

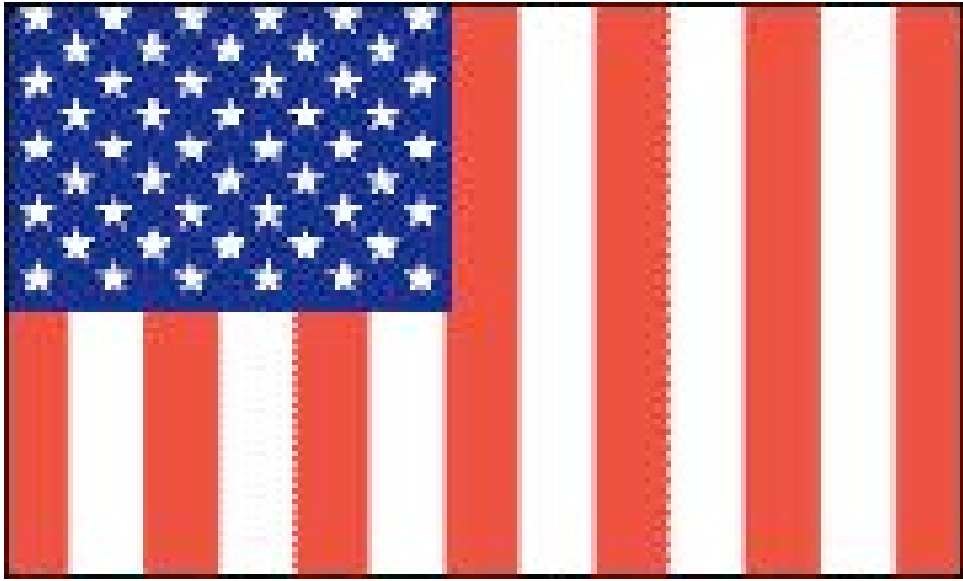


## **U. S. Flag**

### **a Military Flag?**

by

**Wangrud et al**



More original flag pictures on last two pages.

Posted by: Robert Wangrud <rwangrud@teleport.com>

34 OP ATTY. GEN. 483 (1925)

NATIONAL FLAG OF THE UNITED STATES

*"The placing of a fringe on the national flag, the dimensions of the flag and the arrangement of the stars in the union are matters of detail not controlled by statute, but are within the discretion of the President as Commander-in-Chief of the Army and Navy."*

*"The desecration or improper use of the national flag outside the District of Columbia has not been made a Federal offense. This matter has been left to the States for action, but should Congress wish to assume such control it has the power under the Constitution to do so."*

Department of Justice,

May 15, 1925

Sir: I am in receipt of a letter from the late President Harding, dated February 15, 1923, requesting from my predecessor then in office an opinion defining precisely what official action is proper in order to preserve the flag from desecration. Accompanying this letter is a petition from officers of the Military Order of the Loyal Legion requesting the President to obtain such an opinion.

The only statute now in force which defines the flag or regulates its design is the Act of April 4, 1818, chapter 34 (3 Stat. 415), reenacted as sections 1791 and 1792 of the Revised Statutes of the United States. Section 1791 provides that "the flag of the United States shall be thirteen horizontal stripes, alternate red and white; and the union of the flag shall be thirty-seven stars, white in blue field." Section 1792 provides that "on the admission of a new State into the Union one star shall be added to the union of the flag; and such addition shall take effect on the fourth day of July then next succeeding such admission." The affect of the two sections is that the number of stars now prescribed is forty-eight (48).

There is no statute which fixes the proportionate dimensions of the hoist and fly, the size of the union, or the size and arrangement of the stars in the union. These matters appear to have been regulated originally by custom. They are now controlled by Executive orders and by Army and Navy regulations. Under the statutes just quoted the legality of such Executive orders seems undoubted, for the statutes are silent on such matters of detail. In this connection I quote from the Executive order of May 29, 1916, which constitutes the latest Presidential definition of the dimensions of the flag, and which is at present the controlling authority:

"\* \* \* It is hereby ordered that the National Flags and Union Jacks for all Departments of the Government, with the exception noted under (a), shall conform to the following proportions:

