuesday, 5 March 1861.
16. Mears & Turnbull, *1859-60 Montgomery City Directory*, p. 4.
17. *The [Montgomery] Weekly Mail*, 5 March 1861.
18. *Ibid.*
19. After the secession of Virginia in April 1861, President Tyler was elected to serve as a delegate for Virginia in the Provisional Congress, taking his seat in that body on 1 August 1861. In the elections of 6 November 1861, Tyler was elected to the House of Representatives of the First Congress of the Confederate States, but he died on 18 January 1862, a month before he was to take his seat. *Journal of Congress*, Vol. I, pp. 303 and 687-688.
20. Letter from William Porcher Miles to Gen. P. G. T. Beauregard, 14 May 1872.
21. *The [Montgomery] Weekly Mail*, 2 April 1861.
22. *Montgomery Daily Advertiser*, 5 March 1861.
23. *History of the Stars and Bars*, pp. 7-9 (Raleigh, N.C.: Edwards & Broughton Printing Company, 1913).
24. *Ibid.*, pp. 25-26.
25. *Ibid.*, p. 26.
26. *Ibid.*, p. 27.
27. *Ibid.*, p. 8.
28. *Montgomery Daily Advertiser*, 5 March 1861.
29. Confederate States Army discharge dated 25 June 1862, Alabama Department of Archives and History.

30. Nicola Marschall, *Artist of the Deep South*, catalogue to an exhibit at the Alabama Department of Archives and History, published at <www.archives.state.al.us/marschall/NM_dsth.html>.
31. *Alabama Legislature Declares Nicola Marschall Designer*.
32. Biggs, Greg, "Flag Makers of the Confederacy", Flags of the Confederacy web site, <http://ConfederateFlags.org> at <<http://ConfederateFlags.org/FOTCflagmakers1.htm>>.
33. Bradley, Robert B., *Documenting the Civil War Period Flag Collection at the Alabama Department of Archives and History* (Montgomery: Alabama Department of Archives and History, 1997), p. 18.
34. Flag: 28th Alabama Infantry, Catalogue No. 86.3945.1, *Alabama Civil War Period Flag Collection*, <http://www.archives.state.al.us/referenc/flags/intro.html> at <<http://www.archives.state.al.us/referenc/flags/050051.html>>. This web site is an on-line version of Bradley's *Documenting the Civil War Period Flag Collection at the Alabama Department of Archives and History*, with revisions based on more current research.
35. *Ibid.*
36. Military records of Nicola Marschall at the Alabama Department of Archives and History; and Crute, Joseph H., Jr., *Units of the Confederate States Army* (Midlothian, Virginia: Derwent Books, 1987), pp. 66-67.
37. *Official Record of the War of the Rebellion* (Washington: Government Printing Office, 1892), Series 1, Vol. XXXIX, Part 2, p. 839.
38. *Alabama Legislature Declares Nicola Marschall Designer*, p. 45.
39. *Ibid.*, p. 48.
40. The quoted article was reprinted in *Alabama Legislature Declares Nicola Marschall Designer*, pp. 26-30.
41. *Ibid.*, p. 45.
42. *Ibid.*, p. 44.
43. *Ibid.*, p. 47.
44. *Ibid.*, p. 41.
45. *Ibid.*, p. 46.
46. *Ibid.*, p. 67.
47. *Ibid.*
48. Montgomery *Daily Advertiser*, 5 March 1861.
49. Boyce, a Winnsboro lawyer, represented South Carolina's 6th congressional district in the U.S. House of Representatives from 4 March 1853 until 21 December 1860. After serving in the Provisional Congress, he represented his district in the C.S. House of Representatives from 18 February 1862 until the end of

- the war. *Historical Atlas of the Congresses of the Confederate States*, pp. 11, 32, and 34; *The Anatomy of the Confederate Congress*, pp. 356-357.
50. *Chronicle & Sentinel* (Augusta, Georgia), 16 February 1861. See also *Journal of Congress*, Vol. I, p. 51.
51. Veasey, Patricia V., *Virtue Leads & Grace Reveals: Embroideries and Education in Antebellum South Carolina* (Greenville, S.C.: Curious Works Press, 2003) p. 45.
52. I did not copy the letter during my 1989 visit to the National Archives. The records of the Committee on Flag and Seal are no longer available for direct inspection, and now the researcher must rely on color copies of those records. The copy of Mrs. Ladd's letter is very difficult to read.
53. Letter accompanying submission No. 64 in the records of the Committee on Flag and Seal of the Provisional Congress of the Confederate States of America. The photocopy of this letter was compared with the version of it reproduced in the Augusta, Georgia, *Chronicle & Sentinel*, 16 February 1861, for accurate reproduction in this paper.
54. *Montgomery Daily Advertiser*, 5 March 1861.
55. *Virtue Leads & Grace Reveals*, p. 41.
56. *Ibid.*, p. 40.
57. *Ibid.*
58. *Ibid.*, pp. 40-41 and 43.
59. *Ibid.*, p. 44.
60. *Ibid.*, p. 45.
61. *Ibid.*, p. 41.
62. *Ibid.*, p. 45.
64. *Ibid.*, p. 47.