

A Genealogical Approach to the Cowpens Flag

By Louis F. Giles



On October 19, 1907, the Society of the War of 1812 in Maryland presented a flag to the State of Maryland, known as the "Cowpens Flag." Color sergeant William Batchelor supposedly carried the flag at the Battle of Cowpens, South Carolina, on January 17, 1781. The flag was presented to the Association of the Defenders of Baltimore in 1814 (predecessor to the Society of the War of 1812 in Maryland) and described in their Minute Book of 1843 as follows, "Wm Batchelor Ensign of the 27th Regiment (MD) presented to the society the battle flag of that Regiment [at the Battle of North Point] which was also the battle flag of the 3rd Regiment Smallwoods) which was carried by his father William Batchelor color sergeant in that regiment who carried it through the fight at Cowpens (Jan 26th 1781) in which engagement he was wounded returned home and died Dec 10th 1781. The flag was left in his custody and to be carried by him in the celebrations of the association."¹

Immediately after the presentation to the State, William N. Batchelor, a grandson of William Batchelor, disputed the Association's claim, asserting that the battle flag his grandfather flew at the Battle of North Point was presently in his possession. William N. Batchelor did not claim that this flag had been flown at Cowpens, further stating he had never heard his grandfather make such a claim. He added that he had presented a flag of the "Old Defender Association" to the Maryland Historical Society in 1889 and opined that that flag may have been the one given by the Association to the State.²

Based on William N. Batchelor's claims, the State of Maryland requested the Association review the matter, and J. Appleton Wilson, a member of the Association, performed such a review, providing a report dated April 14, 1908.³ Appleton noted that the 1843 minutes of the Association, regarding the donation of the flag, stated that William Batchelor was an ensign in

the 27th Regiment; however, according to muster records, he was a private in the 51st Regiment. Muster rolls, however, did show a Joshua F. Batchelor as an ensign in the 27th Regiment. The Association report provided to the State thus suggested that William Batchelor of the 51st Regiment and Joshua F. Batchelor of the 27th Regiment were brothers, sons of William Batchelor, who purportedly carried the flag at Cowpens and that due to his rank, Joshua F. Batchelor was more likely to have carried a flag.

The State then revised the flag's description: "in the War of 1812 his [William's] son, Ensign Joshua F. Batchelor of the 27th Maryland Militia, carried it in the North Point phase of the Battle of Baltimore, September 12, 1814. For years, the younger Batchelor carried the flag on commemorative occasions, but in August 1848, he deposited it with the Old Defenders' Association, a veterans organization formed shortly after the successful defense of Baltimore. On moving to New Jersey, however, he reclaimed the flag and kept it until his death in Newark about 1855. Years later it was returned by an [elderly gentleman] to Dr. Albert Kimberly Hadel of Baltimore, a member of the Old Defenders group and an officer in its successor organization, the Society of the War of 1812."⁴

New genealogical and historical research, however, disputes these theories.

Who were Joshua F. and William Batchelor? According to the pension application for a disability suffered in the Battle of Baltimore in the War of 1812, Joshua F. Batchelor, who served as an ensign in CPT Schwartzauer's Company in the 27th Regiment, requested on March 21, 1835, that his pension be transferred to New York City where "he intends to remain due to the death of his wife⁵ and that his other relatives live in New York City."⁶ This would seem to indicate he had no close relatives in Baltimore at the time. Additionally, as Joshua had moved permanently to New York City in 1835, not 1848, as claimed in the State description, it is doubtful that he would have presented the flag to the Society in Baltimore in 1843 and been advised to keep the flag for use in yearly Association parades and celebrations in Baltimore. While it is undoubtedly true he could have returned to Baltimore yearly for celebrations, it is unlikely.

One of these relatives in New York can be identified from the pension application as his brother John Jr, residing at 111 King Street in New York City. Government pension records show Joshua's pension was paid to the New York Office from 1826 until his death "in his 69th year" on September 13, 1855, in Essex County, New Jersey.⁷ This would put his year of birth in 1785 or 1786.

According to census records from 1850 in the United States, Joseph F. Batchelor was presently living in Essex County, New Jersey, and was born in England in about 1785. He is listed with his son, William, who is 20 years old, a blacksmith, born in Maryland, and Laura Bescome, who is 27 years old, also born in Maryland, possibly a daughter. Church records of St Paul's Episcopal Church in Baltimore City record the baptism of several children to Joshua and his wife Eliza in 1819: Mary, born in 1812; Eliza, born 1814; John, born in 1817; and Sarah, born 1818.⁸ He had other children, but they are not present in the records of St Paul's. His name appears for the first time in the 1814 Baltimore City Directory as a blacksmith.