Hoist (width) of flag .....	1
Fly (length) of flag .....	1.9
Hoist (width) of union .....	7/13
Fly (length) of union .....	.76
Width of each stripe .....	1/13

*"(a) Exception: The colors carried by troops, and camp colors, shall be the sizes prescribed for the Military Service (Army and Navy). \* \* \**

*"Position and size of stars: The position and size of each star for the union of the flag shall be as indicated on a plan which will be furnished to the Departments by the Navy Department. From this plan can be determined the location and size of stars for flags of any dimensions. Extra blue-prints of this plan will be furnished upon application to the Navy Department."*

From the correspondence attached to the letter of President Harding, Above mentioned, it would seem that doubts have been expressed in some quarters as to the propriety of attaching a fringe of yellow silk to the colors and standards used by troops in the field. The use of such a fringe is prescribed in current Army Regulations, No. 260-10. In a circular dated March 28, 1924, The Adjutant General of the Army thus refers to the matter of the fringe:

"For a number of years there has been prescribed in Army Regulations a knotted fringe of yellow silk on the national standards of unmounted regiments. The War Department, however, knows of no law which either requires or prohibits the placing of a fringe on the flag of the United States. No Act of Congress or Executive order has been found bearing on the question. In flag manufacture a fringe is not considered to be part of the flag, and it is without heraldic significance. In the common use of the word it is a fringe and not a border. Ancient customs sanctions the use of fringe on the regimental colors and standards, but there seems to be no good reason or precedent for

its use on other flags." With these conclusions of The Adjutant General I am inclined to agree. The fringe does not appear to be regarded as an integral part of the flag, and its presence can not be said to constitute an unauthorized addition to the design prescribed by statute. An external fringe is to be distinguished from letters, words, emblematic designs printed or superimposed upon the body of the flag itself. Under the law such additions might be open to objection as unauthorized; but the same is not necessarily true of the fringe. The presence, therefore, of a fringe on military colors and standards does not violate any existing Act of Congress. Its use or disuse is a matter of practical policy, to be determined, in the absence of statute, by the Commander-in-Chief. If a fringe is used, its color and size are matters of detail which may be determined by the same authority. In the present state of law, I see no reason for supporting that the paragraphs of the Army Regulations above mentioned are ultra vires, or that the statute imperatively requires the removal of fringes from all standards or colors. Conversely, if it should be decided by the Commander in Chief that the removal of fringes is desirable, there is nothing in the law which imperatively requires their retention.

(1) I am therefore of opinion that the question of a fringe may be determined by the President as Commander in Chief. The same authority may determine the dimensions of the flag and the arrangement of the stars in the union. These details are not controlled by the statute to which I have referred. Upon the propriety of such decisions, as contrasted with their legality, I do not believe it necessary to express a formal opinion.

My opinion is also requested upon a second point, namely, the propriety of official action to preserve the flag from desecration.

The present condition of the law on this subject is as follows:

Section 5 of the Act of February 20, 1905, chapter 592 (33 Stat. 724, 725) prohibits the registration of any trademark which comprises the flag or coat of arms or other insignia of the United States, or any simulation thereof.

This Act of May 16, 1918, chapter 75 (40 Stat. 553), amending section 3 of Title I of the Espionage Act of June 15, 1917, chapter 30 (40 Stat. 217, 219), formerly provided punishment for any person who, when the United States was at war, uttered disloyal language concerning the flag, or language intended to bring the flag into contempt or disrespect. But this amending Act of 1918 was repealed by joint resolution of March 3, 1921, chapter 136 (41 Stat. 1359, 1360). There is therefore at present no Federal statute punishing the desecration or abuse of the flag, either in time of peace or in time of war.

A majority of the States have passed acts designed to punish the desecration of the national flag, and to prevent its use for advertising purposes. The constitutionality of such State legislation was upheld by the Supreme Court in *Halter v. Nebraska*, 205 U.S. 34.

