

## Francis Scott Key (1779-1843)

Christ Church's most famous founder was a man of many parts.

Francis Scott Key was born at "Terra Rubra," then located in Frederick, but now Carroll County, MD. He kept the property all his life as a summer home, and his heart lay there. He was a fourth generation American on his father's side—rather a newcomer compared to many of his Southern Maryland compatriots. He came from a long line of lawyers. Philip Key of St. Mary's, MD, the founder of the Key family in America, was an English lawyer who emigrated in 1720. He was from St. Paul's Parish, Covent Garden, London. He served on the colonial Council in Maryland. Both his grandson and great grandson were lawyers. His grandson, Francis Scott Key's father, owned 1948 acres and 25 slaves in 1783. The Keys were comfortably well off (the 20th century author Francis Scott Key ("F. Scott") Fitzgerald was a cousin who directly descended from Francis Scott Key's grandfather's older brother). Francis Scott Key's father, John Ross Key, fought in Revolution. His mother Anne Phoebe Penn Dagworthy Charlton was deeply religious, musical and poetic. These two strains—a legal mind and religious and poetic leanings—were to coexist paradoxically but fruitfully in Key's personality throughout his prominent life.

Key graduated from St. John's College in Annapolis and read law under his uncle Philip Barton Key, a Tory who fought for the British in the Revolution, was captured, paroled, and went to London and became of member of the Middle Temple before repatriating himself to Maryland in 1785. In one of the more amazing career turnarounds, he was subsequently elected to the U.S. Congress. He later established a law practice in Washington, DC, and Francis became his law partner in 1805.



Francis Scott Key by Joseph Wood, c 1825

Soon thereafter Francis Scott Key purchased a house at what is now 3516-18 M Street, just west of present-day Key Bridge (near the site of what is now one of the bridge's access ramps). He owned the house until his death in 1843 but moved from it in 1830 because of the noise and disruption caused by the construction of the C&O Canal. A one-story wing to the west of the house was his law office. In 1834 he abandoned Georgetown altogether for the City of Washington.

Key was known as an orator, and his legal career flourished. He frequently argued before the U.S. District Court and even the Supreme Court. One of his more famous engagements was his



successful representation before the Supreme Court of several of Aaron Burr's co-conspirators. Key was apolitical for most of his life, but he joined the newly formed Democratic Party under President Andrew Jackson, who in 1833 appointed him District Attorney for the District of Columbia, at which point he moved from Georgetown. As District Attorney, he was the chief federal prosecutor for the District of Columbia. He was subsequently reappointed to the position by Presidents Jackson and Van Buren. Supreme Court Chief Justice Roger Brooke Taney, infamous for the *Dred Scott* decision, was his brother-in-law, married to his sister Anne Phoebe Charlton Key.

Starting in 1808 and for many years thereafter Key acted as Recorder and President of the Board of Aldermen of Georgetown.

Key was married to Mary Tayloe Lloyd of Annapolis, and together they had 11 children. Of these, four met untimely deaths. Edward drowned in Potomac River at Georgetown at age nine (his funeral was held at Christ Church on July 10, 1822). Daniel Murray was killed in a duel as young naval officer in 1836. John Ross, a promising young lawyer in the family tradition, died of a sudden illness less than a year later. Philip Barton, like his father the U.S. District Attorney for the District of Columbia, was shot and killed in Lafayette Park at the corner of Madison Place and Pennsylvania Avenue by Congressman Daniel E. Sickles in 1859 because of a love affair Key was having with Sickles's attractive wife. The affair and subsequent murder were one of the great scandals of the age. Sickles was acquitted on the grounds of temporary insanity, the first ever successful pleading of that defense.

Francis Scott Key's composition of the *Star Spangled Banner* in 1814 is too well known to recount here.

Those are the public and legal sides of his life.

Equally interesting, but less known, are the intertwined religious and poetic sides of his personality. These latter traits were no doubt inherited from his mother.

As observed by Marc Leepson in his 2014 book *What So Proudly We Hailed: Francis Scott Key, A Life* (Palgrave Macmillan), "virtually everyone who came into contact with Key remarked on his piety" and "he peppered his letters to family and friends with references to the Bible and its teachings," such as "Go regularly to church plainly [dressed] and behave reverently...Do everything for God's sake and consider yourselves always in his service."