Given these facts, Joshua and brother John can be traced using probate, land, and newspaper records as the sons of John Batchelor, Sr., a blacksmith living in New York City. John Batchelor, Sr. first appears in New York judicial records in the early 1790s, and in 1798, John Batchelor, formerly of the "Kingdom of Great Britain," a blacksmith living in New York City, was granted United States citizenship.⁹ Based on the existing law of the day, he would have to have resided in the United States for at least five years. John Sr. died April 7, 1813, at age 58 in New York City¹⁰ and was buried in Trinity Churchyard next to his wife Mary, who had died in 1808 at age 49.¹¹ It appears John and Mary Batchelor had children William, Joshua, John, Jr., Eliza, Mary, and Martha. William died in New York City on 20 January 1827 at age 49¹², and John Jr. on November 16, 1840, in New York City at age 60 at his residence of 111 King Street.¹³

The New York records show that Joshua relocated to Baltimore in 1813 or early 1814, shortly after his father's death. Maryland militia records match this relocation date, showing service for Joshua from August 19, 1814, through November 18, 1814, but not in 1813.

If, as claimed by William Batchelor of Baltimore, he was born in Baltimore and his father was William Batchelor, who served in the Maryland militia in the Revolutionary War, there is no close family relationship with Joshua F. Batchelor, who was born in England around 1787, and whose father, John Batchelor, was born in England and emigrated to the United States after the Revolutionary War.

The existing copy of early Society of the War of 1812 records is also curious. The minute book, copied in 1892 by member Dr. A.K. Hagel from the originals, provides the registration of Association member William Batchelor in 1841. Batchelor remained an active member until he died in 1885.¹⁴

In the margins on page 84, before the name "Wm Batchelor" is inserted, "Joshua F." appears to have been added at a different time than the original; the script seems different.

1843 blue sash
Joshua F. Batchelor Esq. of the 27th Regiment (Md.)
presented to the society the battle flag of that
Regiment which was also the battle flag of
the 3rd Regiment (Smallwoods) which was
carried by his father William Batchelor
color sergeant in that regiment who
carried it through the fight at Cowpens (Jan 20
1781)
in which engagement he was wounded returned
home and died Dec 10 1781.
The flag was left in his custody and to be
carried by him in the celebrations of the asso-
ciation.

Similarly, in the first enrollment rolls of members of the Society dated 1841-1843, on page 30, after "William Batchelor, 51st Regt Infantry, Private", "J. F" is penned in what appears to be a different script and handwriting.

The following was found among the papers of the old association which is undoubtedly the report of the Committee

Amos James	Balto Union Artillery	Private	Augt 1841
Atkinson Joshua	6 th Regt Infantry	Ensign	Mar 1842
Allen John	6 th Regt Infantry	Private	Augt 41
Alcock Wm L	Independent Blues	Private	" 41
Amos John	27 th Regt Infantry	Private	" 41
WED Dec 12 - 1846 Anquith Eli	6 th Regt Infantry	Corporal	Mar 42
Aikland Jas P	27 th Regt Infantry		Augt 41
→ Batchelor Wm J	51 st Regt Infantry	Private	Augt 41
Brooks Jas R	Balto Union Artillery	2 nd Lieutenant	" 41
Bandle Wm	6 th Regt Infantry	Private	" 41
Brown John	Washington Artillery	Private	" 41

Finally, the name of "Batchelor, J. F. Wm, 27th Regt Infantry" has been squeezed in at the end of the list of B surnames in this first enrollment list, again, which appears to be a different handwriting and/or added later.