There is a Federal statute, similar in terms to many of the State laws, which punishes the improper use of the flag in the District of Columbia, Act of February 8, 1917, chapter 34 (39 Stat. 900). But there is now no Federal enactment which punishes such outside the District. I believe that it is within the power of Congress to enact such legislation for the entire country; and my belief is supported by the words of Mr. Justice Harlan, delivering the opinion of the Court in *Halter v. Nebraska*, above mentioned (p.41):

*"It may be said that as the flag is an emblem of National sovereignty, it was for Congress alone, by appropriate legislation, to prohibit its use for illegitimate purposes. We can not yield to this view. If Congress has not chosen to legislate on this subject, and if an enactment by it would supersede State laws of like character, it does not follow that in the absence of National legislation the State is without power to act. These are matters which, by legislation, the State may exert control in the interest of its own people." In other words, this matter is one of those over which Congress may exercise control if it will. But until Congress actually exercises its power, the States are free to act, and the silence of Congress, in this case at least, is not to be taken as a declaration that the States must refrain from acting.*

(2) At the present time, then, the desecration or improper use of the flag outside the District of Columbia has not been made a Federal offense. The matter has been left to the States for action. Should Congress wish to assume control, it has power, under the Constitution, to do so. Whether existing conditions render such Congressional legislation necessary or desirable is a question upon which I do not feel required to decide. It is sufficient, for this present opinion, to ascertain that the power of legislation exists.

The delay in rendering this opinion has been attributable to the fact that the papers in this case were apparently mislaid before I assumed office. The matter was only recently brought to my attention.

Respectfully,

JOHN G.SARGENT  
To the President

# THE LAW OF THE FLAG

The Law of the Flag, an International Law, which is recognized by every nation of the planet, is defined as:

" .. a rule to the effect that a vessel is a part of the territory of the nation whose flag she flies. The term is used to designate the RIGHTS under which a ship owner, who sends his vessel into a foreign port, gives notice by his flag to all who enter into contracts with the ship master that he intends the Law of that Flag to regulate those contracts, and that they must either submit to its operation or not contract with him or his agent at all."

Ref.: Ruhstrat v. People, 57 N.E. 41

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Currently, the Flag of the united States of America is defined as :

The American Flag of Peace of the united States of America is described as red, white and blue, with thirteen alternating red and white horizontal stripes, and a blue field (union) with 50 stars, one to represent each of the several States. The Flag is proportional, (1 X 1.9) . This proportion is easily determined by measuring the length (fly) and dividing by the measurement of the width (hoist). The length divided by the width should be very nearly 1.9. If the flag is not to the correct 1 X 1.9 proportion, it is not an official Title 4 U.S.C. 1, 2 American Flag of Peace of the united States of America.

Title 4 U.S.C. 1, 2 and Presidential Executive Order 10834, found in the Federal Register at Vol. 24. No. 166, P.6365 - 6367.

Title 4 U.S.C. 3 provides that anything put on the title 4 U.S.C., 1, 2 American Flag such as gold fringe MUTILATES the Flag and carries a one-year prison term. This is confirmed by the authority of title 36 U.S.C. 176 (g). The gold fringe is a fourth color and represents "color of law" jurisdiction and when placed on the title 4 U.S.C. 1, 2 Flag, mutilates the Flag and suspends the Constitution and establishes "color of law" jurisdiction (Refer to title 18 U.S.C. 242, see Black's Law Dictionary).

As provided by title 36 U.S.C. 173 and Army Regulation 840-10, chapter 2-1(b), the Flag of the united States of America is defined and described in title 4 U.S.C. 1, 2. Civilians must use the title 4 U.S.C. 1, 2 Flag (see title 36 U.S.C. 173 and Army Regulation 840-10, chapter 2-7) and when military flags are displayed by Army Regulation 840-10, chapter 2 and title 36 U.S.C. 175.

Carter <Alaskanet@Juno.com>

Ezekiel 33:6 Blowing the Trumpet

The Yellow Fringe on the National Flag still is being incorrectly plead to be a flag in the Admiralty Jurisdiction. In 1992 Vol. VII No 4 of Behold Newsletter an Article titled "THE FLAG ISSUE" reported the authority for the Yellow Fringe on the National Flag. Since then there has been men with letters behind their names as: Ph.D and JD,MLS, CP doing their best to misrepresent the true jurisdiction that the Yellow Fringe on the National Flag represents. I see the need to present these misrepresentations and expose them for the misrepresentations they are. The latest being:

'SHORT NOTE ABOUT THE FLAG" by Bernard J. Sussman, JD, MLS, CP

The following article appeared in the PARLIAMENTARY JOURNAL, Vol. XXXVIII, No. 4, October 1997, ISBN:0048-2994, on pp. 133 & 134.

