Key Monument on Eutaw Place

Background

The Francis Scott Key monument has stood at the tallest point of the 1200 block of Eutaw Place since it was erected in the early twentieth century. It was commissioned to commemorate the centennial of the American victory in the Battle of Baltimore at Fort McHenry during the War of 1812 and the inspiration for what would become the country's national anthem, the Star-Spangled Banner.

The monument features a gold-leaf gilded statute of lady Columbia waving a flag on a pedestal of four stone columns surrounded on two sides by gilded reliefs depicting the battle. Between the columns was originally a gas-lit flame. At the pedestal's base is a bronze statue of Francis Scott Key standing in an unstable rowboat carved from stone. He is looking up at both Columbia in awe and at his last name etched in stone while another companion statute is at the oars, all surrounded by a fountain pool.

The monument was designed in 1909-10 by Frederick Law Olmsted, with its statues designed by a French sculptor. Dedicated in 1913, it had one restoration effort some decades later and then was restored a second time in the 1990s through the leadership of Bolton Hill residents Lynn and Bob Pellaton and other members of the Bolton Hill Garden Club. The Pellatons raised funds from the Federated Garden Clubs of Maryland and the Maryland Military Monuments Commission and then formed the Friends of the Francis Scott Key Monument to raise the remainder. Their fundraising efforts culminated with financial support from a White House initiative called "Save America's Treasures" to restore prominent statues around the country. After the restoration work was completed by an Italian stone mason named Steve Tatti in the summer of 2000, First Lady Hillary Clinton, Governor Glendening, U.S. Representative Elijah Cummings, and members of the 1812 Society were on hand for a rededication ceremony. The City's Commission for Historical and Architectural Preservation and Bolton Hill community members, particularly members of the Prince Hall Masons and Estep Brothers Funeral Home on either side of Eutaw Place, were supportive of the restoration and many attended the rededication.

In September 2017, the monument was vandalized with red paint and graffiti decrying the racism of Key and the reference to slavery in the third verse of the Star-Spangled Banner. Baltimore City underwrote the latest restoration of the monument.

Key—the man and his name—are memorialized in the monument because he was inspired to write what became the Star-Spangled Banner as he witnessed the attack on Fort McHenry from a boat in Baltimore harbor. The circumstances giving Key the opportunity to observe the flashes of British bombs bombarding Fort McHenry that night were accidental, yet reflect his social status as a lawyer who was well integrated into Washington political circles. He was known less during his lifetime for penning the Star-Spangled Banner and more for channeling his public influence to imprint his racial views on national racial politics and slow the antislavery movement.

Slaves and Slavery in Key's World

Key descended from prominent Maryland slaveholding planters and lawyers dating back generations, and when Key married Mary Lloyd in 1820, he allied himself with one of the largest plantation-owning families in the state, thus consolidating his position among the Chesapeake region's white elites.

Key regularly bought and sold people in his personal capacity and as a lawyer between 1801 and the 1830s. Existing scholarship does not contain a systematic account of the number of enslaved men and women Key may have owned over his lifetime, though biographers estimate five to ten enslaved persons at any point in time. He did believe in voluntary emancipation, freeing some of his slaves during his lifetime and freeing the enslaved people he owned after his widow's death in his will.

Key held that "by law of nature all men are free," and he opposed the slave trade. In testimony before Congress in 1816, he condemned the slave pens of Washington, D.C., where enslaved people from all over the region were imprisoned before sale and transshipment to the lower South. Key argued on behalf of freedom lawsuits, when many white lawyers would not, but in his routine law practice, he also defended slaveholders.

However, the abstract position that no person was a slave by nature did not convince men like Key that slavery ought to be immediately renounced, as his participation in routine purchase and sale of enslaved people indicates. Like so many others of his ilk, Key was what today might be called an institutionalist: if the constitution and legislation supported the rights of slaveholders, then those laws must be defended until such time as they are changed. Any assessment of Key's position on slavery and race must rest on his legal career, first in private practice and then in his most prominent professional role as President Jackson's appointee for U.S. Attorney for the District of Columbia (1833-1840), and in his role as a founding member and leader of the American Colonization Society (ACS).

