

Dane Hartgrove
Comments

John Jay, born in 1745, the son of Peter and Mary Van Cortlandt Jay, entered King's College in 1760, graduated in 1764, then read law in the office of Benjamin Kissam until he embarked upon his own law practice in 1768. He married Sally Livingston, daughter of William Livingston of New Jersey, in the spring of 1774.

That fall, Jay took his seat as a member of the five-person conservatively inclined New York delegation to the First Continental Congress. He made a name for himself among his peers by authoring a moderately worded Address to the People of Great Britain, which Congress preferred to a more radical version composed by Richard Henry Lee. Originally opposed to the Articles of Association, Jay and the other New York delegates found themselves voting for the measure to avoid the appearance of dissension within Congress. In 1775, as a member of the Second Continental Congress, Jay took part in composing the Olive Branch Petition.

Jay remained a member of the Continental Congress in 1776, but did not attend the sessions leading up to the approval of the Declaration of Independence. That spring he had also been elected to New York's Provincial Congress, the deliberations of which required his full attention. He was in attendance when the Provincial Congress voted for independence on July 9, 1776, and took part in framing the constitution for the fledgling state of New York the following winter. He served on New York's Council of Safety in 1777, and that fall presided over court sessions as the state's first chief justice.

Jay resumed his seat in the Continental Congress in December 1778, and was elected that body's president, serving in this capacity until he was named U.S. minister plenipotentiary to Spain in the late summer of 1779. His chief tasks were to persuade Spain, which had now entered the war against Great Britain as an ally of France, to recognize U.S. independence and to negotiate a loan from Spain in support of the U.S. war effort. He proved unsuccessful in the first endeavor, and almost equally so in the second, although the Spanish court helped the American rebels to obtain a small loan at a crucial point in the conflict.

After Yorktown, Lord North's government fell and a coalition was formed that favored peace. Franklin called Jay and John Adams to Paris to take part in the resulting peace talks. With Franklin unwell much of the time and Adams engaged in additional diplomatic tasks in the Netherlands, it was Jay who took charge of day-to-day negotiations with British envoy Richard Oswald.

Jay's insistence that the British acknowledge that they were negotiating for peace with an entity called the United States of America, instead of with a list of 13 former colonies, probably prolonged the proceedings, but in effect constituted recognition by the mother country of the new nation's sovereignty. Allegations that Jay thereby confounded Franklin's efforts to acquire Canada as a 14th state ignore the probability that Britain's steady recovery of power over the 12 months after Yorktown would have denied the Americans this prize. The steady worsening of projected Anglo-American trade relations in 1782 and 1783 serves as a barometer for this and similar prospects.

More serious was the decision, supported by Jay and Adams, to sign the preliminary articles of peace without prior notification of the Comte de

Vergennes, France's foreign minister, in spite of instructions to the contrary. However, the Anglo-American agreement did not become valid until France came to terms with Great Britain. France could not make peace without its ally, Spain, and the Spanish wanted Gibraltar. The Anglo-American agreement was probably instrumental in persuading the Spanish to give up this demand and accept the Floridas instead.

With the return of peace, Jay was anxious to leave public for private life. He declined opportunities for further diplomatic service and returned to the United States in July 1784, only to find that Congress had named him its secretary for foreign affairs. Insofar as the confederation government may be said to have had a leading or first secretary over the next five years, it was John Jay, whose purview included both foreign relations and dealings between states.

Jay's accomplishments include attempts to restore a sense of normalcy to U.S. relations with Great Britain, France, and the Netherlands. However, his efforts as secretary for foreign affairs are most often recalled in connection with his acquiescence to a proposal from Spanish charge d'affaires Diego de Gardoqui that the United States agree to give up navigation rights on the Mississippi River for 25 years, a proposal abhorred by the South and by American settlers in the overmountain West. Whatever Jay's inclinations in this and other endeavors, he was unable to effect any substantive policy changes because of the virtually moribund state of the confederation government.

A strong supporter of the federal Constitution and one of the authors of the Federalist Papers, Jay accepted the post of chief justice in the new government, although he retained the foreign affairs portfolio until Jefferson

returned from France in 1790. Problems continued with Great Britain in connection with the implementation of several articles of the 1783 peace treaty and over U.S. trade with revolutionary France. Jay, as a major diplomatic spokesman with prior experience in dealing with the British, was sent to London in 1794 to negotiate a settlement of major Anglo-American issues. He reached an agreement by which the British would evacuate frontier forts in U.S. territory they had held since 1783 and the two sides would adjust other remaining differences from that era through mixed claims commissions. However, Jay was unable to reach an understanding with the British that upheld the nation's rights as a neutral in the ongoing conflict between Great Britain and France. Jay's difficulties in this regard were precipitated by the actions of Secretary of the Treasury, Alexander Hamilton, who leaked information to the British minister in Philadelphia in order to maintain an acceptable level of income for the U.S. government from tariffs on British imports. Jay's Treaty was highly unpopular at home, but the Senate ultimately recommended that it be ratified. As a result, the United States fought an undeclared war with France in the late 1790s, but avoided a more serious conflict with Great Britain until it was better able to fight one.

Jay returned from Great Britain in 1795 to find that he had been elected governor of New York in absentia. With the exception of his refusal to prevent the selection of New York electors pledged to Jefferson in the 1800 presidential election, because he had no wish to subvert the will of New York voters for party purposes, Jay had little further impact on the national political scene.