The First Navy Jack

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“If flags are history, accuracy matters.”
Dr. Whitney Smith

Introduction

On 30 August 2002 the Chief of Naval Operations of the United States sent the following message to all Navy ships and stations:

SUBJ/DISPLAY OF THE FIRST NAVY JACK ON ALL U. S. NAVY SHIPS

1. PURSUANT TO REF A, THE FIRST NAVY JACK WILL BE FLOWN ON BOARD ALL U. S. NAVY SHIPS IN LIEU OF THE UNION JACK DURING THE GLOBAL WAR ON TERRORISM. TO HONOR THOSE WHO DIED DURING THE ATTACK OF 11 SEP 01, ALL AFLOAT COMMANDS WILL COMMENCE FLYING THE FIRST NAVY JACK AT MORNING COLORS ON 11 SEP 02. . .

2. THE FIRST NAVY JACK IS A FLAG CONSISTING OF A RATTLESNAKE, SUPERIMPOSED ACROSS 13 HORIZONTAL ALTERNATING RED AND WHITE STRIPES WITH THE MOTTO “DON’T TREAD ON ME”. THE JACK WAS FIRST EMPLOYED BY COMMODORE ESEK HOPKINS IN THE FALL OF 1775 AS HE READIED THE CONTINENTAL NAVY IN THE DELAWARE RIVER. HIS SIGNAL FOR THE WHOLE FLEET TO ENGAGE THE ENEMY WAS THE
The First Navy Jack3 (Figure 1) is a well-established part of American lore. It is frequently mentioned in books about the American flag, and replicas are available from major flag manufacturers. It has been an icon of the United States Navy since 1975-76, when all Navy ships flew it to commemorate the bicentennials of the Navy and the United States. Since 1980 the U.S. Navy ship having the longest total active service has flown the First Navy Jack in lieu of the standard blue and white “Union Jack”.4 The terrorist attacks of 11 September 2001 increased the popularity of the “rattlesnake and stripes” as a defiant symbol of national unity and resolve, both in the Navy and among the general public.

In fact, however, there is little evidence that this flag was flown by Commodore Hopkins in 1775, or that it even existed during the American Revolution. Its accession into the pantheon of American symbols seems to have resulted from a series of well-intentioned misinterpretations and misunderstandings perpetrated by naval and flag historians in the 19th and early 20th centuries.

This paper analyzes the known historical evidence concerning the First Navy Jack, and documents the story of how it became part of American vexillological lore. It also includes several appendices on related topics, including the “red and blue” version of the striped rattlesnake flag and its purported relationship to the South Carolina state navy. The author has
not hesitated to speculate when appropriate; he has, however, tried to carefully explain his reasoning and identify the supporting references.

This paper is respectfully dedicated to the men and women of the United States Navy, and to their predecessors who have carried the American colors to sea since 1775.

**Background and Historical Sources**

**Commodore Hopkins’ Jack**

Commodore Esek Hopkins was appointed Commander-in-Chief of the fledgling Continental Navy on 5 November 1775. His fleet of converted merchant vessels sailed from Philadelphia in early January 1776 and cleared the Delaware River on 18 February after being delayed by ice. Hopkins’ original orders were to clear enemy forces from the Chesapeake Bay, followed by a campaign off the Carolina coast. He decided, on his own discretion, to raid the Bahamas instead.

The fleet arrived off Grand Abaco on 1 March, and sent a landing party ashore at Nassau two days later in the first amphibious operation in U.S. history. Forts Montagu and Nassau fell without a fight. The expeditionary force captured a large quantity of military stores which were loaded aboard the ships along with Royal Governor Browne and two of his aides, and fleet was underway again on 16 March. After capturing several prizes and fighting an inconclusive battle with the British frigate *Glasgow*, the fleet anchored off New London on 8 April. Hopkins’ ships never sailed as a squadron after the Nassau operation, and Hopkins was eventually relieved of his command in March 1777.6

On 5 January 1776, as the fleet prepared to depart from the Delaware River, the Naval Committee of the Continental Congress directed the Commodore “to devise or adopt and give out to the Commanding Officer of every Ship, such Signals and other marks and distinctions as may be necessary for their direction”.7 In response, Hopkins promulgated a set of “Signals for the American Fleet” to the captains of the ships in his squadron.
The use of specially designed signal flags was uncommon in 1776. Navies typically transmitted messages between ships by displaying flags that were aboard the ship for other purposes in various locations and configurations, sometimes in combination with raising and lowering specific sails and firing signal guns. For example, Hopkins’ signal “For the Fleet to Anchor” was “Clew up the Main top Sail & hoist a Weft in the Ensign” [of the Alfred, his flagship]. As the signal “For a General Attack or the whole Fleet to Engage”, Hopkins specified the words that would be quoted in the CNO message 226 years later:

The Standard at the Main top G[allant] Masthead, with the strip’d Jack & Ensign at their proper places.

Commodore Hopkins did not need to describe the “proper places” for the ensign and the jack, because these would have been common knowledge among his captains. The ensign, flown at the stern, was the primary identifier of the vessel’s nationality. The jack, flown at the bow, was a smaller supplemental flag whose design was generally related to that of the ensign. In the British Royal Navy, the ensign had the union crosses of England and Scotland in the canton, and a red, white, or blue field depending on the rank of the squadron commander. The jack was the canton portion of the ensign, and was therefore commonly called the “Union Jack”. The custom of carrying a jack on the bow of a warship originated in the Royal Navy in the early 17th century.

The ensign flown by the Alfred during her service in the Continental Navy was the “Grand Union” or “Continental” flag, which resembled the British ensign but had 13 red and white stripes in the field instead of a plain color. The Americans could not follow the British practice of using the ensign’s canton for the jack, because it would have resulted in their using the same jack as their putative enemies. The logical course, therefore, would have been to use the other portion of their ensign’s design, the red and white stripes. There is no conclusive evidence of what the “strip’d jack” looked like, but it seems likely that it was simply a red-and-white striped flag. The records of James Wharton, the Philadelphia ship Chandler who fitted out the American fleet, support this. In his day book for January 8, 1776, he reports delivering
(for the ship *Alfred*)... 1 Jack Red & White—13 half-breaths narrow.\textsuperscript{13}

British jacks were generally square (as opposed to ensigns, which were oblong), and the fact that Wharton specifically identified this flag as a jack may indicate that it was square also.

While there is no direct evidence concerning the appearance of the *Alfred’s* jack, the most reasonable assumption is that it was simply a square red-and-white striped flag.\textsuperscript{14}

**The Thomas Hart Portrait of Commodore Hopkins**

How, then, did the idea arise that the *Alfred’s* jack depicted a rattle-snake and a motto? These elements apparently originated with a mezzotint\textsuperscript{15} portrait of Commodore Hopkins that was published in London on 22 August 1776 (Figure 2).\textsuperscript{16} The Commodore is shown on the deck of a ship, sword in hand. There are two other ships in the background. One is flying, apparently in the fore rigging, a white flag with a tree and the inscriptions “Liberty Tree” and “An appeal to God”. The other ship has on its ensign staff a striped flag displaying a somewhat cartoon-like snake and the inscription “Dont tread upon me” [sic] (Figure 3).

The identity of the engraver is not known, but he is believed to have been one of the “Dublin Group” of Irish engravers who worked in London in the mid-18th century under the tutelage of James McArdell.\textsuperscript{17} The publisher’s name, Thomas Hart, appears in the margin of the print; this appears to have been a pseudonym and the real identity of the publisher is also unknown.\textsuperscript{18}

As will be seen, this portrait has been cited as evidence for a “rattle-snake and stripes” naval flag since the mid-19th century. With one spurious exception (discussed in Appendix B), it appears to be the only known evidence for the use of such a flag by the American Continental Navy, at least in American waters. What, then, can we deduce about the accuracy of the portrait?

A superficial examination suggests that the artist is unlikely to have created the portrait from life. Esek Hopkins was born in 1718, and was 58
years old in 1776. General Henry Knox visited the Commodore aboard his flagship in April of that year, and afterwards wrote “I have been on board Admiral Hopkins’ [ship] ...Though antiquated in figure he is shrewd and sensible.”\textsuperscript{19} The man in the Hart portrait appears to be considerably younger than 58, and would certainly not be described as “antiquated”.

The Hopkins portrait is one of five portraits of American military leaders published by Thomas Hart in 1776, the other subjects being Bene-
The First Navy Jack

Figure 3. Detail of the Hart Portrait of Hopkins, showing the striped rattlesnake flag.

dict Arnold, Robert Rogers, John Sullivan, and David Wooster.20 The first two are illustrated in Figures 4A and 4B.21 These in turn were part of a larger series of “Rebel Officer” portraits made by British engravers in the early years of the war. A 19th-century collector cataloged a total of 12 different subjects in the series by 3 different publishers.22 According to the art historian Charles H. Hart, all of these portraits are examples of “Frauds in Historical Portraiture”, that is, they are imaginative creations that have no relation to the actual appearance of the subject. In a 1913 article, he referred to them as follows:

The series...is well known to collectors...Not one of them is authentic, although the Hancock has some resemblance to genuine portraits of the second president of Congress.23

According to Charles Hart, it was quite common for 18th- and 19th-century illustrators to create portraits of famous people that had no relation whatsoever to the subject’s real appearance. In some cases, the artist even attached one person’s name to the image of another.24 This practice was probably motivated by a desire to capitalize on the popularity of a famous name. In the absence of photography, it is unlikely that most consumers ever knew the difference.

Two more recent analyses of the Thomas Hart portraits in particular would seem to confirm Charles Hart’s analysis. Robert Cuneo, the definitive biographer of Robert Rogers, made the following comments:

Careful examination of the supposed portraits bears out this conclusion [that they are fraudulent]. All have the same narrow shoulders and small but definite paunch. Despite superficial changes
the postures are similar, as are the uniforms. The faces seem to vary yet all possess cupid-like lips, large, protruding eyes, and prominent noses. Comparison of some of the drawings with authentic paintings of the subject reveals such dissimilarity as to throw doubt on the entire series. Thomas Hart was interested in making some money from the current interest in the American rebellion; the veracity of the portraits mattered little.25

In an on-line article about the portraiture of Benedict Arnold, Stephen Darley reached a similar conclusion: “Flexner [a biographer of Arnold] was correct when he referred to this portrait of Arnold as “imaginary.” It should not and cannot be used to represent a fair and accurate portrait of Arnold’s features and likeness.”26

Examination of the background details and captions of the Hart portraits further substantiates the conclusion that they are works of imagination. For example, Arnold is shown standing in front of a view of Quebec, highlighting his contemporary fame as hero of the campaign of 1775. However, he is depicted standing under a palm tree, flora unlikely to be found in Canada.27 Similarly, the caption for the Rogers portrait states
that he was the “Commander in Chief of the Indians in the Back Settlements of America”. This is sheer fiction; Rogers did not serve in the American armed forces in any capacity during the Revolutionary war. He did serve briefly in the British army during the New York campaign.28

**The Flags in the Thomas Hart Portrait**

It appears that the naval historian Samuel Eliot Morison was correct when he made this comment:

> The mezzotint portrait of Esek Hopkins published in England...is a work of imagination by someone who never saw Hopkins or his ships...the flags are fantastic.29

Having said this, however, it seems unlikely that the artist invented the flags in the portrait from whole cloth (so to speak). We will probably never know what his sources were, but it is reasonable to speculate that his information came from the “mass media” of the day—the popular press. The pine tree flag30 was well known to the British public because the Royal Navy captured at least two ships flying this flag in the first months of the conflict. The brig Washington, taken in December 1775, attracted particular interest because she was the first American warship to be captured by the British. Her flag was described as “a white field with a green pine tree in the middle: the motto: Appeal to Heaven”.31 The artist might also have read about the flag of the Yankee Hero, captured in early June of 1776, which was described as “a pine tree on a white field”.32 Neither of these descriptions precisely matches the flag in the portrait, but there is no reason to expect that they would. As we have already seen, the artist was less concerned about accuracy than about creating an interesting image to sell.

