

Franklin and Jay

Imagine being in the Pennsylvania State House in Philadelphia on May 10, 1775, as the delegates of the Second Continental Congress gathered! So much had happened in recent months: the British Parliament had declared Massachusetts in a state of rebellion; Patrick Henry had delivered his stirring “Give me Liberty” speech; Paul Revere had taken his famous ride; and, on April 19, the Battles of Lexington and Concord had been fought, ending in the British retreat to Boston. The “extreme Urgency of the Business” (as William Livingston put it) saw the return of many of the members of the First Congress, men who had traveled many days over dusty, rutted roads to attend, leaving the comforts of home, staying in flea-ridden boarding houses unless they were lucky enough to be invited to stay with friends. Among the returnees were John and Samuel Adams, Richard H. Lee, John Dickinson, George Washington, and John Jay. New to the Congress was a man recently returned from England where he had resided many years, at first highly lauded, but more recently humiliated: Benjamin Franklin. While in England, his efforts on behalf of the American colonies had yielded only disappointment and failure. Now nearly 70, Franklin had lost his favorable view of the Mother Country.

Congress quickly set to work; many committees were created, among them one to draft a petition to King George III. Appointed were John Dickinson and Benjamin Franklin of Pennsylvania, John Jay of New York, Thomas Johnson of Maryland, and John Rutledge of South Carolina—all moderates. Franklin was the oldest, famous as a self-made man, author, scientist, and wit; Jay the youngest, known as a hard-working lawyer and a fine writer. What was Jay’s reaction to meeting and working with this famous man? We don’t know. Their first meeting undoubtedly was polite and proper; yet mutual respect and deep friendship grew out of the work they did together on this committee. In a little more than two weeks, the committee had a draft report, the work of John Dickinson, though (as William Jay wrote) it “originated with Mr. Jay.” The final petition, known as the Olive Branch Petition, was signed by all the delegates of Congress.

Then Jay and Franklin, this time joined by Thomas Jefferson, formed another committee at the behest of Congress. William Jay recounts that, late in 1775, the three met with “an elderly lame gentleman, having the appearance of an old wounded French officer” who stated that the King of France wished the American colonies success and that, if they needed arms, ammunition or money, they should have it. But when the foreigner was asked by what authority he offered these needed items, his only reply was,

drawing his hand across his throat, "Gentlemen, I shall take care of my head." Upon being told about this meeting, Congress concluded he was a French secret agent, and it is possible that the subsequent correspondence with other countries for aid may have been the direct result of this encounter.

Despite Jay's activism in the Second Congress, he still hoped that reconciliation with England was possible. Not so Franklin. John Adams wrote home that Franklin "does not hesitate at our boldest measures." But, by the summer of 1776, Jay had made his decision to support the Declaration of Independence "at the risk of our lives and fortunes." Franklin had been sent to Canada by Congress in the hopes of persuading the Canadians to join the "rebels." Unsuccessful, he then sailed for France where, courted and much appreciated, his astute diplomatic skills and charm were instrumental in persuading the French to give financial and military aid to the Americans.

For several years there was little reason for contact between Franklin and Jay, the latter now deeply involved with political matters in his home state. However, when Jay was elected president of Congress (December 10, 1778-September 29, 1779), communication with the elder statesman resumed. Their official letters are formal, beginning "Dear Sir" and ending "with great Respect and Esteem."

During Jay's presidency, Congress, hopeful of loans, mapped out a foreign policy for dealing with the Spanish court and appointed him minister plenipotentiary. He sailed with his wife Sarah, his nephew, his brother-in-law, his secretary and the French minister Conrad Alexandre Gérard for France on the *Confederacy*. A major gale struck and so severely damaged the frigate that it was just barely able to reach safe harbor in Martinique on December 18, 1779. From there, the Jays sailed to Spain on a French vessel. Franklin wrote (February 22, 1780) that he was glad that Jay had made it safely for he had "despaired of hearing" from him since he knew the *Confederacy* had sailed at the end of October.

The correspondence between the two men accelerated as Jay quickly found that he was neither acknowledged as America's representative nor able to secure any support from the Spanish court. He turned to Franklin for advice, urging "a good understanding between the public Servants at the different Courts," a sentiment the latter confirmed. Jay also had to apply to Franklin for funds, as none were forthcoming either from Congress or the Spanish. Many of the letters were official business, but Jay—usually so stiff and correct—seemed to be comfortable with Franklin, even teasing him a bit. Jay wrote (April 27, 1780) on behalf of his wife, asking that Franklin "enclose for her one of the prints of yourself, which we are told have been published in France, but are not yet to be had here. I believe that there is no man of your age in Europe so much a favorite with the ladies." Franklin replied (June 13, 1780): "Mrs Jay does me much Honour in desiring to have one of the Prints that have been made here of her Countryman. I send what is

said to be the best of 5 or 6 engraved by different hands, from different Paintings. The verses at the Bottom are truly extravagant.” The Jays were much pleased with the gift and considered it a “striking Likeness.” John informed him of the birth of their daughter Susan and then, a month later “We have lost our little Girl. Adieu.” Franklin, always congenial, continued to relieve Jay’s financial embarrassments as best he could: “If you find any inclination to hug me for the good News of this Letter, I constitute and appoint Mrs. Jay my attorney to receive on my Behalf your Embraces.” By the end of 1780, the somewhat stuffy Jay was signing his letters to Franklin “Your obliged and affectionate Friend and Servant.”

