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TABLE OF AUTHORIZED FLAGS OF THE UNITED STATES OF AMERICA

WITH RESPECT TO THE FEDERAL CONSTITUTION

~~ by Richard R. Gideon ~~

The chart below lists the "official" flags of the United States. We have followed the common practice of correlating flag usage with respect to the Federal Constitution of the United States of America; however, the reader is advised that there is some debate as to whether this practice accurately represents the flag as a unifying symbol during the early years of what the modern reader has come to regard as "America." Also, until 1818 the Flag of the United States underwent only one official change in pattern - from 13 to 15 stars and from 13 to 15 stripes - even though the country had grown to 20 states by the time of the third Flag Act. In 1818 the flag code was revised to fix the number of stripes at 13, and to change the number of stars representing states on the July 4th subsequent to the admission of a state. Please note that two states, Vermont and Kentucky, were admitted into the Federal Union between 1791 and 1795, during which time the original flag act of 1777 remained in force. Of those two states Vermont was in a unique situation, being recognized by Congress as a Republic prior to admission.¹

In order to help the reader understand the correlation between the US Flag and the states that effected change in its pattern we have color coded the table. The states in **BLUE text** fall under the First Flag Act; the states in **RED text** fall under the Second Flag Act; and the states in **BLACK text** fall under the Third Flag Act. Executive Orders that have helped define the U.S. Flag are also noted.

That portion of the table **highlighted in yellow** represents an interesting period of American history with respect to the U.S. Flag (the states highlighted in yellow in the table were those states admitted to the Union during this period - not states in rebellion). Starting on December 20, 1860, eleven Southern states seceded from the Federal Union (States **highlighted in Cyan** are those Southern States officially recognized by the United States as being in rebellion), with two others (Kentucky and Missouri) contesting a secession. The Federal government did not recognize the legality of secession and refused to remove stars from the US Flag. However, after the cessation of hostilities in 1865, and for a period of time extending to 1870, the United States Government recognized the defacto secession of these eleven states by readmitting them to the Federal Union. The State of West Virginia's admission to the Union is a particularly interesting study in that this region "seceded from secession." The legality of West Virginia was hotly debated at the time (and still is in some circles), even amongst members of Lincoln's administration. According to the **US Constitution**, Article IV, Section. 3. Clause 1: "*New States may be admitted by the Congress into this Union; but no new State shall be formed or erected within the Jurisdiction of any other State; nor any State be formed by the Junction of two or more States, or Parts of States, without the Consent of the Legislatures of the States concerned as well as of the Congress.*"

Except for flags used by the military, the Flag of the United States had no official specifications until President William Howard Taft changed that with Executive Order 1556, signed into law on 24 June 1912. Even then the order only applied to flags used by the "Department of the Government." This order lasted four months and was superseded by Executive Order 1637 on 29 October 1912, which added additional details to the original specifications. Today a "properly made" U.S. flag is covered by U.S. Code, Title 4, and DDD-F-416F for U.S. Flags and Ensigns used by the military.

FLAGS OF THE UNITED STATES FALLING UNDER THE FIRST FLAG ACT

June 14, 1777, passed by the Continental Congress - provided for 13 stripes and 13 stars

# of Stars	Authorized date(s) of usage	State(s) reflected	Date of Ratification [#] or Admission into the FEDERAL Union
13	<p style="text-align: center;">June 14, 1777* - May 1, 1795</p> <p>*War time Continental Congress - No constitutional government existed</p> <p style="text-align: center;">Articles of Confederation - Approved by Congress November 15, 1777 In force after ratification by Maryland on March 1, 1781</p> <p>THE UNITED STATES CONSTITUTION- Approved by Congress September 17, 1787. Ratification required 9 states, was completed on June 21, 1788, and went into force on March 4, 1789</p>	<p>Delaware Pennsylvania New Jersey Georgia Connecticut Massachusetts Maryland South Carolina New Hampshire Virginia New York North Carolina Rhode Island Vermont¹ Kentucky</p>	<p>December 7, 1787 December 12, 1787 December 18, 1787 January 2, 1788 (readmitted July 15, 1870) January 9, 1788 February 6, 1788 April 28, 1788 May 23, 1788 (readmitted July 9, 1868) June 21, 1788 June 25, 1788 (readmitted January 26, 1870) July 26, 1788 November 21, 1789 (readmitted July 4, 1868) May 19, 1790 March 4, 1791 June 1, 1792</p>

FLAGS OF THE UNITED STATES FALLING UNDER THE SECOND FLAG ACT

Act of January 13, 1794 - provided for 15 stripes and 15 stars starting on May 1, 1795