There are no known mentions in the British press of an American flag like the “rattlesnake and stripes”. However, an account of Commodore Hopkins’ raid on the Bahamas that appeared in the July 1776 issue of “Town and Country Magazine” suggests a possible source:

> The colours of the American fleet were striped under the union with thirteen strokes, called the thirteen United Colonies, and their standard was a rattlesnake, motto ‘Don’t tread upon me’33
Careful examination of the quotation makes it clear that the writer is describing two separate flags: the colors (or ensign) and the standard. “Striped under the union with thirteen strokes” clearly suggests the Grand Union flag, which, as we have already seen, was the ensign of Hopkins’ squadron in 1775-76. The standard is almost certainly the so-called “Gadsden Flag”, which is known to have been Hopkins’ standard as Commander-in-Chief. (This would be “The Standard at the Main top G[allant] Masthead” that Hopkins mentioned in his signal.) Neither flag resembles the one in the portrait; the Grand Union has stripes but no snake or motto, while the Gadsden has a snake and a motto but no stripes. Also, the snake on the Gadsden flag is coiled to strike, while the one in the portrait is stretched out across the flag.

Our artist, however, was not interested in technical accuracy, and had probably never seen the flags in question. He could well have read this passage about Hopkins’ flags, remembered the artistic motifs that it mentioned—stripes, a rattlesnake and a motto—and included them in his picture. This speculation is supported by three other factors. First, the timing is reasonable; the article appeared in late July 1776 and the portrait was published one month later on 22 August. Second, the wording of the motto is given in the article as “Don’t tread upon me”, which matches the wording in the portrait. All other known descriptions of the Gadsden flag (as well as other, similar Revolutionary War flags) give the motto as “Don’t tread on me”. Third, 18th-century British and European illustrators often used the stretched-out “crawling rattlesnake” as a symbol of the American revolutionary cause, whereas there is no other known evidence that it was ever used on American flags.

In summary, the evidence strongly suggests that the striped rattlesnake flag depicted in the Hart engraving was not a realistic depiction of an American naval flag, any more than the palm tree in his Arnold portrait accurately depicted the flora of Canada. It was a decorative embellishment to a fanciful portrait, and was a combination of motifs that would be recognized by the British public as symbols of the American Revolutionary cause.
Copies of the Hart Portrait

The “Rebel Officer” engravings were widely copied in Britain and in Europe, reflecting popular interest in the events of the American Revolution. In at least two cases, copies of the Hopkins portrait have found their way into vexillological literature and have been cited as additional evidence for the existence of the First Navy Jack.

A series of such copies was published by Dupin in Paris in 1777 or 1778. Dupin’s rendering of Hopkins (Figure 5A)\(^36\) is an exact copy of the Hart engraving, down to the details of the hair and clothing. However, it is a mirror image; the subject is facing right instead of left and the waistcoat is buttoned on the “wrong” side. (This probably resulted from the tracing technique used to make the copy from a printed original.)\(^37\) In Dupin’s rendering, the portrait is set in an oval surrounded by military symbols, including two flags. The large flag, on the left, depicts a stretched-out snake and the motto “D’ont [sic] tread upon me”. The small flag on the right is a replica of the pine tree flag in the Hart engraving.

Dupin’s rendering of the rattlesnake flag is puzzling until one examines other examples of his “Rebel Officer” copies. Figure 5B, for example, is his rendering of George Washington.\(^38\) Dupin used a common frame and embellishments for all of his portraits, including a large flag on the bottom left.\(^39\) In the Washington example, as with most others, the flag is blank. For the Hopkins, however, Dupin added the snake and the motto from the Hart original.\(^40\) He did not copy the stripes from the Hart version, undoubtedly because the folds and draping of the flag would have made it very difficult to add convincing stripes. He also added the small pine tree flag from the Hart on top of the shield in his standard border.
Dupin’s portrait is clearly not additional evidence for the First Navy Jack; it is simply an artistic copy of the Hart.

A German copy of the Hart, Figure 6, has also appeared in the vexillological literature. This engraving was published in Nürnberg in 1778 as an illustration for a book. It is a direct, fairly crude copy of the Hart. The right side was chopped off to make it fit the book’s dimensions, thus eliminating the pine tree flag. The “rattle-snake and stripes” from the Hart original is replaced with a simple striped flag.

These copies, like the Hart original, are works of artistic imagination, and none of them is a credible source of information about Hopkins, his ships or his flags. Nevertheless, the Hart image of Hopkins and its many descendents are standard illustrations in books and web sites dealing with the Continental Navy and the Revolutionary War. Generations of flag historians have assumed them to be authentic, and have built upon them a legend of the First Navy Jack—a historic flag that never was. The development of the legend is an interesting story in itself. Of particular interest is the manner in which the depiction of the flag evolved from Hart’s engraving to the modern design used by the U.S. Navy and the public.

The Origin and Growth of the Legend

The seeds of the First Navy Jack legend were unwittingly sown by the naval hero of the American Revolution, John Paul Jones. Jones was the
First Lieutenant of Commodore Hopkins’ flagship, the *Alfred*. In his Journal (which was actually a third-person memoir), Jones made the following statement about his service in that vessel:

On board of that ship, before Philadelphia, Mr. Jones hoisted the flag of America with his own hands, the first time it was ever displayed, as the commander in chief embarked on board the *Alfred*.44

From Jones’ other writings, it is clear that he regarded this as an important event in his life, and that he was immensely proud of having been the first to hoist a symbol of American sovereignty on a man-of-war. None of his writings specify, however, what the “flag of America” looked like.45 The question of what flag he raised over the *Alfred* has naturally been of great interest to naval historians.

In his 1830 biography of Jones, Robert Sands included a short appendix on the subject of naval flags:46

In the early part of the Revolutionary war, the maritime flag seems to have been, either the coat of arms of the respective colonies under whose authority vessels were equipped, or to have depended upon the whim or fancy of the commanding officer. Thus, the brig *Yankee Hero* of Marblehead, captured after an obstinate engagement by the Milford frigate, bore a pine tree in a white field; several fitted out from New York bore a black beaver.47

On 9 February 1776, thirteen months after [Captain John] Manley had been scouring the ocean under authority of the colo-
ny of Massachusetts, “Col Gadsden presented to Congress\textsuperscript{48} an elegant standard, such as is to be used by the commander in chief of the American navy; being a yellow field with a lively representation of a rattlesnake in the attitude of going to strike, and these words underneath, ‘Don’t tread on me.’ This was doubtless the strange flag of which an English writer of that period speaks in the following words: “a strange flag has lately appeared in our seas, bearing a pine tree with the portraiture of a rattlesnake coiled up at its root, with these daring words: ‘Don’t tread on me.’ We learn that the vessels bearing this flag, have a sort of commission from a society of people at Philadelphia, calling themselves the continental Congress.”\textsuperscript{49}

Sands’ appendix did not suggest that either the Gadsden flag or the “snake and tree” flag had any particular connection with John Paul Jones. However, because it appeared in a biography of Jones, later writers were quick to assume such a connection. In his \textit{History of the Navy of the United States of America} (1839), James Fenimore Cooper speculated that the pine-tree-and-rattlesnake flag described by Sands might have been the one that Jones raised on the \textit{Alfred}. There was no apparent basis for his speculation other than the fact that he obviously used Sands as a source:

\ldots the first ensign ever shown by a regular American man of war, was hoisted in the Delaware, on board the \textit{Alfred}, by the hands of John Paul Jones, sometime about the last of December [1775]. \ldots What ensign it was, is not now certainly known, but it is thought to have been a device representing a pine tree, with a rattlesnake about to strike, coiled at its root, with the motto “Don’t Tread On Me”. It is certain that such a flag was used, at the commencement of the Revolution, and on board some vessels of war, though whether this was the flag worn by the \textit{Alfred} is not quite so clear. Most of the privateers of the period either wore the arms of the colony from which they sailed, and by which they were authorized to cruise, or they also showed devices of their own, according to the conceits of the different captains and owners.\textsuperscript{50}
In 1850, Benson Lossing’s *Pictorial Field-Book of the Revolution* suggested a connection between the ensign raised by Jones and the Thomas Hart portrait of Hopkins. Lossing not only assumed that the Hart portrait was a reliable source, but also that the English artist had accurate information about the specific incident of the flag raising on the *Alfred*.\(^51\) Whereas Cooper had described the *Alfred’s* ensign as a single flag depicting both a tree and a snake, Lossing separated these motifs into the two flags shown in the portrait:

The first ensign ever shown by a regular American man-of-war was raised on board the *Alfred*...in December 1775, by the hands of John Paul Jones, then Hopkins’s first lieutenant. This flag, according to a portrait of Hopkins’ published in London in 1776, was a plain ground, with a pine-tree in the center...the Union flag with thirteen stripes, adopted by the army of the first of January, 1776, was also displayed. This had a representation of a rattlesnake, with these words *Don’t tread on me*.\(^52\)

Lossing made a number of interesting assertions. First, he believed that the *pine tree flag* was the ensign hoisted by Jones, probably because it resembled the flags cited by Sands and Cooper more than did the other flag in the Hart engraving. Second, he apparently confused the striped rattlesnake flag in the Hart portrait with the Grand Union flag, which was the one “adopted by the Army” in January 1776. The last point is surprising, because Lossing discussed the Grand Union flag in some detail in his book, and explained how the British initially interpreted it a sign of surrender because it had the British union in the canton. He then stated that the striped rattlesnake flag, which has no canton, was the same flag. Finally, he did not say in what capacity he thought the striped rattlesnake flag had been displayed on the *Alfred*, but only that it was *not* the national ensign.

Lossing’s book included an illustration of the striped rattlesnake flag, Figure 7A. Although Lossing based it on the Hart engraving (he included an illustration of the pine tree flag also) his rendition of the rattlesnake and stripes differed in several ways from the Hart original. The snake changed from a cartoon to a realistic-looking rattler; the motto became “Don’t tread
on me” instead of “upon”, with an apostrophe added in the “don’t”. Also, the positioning of the snake was subtly changed. In the Hart engraving, the flag tends downward diagonally and the snake and motto are horizontal with respect to the viewer (they were undoubtedly easier to engrave that way). Lossing showed the flag fully extended horizontally, but tried to copy Hart’s orientation of the snake, with the result that his snake rises diagonally across the flag. The revised motto and the reorientation of the snake have both become part of the modern image of the First Navy Jack.

The next development of the rattlesnake-and-stripes appears to have been in Ferdinand Sarmiento’s book *The History of our Flag*, published in 1864 during the Civil War. Sarmiento was a rabid Unionist, and the thrust of his book was to present the American flag as a Union symbol:

We find [the sentiment of the union]...plainly designated in the old Continental flag of thirteen stripes [i.e., the Grand Union]. Again, we have the same flag, charged with a rattlesnake...Frequently these flags bore the words “Don’t tread on me.”

Sarmiento repeats the confusion that we saw with Lossing: he states that the Grand Union flag and the striped rattlesnake flag are the same, when they plainly are two different flags. He continues:

...the rattlesnake union flag, which we have just described,...may be said to be the first ensign ever shown by a regular American man-of-war [and] was raised in December 1775, on board the Alfred...by that daring hero, John Paul Jones. The old flag of the floating batteries [i.e., the pine tree flag] was also raised at the same time, out of compliment, probably, to what was indeed the germ of our navy.
Sarmiento, in other words, thought that the rattlesnake flag in the Hart portrait was the ensign, instead of the pine tree flag. He appears to have been “correcting” Lossing’s idea that it was the other way around. He also provided a possible rationale for the appearance of the pine tree flag in the portrait by citing its connection with Washington’s flotilla.\textsuperscript{55} Like Lossing, he assumed that the Hart portrait depicted flags that actually were raised on the Alfred on that historic December day.