On at least two occasions, Francis Scott Key came close to taking Holy Orders as he earnestly contemplated entrance into the ministry. While a member of St. John's Church Georgetown and two and a half years before the founding of Christ Church Georgetown (but just months before he authored the *Star Spangled Banner*), Key engaged in correspondence with the then Rector of St. Paul's Parish, Baltimore, The Reverend Dr. James Kemp, about a proposal by Kemp that Key should enter the ministry as his assistant at St. Paul's. On April 4, 1814, Key wrote Kemp:

When I thought a few years ago of preparing myself for the ministry...I hoped (as I still do) that if the path of duty would lead me to this change of life, I should be enabled to see it, & that my present course should be stopped if I could serve God more acceptably in the ministry. —I did not to be sure ever think of such a situation as you have suggested.... I have been obliged to contract...a very considerable debt—and the relinquishment of my present pursuits would materially affect others (some even out of my own family) to whom I seem to have become bound. —Under these circumstances you will perceive I ought not lightly nor without mature consideration, to make so important a change in my situation;... That I could support my family



upon the terms you have mentioned I think probable: But I should find it difficult (if not impossible) to do more; and to do more I seem to be necessarily bound. Would it be practicable to make anything as an author of religious & Literary publications? And would I have any leisure for such engagements?

The above passage is remarkable for a number of reasons. First, it evidences an on-going or at least recurrent process of discernment about entering the ministry. Second, it reveals his motives for doing so to be “duty” and “service to God”—not passion or an encounter or a conversion, but “duty.” Third, despite the call of duty, he hesitates because of debts to his family and certain unspecified other persons (Key’s debts must not have been too onerous, for two months later he lent \$250 to fellow lawyer and future Christ Church founder James Sewell Morsell). Fourth, he recognizes the need for “mature consideration”—not a thing to be undertaken “lightly”—in his process of discernment. Fifth, he acknowledges that his family, but no more, could survive on the living offered by Kemp. Sixth, he then tries to find an alternative way to meet his obligations and take the position at the same time by authoring religious tracts. All of this is vintage Key: at once a high-minded gentleman of principle and man of affairs but with strong religious urgings who scrupulously and fairly analyzes the options in lawyer-like fashion.

In the same letter Key then goes on to state with frontal candor what he believes, and does not believe, as a churchman:

I believe we differ upon the subject of Episcopacy—you consider it as the divinely established & only form of Church government & that there is no valid ordination elsewhere. I have never seen anything to satisfy me of this, but though I have been led to think it a form, I still think it the best form.... As to our Church service, few persons can be more

attached to it than I am. —I lament that any of our ministers should substantially depart from it, though I love and esteem some who occasionally do so. I regret also that others should insist upon a literal and universal compliance as absolutely essential to be enforced by strict church discipline;... [I] have been led to see great merit among the advocates of each side of a controversy. —I believe that God will sufficiently enlighten every man who hungers and thirsts after righteousness, & prays to be led into the truth, & that it may be consistent with his wisdom & goodness to leave us for a time under the influence of some errors.

Typically, Key is candid but polite in articulating his low church views, but, lawyer that he was, he recognizes various sides to an issue and then hands it over to God.

Three weeks later, on April 28, he wrote to Kemp his final words on the subject:

I have thought a good deal upon this subject, & the difficulties that at first occurred to me appear insurmountable. —It has also occurred to me that if I was to enter the ministry with a view to so profitable a situation I might be supposed to act under the influence of unworthy inducements; & thus the cause of religion in some measure might receive injury....

I trust that if I have been incorrect in this determination, I shall be brought to see it, & that God will make plain to me his will and my duty & give me the strength to perform it.

In short, he opted to remain secular but wrapped his pragmatic decision to do so in his motivation (genuine or not one can only guess) not to harm religion. But he also assumes a mantle of humility and leaves open the door for God to speak further to him on it.

Evidently He did not, although Key went on to play an influential role in the Church as a layman.



Just two months after these letters, in June 1814, Kemp, who was a high churchman and a “formalist,” was elected Suffragan Bishop of Maryland in an election that a number of clergy and laymen protested. Among these was Francis Scott Key, who raised various technical legal points. The House of Bishops answered but dismissed the protest and proceeded to consecrate Kemp as Bishop. Kemp seems never to have forgiven Key, and their relationship soured. Nonetheless, Kemp consecrated Christ Church Georgetown, founded in part by Key, a few years later.

