

MARYLAND, SEPTEMBER 1814

Francis Scott Key:
“Defence of Fort M’Henry”

On September 3, 1814, Francis Scott Key, a thirty-five-year-old Georgetown attorney, and Colonel John Stuart Skinner, a U.S. prisoner-of-war exchange officer, boarded HMS *Tonnant*, Cochrane’s flagship, then at anchor in the Patapsco River near Baltimore. President Madison had dispatched the pair to negotiate the freedom of Key’s friend Dr. William Beanes, a leading citizen of Upper Marlboro, Maryland, who had been taken prisoner for arresting British stragglers following the burning of Washington. Their mission was successful, but because they had become privy to British war intelligence, the three Americans were detained until after the attack on Baltimore. On the night of September 13–14, they watched the bomb-and-rocket assault on Fort McHenry from the deck of their truce ship, and Key, an amateur poet moved by the spectacle, began to compose the opening verse of a song, taking his melody from an English drinking tune popular since the 1760s. “Defence of Fort M’Henry,” later retitled “The Star-Spangled Banner,” quickly became one of America’s best-loved patriotic songs, and in 1931 Congress made it the national anthem. The text below is that of its first printing, as a Baltimore handbill, on September 17, 1814.

DEFENCE OF FORT M’HENRY.

The annexed song was composed under the following circumstances—A gentleman had left Baltimore, in a flag of truce for the purpose of getting released from the British fleet, a friend of his who had been captured at Marlborough.—He went as far as the mouth of the Patuxent and was not permitted to return lest the intended attack on Baltimore should be disclosed. He was therefore brought up the Bay to the mouth of the Patapsco, where the flag vessel was kept under the guns of a frigate, and he was compelled to witness the bombardment of Fort M’Henry, which the Admiral had boasted that he

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would carry in a few hours, and that the city must fall. He watched the flag at the Fort through the whole day with an anxiety that can be better felt than described, until the night prevented him from seeing it. In the night he watched the bomb shells, and at early dawn his eye was again greeted by the proudly waving flag of his country.

Tune—ANACHREON IN HEAVEN.

O! say can you see by the dawn's early light,
What so proudly we hailed at the twilight's last gleaming,
Whose broad stripes and bright stars through the perilous
fight,
O'er the ramparts we watch'd, were so gallantly streaming?
And the Rockets' red glare, the Bombs bursting in air,
Gave proof through the night that our Flag was still there;
O! say does that star-spangled Banner yet wave,
O'er the Land of the free, and the home of the brave?

On the shore dimly seen through the mists of the deep,
Where the foe's haughty host in dread silence reposes,
What is that which the breeze, o'er the towering steep,
As it fitfully blows, half conceals, half discloses?
Now it catches the gleam of the morning's first beam,
In full glory reflected now shines in the stream,
'Tis the star spangled banner, O! long may it wave
O'er the land of the free, and the home of the brave.

And where is that band who so vauntingly swore
That the havoc of war and the battle's confusion,
A home and a country, shall leave us no more?
Their blood has washed out their foul footsteps' 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.

O! thus be it ever when freemen shall stand,
Between their lov'd home, and the war's desolation,
Blest with vict'ry and peace, may the Heav'n rescued land,

Praise the Power that hath made and preserv'd us a nation!
Then conquer we must, when our cause it is just,
And this be our motto—"In God is our Trust;"
And the star-spangled Banner in triumph shall wave,
O'er the Land of the Free and the Home of the Brave.

THE LIFE AND LEGEND OF FRANCIS SCOTT KEY:
MARYLAND, SEPTEMBER 1814

Roger B. Taney to Charles Howard

Roger B. Taney, a leading Maryland Federalist during the War of 1812 and, from 1836 to 1864, the fifth chief justice of the U.S. Supreme Court, was married to Anne Phoebe Charlton Key, the sister of Francis Scott Key. In a letter of 1856, Taney gave an account of the origins of "The Star-Spangled Banner" to the lawyer Charles Howard, who in 1825 had married Key's daughter, Elizabeth. The letter was printed as part of the hagiographic *Memoir of Roger Brooke Taney*, by Samuel Tyler, LL.D., of the Maryland Bar, published in Baltimore in 1872. In that book Tyler called "The Star-Spangled Banner" "the song of Maryland Federalism, which became the song of the nation because of its patriotism and its origin in the midst of battle." The song "will live in the American heart," Tyler predicted, "until the stars fall from the national flag."