Sarmiento’s depiction of the stripes-and-rattlesnake, Figure 7B, showed further developments from Hart and Lossing. In his rendition, the top and bottom stripes were red instead of white, matching the pattern of the U.S. flag that had by then become standard.\textsuperscript{56} The motto was horizontal instead of “arched”, and the snake regressed toward being a cartoon.

In 1872, 8 years after Sarmiento’s analysis, George Henry Preble published his watershed book on the history of the American Flag.\textsuperscript{57} Preble’s research included correspondence with Benson Lossing, and he cited the works of Sands, Cooper, and Sarmiento. He had also studied the Hart portrait of Hopkins, and included a high-quality reproduction of it in his book.\textsuperscript{58} He carefully reviewed the evidence concerning the flag that John Paul Jones raised on the Alfred, and also discussed the other flags that had been associated with Hopkins and his squadron by previous writers:

...It is not known with certainty what flag Jones calls ‘the flag of America,’ though there are reasons for supposing it the grand union flag of thirteen stripes displayed at Cambridge of the 2d of January...
In the day-signals for the fleet to the several captains in the fleet...[the signal] For general attack, or the whole fleet to engage, [was] “The standard at the maintop masthead with the striped jack and ensign at their proper places”. ...The striped jack may have been a flag of thirteen stripes, with a rattlesnake undulating upon it.59 [emphasis added.]

Preble’s speculation was clearly based on his analysis of the Hart portrait:

At the Naval Academy, Annapolis, there is preserved a mezzotinto engraving of “Commodore Hopkins, commander-in-chief of the American fleet, published as the law directs, 22d August, 1776, by Thomas Hart, London, which has been transferred to glass and colored.”...The commodore is represented in the naval continental uniform with a drawn sword. At his right hand there is a flag of thirteen stripes with a snake undulating across them, and underneath it the motto “Don’t tread on me”. [sic] There is no union to the flag, and it may represent the striped jack mentioned in his signals to the fleet.60 [emphasis added.]

Preble appears to have been the first to suggest that the “rattlesnake and stripes” in the Hart portrait might have been related to the “striped jack” in Hopkins’ signal. Previously, as we have seen, the tradition was that the “rattlesnake and stripes” was some sort of variant of the Grand Union, which was the first national ensign of the United States.61 Preble was careful to correct this confusion; he specifically pointed out that the flag in the Hart portrait had “no union”, and that it was separate and distinct from the national ensign. He also made it clear that its possible connection with Hopkins’ jack was simply speculation.

Preble’s book contained a color plate entitled “Flags of 1775-77” (Figure 8)62, which illustrated two versions of the rattlesnake-and-stripes, one with red and white stripes and one with red and blue stripes. Both versions retain the stripe pattern, the diagonally rising snake and the horizontal motto (ending in “on me” instead of “upon me”, but without the apostrophe in “don’t”) from Sarmiento. The snake image is refined somewhat,
Figure 8. *Color plate from Preble’s History of the Flag of the United States, 1880.*
and is depicted as silver. The red and white-striped version is similar to the modern design; the major difference is that the modern snake is typically gold or in natural colors. Preble’s red-and-blue-striped version of the rattlesnake-and-stripes is a story in itself, and is discussed in Appendix E.

Preble’s book was immediately recognized as the definitive work on the history of the American flag, and was used by subsequent writers as an authoritative reference. Dr. Whitney Smith, founder and director of the Flag Research Center, has said of Preble’s work:

Because he was essentially the first to write seriously on American flags and was certainly the most prolific vexillologist of the 19th century, about 75% of all U.S. flag books are based directly or indirectly on his tome. His illustrations were in color, which was rare in 19th-century flag books, so they became the de facto basic collection of “Flags of the American Revolution”, appearing not only in print, but as actual cloth flag replicas sold by the thousands.

...Original research is time-consuming and demanding and it’s easy to assume that published sources are correct and can be trusted. Those who have written books or articles or have created web sites about American flags have for the most part relied on work done by Preble...As a result there is a constant repetition of misinformation that gives certain designs the impression of accuracy.

Preble’s casual speculation about the association of Hart’s rattlesnake-and-stripes with Hopkins’ jack quickly entered the canon of American flag lore, and was soon being asserted as a fact. In 1917, Byron McCandless fostered the “impression of accuracy” in the “Flag Number” of National Geographic Magazine. Unlike Preble, he did not present his statement as speculation, and he cited no references:

The jack displayed on the Alfred ...was a small, nearly square flag of thirteen alternative red and white stripes, bearing a crawling rattlesnake with the legend “Don’t Tread on Me”. [emphasis added]
Preble and *National Geographic* were regarded as authoritative sources, and later writers have simply copied this information. A rare note of skepticism came from Milton Quaife, in his book *The Flag of the United States* (1942):

There seems some reason for supposing that the “Striped Jack” was a flag of alternate red and white stripes with a serpent stretched diagonally across them, although the present writer has found no conclusive evidence concerning it...A contemporary engraving of Commodore Hopkins...shows two flags in the background: one a white, pine-tree design and the other the striped jack...One cannot regard such evidence, however, as establishing the facts noted.66

Quaife’s words concisely summarize the reality behind the First Navy Jack. It is possible, of course, that other “conclusive evidence” may come to light in the future. However, it appears more likely that the flag illustrated and described in so many history books, and on so many web sites, and in the official correspondence of the U.S. Navy, is a legacy of well-intentioned misunderstanding and speculation by Cooper, Sands, Lossing, Sarmiento, Preble, McCandless, and others.

**Summary and Conclusion**

There is no direct evidence as to the appearance of the “striped jack” mentioned in Commodore Hopkins’ signals; the most reasonable assumption is that it was simply a square, horizontally striped flag. The legendary snake-and-motto design of the First Navy Jack appears to be based entirely on a casual speculation by George Henry Preble. Preble’s analysis was based on the assumption that the Thomas Hart portrait of Commodore Hopkins was a reliable historical source, when in fact it was a work of imagination.

There appears to be no credible evidence that a striped rattlesnake flag was actually used by the American Continental Navy during the Revolution. The only possible exception, discussed in Appendix E, relates to an incident that occurred in European waters in 1777 and had no connection
with Commodore Hopkins or his squadron. It is more likely that the “rattlesnake and stripes” was simply a combination of artistic motifs popularly associated with the American Revolutionary cause.

For many years, a stately beech tree stood on the grounds of the U.S. Soldiers and Airmen’s Home in Washington D.C. “It was considered perhaps the most historic tree in Washington, providing shade and solace to President Abraham Lincoln during the summers of the Civil War. So revered was the copper beech...that after arborists discovered it was dying...the tree was eulogized at a ceremony attended by more than 100 people.” When the dead tree was cut down in 2002, however, experts analyzed the trunk and concluded that it was at most 140 years old. “If it existed at all during the years when Lincoln used the Soldiers’ Home as a summer White House, it was a mere sapling.”

An editorial in the Washington Post commented: “When something is history for a long time and then ceases to be history, that, too, is history. What matters now, is not the tree but the importance the tree had.” The same might be said of the First Navy Jack. It is still an inspiring symbol of American resolve—even though it is a flag that never was.

This paper was first presented at NAVA’s 36th Annual Meeting in Denver, Colorado, where its author was presented the Captain William Driver Award for the year’s best contribution to vexillological scholarship.
The Hart portrait of Commodore Hopkins depicted a rattlesnake “undulating” across the flag. This is in contrast to most documented examples of serpents on American Revolutionary flags and insignia, which typically show or describe the snake as coiled in striking position.

The “crawling rattlesnake” was characteristically used by English and European illustrators as a symbol of the American Revolutionary cause. It undoubtedly originated with the famous “Join or Die” cartoon that Benjamin Franklin printed in his newspaper in 1754. Initially at least, the British seem to have found the “crawling snake” symbol to be amusing rather than threatening. A loyalist newspaper in New York published a poem called “on the SNAKE, depicted at the Head of some American NEWS PAPERS”, which began:

Ye Sons of Sedition, how comes it to pass,  
That America’s typed by a SNAKE—in the grass?  
Don’t you think ‘tis a scandalous, saucy reflection,  
That merits the soundest, severest Correction . . .

Other than simply belittling the American cause, one can speculate about other reasons that the British in particular might depict the American snake as skulking “in the grass”. One might simply be that the average European had never seen an American rattlesnake, and did not know that
it coiled before attacking. One could also suggest a biblical angle: in Genesis, God punished the serpent by condemning it to crawl on the ground (what serpents did before that is a bit of a mystery). A British cartoon of 1782, Figure 9A, has a caption that portrays the “serpent” as an evil influence in somewhat biblical terms:

Britons in the Yankean plains
Mind how ye march and trench
The serpent in the Congress reigns
As well as in the French

A detail from a 1778 European print, Figure 9B, shows an allegory of the Revolution itself. An exploding teapot is shooting a crawling snake at the retreating British soldiers, while the Americans are advancing under a striped flag with another crawling snake on it. (Meanwhile, the rooster, representing France, is fanning the flames.) The engraver was a German working in Paris.

Figure 9C is a detail from a British cartoon depicting the capture of Mud Island (Fort Mifflin, near Philadelphia) on 25 October 1777. The American flag is shown as a striped flag with a crawling rattlesnake. It is very unlikely that such a flag really flew over Fort Mifflin; an eyewitness painting shows that it was actually the stars and stripes. Once again, the snake and the stripes were simply motifs that were typically used by British illustrators to represent the American cause. They were not realistic depictions of American symbols, and were probably not intended to be. The use of the “crawling rattlesnake” symbol during the American Revolution is an interesting field for future study.
APPENDIX B

The Alliance’s Jack at the Battle of Flamborough Head

The 1986 book *Early American Ships* is sometimes cited as a source for the use of First Navy Jack by the Continental Navy. The relevant reference is a sketch, Figure 10, depicting the frigate *Alliance* at the Battle of Flamborough Head in 1779. A striped rattlesnake flag is shown on the *Alliance’s* bowsprit staff, where a jack would normally be flown. The supporting text is as follows:

This flag [i.e., the First Navy Jack] appears in a portrait of Esek Hopkins, which suggests that it was in use in 1776, and it was also flown on the bowsprit of the frigate *Alliance* at the capture of the Serapis in 1779...[the engraving] apparently survives only at the Musée de la Marine in Paris.

The portrait is, of course, the Thomas Hart mezzotint, which as shown in the body of this paper is not likely to be a reliable source. The engraving is believed to be “The Defense of the *Serapis* and the *Countess of Scarborough* against Paul Jones & his Squadron”, engraved by John Peltro in 1781 (Figure 11) after a painting by Robert Dodd. The *Alliance* is on the right side of the picture, and comparison between Peltro’s image and the sketch from *Early American Ships* makes it virtually certain that the engraving was the source for the sketch.

Figures 12A and 12B are, respectively, an enlarged image of the flag on the *Alliance’s* bowsprit in the Peltro engraving, and similar enlargement of the jack in the *Early American Ships* sketch. It is readily apparent that there is no snake on the flag in the engraving; what appears to be a snake is
simply the shading that the artist used to bring out the ripple in the flag. The *Early American Ships* sketch was based on a misinterpretation of the source engraving, and is not evidence for the First Navy Jack.\textsuperscript{80}

![Figure 11. “The Defense of the Serapis & Countess of Scarborough against Paul Jones & his Squadron”. Line engraving by John Peltro, 1783.](image)

*Figure 12A (left). Detail of the Alliance’s jack, from the Millar sketch.*

*Figure 12B (right). Detail of the Alliance’s jack, from the Peltro engraving.*
APPENDIX C

John Paul Jones’ Opinion of the Rattlesnake Flag

The legend of the First Navy Jack had its origins in the well-known story of John Paul Jones raising the American ensign on the *Alfred*. Jones was very proud of having done this, and mentions it several times in his memoirs and other writings. However, he is not known to have left any account of what the “flag of America” looked like.