"The Parliamentary Journal (ISSN:0048-2994) is published in January, April, July and October by the American Institute of Parliamentarians, P.O. Box 2173, Wilmington, DE 19899."

"The American Institute of Parliamentarians is a non-profit organization founded for the general purpose of improving parliamentary procedure."

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This article goes much further in an attempt to misrepresent the Yellow Fringe on the National Flag.

First statement:

"Across the country some neo-anarchists have been disrupting court proceedings and city council meetings with the rant that the presence of a gold fringe on the American flag displayed in the room or building somehow distorts the nature of the proceedings. According to these "fringe groups" propagan- dists, the presence of a gold fringe on the flag identifies the location as being military (or admiralty) jurisdiction, where the usual Constitutional protections don't apply (cf. Mark Shaffer, "Red flag waved over yellow fringe," Arizona Republic, 10 March 1996, p. B1)."

"This claim is complete nonsense. Courts, state and federal, have rejected this assertion as "preposterous" and "totally frivolous" with "no arguable basis in law or fact." Commonwealth v. Appel (1994) 438 Penn. Super. 214, 652 A.2d 341; Vella v. McCammon (S.D. Texas 1987) R. Supp. 1128; U.S. v. Greenstreet (N.D. Texas 1996) 912 F. Supp. 224; etc." PARLIAMENTARY JOURNAL, Vol. XXXVIII, No. 4, October 1997, ISBN:0048-2994, on pp. 133 & 134.

I agree that the National Flag with Yellow Fringe is not a flag under Admiralty Jurisdiction. I disagree the National Flag with Yellow Fringedoes not represent a Military Jurisdiction. I pulled the cases reported by Sussman, JD, MLS, CP. and here is what they say:"[5] Lastly, Appellant argues that the gold fringe adorning the Americanflag displayed in the district justice's courtroom conferred Admiralty/Maritime jurisdiction. In addition to the fact that this is a preposterous claim, Appellant was afforded a trial de novo and, therefore, matters pertaining to the proceedings before the district magistrate are irrelevant" Commonwealth v. Appel (1994) 438 Penn. Super. 214, 652 A.2d 341;

I agree with the Court the Flag with Yellow Fringe is not representing Admiralty/Maritime jurisdiction, but this Court did not rule on the Military issue. Next:

"The remaining claims that Petitioner has asserted by way of motion to dismiss, e.g. Court lacking jurisdiction because the Court's flag has yellow fringe on it, were denied and the Court considers them to have not only been without merit but also to have been totally frivolous. Petitioner's claims have no arguable basis in law or fact and the appeal is not taken in good faith." Vella v. McCammon (S.D. Texas 1987) R. Supp. 1128

Notice the Court does not state the argument of the Petitioner's on the yellow fringe. But I assume it was Admiralty. If It was Admiralty the Court is right "Petitioner's claims have no arguable basis in law or fact" How do you prove an issue that is wrong." [10] Finally, Defendant Greenstreet's response to plaintiffs motion for summary judgment identifies this Court as an "Admiralty Court" without further discussing his allegation. If his reference is to be construed as a jurisdictional challenge, his motion is denied. Others have attempted to persuade the judiciary that fringe on an American flag denotes a court of admiralty. In light of the fact that this Court has such a flag in its courtroom, the issue is addressed. The concept behind the theory the proponent asserts is that if a courtroom is adorned with a flag which happens to be fringed around the edges, such decor indicates that the court is one of admiralty jurisdiction exclusively. To think that a fringe flag adorning the courtroom somehow limits this Courts jurisdiction is frivolous. See Vella v. McCammon 671 F. Supp. 1128, 1129 (S.D. Texas 1987) (describing petitioner's claim that court lacked jurisdiction because flag was fringed as "without merit" and "totally frivolous") Unfortunately for Defendant Greenstreet, decor is not a determinant for jurisdiction." U.S. v. Greenstreet (N.D. Texas 1996) 912 F. Supp. 224; etc.