WASHINGTON, D.C., March 12, 1856.

MY DEAR SIR:—I promised some time ago to give you an account of the incidents in the life of Mr. F. S. Key which led him to write "The Star-Spangled Banner," and of the circumstances under which it was written. The song has become a national one, and will, I think, from its great merit, continue to be so, especially in Maryland; and everything that concerns its author must be a matter of interest to his children and descendants. And I proceed to fulfil my promise with the more pleasure, because, while the song shows his genius and taste as a poet, the incidents connected with it, and the circumstances under which it was written, will show his character and worth as a man. The scene he describes, and the warm spirit of patriotism which breathes in the song, were not the offspring of mere fancy or poetic imagination. He describes what he actually saw. And he tells us what he felt while witnessing the conflict, and what he felt when the battle was over and the victory won by his countrymen. Every word came warm from his heart, and for that reason, even more than for its poetical

merit, it never fails to find a response in the hearts of those who listen to it.

You will remember that in 1814, when the song was written, I resided in Frederick and Mr. Key in George Town. You will also recollect that soon after the British troops retired from Washington, a squadron of the enemy's ships made their way up the Potomac, and appeared before Alexandria, which was compelled to capitulate; and the squadron remained there some days, plundering the town of tobacco and whatever else they wanted. It was rumored and believed in Frederick, that a marauding attack of the same character would be made on Washington and George Town before the ships left the river. Mr. Key's family was in George Town. He would not, and indeed could not, with honor, leave the place while it was threatened by the enemy; for he was a volunteer in the Light Artillery, commanded by Major Peter, which was composed of citizens of the District of Columbia, who had uniformed themselves and offered their services to the Government, and who had been employed in active service from the time the British fleet appeared in the Patuxent preparatory to the movement upon Washington. And Mrs. Key refused to leave home while Mr. Key was thus daily exposed to danger. Believing, as we did, that an attack would probably be made on George Town, we became very anxious about the situation of his family. For if the attack was made, Mr. Key would be with the troops engaged in the defence; and as it was impossible to foresee what would be the issue of the conflict, his family, by remaining in George Town, might be placed in great and useless peril. When I speak of *we*, I mean Mr. Key's father and mother and Mrs. Taney and myself. But it was agreed among us that I should go to George Town and try to persuade Mrs. Key to come away with her children, and stay with me or with Mr. Key's father until the danger was over. When I reached George Town, I found the English ships still at Alexandria, and a body of militia encamped in Washington, which had been assembled to defend the city. But it was then believed, from information received, that no attack would be made by the enemy on Washington or George Town; and preparations were making, on our part, to annoy them by batteries on shore, when they descended the river. The knowledge of the

preparations probably hastened their departure; and the second or third day after my arrival, the ships were seen moving down the Potomac.

On the evening of the day that the enemy disappeared, Mr. Richard West arrived at Mr. Key's, and told him that after the British army passed through Upper Marlbro on their return to their ships, and had encamped some miles below the town, a detachment was sent back, which entered Dr. Beanes's house about midnight, compelled him to rise from his bed, and hurried him off to the British camp, hardly allowing him time to put his clothes on; that he was treated with great harshness, and closely guarded; and that as soon as his friends were apprised of his situation, they hastened to the head-quarters of the English army to solicit his release; but it was peremptorily refused, and they were not even permitted to see him; and that he had been carried as a prisoner on board the fleet. And finding their own efforts unavailing, and alarmed for his safety, his friends in and about Marlbro thought it advisable that Mr. West should hasten to George Town, and request Mr. Key to obtain the sanction of the Government to his going on board the admiral's ship, under a flag of truce, and endeavoring to procure the release of Dr. Beanes before the fleet sailed. It was then lying at the mouth of the Potomac, and its destination was not at that time known with certainty. Dr. Beanes, as perhaps you know, was the leading physician in Upper Marlbro, and an accomplished scholar and gentleman. He was highly respected by all who knew him; was the family physician of Mr. West, and the intimate friend of Mr. Key. He occupied one of the best houses in Upper Marlbro, and lived very handsomely; and his house was selected for the quarters of Admiral Cockburn, and some of the principal officers of the army, when the British troops encamped at Marlbro on their march to Washington. These officers were, of course, furnished with everything that the house could offer; and they, in return, treated him with much courtesy, and placed guards around his grounds and out-houses, to prevent depredations by their troops.