As we have seen, it was popularly assumed in the 19th century that the “flag of America” was some variant of the rattlesnake flag. The following quotation is sometimes attributed to Jones in popular writings about the Revolutionary Navy:

> I was always at loss to know by what queer fancy or by whose notion that device [*i.e., the rattlesnake*] was first adopted. For my own part I could never see how or why a venomous serpent could be the combatant emblem of a brave and honest folk fighting to be free. Of course I had no choice but to break the pennant as it was given to me. But I always abhorred the device and was glad when it was discarded for one much more symmetrical as well as appropriate, a year and a half later.

There are, *prima facie*, several reasons to be suspicious of this quote. It is reasonably well established that the “flag of America” was the Grand Union flag, which did not depict a rattlesnake. The phrase “break the pennant” is also highly unlikely; a pennant and an ensign are two different things and Jones would certainly have been aware of that. It might be argued that Jones was referring to the Gadsden flag, which was Hopkins’ standard as Commander-in-Chief; however; it was not a pennant and Jones would hardly have referred to it as “The combatant emblem of a brave and honest folk”.

It is virtually certain that this quote is spurious; it appears to have originated in the fraudulent biography of Jones written by Augustus C. Buell in 1900. Buell is known to have fabricated many of the references in this work, and it is safe to assume that the above quotation was also his invention. Buell’s fabrications have been thoroughly documented but many of his “quotations” have acquired lives of their own.
APPENDIX D

John Jay and the Rattlesnake Flag

Among the sources that are often cited for the use of rattlesnake flags by the Continental Navy is the following statement in George H. Preble’s history of the American flag:

John Jay, in a letter dated July, 1776...expressly states Congress had made no order, at that date, “concerning continental colors, and that captains of the armed vessels had followed their own fancies.” He names as one device a rattlesnake rearing its crest and shaking its rattles, and having the motto, “Don’t tread on me”.

John Jay (1745-1829) was one of the major founding fathers of the United States and a member of the Continental Congress from New York in 1775-76. He did not serve on any of the committees dealing with the Continental Navy, but he was an active member of the Congress and presumably well informed about its activities. It is unlikely that he would have written the above text in July 1776 (for which Preble gives no reference), because he left the Congress in late April of that year and returned to New York. However, it is possible that Preble was actually referring to a letter that Jay wrote to Alexander McDougall, a member of the New York Committee of Safety, earlier in the year.

On 22 January 1776 the New York Committee of Safety addressed a letter “to the Delegates of this Colony at Congress”, which included the following:

With utmost anxiety we have beheld the supply of provisions, collected last Autumn on board the ship-of-war, by the means of small boats from Queen’s and Westchester Counties, for the purpose of supplying the Ministerial [i.e., British] army at Boston. Our [New York Colonial] Congress, impelled by a desire to prevent so great a mischief, authorized Colonel McDougall to equip a small armed vessel to watch those and other dangerous supplies of the like kind.

We are informed by one of our Delegates, that [the Continental] Congress will readily take this vessel into the Continental service; should it be so determined her flag should be described to us,
maritime articles of war provided, with a roll of pay, and sent to us without delay.\textsuperscript{85}

McDougall wrote to Jay on 7 March:

The Sloop we are fitting out is ready, but wait to know from Congress what pay you allow the officers and Sailors on board the Smallest Continental Vessel, and the description of the Continental Colors. I beg you to furnish me with a Copy of these, without delay...[sic]\textsuperscript{86}

After yet another reminder on 20 March (“I want the Pay Establishment and the description of the Continental Colors, And I beg you once more to send them to me . . .”\textsuperscript{87}), Jay responded from Philadelphia on 23 March:

As to Continental colors, the Congress have made no order as yet concerning them; and I believe the Captains of their armed vessels have, in that particular, been directed by their own fancies and inclinations. I remember to have seen a flag designed for one of them, on which was extremely well painted a large rattlesnake, rearing his crest and shaking his rattles, with this motto: “Don’t tread on me.” but whether this device was generally adopted by the fleet, I am not able to say; I rather think that it was not.”\textsuperscript{88}

Jay’s reference to “the fleet” was almost certainly to Commodore Hopkins’ squadron, which had sailed from Philadelphia at the beginning of the year and was at sea on its return voyage from the Bahamas when he wrote. His description of the flag corresponded exactly to the “Gadsden Flag” which was Commodore Hopkins’ standard as Commander-in-Chief; presumably this flag had been exhibited to Congress or shown to Jay in some other fashion. The language of this letter is similar to Preble’s purported letter of “July 1776” and it is likely that Preble was simply mistaken about the date.

Jay’s comment that the captains “have been directed by their own fancies” is similar to Robert Sands’ opening sentence in his 1830 discussion of the Continental colors (see the main text). Robert Sands’ father, Comfort Sands, was a colleague of McDougall on the New York Committee of Safety. Perhaps the younger Sands used Jay’s letter to the committee as one of his sources.
APPENDIX E

The Blue-and-Red-Striped Rattlesnake Flag

Introduction

Preble’s work on the history of the American flag included two color plates depicting striped rattlesnake flags: one with red and white stripes and the other with stripes of red and blue. The red-and-white version, as we have seen, has become popularly identified as the First Navy Jack. The red-and-blue version has also found a niche in American vexillological lore. Although it appears to be as fictitious as the First Navy Jack, there are some interesting, and unresolved, problems about its “history”.

Preble’s explanation of the red-and-blue rattlesnake flag was included in his discussion of John Paul Jones and the Alfred:

Sherburne says that the flag hoisted by Jones was composed of alternate stripes of red and blue with a rattlesnake running across the field, and the usual motto.89 [emphasis in the original]

“Sherburne” is a reference to John Henry Sherburne, who wrote an important book about John Paul Jones in 1825. Among other distinctions, his book contained the first printed mention of the famous phrase “I have not yet begun to fight”. However, there is actually no mention of a red-and-blue striped flag in Sherburne—he simply stated that Jones “...hoisted the flag of independent America with his own hands, the first time it was ever displayed.”90

Preble may have realized that his reference was in error, because it appears only in the 1872 edition of his book—it was deleted in the 1880 and later editions. From the context, it does not appear that the deletion was an accident; the statement was between two other paragraphs that went unchanged in the 1880 edition. However, the red-and-blue rattlesnake flag was not deleted from Preble’s “Flags of 1775-77” color plate—it appeared unchanged in the 1880 and later editions, with no explanation at all in the text. Since the 1880 edition is usually regarded as the definitive edition of Preble’s work, the red-and-blue rattlesnake flag has, like its
red-and-white striped cousin, found its way into American flag lore.

The legend of the red-and-blue rattlesnake flag was aided by the well-intentioned efforts of the Pennsylvania Society of Sons of the Revolution (PSSR). In 1893 the PSSR established a Color Guard and acquired replicas of selected historic American flags to display in parades and pageants. One of the flags that they selected was the red-and-blue rattlesnake flag, probably because it appeared in Preble’s color plate. This flag has appeared in PSSR flag books since 1903, and is still part of their Color Guard collection. Figure 13 is an image from the Society’s web site.91

Two legends have grown up about the blue-and-red-striped rattlesnake flag. One holds that the Revolutionary War naval hero Gustavus Conyngham flew it during his exploits in 1777-78; the other is that it was the flag of the state navy of South Carolina. The factual basis for both legends appears to be slim; both require further research and are briefly discussed in the following sections.

Conyngham and the Rattlesnake Flag

Captain Gustavus Conyngham (1747-1819) is an unjustly forgotten hero of the American Revolution. His most famous exploit was the capture of the British mail packet *Prince of Orange* in the English Channel in May 1777. Because he had sailed from Dunkirk, in then-neutral France, his action caused a diplomatic uproar between London and Paris. The French, sympathetic to the American cause but not yet ready to declare war on Britain, made a great show of imprisoning Conyngham and seizing
his ship, the *Surprise*. After his release, and with the assistance of American envoy Benjamin Franklin, Conyngham fitted out another ship (the *Revenge*) and continued his exploits, eventually returning to America in 1779. He died in Philadelphia and is buried there.\textsuperscript{92}

A contemporary description of the *Surprise* states that “Her Ensign is 13 red and White Stripes, denoting the Thirteen United Provinces in America”, and other evidence indicates that Conyngham flew a striped ensign on both of his ships.\textsuperscript{93} The idea that his flag had a rattlesnake on it is apparently based on a contemporary Dutch engraving depicting his capture of the *Prince of Orange*, Figure 14. The details of the flag on the *Surprise* are difficult to interpret because of the small size of the image, however, the flag has approximately 25 stripes and what may be a snake stretched out between the lower hoist corner and the center. The print is not dated, but it is believed to have been engraved by Simon Fokke (1712-
The First Navy Jack after an original work by Hendrik Kobell (1751-1782). The details and history of this engraving merit further research.\textsuperscript{94}

The specific identification of the red-and-blue striped rattlesnake flag with Conyngham appears to be another legacy of the PSSR. The Society restored Conyngham’s tomb in Philadelphia around the turn of the 20th century, and published a pamphlet about him by Charles H. Jones in 1903. The illustration of Conyngham’s flag in this publication\textsuperscript{95} is identical to Figure 13, and is captioned “The flag carried by Captain Conyngham in his cruises.” The red-and-blue-striped flag is identified with Conyngham in the flag books of the PSSR,\textsuperscript{96} and also in several other, apparently derivative, sources.\textsuperscript{97}

The Rattlesnake Flag and the South Carolina State Navy

Background

During the Revolutionary War, all of the states except New Jersey and Delaware established state navies for local defense. South Carolina’s first naval force consisted of two armed barges, which assisted in the capture of a British supply ship in July 1775. In late 1775, the South Carolina government took steps to set up a permanent naval establishment, including appropriations for ships, officers and crew, and eventually an administrative structure. According to historian Charles O. Paullin,

Few states exceeded South Carolina in naval expenditures. With the exception of Massachusetts, the vessels of no other state went to sea so often as did those of South Carolina. The navy of South Carolina was smaller than that of Virginia, but much more active. From 1776 to 1779 it captured some thirty-five small prizes\textsuperscript{98}

The South Carolina Navy existed in one form or another until May of 1780, when all of its remaining ships were lost in the fall of Charleston.\textsuperscript{99} In March 1783 a committee of the state House determined that the Articles of Confederation precluded South Carolina from having a navy,\textsuperscript{100} and the South Carolina Navy formally passed into history.
There is little evidence to indicate the design of the ensign that was flown by the ships of the South Carolina Navy. The Georgia schooner Liberty, which was the flagship of the combined force in July 1775, carried “a white flag with the words “American Liberty” printed in large red letters within a red border”.101 The South Carolina forces defending Fort Sullivan against the British attack in June 1776 flew the famous “Moultrie flag” consisting of a white crescent on a blue field102 and an image on a South Carolina bank note issued in December 1776 shows a ship flying a similar flag as its ensign and jack.103

“a rattlesnake, in the middle of thirteen stripes”

The association of a rattlesnake flag with the South Carolina Navy appears to have originated in the famous exchange of notes between the Neapolitan ambassador to France and the American commissioners in Paris in October of 1778. On 8 October, the Ambassador wrote:

GENTLEMEN: I am persuaded that you already know that the King of the Two Sicilies, my master, has ordered the ports of all his dominions to be kept open to the flag of the United States of America,...I request you inform me of the colors of the flag of the United States of America, and likewise of the form of the clearances, the better to know the legality of the papers which it is customary to present in ports to gain free admission.104

The response, dated 9 October, was signed by Benjamin Franklin and John Adams in their capacities as the American commissioners:

(...) It is with pleasure that we acquaint your excellency that the flag of the United States of America consists of thirteen stripes, alternately red, white and blue; [sic] a small square in the upper angle, next the flagstaff, is a blue field, with thirteen white stars, denoting a new constellation.