Key’s attitude toward the Episcopacy was to resurface years later when the high church Reverend Benjamin Onderdunk wrote a disparaging letter about the then former Christ Church Rector Charles McIlvaine (accusing him of, among other things, “Presbyterian” tendencies). At the time, McIlvaine was under consideration for a parish in New York, and Onderdunk’s clear motive was to undermine his candidacy. Not only did the Christ Church Vestry write a letter in support of their former Rector in response, when a few years later Onderdunk, now Bishop of New York, sought to conduct an episcopal visit to Christ Church, the Vestry, on Key’s motion, declined to accept his visit (McIlvaine obtained the Rectorship and went on to become Bishop of Ohio, while Onderdunk was later suspended from his office for improper advances to and touching of women).

Immediately prior to Key’s playing a prominent role in the founding of Christ Church he was a delegate to the General Convention of 1817. His actions at that Convention provide a further window into his thinking at the time. Key introduced a resolution that underscored his “evangelical” tendencies, as that term was used at the time. The resolution stated that “the conforming to the vain amusements of the world, frequenting horse raises, theatres, public balls, playing cards, or gaming” were “inconsistent with Christian sobriety, dangerous to the morals of the members

of the Church, and peculiarly unbecoming the character of communicants.” The puritanical, indeed prudish, intent of the resolution would have been at odds with the prevailing mores of many of Key’s Georgetown peers with roots in Southern Maryland. But then Key was not from Southern Maryland. The House of Delegates disposed of his resolution by declaring it “unnecessary.” However, Key long held these views, as he later said that luxury is the vice most fatal to republics and that idleness and want of education in the rich promoted that vice.

Later that year Key joined a group of St. John’s parishioners to help found Christ Church. His subscription—10 shares worth \$250—was in the middle range of commitments by the church’s founders. He was not a member of the Committee of Eight which was initially elected to establish the church nor was he a member of the very early Vestries, although he was an original pew owner and a recurring Vestryman from 1828 through 1834, when he resigned because of his removal from Georgetown to the City of Washington. No doubt because of his conspicuous piety Key was asked to open one of the early organizational meetings of the church, on April 13, 1818, with “prayer to the Throne of Grace,” a reference to Hebrews 4: 14–16 and seemingly the same form of prayer that marked the very first gathering of the congregation in the completed church at sunrise on Christmas Day later in 1818.

However, Key’s mission as a churchman appears to have been directed as much or more outward than to internal governance of the parish. According to the Christ Church Vestry minutes, Key was thrice elected to serve as Christ Church’s delegate to the Maryland diocesan convention but was unable to serve, presumably because of the demands of his law practice (he was able to attend other conventions, however). In addition, he was a delegate for the Diocese to every General Convention from 1814 to 1826, attending all except the initial one. Key was an active par-



ticipant in these conventions, frequently using his legal skills, sense of charity and innate diplomacy to examine issues from all sides and act as a reconciler and compromiser. He served on important committees at each convention, and his skill in debate and in the hard work of those committees (as well as his prominence as the author of the *Star Spangled Banner*) made him influential. Typical is a letter he wrote in anticipation of a dispute between rival candidates at an upcoming convention:

I am a low Churchman—I never could believe (though I tried hard) in the ‘jus divinum,’... I know that the Church of England has not been unanimous upon the point, & that some of her highest and best men have at all times taken lower ground to place our Church on. I think such opinions [in favor of jus divinum] in a Clergyman hinder his usefulness: but I do not imagine that they need, or generally do affect his piety—I am willing therefore to take as high a Churchman as can be found. —If we give up in this respect, might we not ask to have a man who had charity & forbearance towards low Churchmen....Further there is a difference among us...in the great fundamental doctrine of the corruption of man....Further we object to fashionable amusements & think a stronger stand should be made against Christians conforming to the world in this respect....

Now I am decidedly for a compromise, getting as much as we can in respect to these things, & willing to give up much, very much, to heal the wounds that are kept open by this unnecessary contest....

But all was not compromise. Bishop Kemp, who was opposed to baptisms by lay persons, reprimanded Key for baptizing an ostensibly dying infant (the child in fact survived) who was brought to his door in the fall of 1818 while Christ Church was under construction. Key responded in a principled and lawyerly way:

You think it so clearly wrong that a moment’s reflection ‘ought to have arrested my progress.’ I have reflected upon it since, deliberately, & am still without any other reason for supposing it may be wrong than your telling me so. I hope Sir you will excuse me for saying that this (tho’ certainly worthy of serious consideration) is not sufficient for me. I cannot acknowledge error where I do not see it, & I trust you hold me so entitled to an opinion of my own as not to be bound to renounce it & confess myself wrong merely because any person though entitled to the greatest respect thinks differently.