In the Greenstreet case the judge goes further in her opinion. I will brake down the various statements and lets see what the judge is really saying.

#### FIRST STATEMENT OF JUDGE IN GREENSTREET

"The concept behind the theory the proponent asserts is that if a courtroom is adorned with a flag which happens to be fringed around the edges, such decor indicates that the court is one of admiralty jurisdiction exclusively."

The key word in this statement is "exclusively." A Courts decor is made up of many symbols such as the seal of the United States, Flags, etc. Article III of the United States Constitution grants the United States District Court [as a Court established by sec.1] jurisdiction in "...all cases, in law and equity [sec. 2]..."to all cases of admiralty and maritime jurisdiction" [sec.2] The United States District Court had admiralty/Maritime jurisdiction long before the National Flag with Yellow Fringe showed up in the decor of the Federal District Court. As a matter of fact the Federal District Court used to display [in the 60's] the National Flag without yellow fringe and the flag of the State the Federal Court set in was also without fringe, as part of the Federal Court's decor. The argument the Yellow Fringe on the National Flag exclusively represents the Admiralty/Maritime Jurisdiction is completely wrong. If it did the Yellow Fringe would have been on the National Flag from the beginning of the Federal District Courts existences. We are talking about a Federal District Court sitting in one of the States not a Federal District Court setting in a Territory of the United States.[ The difference between a Constitutional Court and a Legislative Court]. I believe the Legislative Federal District Courts did have Yellow Fringe on the National Flag and of course there would be no State flag as the Court set in a territory not a State. The jurisdiction exercised by the United States District Court in the Territories was a Military Jurisdiction not an Admiralty/Maritime jurisdiction. Not that should there be a Maritime

case in a territory it could not be recognized. If you look at the Congressional record you will see Congress even allowed Common-Law maxims to be recognized in the. When one of the three forms of the Law-Martial are in force this jurisdiction can adopt any law maxim it wants from any where. We just witnessed a Military pilot get charged with Adultery. Where does Adultery come from [common-law]?

#### SECOND STATEMENT OF JUDGE IN GREENSTREET

"To think that a fringe flag adorning the courtroom somehow limits this Courts jurisdiction is frivolous". The key word here is "limits". The United States Constitution grants jurisdiction to Article III Courts. The decorum of a court only recognizes these jurisdictions. The Yellow Fringe on the National Flag only recognizes the Military Power of the United States over the [C]citizens. But once the facts are shown the Citizen has volunteered to be under this military power, the power is all consuming, and it doesn't matter if the Citizen is working in the Merchant Marines [Maritime jurisdiction] or a Citizen working on the land. Notice I only used the [C] as (c) person have always been under the Military Power of the United States.

#### THIRD STATEMENT OF JUDGE IN GREENSTREET

"Unfortunately for Defendant Greenstreet, decor is not a determinant for jurisdiction." The key word is "determinant". The judge is right. Decor is not a determinant for jurisdiction. It's the facts that are a determinant for jurisdiction. The decor just shows what jurisdictions the court has. "The closest thing America has to an official arbiter of flag design is the U.S. Army's Institute of Heraldry, located at Fort Belvoir, Virginia. In June of 1995, the Institute of Heraldry, evidently in response to a number of inquiries on exactly this topic, worked up a fact sheet on the "Fringe on the American Flag" which says:

"Gold fringe is used on the National flag as an Honorable enrichment only. It is not regarded as an integral part of the flag and its use does not constitute an unauthorized addition to the design prescribed by statutes. ...[The gold] fringe was used on the National flag as early as 1835 .... There is no record of an Act of Congress or Executive Order which either prescribes or prohibits the addition of fringe, nor is there any indication that any symbolism was ever associated with it."

"The fact sheet goes on to say that the fringe is "customary" on silken flags used indoors, not on the tougher cotton and canvas flags intended for outdoor flagpoles (where the wind would soon rip up the fringe)." PARLIAMEN-TARY JOURNAL, Vol. XXXVIII, No. 4, October 1997, ISBN:0048-2994, on pp. 133 & 134.