Some of the States have vessels of war distinct from those of the United States. For example, the vessels of war of the State of Massachusetts Bay have sometimes a pine tree; and those of South
Carolina a rattlesnake, in the middle of the thirteen stripes...

...Each State may have a different method of clearing vessels outward bound and a different form in the papers given, therefore we are not able to give your excellency certain information respecting all of them. The Massachusetts Bay has only a naval officer in each port, who subscribes a register, a clearance and a pass for the castle in Boston harbor.\(^{105}\) [emphasis added]

This letter is usually identified with Franklin, and the variant of the United States flag that it describes is referred to as the “Franklin flag” in some publications. However, that fact that it cites Massachusetts as the example for both the flag and the clearance procedures suggests that Adams was actually the primary author. Adams would certainly have been familiar with such matters; he had been involved in the maritime affairs of Massachusetts all his life and continued to be interested in them during the war.\(^{106}\)

Adams’ background also suggests a possible origin for his description of the purported South Carolina Navy rattlesnake flag (for which no other illustration, description or reference is known to exist). In November 1775 Adams had served as a member of the Naval Committee, which was responsible for purchasing, equipping, and manning the ships that became Commodore Hopkins’ squadron. According to Paullin:

[The Naval Committee] fixed its hours from six in the evening until the close of its business. Its sessions were sometimes pleasantly continued, even until midnight, by conversational diversions, marked by a rich flow of soul, history, poetry, wine and Jamaica rum. John Adams...[wrote that] “The pleasantest part of my labors for the four years I spent in Congress...was in this Naval Committee.”\(^{107}\)

Christopher Gadsden of South Carolina was a fellow committee member. Referring to the Naval Committee, Gadsden’s biographer commented:

...Perhaps in one of their sessions someone suggested that they ought to create a special flag for the navy. The weight of tradition
and circumstantial evidence attributes the creation of the famed rattlesnake flag to Christopher Gadsden. It consisted of a coiled rattlesnake...on a bright yellow background, with the words “DONT TREAD ON ME” inscribed underneath.\textsuperscript{108}

The Naval Committee had no relationship to the South Carolina Navy, but it is not impossible that the states’ individual naval efforts might have arisen in conversation during its meetings. Perhaps Gadsden suggested that a striped variant of his flag might make a good ensign for the incipient navy of his home state.\textsuperscript{109} The Adams/Franklin note described a “rattlesnake in the middle of the thirteen stripes”; “in the middle” suggests a compact, coiled snake, like the one on the Gadsden flag, rather than a stretched-out one. Did Adams, trying to think of a second example of a state naval flag, half-remember an idea proposed by his fellow committee member three years earlier?\textsuperscript{110}

Whatever explanation is proffered for the description in the Adams/Franklin note, the fact remains that it stands alone. There is no other known reference, description or illustration of a striped rattlesnake flag being used by the South Carolina Navy.

**The red-and-blue striped rattlesnake flag**

The red-and-blue variant of the rattlesnake flag was first associated with the South Carolina Navy in the 1917 “Flag Number” of the *National Geographic Magazine*.

The Southern colonies seemed especially fond of the [rattlesnake] device. South Carolina adopted for her navy the red and blue stripes crossed by the gliding snake . . .”\textsuperscript{111}

McCandless gave no reference for this statement. We can only speculate that he somehow connected Preble’s color plate with the description in the Adams/Franklin note. As with the First Navy Jack, the illustrations of Preble and McCandless have made the purported South Carolina Navy flag a feature of books and web sites devoted to American flag history.
The First Navy Jack

The flag of the frigate South Carolina

The South Carolina was acquired in Europe by Commodore Alexander Gillon of the South Carolina Navy. She was a fine, powerful frigate, built in Holland as the L’Indien and originally intended as a command for John Paul Jones. Under Gillon’s command, the South Carolina sailed from the Texel in August of 1781. She was unable to enter Charleston because it was occupied by the British. After a number of adventures, including participation in a Spanish attack on the Bahamas, she arrived at Philadelphia in May 1782. She sailed again in December and was promptly captured by a British squadron. She never made port in the state in whose navy she served.112

The South Carolina’s log and other known documents relating to her adventures contain no mention of what flag she flew.113 The only known picture of the vessel is a 1793 watercolor by Jon Phippen, now in the collection of the Peabody Essex Museum in Salem, Mass., which shows her flying a variant of the Stars and Stripes as her ensign. Interestingly, the stripes are red and blue. It is tempting to speculate that this might be related to the red-and-blue striped rattlesnake flag; the overall primitive style of the painting suggests, however, that it is simply artistic license.114

In his book Standards and Colors of the American Revolution, Edward Richardson related the South Carolina’s ensign to the red-and-blue rattlesnake flag:

The...rattlesnake ensign of the South Carolina Navy may have resembled that shown in the Hopkins mezzotint...If so, it would have been flown on the Frigate “South Carolina”...Preble illustrates two striped ensigns, one with red and white stripes and one with red and blue stripes. Both show a diagonally placed rattlesnake and the motto “DON’T TREAD ON ME”.

...On 19 July 1778, Rawlin Lowndes, President of South Carolina, wrote to Commodore Alexander Gillon of the South Carolina Navy that “...The Flagg which you are to wear and which is the flagg by which the Navy of this State is in the future to be distin-
guished, is a rich Blue field, a Rice Sheaf Worked with Gold (or Yellow) in the Center, and 13 Stars Silver (or White) Scattered over the field.” The author knows no other mention of this flag.

Apparently Richardson did not know that Commodore Gillon was the Commander of the South Carolina! Gillon departed for Europe, via Cuba, in August of 1778 on his mission to acquire a ship for his state’s navy. The date of President Lowndes’ letter suggests that the president was giving final instructions to his Commodore before departure. Richardson’s evidence suggests, if anything, that the South Carolina’s ensign was the “Rice Sheaf flag” rather than a rattlesnake-and-stripes.

The only other clues to the appearance of the South Carolina’s ensign come from the Admiralty documents that were filed after her capture. They stated that the vessel was

...under the command of John Joyner and commissioned by persons styling themselves Delegates of the United States of New Hampshire, Massachusetts Bay, etc., Rebels against our Lord the King...

and also that

The Commission of John Joyner, mariner, Commander of the South Carolina, [was] issued by Congress, and bears the seal of Congress, and the signatures of Elias Boudinot, President of the United States in Congress assembled at Philadelphia, as well as that of Charles Thompson, Secretary, and is dated November 8, 1782.

It would appear that, on her final ill-fated cruise at least, the South Carolina was documented as a warship of the Continental Navy rather than the South Carolina Navy. As such, she would be expected to fly the Stars and Stripes.

The evidence concerning the South Carolina’s flag is skimpy and inconclusive. The author’s personal speculation is that she flew the Stars and Stripes throughout her short career. Perhaps it was the red-white-blue-striped variant of the American ensign that is known to have been flown by some Continental ships that were outfitted in Europe. The red and
blue stripes in Phippen’s watercolor lend some credence to this idea.

The “North and South” Interpretation of the Hopkins Mezzotint

Richardson presented an interesting interpretation of the Hart portrait of Hopkins, based on the identification of the striped rattlesnake flag with the South Carolina Navy. After quoting the description in the Adams/Franklin note and describing the Hart portrait, he commented:

It could be assumed that the artist was indicating [that] the two flags [(i.e., the pine tree and the striped rattlesnake flag] represented the northern and southern colonies united under Hopkins as the Commander-in-Chief of the Continental Navy.117

This speculation not only assumes that the striped rattlesnake flag really was associated with the South Carolina Navy, but also that this association would be known to a British artist in the summer of 1776. The latter seems unlikely, as the South Carolina Navy’s operations up to that time were very limited and would not have been likely to attract the attention of the English press.118

A further development of the “North and South” theory was proposed a few years ago by an authority on historic American flags:

We think the first Naval organization of the United Colonies basically conscripted ships from the existing state navies and brigaded them into two squadrons. This is certainly open to debate and discussion since records are very sketchy. However these illustrations, [i.e., the Hart portrait of Hopkins and the copy by Dupin]...seem to support this theory.

After quoting from the Adams/Franklin note, he continued:

Although there is no evidence here that [Adams and Franklin] are talking about the squadrons, they do mention the two principal naval powers of the states and the two states that were bases for the U.S. Navy. The theory is that the U.S. Navy, at least at first, used a kind of naval militia system for including state ships in the in-
fant U.S. Navy, at least until Congress appropriated the funds to build its own ships and that these conscripted ships used their respective local ensigns as a distinguishing mark for their squadrons.\textsuperscript{119}

This is also an interesting concept, but it does not correspond to known history. The organizations of the Continental Navy and the state navies are actually fairly well documented.\textsuperscript{120} The Continental Navy did not, any sense, evolve from the state navies; it was created “from scratch” by the Continental Congress in October 1775 and flew its own flag, the Grand Union.\textsuperscript{121} The first ships of the Continental Navy were not “conscripted...from the existing state navies”, they were purchased from the merchant trade.\textsuperscript{122} (The states regarded themselves as sovereign, and would not have tolerated conscription of their ships by the Congress!) The Continental Navy was not “brigaded into squadrons”; on the rare occasions when a large number of ships operated together they were organized \textit{ad hoc} from available assets.\textsuperscript{123} South Carolina was not a significant base for the Continental Navy.\textsuperscript{124} The Congress established Navy Boards in Philadelphia and Boston, and agents in other ports, but these were shore-based administrative positions and would have had no use for distinguishing flags.

The similarity between the flags in the Hopkins portrait and the ones described by Adams and Franklin is intriguing. However, it is hard to imagine a credible connection between the two. The portrait could not have been based on the Adams/Franklin letter, because it was engraved over two years before the letter was written. The reverse is scarcely more credible; while Adams or Franklin may well have seen an impression of the Hart engraving, they would hardly use an imaginative work by a British artist as the basis for an official diplomatic note.\textsuperscript{125} It is possible that either or both were independently based on some other information that linked the striped rattlesnake flag to South Carolina, but no such information is known to exist.
Summary: The rattlesnake and the South Carolina Navy

The association of the striped rattlesnake flag, and specifically the red-and-blue striped variant, with the South Carolina Navy is somewhat mysterious. It seems to have originated with McCandless’ *National Geographic* article in 1917. It might possibly have been based on the description of the South Carolina naval flag in the Adams/Franklin letter, although there is no known evidence of this. The Adams/Franklin description itself is also a mystery; no flag of this type is known to have been authorized or used by the South Carolina Navy during the Revolutionary War. The idea that the striped flag in the Hart portrait might have been intended to represent the southern colonies is intriguing but not credible.
APPENDIX F

George Henry Preble’s History of the American Flag:
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<td>History of the Flag of the United States of America, and of the Naval and Yacht-Club Signals, Seals and Arms, and Principal National Songs of the United States, With a Chronicle of the Symbols, Standards, Banners and Flags of Ancient and Modern Nations</td>
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<tr>
<td>Philadelphia: Nicholas L. Brown, 1917</td>
<td>History and Origin of the American Flag</td>
<td>Origin and History of the American Flag and of the Naval and Yacht-Club Signals, Seals and Arms, and Principal National Songs of the United States, With a Chronicle of the Symbols, Standards, Banners and Flags of Ancient and Modern Nations</td>
<td>796 (2 Vols.) (See Note 2)</td>
</tr>
</tbody>
</table>

Notes:
1. There was also an 1882 edition, believed to be identical to the 1880 edition, and possibly others.
2. The pagination of the 1917 edition was identical to 1880, but the indices and list of subscribers were omitted and a supplement covering the period 1880-1917 was added. Two color plates from 1880 were also omitted in 1917.
ACKNOWLEDGMENTS

The author wishes to thank the many individuals who generously assisted him in preparing this paper. Their contributions are detailed in the endnotes. The interest and support of the following were especially appreciated: Susan Berg, Cathy Williamson, and Lynnette Acors, Mariners’ Museum Library; Craig Bruns and Cheryl Desmond, Independence Seaport Museum; James Cheevers, U.S. Naval Academy Museum; Dr. Donald Cresswell, Philadelphia Print Shop; Steven Darley; Prof. John Hart, Lewis and Clark University; John Fitzhugh Millar; Margaret K. Powell, Lewis Walpole Library, Yale University; and E. Newbold Smith.