U.S. Attorney

As U.S. Attorney, Key aggressively prosecuted advocates of emancipation not only when they abetted runaways, but also for organizing and distributing anti-slavery literature, viewing these actions as libel and sedition. With this posture, Key was a promoter of the Congressional and

local gag laws that criminalized the distribution of anti-slavery literature through the U.S. postal service and prevented Congress from even receiving anti-slavery petitions. Accordingly in 1833 just after becoming US Attorney, Key prosecuted a Washington, D.C. printer, William Greer, for having in his possession an issue of the local abolitionist newspaper, *Genius of Universal Emancipation*. Key unsuccessfully argued that the article tended "to vilify the good name, fame, and credit and reputation of the magistrates and constables" by claiming that the District police were corrupt, that they harassed free Blacks, and that they took bribes to countenance and even abet the illegal slave market in the District (as the historic record appears to confirm).

In the case of the *United States v Reuben Crandall*, which reached the Supreme Court in 1836, Key's animosity toward abolitionists was on fullest display. Key prosecuted Crandall, an abolitionist who had recently arrived in Washington, D.C. from New York, for the possession of hundreds of abolitionist pamphlets with the intent to distribute. It was a high-profile case, taking place against the backdrop of escalating harassment and violence against free Blacks. Although Key lost the case because he could not in fact prove that Crandall intended to distribute the pamphlets, he argued that the literature was incendiary. He claimed that it would incite slave rebellion with its vivid depictions of the cruelty of slavery and because it raised unrealistic expectations among free Blacks, who were participating in anti-slavery meetings and abetting runaways. In his closing argument, Key made a militantly racist appeal to the jurors: "Are you willing, gentlemen, to abandon your country, to permit it to be taken from you, and occupied by the abolitionist whose taste it is to associate and amalgamate with the Negro?"

American Colonization Society

ACS was an early nineteenth century organization that advocated for recolonizing Africa with free Blacks and emancipated slaves in the new colony of Liberia. There were over 3 million enslaved people and 300,000 free Blacks in the United States in 1830, and those numbers would steadily climb. ACS managed to transport fewer than 20,000 people to Liberia before the Civil War.

As a leading member of ACS, Key hosted several of the planning meetings that led to its establishment in 1817, was on its Board of Managers until 1833, and remained committed to recolonization for the rest of his life. At ACS's founding, Key said publicly that its bylaws should specifically disclaim any association with calls for abolition and should focus solely on recolonization. Many of the ACS's early leaders, like Key, were evangelicals who saw ACS as an instrument for spreading Christianity to Africa.

Anti-slavery activists castigated the ACS colonization project as a betrayal of the aspirations of Black Americans for equal citizenship. Organized free Blacks in Philadelphia did so when ACS was founded. In 1831, the African Methodist Episcopal Church in Washington, D.C., a member of the coalition of AME churches collectively comprising the largest Black organization in the country, issued a resolution directly confronting ACS. It declared that the AME's members were US citizens first and that "the soil which gave them birth is their only true and veritable home."

By the 1830s, the call for abolition was generally gaining traction among whites in the United States, though it remained a minority position. Many white anti-slavery supporters had by then joined with the Black anti-slavery movement in calling for universal emancipation as well as civil and political equality for free Blacks. Most ACS members, including Key, claimed that they supported the gradual, voluntary end of slavery. But none could envision permanent racial coexistence on terms of legal and political parity, so the only solution to ending slavery for men like Key and his ACS contemporaries was to make America literally a white person's country. This mindset placed ACS at the most conservative end of the anti-slavery spectrum by the mid-1830s.

The Star-Spangled Banner

On the fateful night of September 13, 1814, Key and his American military escort, John Skinner, had successfully negotiated the British release of Key's friend, Dr. William Beanes, when the Battle of Baltimore was about to commence, and the Americans were not allowed to return to shore until it had ended. Key jotted notes in the midst of the battle and completed them as a poem within a day of returning to shore. He wasn't trying to make history, but he, like virtually every young person from genteel elite families, had dabbled in belles letters as a youth. "Scribbling," as the practice was called, was a polite accomplishment that signaled refinement for young men and women alike. To be an eyewitness to an event so startling and so fateful, was, according to the poetic canons of the day, to occupy a privileged vantagepoint.

Key's poem immediately began to circulate in Baltimore, first as printed handbills and broadsides informing the public of the victory and then in Baltimore's daily newspaper. Within days, it had reached newspapers up and down the East Coast, and, within couple of weeks, other newspapers in inland cities and towns. Like many poems of the era, the words could easily become lyrics set to a variety of standard tunes. Key's Star-Spangled Banner was quickly associated with the old British drinking tune, "Ode to Anacreon," which had become well known a generation earlier.