The U.S. Army's Institute of Heraldry, is only concerned with flags that are used by the Armed Forces. I doubt if they even know about the Military Power of the United States over the [C]citizens as it is not a jurisdiction within Martial-Law proper which governs the Armed Forces. Mr. Bernard J. Sussman, JD, MLS, CP does leave out a few other statements in the Attorney Generals opinion such as:

"In flag manufacture a fringe is not considered to be part of the flag, and it is without heraldic significance." 34 OP ATTY. GEN. 483 (1925)

Notice the Attorney General says "it is without heraldic significance." What he is saying is you can't go to that source to prove the meaning of the yellow fringe. Or the yellow fringe is not within the jurisdiction of the law of the Armed Forces. The Attorney General does say:

"(1) I am therefore of opinion that the question of a fringe may be determined by the President as Commander in Chief". 34 OP ATTY. GEN.483 (1925)

I don't know about you, but that is clear enough for me!!! When the President acts as Commander in Chief, he is acting under the Law-Martial in one of its three forms. The Yellow Fringe on the national flag has to represent a Military jurisdiction. You determine which one. I resent Bernard J. Sussman, JD, MLS, CP reference to "some neo-anarchists". There are concerned Christians across this nation who are deeply concerned and are digging out the truth. Some of them maybe wrong on the Admiralty issue but then where are the lawyers and statement out there talking about the issues? Here are some more facts that prove those who think it is Admiralty/Maritime jurisdiction being expanded over the Nation are wrong.

From one of these patriots I heard him say from the beginning of this Nation until today all the Courts are Admiralty/Maritime. Here is the caption of three cases from Vol. 1 of the Federal cases:

1 Fed. Cas. page 72 } Case No.38 The ADA. { ware,[ Dav. 407,] 408.}District Court, D. Maine. [[Sept 12,1849]]  
[[Admiralty Jurisdiction]]-shipping articles-construction-seamen's wages-forfeitures. [Emphasis Mine] {1 Fed. Cas.  
page 301} Case No. 136 Albers (1 Hunt,Mer. Mag. [[(1839)],351.) District Court, D. Maryland.Customs Duties-  
Worsted shawls [[at law]] [Emphasis Mine]

(1 Fed. Cas. page 170.) Case No.77 Addison v. Duckett. (1 Cranch,C. C. 349.) Circuit Court, District of Columbia Oct. [[1806]] [[equity]]-pleadings-answer-verification. [Emphasis Mine]

The Federal Courts Identified the Jurisdiction of the case under the Original United States Constitution. If the Courts of the States were made to do this it would go a long way to obey the prohibition against secret courts in their State Constitutions. For that matter, if we could get the Federal Courts to re-establish this practice it would do the same. Next read:

Title 28 sec. 1333

(1) "Any civil case of admiralty or maritime jurisdiction, saving to suitors in all cases all other remedies to which they are otherwise entitled."

Here's a clue to what this means: "\*\*\*saving to suitors, in all cases, the right of a common law remedy, where the common law is competent to give it". Home Ins. Co. v. North Packer Co. (1871) 31 Iowa 242.

Look up the save to suitors clause in the Admiralty/Maritime statutes and you will find that a suitor can have his case even if it is of Admiralty/Maritime jurisdiction transferred to a State Court having common-law jurisdiction. With these tools available how can they be expanding Admiralty/Maritime jurisdiction???

## Which flag is it anyway?

1777

Betsy Ross, a very "close" friend of General George Washington, is asked to sew the first official U.S. Flag. Betsy's version uses stars with 6 points. Washington later has the stars changed to 5 points each.

Two versions of the U.S. flag are created. One with vertical stripes for peace time and one with horizontal stripes is designed for times of war.

On June 14, 1777, in order to establish an official flag for the new nation, the Continental Congress passed the first Flag Act: "Resolved, That the flag of the United States be made of thirteen stripes, alternate red and white; that the union be thirteen stars, white in a blue field, representing a new Constellation."

June 14, 1777 - April 30, 1795 Configuration: 13 stars, 13 stripes; red stripe on first row States added: Delaware, Pennsylvania, New Jersey, Georgia, Connecticut, Massachusetts, Maryland, South Carolina, New Hampshire, Virginia, New York, North Carolina, Rhode Island

1780

Congressman Francis Hopkinson is given credit for designing the U.S. flag and Congress compensates him for his work. However, history writers continue to give credit to Betsy Ross.

