

June 5th

We have Lincoln and MLK memorials and a lot of history teachers know the Beecher family as important to the movement to end slavery. Why do we leave out the Jay family? **John Jay** (1745-1829) was an author of the Federalist Papers, the 1st Chief Justice of the Supreme Court, signer of the Paris Peace Treaty 1783 and under Articles of Confederation ran US foreign policy. He was the governor of New York who was instrumental in abolishing slavery in New York. His son **William Jay** (1789-1858) was the leading abolitionist in the Northeast. Grandson, **John Jay II** (1817-1894) was a crusader for black rights during the Grant Administration. All were skilled lawyers.

The Jay family were French Huguenot refugee immigrants in 1685 to South Carolina where they led a determined but failed effort to have a slave-free territory. Then they moved to New York where they made a fortune as merchants, traders, and real estate investors in New York City and Westchester County. Slaveholding among the wealthy was routine and John Jay inherited an estate with slaves. But he was deeply ill-at-ease with the institution. He had a deep Episcopalian faith and was a reader of Martin Luther's "Christian Liberty." Did not the bible say that "in Christ there is neither Jew nor Greek, slave nor free?" And Jay admired the faith of many of his servants. As a lawyer, he was staunchly pro-property rights and pro-human rights and felt America was justified in opposing Britain's atrocities. Hence he was elected to the first Continental Congress in 1774. He balanced this with responsibility for family—two siblings were blind, another had constant financial troubles and another was a loyalist. It broadened his view of humanity. A tireless supporter of the Revolution, he was elected President of the Continental Congress, then appointed negotiator with Britain at war's end. It was not a done deal in 1781 at Yorktown. Britain still wanted to call the United States a colony, but Jay made a deal that Americans would stop seizing loyalist property in exchange for independence. To Jay's chagrin, the property seizures continued and Jay, the peacemaker, assisted loyalists to emigrate to Upper Canada, thus transforming the former French colony to one that was truly British, quite satisfying to London.

Revolutionary ideals and slave ownership were incompatible, and Jay resolved to stop the practice. He and Alexander Hamilton founded the New York Manumission Society in 1785. Elected Governor of New York after five years serving as the first Chief Justice of the Supreme Court Jay got a gradual abolition of slavery enacted. Yet he still owned five slaves. Counter-intuitive? His experience in helping family members made him reluctant to release slaves to freedom without marketable skills. He set about educating his slaves but one young lady escaped, was captured by police and jailed. It ended tragically when she died in prison. Jay was perplexed that she wasn't thankful for being "one of the family." He thereupon used his fortune to set up schools for free blacks and their children. He wrote Congress in retirement about the evils of allowing the Missouri compromise on slave statehood. His judicial rulings also included rejection of racial prejudice. Propelling his convictions was his belief in John Locke's principle of "natural rights."

His son William became a nationally respected author and lawyer in the abolitionist movement. His influential legal writings undermined slavery law. He penned a 200-page

handbook for activists and judges to challenge slave laws. He championed the recognition of black churches and denounced the Mexican War as a land grab for extension of slave states. He went so far as to say that when fugitive hunters captured an escaped slave in northern states, that those states should hold a few southerners hostage to trade. Where did this come from? He deeply believed in "Higher Law," the principle that one's walk with God supersedes written law. (Sound like Apostle Peter's "we ought to obey God rather than man."?) Anti-slavery advocates used his reasoning to bolster defiance in the Underground Railroad (which W.J. helped finance) and resistance to the Dred Scott decision.

John Jay II worked heroically through the courts to win freedom for fugitives pre-war. "Since, born in Africa, they have been captured and kidnapped, said person is already a victim of a crime, and cannot be a criminal for escaping enslavement." Later, John Jay II would work tirelessly to support the Union army, helping recruit black volunteers, raising money for black families impoverished by the war. He succeeded in dismantling racial segregation in New York railroads after the war. And finally he served as ambassador to the Austro-Hungarian Empire during the Grant Presidency.

So why is there not much note of the Jays? Perhaps moderns might think that John Jay was paternalistic and didn't free his slaves quickly. Abolition comes from religious beliefs and William Jay's references to faith likely make some uneasy. John Jay II worked during Reconstruction which finally was compromised into America making peace with itself after the Civil War. And it is easy to be arrogantly idealistic when one doesn't have to live through an era.