Still, prior to the Civil War, the Star-Spangled Banner was just one among many popular patriotic songs that played in many of the same venues, and just one of a smaller group of them that attempted to create a shared sense of patriotic attachment to nation by combining the use of emerging national symbols, the imagery of wartime battle, and themes of providential deliverance. By the late nineteenth century, it had edged out the others to attain something like the status of a de facto national anthem, but Congress did not officially proclaim it as such until 1931.

The lyrics of the third verse of the national anthem have attracted critical commentary, mostly because of the song's explicit reference to slavery in the third verse. The third stanza, or rather the third verse of the poem Key wrote, reads in its entirety:

> *And where is that band who so vauntingly swore,*
> *That the havoc of war and the battle's confusion*

A home and a Country should leave us no more?
Their blood has wash'd out their foul footstep's pollution.
No refuge could save the hireling and slave
From the terror of flight or the gloom of the grave,
And the star-spangled banner in triumph doth wave
O'er the land of the free and the home of the brave.

The narrow meaning of the specific reference to the "hireling and slave" is clear. Key is referencing and condemning the use of two wartime practices by his British enemy. The first is the military's use of paid recruits ("hirelings"), especially, but not only, foreign mercenaries. Until the Jacksonian era, any man who depended on another man to make living, was, according to Key's worldview, suspect because economic dependence robbed him of an independent political will. To be a paid conscript or a mercenary was especially degrading. Voluntary service was, for men like Key, the only honorable form of military participation.

Key was also condemning another specific practice. In the War of 1812, the British promised enslaved persons their freedom if they fled to their side, as they had done in previous conflicts on North American soil. In the Chesapeake, enslaved people had been fleeing to the British since British ships arrived in the Bay in the spring of 1813. The British command made it official in April 1814 when Vice Admiral Sir Alexander Cochrane issued a proclamation welcoming "all those who may be disposed to emigrate ... who will, with their families, be received on board of his majesty's ships or vessels of war or at military posts." They could then choose to go "as free settlers to the British possessions in North America or the West Indies." By the end of the war, thousands of formerly enslaved Americans had fled to the British.

It is also possible that the use of the term "slave" in this verse was merely metaphorical, referring to the general state of political tyranny, as in all "mercenaries are like slaves" or "the British would make slaves" of us or "throwing off the bondage of tyranny." Early Americans did frequently use "bondage" and slavery in this way. At the same time, Key does not focus on the British military and civilian leaders, who could have been singled out as "seducing" or "enticing" the enslaved and the vagabond. Key focuses instead on the "hireling and slave" themselves; it is *they* who will find "no refuge … From the terror of flight or the gloom of the grave" and, therefore, better served remaining in bondage. And then in an out-of-touch final turn, the stanza concludes with its familiar refrain, celebrating "the land of the free and the home of the brave." Some anti-slavery critics in Key's time called out the irony of Key's ode when the United States was, in truth, "the Land of the Free" and "the Home of the Oppressed."

In sum, the Key monument glorifies the man who unwittingly authored the national anthem of the United States. The poem that Key wrote was shaped by his worldview as a Chesapeake slaveholder and also his fevered loathing toward the British not merely for leaving behind a wake of destruction in his country but for recruiting slaves to fight on the British side of the War of 1812.

Review

The Key monument was erected to commemorate two intertwined events local to Baltimore that were also nationally significant: victory in the Battle of Baltimore during the War of 1812 and the writing of what would become the United States national anthem. The song was originally written as a poem by a man whose actions as a public figure contradicted the words in the anthem celebrating the "land of the free." Although Key's hardline racist views were not surprising for a white man of his stature at the time, neither were they universal. More importantly, Key promulgated them publicly in increasingly controversial ways later in his life. The central point is that Key wielded his power as Attorney General to prosecute abolitionists and his leadership of the ACS to actively obstruct the expanding movement for universal emancipation and formal civic and political equality for Black people in the United States. The disjunction between the uplifting song lyrics and the author's public actions undermining them for Black Americans leaves observers of the ponderous, ornate monument without a full picture of the man or its meaning.

Recommendation

Given the complicated relationship between Key's life, worldviews, and the words he wrote for what became the national anthem, the committee recommends the installation of an interpretive plaque near the Key monument. An interpretive plaque would provide an educational opportunity to offer historical context for the monument memorializing the man who wrote the Star-Spangled Banner.

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