But on the return of the army to the ships, after the main body had passed through the town, stragglers, who had left the ranks to plunder, or from some other motive, made their appearance from time to time, singly or in small squads; and

Dr. Beanes put himself at the head of a small body of citizens to pursue and make prisoners of them. Information of this proceeding was, by some means or other, conveyed to the English camp; and the detachment of which I have spoken was sent back to release the prisoners and seize Dr. Beanes. They did not seem to regard him, and certainly did not treat him, as a prisoner of war, but as one who had deceived, and broken his faith to them.

Mr. Key readily agreed to undertake the mission in his favor, and the President promptly gave his sanction to it. Orders were immediately issued to the vessel usually employed as a cartel, in the communications with the fleet in the Chesapeake, to be made ready without delay; and Mr. John S. Skinner, who was agent for the Government for flags of truce and exchange of prisoners, and who was well known as such to the officers of the fleet, was directed to accompany Mr. Key. And as soon as the arrangements were made, he hastened to Baltimore, where the vessel was to embark; and Mrs. Key and the children went with me to Frederick, and thence to his father's on Pipe Creek, where she remained until he returned.

We heard nothing from him until the enemy retreated from Baltimore, which, as well as I can now recollect, was a week or ten days after he left us; and we were becoming uneasy about him, when, to our great joy, he made his appearance at my house, on his way to join his family.

He told me that he found the British fleet at the mouth of the Potomac, preparing for the expedition against Baltimore. He was courteously received by Admiral Cochrane and the officers of the army, as well as of the navy. But when he made known his business, his application was received so coldly that he feared it would fail. General Ross and Admiral Cockburn—who accompanied the expedition to Washington—particularly the latter, spoke of Dr. Beanes in very harsh terms, and seemed at first not disposed to release him. It however happened, fortunately, that Mr. Skinner carried letters from the wounded British officers left at Bladensburg; and in these letters to their friends on board the fleet they all spoke of the humanity and kindness with which they had been treated after they had fallen into our hands. And after a good deal of conversation, and strong representations from Mr. Key as to the character and

standing of Dr. Beanes, and of the deep interest which the community in which he lived took in his fate, General Ross said that Dr. Beanes deserved much more punishment than he had received; but that he felt himself bound to make a return for the kindness which had been shown to his wounded officers, whom he had been compelled to leave at Bladensburg, and upon that ground, and that only, he would release him. But Mr. Key was at the same time informed that neither he, nor any one else, would be permitted to leave the fleet for some days, and must be detained until the attack on Baltimore, which was then about to be made, was over. But he was assured that they would make him and Mr. Skinner as comfortable as possible while they detained them. Admiral Cochrane, with whom they dined on the day of their arrival, apologized for not accommodating them in his own ship, saying that it was crowded already with officers of the army; but that they would be well taken care of in the frigate *Surprise*, commanded by his son, Sir Thomas Cochrane. And to this frigate, they were accordingly transferred.

Mr. Key had an interview with Dr. Beanes before General Ross consented to release him. I do not recollect whether he was on board of the admiral's ship, or the *Surprise*, but I believe it was the former. He found him in the forward part of the ship, among the sailors and soldiers; he had not had a change of clothes from the time he was seized; was constantly treated with indignity by those around him, and no officer would speak to him. He was treated as a culprit, and not as a prisoner of war. And this harsh and humiliating treatment continued until he was placed on board of the cartel.

Something must have passed, when the officers were quartered at his house on the march to Washington, which, in the judgment of General Ross, bound him not to take up arms against the English forces until the troops had re-embarked. It is impossible, on any other grounds, to account for the manner in which he was spoken of and treated. But whatever General Ross and the other officers might have thought, I am quite sure that Dr. Beanes did not think he was in any way pledged to abstain from active hostilities against the public enemy. And when he made prisoners of the stragglers, he did not consider himself as a prisoner on parole, nor suppose himself to be violating any

obligation he had incurred. For he was a gentleman of untainted character and a nice sense of honor, and incapable of doing anything that could have justified such treatment. Mr. Key imputed the ill usage he received to the influence of Admiral Cockburn, who, it is still remembered, while he commanded in the Chesapeake, carried on hostilities in a vindictive temper, assailing and plundering defenceless villages, or countenancing such proceedings by those under his command.