This paper could never have been written without the support of the author’s beloved “other half”, Mary Ansoff. Somehow, she managed to patiently endure a year’s worth of dinner table conversations about pine trees and rattlesnakes.

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Peter Ansoff

—, *History of the Flag of the United States of America*. Preble's work was published in three separate major editions, each with a different title. See Appendix F for a tabulation. Page references are to the 1880 edition unless otherwise noted.


Sands, Robert C. (attr.) *Life and Correspondence of John Paul Jones...From Original Letters and Manuscripts in the possession of Miss Janette Taylor*. New York: A. Chandler, 1830. Janette Taylor was John Paul Jones' niece.

Sarmiento, Ferdinand L., *The History of our Flag*. Philadelphia: A. Winch, 1864


Stone, Richard G., Jr., “‘The South Carolina We’ve Lost’, The Bizarre Saga of Alexander Gillon and His Frigate”. *American Neptune*, July 1979, p. 159


Endnotes

1. Smith, *Vexillo*.

2. Chief of Naval Operations, CNO message 301329ZAUG02. Special thanks to Lt. Cdr. Jim Liberko, OPNAV N412J, for providing the text of the message. E-mail from Lt. Cdr. Liberko to the author, 5 September 2002. The message implemented SECNAV Instruction 10520.6 of 31 May 2002, which is the “REF A” in the extract quoted here. Presumably, the phrase at the end of paragraph 2 was intended to be “persevere and triumph”, but the official text used “preserve”.

3. The name “First Navy Jack” appears to have originated on the “Famous Flags in American History” page of the 1917 *National Geographic* “Flag Number” (McCandless, p. 338), as the caption for a color plate. The Grand Union flag, pictured next to it, is captioned as the “First Navy Ensign”. The name is actually redundant; a jack is by definition a naval flag.

4. Secretary of the Navy, SECNAVINST 10520.4 of 18 August 1980. The current holder of this honor is the USS *Kitty Hawk* (CV-63). The *Kitty Hawk* received the First Navy Jack from the USS *Independence* (CV-62) when the latter was decommissioned in 1998. The *Independence* in turn received it from the USS *Mauna Kea* (AE-22) in 1995. CNO Message 051729Z Aug 98 and Navy Public Affairs Library NWSA wire of 11 July 1995 (online at www.chinfo.navy.mil). See also the USS *Kitty Hawk* web site at www.kittyhawk.navy.mil. The blue and white “Union Jack” used by the modern U.S. Navy should not be confused with the British flag of the same name, which is properly called the “Union Flag” on land, but more frequently and mistakenly called the “Union Jack”.

5. When this paper was presented to the North American Vexillological Association in September 2002, Dr. Whitney Smith of the Flag Research Center posed a question about the correct pronunciation of Commodore Hopkins’ first name. The author had always assumed that “Esek” was a diminutive for “Ezekiel”, and at least two other authors have made the same assumption, including none other than James Fenimore Cooper (Cooper p. 102, Lewis, p. 73). However, “Esek” actually means “contention” or “difficulty” in Hebrew, and is referred to in Gen. 26:20: “And the herdsmen of Gerar did strive with Isaac’s herdmen, saying, The water is ours: and he called the name of the well Esek, because they strove with him.” The author posed the pronunciation question to two of his in-laws who are ministers; one believed that it should be ə-SÈK (long “ə”, accent on the second syllable), while the other opined for É-sèk (long “ɛ”, accent on the first syllable). Noting that one of them is Presbyterian and the other Methodist, the author resists further involvement in an issue that could have both familial and theological implications! E-mails, Rev. Jerry Avis-Rouse to the author, 25 September 2002, and Rev. Ann Rouse to the author, 9 September 2002.

6. Smith, *Marines*, pp. 41-57 and 71-73, is detailed and a well-documented account of Hopkins’ cruise. See also Miller, 84-115.

8. For an example of the use of this type of signal by the Royal Navy, see Clark, Vol. 5, p. 516. For a discussion on the origins of signal flags, see Beck, p. 7-11.


10. *Ibid*, p. 18. Three different manuscript versions of Hopkins’ orders exist. The earliest version of the general attack order, quoted here, differs from the others only in that the word “strip’d” is abbreviated, whereas it is spelled out in later versions.

11. Perrin, pp. 59-64. For more details on the origin and use of the jack in the Royal Navy, see articles by Perrin and Bromfield in *Mariner’s Mirror* (1/1 pp. 34-38 and 1/2 pp. 97-101, respectively), and a Note by “L.G.C.L.” in *Mariner’s Mirror*, 1/3 pp. 251-252. For an additional hypothesis on the origin of the term “jack”, see Hamilton, p. 36.

12. A draft of a letter from the Continental Congress informing the authorities in Virginia that Hopkins’ expedition might visit the Chesapeake stated that “As soon as the Fleet comes within proper distance and until they pass Cape Henry the largest Ship will carry at her Mizen Peak a Jack [sic] with the Union flag, and striped red and white in the field.” Beck, p. 25. There are also at least two descriptions by English informers of the Alfred’s flag; one of them described it as “English Colours but more Striped . . .” and the other as “The American Flag viz. the British Union, with thirteen stripes red and white, for its field, Representing the thirteen United Colonies . . .” Intelligence from Philadelphia, Transmitted by Captain Hyde Parker, 4 January 1776, Clark Vol. 3, p. 615 and letter from Gilbert Barkly to Sir Gray Cooper, 10 January 1776, *Ibid*, p. 721. Smith, *Marines*, states that after the fall of Fort Nassau “The British colors were then hauled down and the Grand Flag of the United Colonies run up in their place.” (p. 54). However, the reference cited for this is the diary of Marine Lieutenant John Trevett; a transcription of Lt. Trevett’s diary is included in the same work as Appendix C, and in it Trevett simply states that “The British colors [were] hauled down” (p. 325), with no mention of hoisting another flag in their place.

The name “Grand Union” is commonly applied to this flag in modern publications, and is used in this paper for clarity of reference. The actual nomenclature used to describe it in 1775-76 deserves further study. Washington called it the “great Union flag” in his famous letter of 4 January 1776. For general historical sources on the Grand Union flag, see Furlong pp. 77-79, 82-84, 88-94, and Richardson pp. 17-19, 63-65.


14. On 15 January 1776, Christopher Gadsden wrote to Hopkins about the possibility that Hopkins’ squadron might visit South Carolina waters: “Shou’d you come our Way...let me know...what Signals you will shew when off our Bar, you may depend on my keeping a good Look-Out for You . . .” Hopkins annotated it “Som one of the Fleet...will higst a striped flagg half up the flying Stay.”
Beck, p. 30. The “flying Stay is” presumably the flying-jib stay, the forwardmost stay on a ship’s bowsprit and a reasonable place to fly a jack.

15. The mezzotint technique was invented in the Netherlands at the beginning of the 17th century, but was perfected by English artists and was often referred to as “la maniére Anglaise”. It was considered to be especially suitable for reproduction of painted portraits because of its ability to depict fine shadings and tonal transitions. For a concise explanation of the technique, see Whitman pp. 1-3. See Wax for a detailed discussion of the history of mezzotint, including its social and economic aspects, and Lane for introductory explanations of the differences among different engraving techniques.

16. Library of Congress image reference number LC-USZ62-19219. A framed example is in the collection of the U.S. Naval Academy Museum, Annapolis. The Independence Seaport Museum, Philadelphia; the Bibliotheque National, Cabinet d’Estampes, Paris; and the British Museum, London also hold impressions. Special thanks to Dr. Donald Cresswell of the Philadelphia Print Shop for the bibliographical references, to James Cheevers of the USNA Museum for allowing the author to examine the museum’s impression and to Craig Bruns of the ISM for notifying the author of the recent acquisition of the ISM’s impression and enabling him to examine it. The USNA and ISM images have the number “91” in the lower right-hand corner.

17. Wax, pp. 41-43. According to Cresswell, p. 37, the Hopkins portrait “was probably engraved by C. Corbutt”. Wax, p. 65, states that C. (or Charles) Corbutt, Phillip Corbutt, and H. Fowler were all pseudonyms used by the Irish-born engraver Richard Purcell, one of McArdell’s followers. However Whitman, p. 31, Wax, p. 43, and Williamson, p. 168 all state that Richard Purcell died in 1765 or 1766, which means that he could not have engraved the Hart portraits in 1776. A possible solution to this dilemma is provided in Evans, p. 20 footnote 25: “‘Phillip Corbutt’ was apparently a pseudonym of the son of the printmaker Richard Purcell (d. 1766) who himself used the pseudonym ‘C. Corbitt’.” (emphasis added) The author has not yet found a source that gives the name of Richard Purcell’s son. Special thanks to Professor John Hart of Lewis and Clark University for making the author aware of the reference in the Evans article. Professor Hart maintains an interesting “Catalog of 18th Century British Mezzotint Satires” on his web site (www.lclark.edu/~jhart/), which includes pieces signed by Charles and Phillip Corbutt.

18. Dawson, “Names H”. It is not hard to imagine why the publisher of these prints would wish to remain anonymous. As noted in Cresswell, p. vii: “As a patriotic image and a piece of pro-American propaganda, the Commodore is spirited and appealing.” The English authorities might well have frowned upon such a heroic depiction of a man whom they considered to be an enemy and a traitor to the Crown.

20. The data on the other Hart portraits is as follows:

<table>
<thead>
<tr>
<th>Subject</th>
<th>Pub. Date (1776)</th>
<th>LC Image Ref. No.</th>
<th>Cresswell Page Ref.</th>
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<tbody>
<tr>
<td>Arnold</td>
<td>March 26</td>
<td>LC-USZ62-39570</td>
<td>6</td>
</tr>
<tr>
<td>Rogers</td>
<td>October 1</td>
<td>NA*</td>
<td>None</td>
</tr>
<tr>
<td>Sullivan</td>
<td>August 22</td>
<td>LC-USZ62-39567</td>
<td>60</td>
</tr>
<tr>
<td>Wooster</td>
<td>March 26</td>
<td>LC-USZ62-3621</td>
<td>74</td>
</tr>
</tbody>
</table>

* The Rogers portrait is not in the Library of Congress: a copy is on display in the British National Portrait Gallery (ref. number D1354) according to the NPG web site (www.npg.org.uk). It is also reproduced in Cuneo, p. 84.

21. Special thanks to Mukti Kuhn of the Donald A. Heald Book Shop, New York, for allowing the author to use these images. The shop’s web site at www.donaldheald.com displays images of many of the “Rebel Officer” portraits.

22. Andrews, p. 55. Andrews lists two different Hart portraits of Hopkins, but one of them appears to be a copy that was printed in Paris in a different format. See *ibid*, p. 90.