In addition to his work at church conventions, Key was a strong proponent of religious education. He was a member of the first Board of Trustees of the General Theological Seminary in 1820 and was a founder of the Virginia Theological Seminary. He advocated for a seminary in Maryland and was a proponent of government-run religious Sunday schools known as “Sabbath schools.” He was a lifelong friend of both Bishop William Meade of Virginia and John Randolph of Roanoke.

Tellingly, his service also embraced the drudgery of quiet Christian commitment. When in the 1830s the Rector of St. John’s Parish Georgetown became broken in health and blind, Key received a lay reader’s license to conduct services and visit the sick on behalf of his old Rector, which he did for some years. He viewed it as his duty, as much as it was his privilege to represent the Diocese in the General Convention. Ironically, it was as close as Key came to his old dream of the active ministry.

Later in his life, after leaving Georgetown, Key attended and played leadership roles in Trinity Episcopal Church in the City of Washington.

Although Key was a slaveholder, he thought slavery wrong. As a practicing lawyer, Key often represented slaves and free blacks in legal



disputes gratis. However, he also represented slave holders in runaway cases (later, as District Attorney, he was obliged to uphold the existing laws and had little or no prosecutorial discretion). Key actively fought against slave trafficking and the extension of slavery within the United States. He joined with Bushrod Washington, Henry Clay, John Eager Howard, Bishop Meade of Virginia and others in 1816 to found the American Colonization Society to free and colonize blacks on the West Coast of Africa. He actively lobbied President Monroe for support, and the Society bought a tract of land in 1821. The first settlers arrived a year later, founding the nation of Liberia. Eventually 15,000 freed slaves settled there. Key reportedly freed four of his own seven slaves in 1831 (Leepson, at 130). At least one slave whom he manumitted, Clem Johnson, continued to work for him as a free man. (Id., at 130–131). Nonetheless, as Leepson observed, Key “was a man of his times living in the South.”

As if these engagements were not enough, Key also was a writer of religious verse and hymns. His style has been charitably called that of an “elegant amateur.” His hymn “Lord with glowing heart I praise Thee,” written in 1823, became a standard for years in many Protestant hymnals. It was Hymn 454 in the 1940 Episcopal Hymnal but fell out of favor and was deleted from the 1982 Episcopal Hymnal.

Key appears to have been only mildly interested in politics for most of his life, but he had definite ideas about the relation and duties of state and society, and those ideas were informed by his religion. Key’s views on this symbiotic relationship are further articulated in a little known oration that he gave on July 4, 1831 in the Rotunda of the Capitol. In its concluding paragraphs he stated:

The free citizen of a happy country can have no inducements to a war of aggression upon others. He rests in the shade of his own trees, or in the circle that surrounds his own hearth,

and in such scene the heart of man grows warm with love towards his brethren. Is it not such a glorious privilege to be permitted to labor in such a cause, and for such a consummation? to see that in promoting the freedom and happiness of the world, by sustaining our own, we work with the bounteous Giver of good, in effecting his purposes of love to man; and that we work for him—for the glory of his name and the welfare of his creation.

He it is who rules the nations and reigns in the hearts of men. May we look to him, that we may understand and feel and fulfill the high duties he has placed before us.

Key died of pleurisy at age 63 in 1843 and is buried at Mt. Olivet Cemetery in Frederick, MD. His obituary in the *Baltimore Sun* on January 13, 1843 stated:

In Mr. Key the accomplishments of the lawyer and scholar were adorned by the profession and practice of Christianity. During a long period of his useful life, he was an unwavering and consistent member of the Episcopal Church—the influence of his example being increased by his distinguished position in society.

Finally, the list of first pew holders includes Anne Key. She was the widow of Francis Scott Key’s uncle and law partner, Philip Barton Key, who died in 1815. She also was the sister of Christ Church founder Thomas Plater.

The author acknowledges Clarence C. Wroth, “Francis Scott Key as a Churchman,” *IV Maryland Historical Magazine* (1909) at 154.