Mr. Key and Mr. Skinner continued on board of the *Surprise*, where they were very kindly treated by Sir Thomas Cochrane, until the fleet reached the Patapsco, and preparations were making for landing the troops. Admiral Cochrane then shifted his flag to the frigate, in order that he might be able to move farther up the river and superintend in person the attack by water on the fort; and Mr. Key and Mr. Skinner were then sent on board their own vessel, with a guard of sailors or marines, to prevent them from landing. They were permitted to take Dr. Beanes with them; and they thought themselves fortunate in being anchored in a position which enabled them to see distinctly the flag of Fort McHenry from the deck of the vessel. He proceeded then, with much animation, to describe the scene on the night of the bombardment. He and Mr. Skinner remained on deck during the night, watching every shell from the moment it was fired until it fell, listening with breathless interest to hear if an explosion followed. While the bombardment continued, it was sufficient proof that the fort had not surrendered. But it suddenly ceased some time before day, and, as they had no communication with any of the enemy's ships, they did not know whether the fort had surrendered or the attack had been abandoned. They paced the deck for the residue of the night in painful suspense, watching with intense anxiety for the return of day, and looking every few minutes at their watches to see how long they must wait for it; and as soon as it dawned, and before it was light enough to see objects at a distance, their glasses were turned to the fort, uncertain whether they should see the Stars and Stripes or the flag of the enemy. At length the light came, and they saw that "our flag was still there." And, as the day advanced, they discovered, from the movements of the boats between the shore and the fleet, that the troops had been roughly handled, and that many

wounded men were carried to the ships. At length he was informed that the attack on Baltimore had failed, and the British army was re-embarking, and that he and Mr. Skinner and Dr. Beanes would be permitted to leave them, and go where they pleased, as soon as the troops were on board and the fleet ready to sail.

He then told me that, under the excitement of the time, he had written the song, and handed me a printed copy of "The Star-Spangled Banner." When I had read it, and expressed my admiration, I asked him how he found time, in the scenes he had been passing through, to compose such a song? He said he commenced it on the deck of their vessel, in the fervor of the moment, when he saw the enemy hastily retreating to their ships, and looked at the flag he had watched for so anxiously as the morning opened; that he had written some lines, or brief notes, that would aid him in calling them to mind, upon the back of a letter which he happened to have in his pocket; and for some of the lines, as he proceeded, he was obliged to rely altogether on his memory; and that he finished it in the boat on his way to the shore, and wrote it out, as it now stands, at the hotel on the night he reached Baltimore, and immediately after he arrived. He said that, on the next morning, he took it to Judge Nicholson, to ask him what he thought of it; that he was so much pleased with it that he immediately sent it to a printer, and directed copies to be struck off in handbill form; and that he, Mr. Key, believed it to have been favorably received by the Baltimore public.

Judge Nicholson and Mr. Key, you know, were nearly connected by marriage, Mrs. Key and Mrs. Nicholson being sisters. The Judge was a man of cultivated taste; had, at one time, been distinguished among the leading men in Congress, and was, at the period of which I am speaking, the Chief Justice of the Baltimore-Court, and one of the Judges of the Court of Appeals of Maryland. Notwithstanding his judicial character, which exempted him from military service, he accepted the command of a volunteer company of artillery; and when the enemy approached, and an attack on the fort was expected, he and his company offered their services to the Government to assist in the defence. They were accepted, and formed a part of the garrison during the bombardment. The Judge had been relieved

from duty, and returned to his family, only the night before Mr. Key showed him his song; and you may easily imagine the feelings with which, at such a moment, he read it and gave it to the public. It was, no doubt, as Mr. Key modestly expressed it, favorably received. In less than an hour after it was placed in the hands of the printer, it was all over town, and hailed with enthusiasm, and took its place at once as a national song.

I have made this account of "The Star-Spangled Banner" longer than I intended, and find that I have introduced incidents and persons outside of the subject I originally contemplated. But I have felt a melancholy pleasure in recalling events connected in any degree with the life of one with whom I was so long and so closely united in friendship and affection, and whom I so much admired for his brilliant genius, and loved for his many virtues. I am sure, however, that neither you, nor any of his children or descendants, will think the account I have given too long.

With great regard, dear sir,
Your friend truly,

R. B. TANEY.

CHARLES HOWARD, ESQ.