In his second year in Spain, Jay made little progress in attaining his goals. He followed the Spanish court as it traveled around Spain. He wrote Franklin (November 21, 1781), “It seems as if my chief Business here was to fatigue you and our good Allies with incessant Sollicitations on the Subject of the ill-timed and, I had almost said, cursed Bills drawn upon me by Congress. It is happy for me that you are a Philosopher, and for our Country, that our allies are indeed our Friends.” Franklin was also placed in a difficult situation by his continual demands for money from the French court. He admitted he “was ashamed to show my Face to the Minister” and finally wrote to Jay (April 22, 1782), “. . . Here you are greatly wanted, . . . and there is much talk of a treaty proposed, but I can neither make, nor agree to propositions of peace, without the assistance of my colleagues. . . I wish, therefore, that you would resolve upon the journey, and render yourself here as soon as possible. . . I have much to communicate to you, but choose rather to do it *viva voce*, than trust it to letters. I am ever, my dear friend, Yours most affectionately.” The other Peace Commissioners were unavailable: Thomas Jefferson was in mourning in America, John Adams was in the Netherlands, Henry Laurens was on parole after having been incarcerated in the Tower of London. So Jay, his wife, a new daughter Maria, his nephew, and servants set out for Paris at the end of May 1782.

From the moment of his arrival until October 26 when Adams finally came, it was Franklin and Jay who made up the American negotiating team. Both suffered debilitating illnesses—Franklin from gout and kidney stones, Jay from influenza. The two worked well together and the peace process moved forward despite delays and swirling suspicions. Moreover, Jay agreed to appoint Franklin’s grandson, William Temple Franklin, as secretary to the Commissioners for “the friendly attention and aid with which you had constantly favored me after my arrival in Spain, impressed me with a Desire of manifesting both my Esteem & Attachment by stronger Evidence than Professions.” By early October, Jay drew up a first draft of the treaty, which Franklin approved. More work was done after Adams arrived and then, the day before the signing of the Preliminary Articles on November 30, 1782, Henry Laurens appeared. The Americans were happy with the results of their negotiations, Jay commenting that “Dr. Franklin’s

firmness and exertions . . . did us much service.” When the Treaty arrived in America it was “universally applauded” according to William Livingston, but it was also criticized, primarily by the pro-French secretary for foreign affairs Robert R. Livingston, Jay’s friend and former law partner, who felt that the French had been inadequately consulted during the negotiation process. Shocked, Adams, Franklin, and Jay defended their work; they had done nothing that could be viewed as “impeach[ing] the Friendship of the [French] King and Nation for us.”

The Jays, despite illnesses and the tensions of the negotiations, were delighted with Paris. No longer isolated, as they had been in Madrid, they socialized with French and American friends, attended the theater and concerts, and purchased fabrics and fashions to send home to family. At first they lived in Paris but, in May 1783, they were invited for reasons of health to move in with Franklin at Passy. Sarah wrote her sister Kitty (June 11, 1783), describing her lingering cough: “. . . nor did I find the relief I expected. . . until I came here, when the change of air affected the cure of it. I hope we have done well in embracing Dr. Franklin’s advice & joining families for the summer.” Their stay was extremely congenial: they celebrated the Fourth of July together; little Maria (“an affectionate little puss”) was a great favorite of Dr. Franklin; John took notes on some of the anecdotes Franklin told him; and, when he was away in England on family business, Franklin tried unsuccessfully to arouse Sarah’s jealousy by teasing her with a demonstration of his magnets. More exciting, the two also witnessed man’s first successful flight, as the Montgolfier brothers launched a hot air balloon and piloted it over Paris. Intrigued by what she saw, Sarah sent detailed accounts and a print of the occasion to her husband. Visits continued to be exchanged even after Sarah moved the family to a house at Chaillot. Jay wrote Franklin from London (December 26, 1783), “The Kindness you have shewn us both, has not been forgotten, nor has my Disposition to acknowledge and be influenced by it in the least abated.”

After nearly five years abroad, the Jays were anxious to return to America. The final ratification of the Treaty was signed, accounts were settled, last visits exchanged, and the Jays sailed for home June 1, 1784. Upon Franklin’s return to his native country a year later, Jay sent a warm welcoming letter, inviting him to visit in New York. Franklin replied (September 21, 1785) from Philadelphia: “Dear Friends, . . . I am now in the Bosom of my Family, and find four new little Prattlers, who cling about the Knees of their Grand Papa, and afford me great Pleasure. . . I am now so well as to think it possible that I may once more have the Pleasure of seeing you both, perhaps at New York, with my dear young Friend (who I hope may not have quite forgotten me). . . .” Jay, ever honest, had to admit that Maria had forgotten but of course knew who Franklin was, as he was often talked about in their family circle. The esteem in which he was held was reciprocated, for Franklin appointed Jay an executor to his will. He never made the trip to New York though Jay probably visited him in Philadelphia. The two continued to

correspond regularly, exchanging ideas and advice. To the end, Franklin was Jay's esteemed mentor and friend.

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