23. Hart, p. 94.

24. For examples, see Czisnik, pp. 44-45, and Wax, pp. 70-71.


27. This is not the only example of a European artist who conceived of North America as tropical. A Dutch engraving dated May 1777 shows a palm tree in a view of the British landing on Long Island, New York. Smith, *Broadsides*, pp. 16-17.


30. The pine tree flag was flown by the floating batteries and schooners commissioned by General Washington in 1775-76 during the siege of Boston. It was also the flag of the Massachusetts State Navy, adopted as such by statute in April 1776. Letter from Col. Reed (Washington’s secretary) to Col. Glover and Steven Moylan of 20 October 1775 concerning outfitting of the first cruisers, Force, Series 4, Vol. 3, p. 1126, and Paullin, p. 327. See Cresswell, p. 406, for a contemporary British sketch of one of Washington’s floating batteries flying a pine tree flag.

31. Letter from Sir Hugh Palliser to Lord Sandwich, 6 January 1776, in Clark, Vol. 3, pp. 481-82. The *Washington* was one of the cruisers commissioned by General Washington; she was captured by HM Frigate *Fowey* on 5 December 1775 and taken into Boston. See Miller, pp. 73-75 for an account of her short and unhappy career. Preble, 204, quotes an unidentified English newspaper item of 6 January 1776 describing the arrival of the *Washington’s* prisoners and flag at
Portsmouth (England) in the Tartar. “Captain Meadows likewise brought in her colors, which are a pale green palm [sic] tree upon a white field, with this motto ‘We appeal to Heaven.’” Preble, p. 203, also quotes an item in the January 1776 issue of the London Chronicle that almost certainly refers to the Washington’s flag: “There is in the admiralty office the flag of a provincial privateer. The field is white bunting; on the middle is a green pine-tree, and upon the opposite side is the motto, ‘An Appeal to Heaven’.” Palliser’s letter states that “…Admiral Graves expressed a wish that [the Washington’s flag] be given to Admiral John Montagu, as it was taken by his son [Captain George Montagu, commanding the Fowey].” It would be interesting to know the fate of this historic flag.

32. Extract from the London Chronicle, 13-15 August 1776, quoting from the Nova Scotia Gazette of June 25, in Clark, Vol. 5, pp. 724-725. The Yankee Hero was a privateer commissioned by Massachusetts; she was captured by HM Frigate Milford and taken into Halifax. Her capture and the description of her flag were not reported in England until after 15 August, a week before the Hopkins portrait was published, so it would have been a last-minute addition. Force, Series 4, Vol. 6, pp. 746-748, contains a rousing account of the battle from the American perspective, a copy of the news item describing her capture and flag, dated June 10 in Halifax, and a copy of her privateer commission; the news item is quoted in Preble, p. 204. An extract of the Milford’s log, in Clark, Vol. 5, pp. 391-392 gives a British account of the battle.

33. Town and Country Magazine, London, July 1776, p. 390. Special thanks to Margaret K. Powell of the Lewis Walpole Library at Yale University for providing the author the full text from the original in the library’s collection. Ms. Powell also noted that the list of births, marriages, and deaths in the back of the issue listed a death as late as July 20, indicating that the issue was published after that date. E-mails from Margaret K. Powell to the author, 1 July 2002 and 8 July 2002.

The author of this letter is unknown. It is possible that it was written by one of the British officials who were taken prisoner by Hopkins during the attack on Nassau and returned with the squadron. This is suggested by the facts that 1) the letter mentions the squadron’s engagement with HMS Glasgow, which occurred on the return voyage, 2) the letter is datelined “New Providence,” but was not written until 13 May, nearly two months after the squadron left the Bahamas. According to Hamilton, p. 66, a similar letter, also dated 13 May, was printed in the July 1776 issue of London Ladies Magazine, on the same page number (390), and gave the motto as “Don’t tread on me” instead of “upon me”. Preble, p. 234, and later historians have repeated this version. Hamilton gives his source as Peter Force, editor of the “American Archives”. The author has not yet been able to verify Hamilton’s reference; it is possible that either Force or Hamilton accidentally cited the wrong publication.

The battle with the Glasgow was the only point in Hopkins’ cruise when he might actually have had occasion to use the “General Attack” flag signal. Alas,
the opening moves of the battle took place in darkness. However, two accounts of the battle (John Paul Jones’ extract of the Alfred’s log in Sherburne, 14, and an account by Marine Captain Samuel Nicholas in Force, Series 4, Vol. 5, pp. 846-848), report that Hopkins did use signals during the ensuing chase of the Glasgow, which occurred in daylight. The Journal of the Glasgow states that “...the Adml hoisted Dutch Colours & the other Strip’d;” several of Hopkins’ chase signals called for display of a “Dutch flag”. Clark, Vol. 4, p. 680 and Beck, pp. 17-19.

34. For background on the Gadsden flag, see Appendices D and E.

35. See Appendix A.


37. For a documented example of this type of copying from a print, see Wax, p. 69.


39. For other examples, see Cresswell, pp. 6 and 56. Note that in some cases the frame and surrounding symbols are also mirror images.

40. Dupin renders the motto as “D’ont tread upon me” [sic], while the Hart original has no apostrophe in “dont”. Close examination of an enlarged image of the Hart original shows a small dark marking on the print between the “d” and the “o”. This may have been simply in irregularity in the printing plate, but Dupin might have interpreted it as an apostrophe when he made his copy.

41. Library of Congress image reference number LC-USZ62-45266. See Cresswell, p. 36. The USNA museum holds a copy of this engraving, which James Cheevers generously allowed the author to examine. Preble, p. 236, mistakenly thought that this print was French.

42. Cited in Creswell, p. 37 as Korn, Geschichte der Kriege (Nurnberg [sic] 1777-78).

43. Martin Will in Augsburg published a series of inferior copies of the “Rebel Officer” portraits. Will’s version of the Hopkins portrait is reproduced in Clark, Vol. 4, frontispiece. His version of the rattlesnake flag has the “me” in the motto on a separate line below the rest of the text, and also altered the expression on Hopkins’ face. Another interesting copy of the Hart portrait is shown in Smith, Marines, p. 42. This is apparently another French copy, and the inscriptions on the flags are repeated in both English and French.

44. Sands, p. 34. Jones’ original journal no longer exists; however, this work contains several long passages from it. The author states specifically that he is writing from a manuscript copy with corrections in Jones’ own hand. He also states
(p. 33) that the journal was “drawn up at the request of the king of France”. There is an existing memoir that Jones wrote for the King, but it is written in first person and does not include the passage about raising the flag on the *Alfred*. The existing memoir is in French; a translation by Gerard W. Gawalt was published by the Library of Congress in 1979. The relationship between the memoir and the journal merits further research.

45. The one known exception is believed to be fraudulent. See Appendix C.

46. Sands, pp. 310-311. This appendix has been quoted, misquoted, and misinterpreted by many subsequent writers on the American flag. It is quoted here in full.

47. Sands’ reference to the black beaver flag is interesting. Preble included a beaver flag in his “Flags of 1775-77” color plate (Figure 8), and stated in his text that “The armed ships of New York of that time [1775] are said to have had a black beaver for their device on their flag.” (p. 197) Preble used Sands as one of his sources, and his illustration and statement were probably based on the flag that Sands mentioned in the passage quoted here. Robert Sands’ father, Comfort Sands (1748-1834), was a New York merchant and a patriot leader during the Revolution; possibly the younger Sands’ information about the beaver flag came from his father. “Robert Charles Sands”, entry in *Appleton’s Cyclopedia of American Biography* (online at [www.famousamericans.net](http://www.famousamericans.net)). See also Appendix D. The beaver has been a symbol of New York since early colonial times, and appears on the modern flag and seal of New York City.

48. See Appendix E. Gadsden presented the standard to the Provisional Congress of South Carolina, not to the Continental Congress. Many histories of the American flag (including Preble, p. 216) confuse this point, although Hamilton explained it correctly in 1853 (Hamilton, p. 73). Hamilton refers to this flag as the “rattlesnake union flag”, which may be the source of the subsequent confusion by later writers.

49. The source of the statement by the “English writer” is unknown, although from the wording one would assume that the comment was written at the beginning of the war. However, another description of a pine tree with a rattlesnake coiled at its root is in journal of John Greenwood, a midshipman on the privateer *Cumberland* in 1779. He described his ship’s colors as “a very large white flag, with a pine-tree, painted green, in the middle of it, and under the tree the representation of a large snake, painted black, coiled into thirteen coils and cut into thirteen pieces, emblematical of the thirteen United States; then under that the motto ‘Join or Die’ was written in large black letters.” Greenwood, Isaac J., ed., *A Young Patriot in the American Revolution, 1775-1783*. Westvaco, 1981 (originally published in 1922 by deVinne Press, New York), p. 99. The *Cumberland* was commanded by John Manley, who (as Sands noted) had previously served in “Washington's Navy” under the pine tree flag.

50. Cooper, pp. 102-103.
As noted in an earlier footnote, an English informer described the Alfred’s flag as “English Colours but more Striped...” which accurately describes the Grand Union Flag!


Sarmiento, p. 50.


The floating batteries and commerce cruisers commissioned by Washington in 1775-76, which flew the pine tree flag, had no organizational relationship to the Continental Navy established by the Congress. Washington commissioned them under his authority as commander-in-chief of the army, and they were manned by his soldiers. Many flag historians have misunderstood this, and have mistakenly inferred that the Continental Navy flew the pine tree flag. For example, Furlong, p. 87, implies that Washington established his fleet in response to the congressional decision on 13 October to fit out two ships. (See Paullin 37-38. The U.S. Navy celebrates this date as its birthday.) In fact, the two ships authorized on 13 October had no relationship to Washington’s fleet. Washington ordered his first ship to sea on 2 September, and directed the fitting out of two more on 4 October, before the Congress had made any decisions about establishing what became the Continental Navy. Instructions to Captain Nicholas Broughton, Force, Series 4., Vol. 3, pp. 633-34 and letter from Col Joseph Reed to Col. Glover and Stephen Moylan, ibid., pp. 946-947. For the history of Washington’s fleet, see Paullin, pp. 61-78 and Miller, pp. 59-83. No ship of the Continental Navy is known to have flown the pine tree flag.

Flag historians are not the only ones to have been puzzled by the odd command structure of “Washington’s Navy”. In the Palliser letter about the capture of the Washington (quoted in an earlier footnote), Sir Hugh commented “Her commanders commission from the Congress and his instruction from their general shows how their forces by sea and land are formed...Their regulations for their army is curious.” For a sample of the commissions issued by Washington to his captains, see Washington’s instructions to Captain Broughton, op. cit.

Some flag books and web sites have stated that it is more heraldrically correct to have white stripes on the top and bottom instead of red stripes, but there does not seem to be any basis for this. It may be a misunderstanding of Willaim Barton’s 1782 comment about the proposed blazoning of the United States Seal: “As the pales or pallets consist of an uneven number, they ought in strictness to be blazoned, argent 6 pallets gules; but as the thirteen pieces allude to the thirteen States, they are blazoned according to the number of pieces paleways.” (Hamilton, p. 99–101). Barton’s point had nothing to do with the order of the colors; he was saying that the thirteen pallets should be equally emphasized in the blazon to symbolize the equality of the states in the union. Special thanks to David Martucci for his comments on this point. E-mail from David Martucci to the author, 26 February 2003.

See Appendix F.
58. Preble, 1872, p. 164. For the later editions, Preble had a woodcut copy of the portrait specially made (Preble, 1880, p. 222), apparently from a Martin Will copy rather than an original Hart. As mentioned in an earlier footnote, Will altered some of the details of the portrait and the flags, and these changes are reproduced in Preble’s woodcut.