Baker David	27 th Regt Infantry		
Bouranger Geo	27 th Regt Infantry		
Boggs Robt S			
Baker Fredk			
→ Batchelor J. F. Wm	27 th Regiment Infy		
Carter Clement	51 st Regt Infantry	Private	Augt 41
Childs Saml	Union Artillery	Private	" "

Other than in these three instances, there is no mention of Joshua F. Batchelor in the early records of the Association, and no record has been found of a J.F. William Batchelor, as suggested in the Wilson report. As Joshua had relocated to New York City in 1835, as indicated in his pension records, it would be surprising for him to be a founding member of the Association in 1841 and even more surprising that the Association would request him to keep the flag in his possession to use in yearly militia parades in Baltimore, as he lived hundreds of miles away. It is also argued that it is logical that Joshua would have carried the colors of the 27th Regiment as an ensign. Yet Association records dated 1848 on page 104 note that Capt. John

Lester, who carried the colors of the 27th Regiment at the Battle of North Point, carried the flag of the 27th Regiment in the 1846 militia parade.

Additionally, J. Appleton Wilson, in his 1908 Society report, stated that he had interviewed Mrs. Barbara E. Young, daughter of William Batchelor of the 51st Regiment, who said her father had no brother named Joshua - his brothers being Nathaniel, James, Joseph, and David.¹⁵ Using Mrs. Young's assertion of the names of William Batchelor's brothers as a starting point, genealogical research unearthed the following records in the Baltimore County Registers of Indentures.

Nathaniel Batchelor, born March 22, 1792, indentured by his father Joseph in 1807.¹⁶

William Batchelor, born April 27, 1795, indentured by his father Joseph in 1809.¹⁷

James, born December 17, 1798, and Joseph, born July 5, 1802, indentured by their father Joseph in 1810.¹⁸

David, born January 1802, was indentured by his mother Sarah in 1813.¹⁹

Thus, William Batchelor, who served in the 51st Regiment of Baltimore in 1814 and provided a flag to the Association in 1843, was the son of Joseph and Sarah Batchelor, not William, as he asserted. A Joseph Batchelor is listed in the 1810 Baltimore City Directory as a carpenter living on Harford Road, who seems to have died by 1813. There appears to be no Joseph Batchelor listed in records as serving in the Revolutionary War from the State of Maryland.

In 1973, textile and flag expert Grace Rogers Cooper, with the Smithsonian Institution, analyzed the Cowpens flag at the Maryland State Archives and concluded it dated to the mid-nineteenth century based on the design pattern and the cotton content.²⁰ Yet, other experts disagree. These technical controversies regarding this flag are explored in excellent articles by B. J. Rockefeller published in Raven Magazine²¹ and by Owen Lourie of The Maryland State Archives.²²

While this new information has shown that previous information about the original ownership of the Cowpens flag is incorrect, it does not answer the question of its origin. Joshua F. Batchelor and William Batchelor may have been distantly related, but they were not brothers. Joshua and his father were born in England, and neither served on the American side in the Revolutionary War. While the minutes of the Society of 1812 are likely accurate in stating the flag was provided to them in 1843 by member William Batchelor, William's father was Joseph Batchelor, not William, as he claimed, and there is no record of a Joseph Batchelor serving under Smallwood in the Revolution.

And what was the flag William N. Batchelor claimed to have in 1907, which had been given to him by his grandfather, who had carried it in the Battle of Baltimore? Although no pictures of this flag exist, it is described in several publications. An article in the Baltimore Sun, dated March 25, 1889, describes it as "of silk, and age has caused the colors so to fade that the colors of the stripes are hardly distinguishable."²³ In the J. Appleton Wilson report of 1908, Wilson writes that he had "carefully examined" the flag and described it as "in very bad condition, of silk, with 13 stripes each 3 ½ inches wide, which would make the flag 45 inches wide if properly spread out. It has however been basted down on a backing of cambric, so that it is folded over in many places, and it is impossible to count the stars, which are very small, and at one time been

gilded. The blue field is faded to a cream white. The counting of the stars might help to fix its age."²⁴

A 1929 article in the Baltimore Sun describes the flag as a "silk standard measuring five feet by thirty-one inches made by a number of Baltimore women . . . which the original owner gave to his grandson shortly before his death in 1885. Today, it is somewhat tattered and faded. The stripes, once red, are now pale pink. The white stripes have a yellowish tinge. The blue field is of a rusty hue. Its fifteen stars, once cloth of gold, have lost most of their gilt."²⁵

Except for the description given by Appleton, the flag description given in the Baltimore Sun newspaper in 1889 and 1929 seem to match. In 1934, a flag was loaned to the Star-Spangled Banner Flag House in Baltimore, Maryland, by William N. Batchelor and bequeathed to them at his death in 1938. It is indexed as a "15 Star and 15 Stripe flag of size 47 inches by 26 inches." The card states that the flag "was carried by John Kirby of the 51st Infantry at the Battle of North Point on September 12, 1914, and William Batchelor Jr. took the flag when color bearer Kirby was wounded, carrying it through the end of the battle. He later gave it to his grandson, William N. Batchelor."²⁶

In 1988, the Flag House sent the flag to Froda Thompsen, an expert in flag restoration, for restoration. However, she reported that the flag, when unfolded, contained only twenty-eight stars. Flag House Association minutes from 1988 conclude the William N. Batchelor flag was somehow misplaced and lost.