15	May 1, 1795 to July 4, 1818	<p>Tennessee Ohio Louisiana Indiana</p>	<p>June 1, 1796 (readmitted July 24, 1866) March 1, 1803 April 30, 1812 (readmitted July 9, 1868) December 11, 1816</p>
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FLAGS OF THE UNITED STATES FALLING UNDER THE THIRD FLAG ACT

Act of April 4, 1818 - returned to 13 stripes, but specified one star for each state; new stars to be added to the flag on the 4th of July following the admission of each new state

20	July 4, 1818	Mississippi	December 10, 1817 (readmitted February 23, 1870)
21	July 4, 1819	Illinois	December 3, 1818
23	July 4, 1820	Alabama Maine	December 14, 1819 (readmitted July 13, 1868) March 15, 1820
24	July 4, 1822	Missouri	August 10, 1821
25	July 4, 1836	Arkansas	June 15, 1836 (readmitted June 22, 1868)
26	July 4, 1837	Michigan	January 26, 1837
27	July 4, 1845	Florida	March 3, 1845 (readmitted June 25, 1868)
28	July 4, 1846	Texas²	December 29, 1845 (readmitted March 30, 1870)
29	July 4, 1847	Iowa	December 28, 1846
30	July 4, 1848	Wisconsin	May 29, 1848
31	July 4, 1851	California	September 9, 1850
32	July 4, 1858	Minnesota	May 11, 1858
33	July 4, 1859	Oregon	February 14, 1859
34	July 4, 1861	Kansas	January 29, 1861
35	July 4, 1863	West Virginia	June 20, 1863
36	July 4, 1865	Nevada	October 31, 1864
37	July 4, 1867	Nebraska	March 1, 1867

38	July 4, 1877	Colorado	August 1, 1876
43	July 4, 1890	North Dakota South Dakota Montana Washington Idaho	November 2, 1889 November 2, 1889 November 8, 1889 November 11, 1889 July 3, 1890
44	July 4, 1891	Wyoming	July 10, 1890
45	July 4, 1896	Utah	January 4, 1896
46	July 4, 1908	Oklahoma	November 16, 1907
Executive Order - President Taft, June 24, 1912; established the first proportions for the flag, and provided for arrangement of the stars in six horizontal rows of eight each, a single point of each star to be upward			
48	July 4, 1912	New Mexico Arizona	January 6, 1912 February 14, 1912
Executive Order - President Eisenhower, January 3, 1959; specified the arrangement of the stars in seven rows of seven stars each, staggered horizontally and vertically			
49	July 4, 1959	Alaska³	January 3, 1959
Executive Order - President Eisenhower, August 21, 1959; specified the arrangement of the stars in 4 rows of 5 stars interleaved with 5 rows of 6 stars, staggered vertically and horizontally			
50	July 4, 1960	Hawaii⁴	August 21, 1959

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- *The terms "Ratification" and "Admission" are sometimes used interchangeable with respect to the 13 original colonies from which the Federal Constitution was developed and placed into force. However, this is not universally accepted, and several opinions exist concerning how these words should be applied. One school of thought says that the States that were party to the Articles of Confederation simply agreed, by ratification, to the new umbrella government. Another school says that by strict construction of its language only the first nine States to ratify the constitution created the Federal government, and the remaining four states of the 13 original colonies, upon ratification, were admitted to a preexisting Union by the act of their ratification. Still another point of view is that the Articles of Confederation, being in place until March 4, 1789, constituted a perpetual Union, from which the Federal Constitution was simply "a more perfect Union" into which all states were admitted (those who adhere to this argument point to the word "readmitted" as it applied to the 11 former Confederate States, saying that to be readmitted implies admission in the former case). Few scholars contest the word "admission" as it is applied to any State from Vermont forward. We leave it to the reader to assume his own opinion. -- Ed.*

1 - "From 1777 until 1791 Vermont was a completely independent republic. On account of opposition of New York and New Hampshire it was refused admission to the Union. For 14 years the republic of Vermont, belonging neither with the Thirteen States nor with Great Britain, carried out all the functions of a sovereign state." **The American People's Encyclopedia, Vol. 19, page 599.**

2 - Texas was an independent republic from March 2, 1836 to December 29, 1845.

3 - Alaska came under the control of the United States on March 30, 1867, as the result of purchase from Russia

4 - Hawaii was an independent nation; annexed by the United States on August 12, 1898, and assuming Territory status on June 14, 1900.