60. Ibid. p. 234. As noted above, the U.S. Naval Academy Museum does have an impression of the Hopkins portrait, but it is not “transferred to glass and colored”. According to James Cheevers, there is no record of a colored version of the print having been in the Academy’s collections. The fate of the one described by Preble is unknown.

61. This idea persisted for some time in literature about the American Flag. Fow wrote in 1908 that “There is no doubt that from July 4, 1776 until June 14, 1777, we had as a national ensign simply a flag of thirteen stripes, as we had declared ourselves free from the government represented by the crosses of St. George and St. Andrew which we had hitherto on our flag, but having upon it a snake with the motto...’Don’t tread on me.’” (p. 35). Fow gave no reference for this statement, and it was in the context of his attempt to discredit the legend of Betsy Ross. He apparently assumed that the union was removed from the flag as of the date of the Declaration of Independence.


63. According to a representative of the Annin Flag Corporation, there are no formal specifications for the First Navy Jack. E-mail from Dale Coots, Annin & Co. to the author, 10 May 2001.

64. Smith, Vexillo.

65. McCandless, pp. 289 and 349, and color plate 365 on p. 338. As noted in an earlier footnote, the color plate appears to have been the origin of the name “First Navy Jack”.


69. For a interesting account of the cartoon and its progeny, see Cook, pp. 88-111.

70. Ibid, p. 104.

71. Library of Congress image number LC-USZ62-1531. See also Cresswell, p. 352.

72. Library of Congress image number LC-USZ62-1523. See also Cresswell, p. 312-3. Special thanks to the Independence Seaport Museum for allowing the author to photograph the copy of this print in its collection.

73. Library of Congress image number LC-USZ62-1509. See also Cresswell, p. 296 and Richardson, p. 14.
74. Richardson, p. 213.
75. Millar, p. 41.
76. Ibid, pp. 30-31 and 39.

77. John Peltro (1760-1808) was best known as an engraver of miniatures. Williamson, Vol. IV, p. 89, and Dawson, “Names P”. Contrary to Millar’s caption, this engraving is not unique to the Musée de la Marine; the National Maritime Museum, Greenwich, the Independence Seaport Museum, Philadelphia, the Beverly Robinson collection at the U.S. Naval Academy, Annapolis, and the E. Newbold Smith collection, Paoli, Penn., each hold an impression. The last two are hand-colored. The ISM image is a different state and lacks the extensive descriptive text in the margin. Special thanks to the ISM and the USNA for allowing the author to examine and photograph their impressions, and to E. Newbold Smith for his comments on his impression. Colored versions of the engraving are reproduced in Smith, Broadsides, p. 30 and Richardson, p. 199.

78. The original painting is on display in the U.S. Naval Academy Alumni building, where James Cheevers generously arranged for the author to view and photograph it. Interestingly, the stripes on the Alliance’s jack, and on the ensigns of the other Continental ships, are depicted as red, white, and blue (they are red and white in the colorized versions of the print). Robert Dodd (1748-1816) specialized in painting maritime subjects, especially dealing with the Royal Navy. He is probably best known for his painting of Captain Bligh being set adrift by the Bounty mutineers. Williamson, Vol. II, p. 77, and Smith, Broadsides, p. 217.

79. Millar did not actually make the sketch from a full-size image of the engraving, but from a small image in a catalog. According to a curator at the Musée, there is no print like this currently in its collection. Letters from John Millar to the author, 25 May 2002 and 11 July 2002, and e-mail from Marie-Hélène Joly to the author, 21 June 2002.

80. Even if the Peltro print had shown a snake on the Alliance’s jack, it would still have been very tenuous “evidence”. As E. Newbold Smith commented, “...artists painted what they imagined...I would in no way rely on artists, or even less engravers, for a factual proof of the flags flown.” E-mail from E. Newbold Smith to the author, 25 April 02.

81. Buell, p. 49.

at the Naval Academy until it was discovered to be spurious. Morison, p. 426. Preble, 212. Also quoted in Bellas, p. 13 and Schermerhorn, p. 73. The latter gives the quoter’s name as “John Fay”, an evident typographical error.

84. Morris, 263.
86. Morris, pp. 234-235.
89. Preble, 1872, p. 165.
90. Sherburne, p. 11.
91. The PSSR web site is at http://amrev.org. The Society did not respond to the author’s letter and e-mail inquiries about its flag collection.
92. There appears to be no scholarly biography of Gustavus Conyngham. The definitive reference is Neeser’s collection of his papers, first published in 1915. There is also the PSSR pamphlet by Jones of 1903, an article in Outlook Magazine by James Barnes (1903), and two imaginative biographies, one by Barnes (1902) and the other by Eleanor S. Coleman, a Conyngham descendant (1982). See the Bibliography for complete references.
93. Extract of a Letter from Harwich, May 9 [1777], in Clark, Vol. 8, p. 833-34. An engraving of Conyngham, reproduced in Neeser, p. 161, shows the captain in front of a striped flag. The caption is “Engraved from the Original Sketch which was taken by an Artist of Eminence and stuck up in the English Coffee House at Dunkirk”. Since Conyngham sailed from Dunkirk, it is at least possible that the “artist of eminence” had actually seen his flag. Also, a British officer on HMS Monarch, who saw the Revenge at Cadiz, wrote angrily to the London Chronicle that “. . .we had the mortification to see the usual honours paid to the Revenge American privateer, commanded by Cunningham [sic], who came swaggering in with his thirteen stripes, saluted the Spanish admiral, had it re- turned . . .” Neeser, p. 127. Another engraving, British, showing a young man holding a staff with a striped flag, is reproduced in Neeser, p. 100, and Jones p. 28, both of which identify the man as Conyngham. This engraving actually illustrates the naval battle between Keppel and D’Orvillers in the summer of 1778, and has nothing to do with Conyngham. See Cresswell, pp. 309-310.
94. The Independence Seaport Museum generously allowed the author to examine and photograph its impression of this rare print. The Surprise’s flag appears to have 13 dark stripes on a light background, forming a total of 25 stripes. This may be the artist’s interpretation of the description “13 stripes.” For bibliographic data see Smith, Broadsides, p. 24, No. 11, and Williamson Vol. II, p. 175 and Vol. III, p. 143.
95. Jones, 18.
96. Bellas, p. 13, Schermerhorn, p. 73.

97. Barnes, *Flag*, p. 113, describes a dramatic moment aboard the *Revenge*, when Conyngham is inspired by the red and blue colors of a sunset which “looked for all the world like a picture on a grand scale of the *Revenge*’s cross-barred flag, the wriggling snake and all”. Interestingly, in his Outlook article the same author describes it as “The rattlesnake flag—thirteen alternate red and white stripes, with the snake across them, and beneath the warning legend “Don’t Tread on Me””. (emphasis added) Coleman, p. 46, gives an almost identical description; she even specifies that the motto was “on the fourth white bar in black letters”, and cites Barnes *Flag* (not the Outlook article!) in her bibliography. Neither author cites any specific references, and it seems likely that they reflect ongoing confusion between George Preble’s two “crawling rattlesnake” flags. Barnes says in his article (Barnes, *Tragedy*) that Conyngham’s flag was made by the sailmaker aboard the *Surprise*; Coleman says that Benjamin Franklin gave it to Conyngham.

98. Paullin, p. 429.


100.*Ibid*, pp 434-35.


102. See Wates, pp. 1-2, for a concise history of this flag. A sketch by a British eyewitness, showing the crescent flag flying over the fort, appears in Lipscomb, p. 28.


104. Wharton, p. 759.

105.*Ibid*, pp. 759-760. The commissioners forwarded a copy of the ambassador’s letter and their response to the Continental Congress, which considered it on 24 February 1779. The Congress decided “that the letter from the minister of Naples, and the commissioners’ answer, be referred to the Marine Committee, and that the committee be instructed to report forms of proper commissions, ships papers and the like...and of notifying the same to the several powers who shall be disposed to open their ports to the subjects of the United States.” Ford, pp. 245-6. No mention was made of the flag issues discussed in the correspondence, suggesting that they were not considered of great importance.


110. Gadsden was summoned home to South Carolina in January of 1776. He
served in the state army during the opening years of the war, and had no association with the South Carolina Navy. Goodbold, pp. 143 and 156-163.


112. For the strange history of the South Carolina, see Lewis, Middlebrook, and the article by Stone.

113. Dr. James A. Lewis, Western Carolina State University. E-mail to the author, 16 July 2000.

114. Millar, p. 191, states that the artist was one of the crew members of the South Carolina. This is probably a misinterpretation of Middlebrook, Forward: “—Phippen’s [sic] picture of the South Carolina...would indicate that he, too, was either familiar with the vessel as one of her original crew, and sketched it from memory, or else the old ship might have been discovered by him in some foreign port after the war and portrayed ‘verbatim’ as it were.” It is true that the general appearance of the ship in Phippen’s picture corresponds well with the lines of the L’Indien/South Carolina as published in Volume 5 of Admiral Paris’ Souvenirs de Marine (reprinted in Chapelle’s The American Sailing Navy, Plate IV.) However, details such as the figurehead are inaccurately and crudely drawn in Phippen’s version, and there is no reason to assume that his rendition of the flag is any more accurate. Middlebrook also includes a muster list of crew members that were aboard the South Carolina at the time of her capture by the British; there is no Phippen on the list. The closest approximation of that name is a Thomas Philpot.

115. Richardson, p. 129. Lowndes’ letter is also cited in Erd, footnote 10.III, which gives the source as Peter Force Transcripts (South Carolina Miscellaneous 1633-1788). The Chief Executive of South Carolina was titled as “President” under the state Constitution of 26 March 1776. Paullin, p. 423. Richardson, p. 129, and Erd both provide conjectural illustrations of this “Rice Sheaf flag”. The Erd version is more faithful to Lowndes’ description in that it shows the stars randomly strewn (“scattered over the field”, corresponding to the heraldric “semé”) while Richardson’s version shows the stars in a circle.


118. Two exceptions were the capture of the British brigantine Betsey by the South Carolina sloop Commerce off St. Augustine in August 1775, and an exchange of shots between the schooner Defense and HM vessels Tamar and Cherokee in Charleston Harbor in November 1775. Paullin, pp. 419-420. It would be interesting to know if, and how, these incidents were reported in the English press.

119. E-mail from David B. Martucci to the author, 8 September 1999. Also posted on the North American Vexillological Association web site at www.nava.org. Mr. Martucci is the current president of NAVA.
120. Paullin is the basic work on the organization and administration of the Continental and state navies, and makes extensive use of primary sources. Miller is a good account of the operational side. Smith, Marines, is also a detailed and well-documented account.

121. The Massachusetts Navy was not created until February 1776, four months after the establishment of the Continental Navy.

122. See Miller, pp. 528-529, for a summary of the origins and fates of the ships of the Continental Navy. Almost all were purchased or purpose-built by the Congress. A few Continental Navy ships had formerly served in state navies (for example, the sloop Providence, ex-Katy was originally chartered by Rhode Island and was purchased [not conscripted!] for Continental service). Miller also lists three gunboats that were loaned by the Pennsylvania navy in 1777.

123. Washington's cruisers could be thought of as a separate squadron, and did fly the pine tree flag as their distinctive symbol. However, as noted in earlier footnotes, they were never part of the Continental Navy proper. There was no corresponding “squadron” in the southern colonies.

124. Charleston was potentially well adapted for use as a naval station, but it was simply too far away from the center of things. As of 1778 only one Continental Navy ship, the Randolph, had called there, forced into port because of rigging damage. The only significant concentration of the Continental Navy in Charleston occurred in 1780 when four ships were assembled to defend against the British attack. They were all lost when the city fell. Paullin, p. 154 and Miller, pp. 223-225 and 420-423.

125. Adams would have known that the portrait was imaginary; he was on the committee that appointed Esek Hopkins and would almost certainly have met him.