Act of January 13, 1794 - provided for 15 stripes and 15 stars after May 1795.

May 1, 1795 - July 3, 1818 Configuration: 15 stars, 15 stripes; white stripe on first row States added: Vermont, Kentucky

1818

Act of April 4, 1818 - provided for 13 stripes and one star for each state, to be added to the flag on the 4th of July following the admission of each new state, signed by President Monroe.

July 4, 1818 - July 3, 1819 Configuration: 20 stars; flag returns to having only 13 stripes, starting with red on first row; this stripe configuration never changed again States added: Tennessee, Ohio, Louisiana, Indiana, Mississippi

1819

July 4, 1819 - July 3, 1820  
Configuration: 21 stars State added: Illinois

1820

July 4, 1820 - July 3, 1822  
Configuration: 23 stars States added: Alabama, Maine

1822



July 4, 1822 - July 3, 1836  
Configuration: 24 stars State added: Missouri

1836  
July 4, 1836 - July 3, 1837  
Configuration: 25 stars State added: Arkansas

1837  
July 4, 1837 - July 3, 1845  
Configuration: 26 stars State added: Michigan

1845  
July 4, 1845 - July 3, 1846  
Configuration: 27 stars State added: Florida

1846  
July 4, 1846 - July 3, 1847  
Configuration: 28 stars State added: Texas

1847  
July 4, 1847 - July 3, 1848  
Configuration: 29 stars State added: Iowa

1848  
July 4, 1848 - July 3, 1851  
Configuration: 30 stars State added: Wisconsin

1851  
July 4, 1851 - July 3, 1858  
Configuration: 31 stars State added: California

1858  
July 4, 1858 - July 3, 1859  
Configuration: 32 stars State added: Minnesota

1859  
July 4, 1859 - July 3, 1861  
Configuration: 33 stars State added: Oregon

1861  
July 4, 1861 - July 3, 1863  
Configuration: 34 stars State added: Kansas

Peace time U.S. flags with vertical stripes discontinued. The peace time U.S. flag is never restored as the U.S. government doesn't officially end the Civil War leaving the nation lingering under military control.

1863  
July 4, 1863 - July 3, 1865  
Configuration: 35 stars State added: West Virginia

1865  
July 4, 1865 - July 3, 1867  
Configuration: 36 stars State added: Nevada

1867  
July 4, 1867 - July 3, 1877  
Configuration: 37 stars State added: Nebraska

1877  
July 4, 1877 - July 3, 1890  
Configuration: 38 stars State added: Colorado

1890  
July 4, 1890 - July 3, 1891



Configuration: 43 stars States added: North Dakota, South Dakota, Montana, Washington, Idaho

1891

July 4, 1891 - July 3, 1896

Configuration: 44 stars State added: Wyoming

1895

A gold fringe becomes a required addition when the U.S. flag is flown under military jurisdiction. Civilians are allowed but not required to use the gold fringe for honorable enrichment.

1896

July 4, 1896 - July 3, 1908

Configuration: 45 stars State added: Utah

1908

July 4, 1908 - July 3, 1912

Configuration: 46 stars State added: Oklahoma

Executive Order of President Taft dated June 24, 1912 - established proportions of 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.

1912

July 4, 1912 - July 3, 1959

Configuration: 48 stars; States added: New Mexico, Arizona

Executive Order of President Eisenhower dated January 3, 1959 - provided for the arrangement of the stars in seven rows of seven stars each, staggered horizontally and vertically.

Executive Order of President Eisenhower dated August 21, 1959 - provided for the arrangement of the stars in nine rows of stars staggered horizontally and eleven rows of stars staggered vertically.

1959

July 4, 1959 - July 3, 1960

Configuration: 49 stars State added: Alaska

1960

July 4, 1960 - present Configuration: 50 stars State added: Hawaii

Today An old protocol of flying an upside down flag as a signal of distress becomes a national symbol showing concern over the disturbing abuse of federal government control and power.

In the 1990's, Congress makes several attempts to Amend the U.S. Constitution to ban desecration of the U.S. Flag but the attempts die in Committee because such an Amendment would not have any legal force within the States unless all 50 States also Amend their Constitutions.

