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donating:  
Jay Smith  
November 1994

Friday Ohio Aug. 14<sup>th</sup> 1880

Col. A. W. Mahan  
Toledo O.

Your esteemed favor came to hand some time ago requesting me to state you what I know about the 26<sup>th</sup> Tennessee (rebel) Regiment's Colors captured by our troops at the Battle of Stone River.

Pressing business engagements and more or less absence from home prevented me from sending you a prompt reply, consequently your letter remained unanswered, but I will now relate to you briefly my recollections although the lapse of over a quarter of a century may have left its mark upon my memory as regards distance &c but the statement I here send you regarding the capture of the flag is a true one in every respect.

On the second day of January 1863 after we had crossed the river and were driving the rebels up the hill through the woods under a heavy fire, a moment before our regiment (21<sup>st</sup> O.V.I.) capt.

the rebel battery, whilst advancing we were passing  
 over large numbers of dead and wounded of  
 both federal and confederate, and about a  
 hundred yards or near as I can recollect to  
 right of the rebel battery captured by our regiment  
 and only a short distance in the woods before  
 we entered the open field (corn field) is as  
 near as I can describe the location where  
 while we were advancing under a brisk fire  
 I saw laying on the ground before <sup>me</sup> a dead rebel  
 with a flag by his side. I picked up the flag  
 and saw it belonged to the 26<sup>th</sup> Tennessee Regt.  
 and intended to bring it with me, but at once  
 comprehended, that it was impossible to rise my own  
 and carry the flag with me, so I hurriedly threw  
 down by the side of the dead rebel where  
 I had found it, and proceeded along with the  
 until we came to a halt out in the open field. when I  
 returned to get the flag, but when I got there it  
 had been taken away by some one else. there is  
 no question but the color bearer fell from a shot  
 fired by some one of our own regiment but who fired  
 that shot will undoubtedly never be known.

I will here add that I honestly believe that no one person in particular is entitled to the credit of capturing that flag, but one thing is certain that the <sup>credit for the</sup> capture of it belongs to the 21st Regiment Ohio Vol Infy.

Trusting the above narrative regarding my observations and knowledge of the capture of this flag may be of some advantage to you in your history I remain

Yours Truly  
J. H. Polton

(Picture of Flag by  
J. B. Stone)

Stone

Col. A. M. Mahan  
East Toledo Ohio