¹ Maryland State Archives, Special Collections, Society of the War of 1812 Collection, MSASC 2916-2-2, 84.

² "An Historical Flag." Baltimore County Union, March 7, 1908, 1.

³ Maryland State Archives, Special Collections, Society of the War of 1812 Collection, MSA SC 2916, J. Appleton Wilson, "Report on the "Cowpens" Flag," April 14, 1908.

⁴ Maryland State Archives, Adjutant General, Military Department (Guide Book and Descriptive Manual of Battle Flags in Flag Room of State House), 1965, Accession Number: MdHR 786257, Image No:8.

⁵ Mary C. C. Batchelor, formerly of New York, consort of Capt. Joshua F Batchelor, died on 5 February 1835 of consumption and was buried in Methodist Western Cemetery. Baltimore Patriot & Mercantile Advertiser, February 26, 1835, Baltimore, Maryland p 2; Baltimore City Archives Interment Index 1834-1840.

⁶ Fold3, US, War of 1812 Pension Files, 1812-1815, National Archives, Record Group 15, Batchelor, Joshua F., Application for a Transfer, 22.

⁷ Centinel of Freedom, Newark, New Jersey, Vol LVII Issue 11, September 18, 1855, p. 3.

- ⁸ Reamy, Bill and Martha, Records of St. Paul's Parish (1801-1825) Vol. 2, (Westminster, Heritage Books, 2011), 111.
- ⁹ "New York. Court Minutes 1789-1841, FamilySearch (<https://www.familysearch.org/ark:/61903/3:1:3Q9M-CSMB-PW4S-G?view=fullText>: December 11, 2024), image 386 of 598.
- ¹⁰ The Columbian, Wednesday, April 7, 1813, New York, NY, Vol: IV Issue:1048, 3.
- ¹¹ New-York Gazette & General Advertiser, Thursday, May 5, 1808, New York, NY Vol: XXI Issue: 6862, 2.
- ¹² Evening Post, Saturday, January 20, 1827, New York, NY, Issue:7646, 2.
- ¹³ New York Commercial Advertiser, Tuesday, November 17, 1840, New York, vol: XLIII, 2.
- ¹⁴ Maryland State Archives, Special Collections, Society of the War of 1812 Collection, MSA SC 2916-2-2.
- ¹⁵ Maryland State Archives, Special Collections, Society of the War of 1812 Collection, MSA SC 2916, J. Appleton Wilson, "Report on the "Cowpens" Flag," April 14, 1908.
- ¹⁶ Maryland State Archives, Baltimore County Register of Wills (Indentures) 1794-1823, Book 6, 356.
- ¹⁷ Op. Cit. Book 7, 130.
- ¹⁸ Ibid., 330.
- ¹⁹ Op. Cit. Book 9, 249.
- ²⁰ Grace Rogers Cooper, Thirteen Star Flags: Keys to Identification (Washington, D.C. Smithsonian Institution, 1973), pp. 289-29.
- ²¹ R. J. Rockefeller, The Supposed "Cowpens Flag": Vexillology and Historiography Create a New Understanding and Nomenclature, Raven 29, (2022): pp. 41-66.
- ²² Owen Lourie, Maryland State Archives, unpublished.
- ²³ "He was Baptized North Point Batchelor," The Sun (Baltimore, Maryland), March 25, 1889, 4.
- ²⁴ Maryland State Archives, Special Collections, Society of the War of 1812 Collection, MSA SC 2916, J. Appleton Wilson, "Report on the "Cowpens" Flag," April 14, 1908.
- ²⁵ "North Point Battle Flag is on Display," The Evening Sun, Baltimore, September 12, 1929, 8.
- ²⁶ Star-Spangled Banner Flag House, Baltimore, Maryland, Museum Catalog Record M.1934.4.1.