

## The World's Smallest Republic : Indian Stream

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# The World's Smallest Republic : Indian Stream

by Carl Gustafson

*Rev. Carl Gustafson (1908-97) spent almost his entire life in the Eastern Townships. He attended school in Waterville and went on to McGill University, where he graduated with degrees in Arts and Divinity. He was ordained by the United Church of Canada and served many congregations in the Townships over a span of more than half a century. Over the years, he developed a deep love for the Townships and a profound understanding of the history and nature of this region. The manuscript for this article was discovered after his death by his son, Carl Gustafson Jr.*

"I solemnly swear that to the best of my power and ability, I will support inviolate the Constitution and laws of Indian Stream. So help me God." With this oath, members were admitted to the Assembly of a new republic lying between northeastern New Hampshire and the Province of Quebec.

The area was centered in what is now a little village of 300 people, called Pittsburg, New Hampshire. The village is located on Indian Stream from which the earlier community got its name.

At a meeting held on July 9, 1832, a Constitution was adopted which provided for a Council of five members in addition to the Assembly. Relevant statutes were enacted and courts of law were established. This little republic with a population of 69 families, comprising 414 people, continued to govern itself for three years until 1835.

## How it all started

The basic reason for the setting up of the republic was the confusion caused by different interpretations by Canada and the

United States of a clause in the Treaty of Paris of 1783 which established the international boundary. The clause referred to the boundary line as proceeding westward "to the northwesternmost head of the Connecticut River, thence down the middle of that river to the forty-fifth degree of north latitude." A survey of the state of New Hampshire interpreted "the northwesternmost head of the Connecticut River" to include Hall's Stream, which flowed into it; and, thus, ran the boundary line down that stream to what was thought to be the 45<sup>th</sup> parallel of latitude. This placed Indian Stream in New Hampshire.

The Canadians interpreted "the northwesternmost head of the Connecticut River" to include only the Connecticut itself and so took the position that Indian Stream belonged to Canada and ran the line accordingly.

Each country acted on the assumption that its interpretation was correct. And so, in 1792 and 1793, when new townships were being laid out in Canada, the Township of Drayton was formed to include the territory

of Indian Stream. Americans, on the other hand, took action to claim land in the territory.

In 1796, David Gibbs, Nathaniel Wales and Moody Bedel, residents of New Hampshire, bought from Chief Philip of the St. Francis Indians 16,000 acres of land and hunting rights for \$3,000. This transaction was recorded in the County Office at Grafton, N.H.

Since the same territory was now registered in the two countries, in due time people from both Canada and the United States began to settle, each with the impression that they were settling in their own country. As the territory was in an area remote from any large centres, it was largely ignored by both countries and the settlers were thrown back on their own resources. Being left on their own, the land holders formed a community organization which met periodically to approve transfers of land and to collect money to cover the cost of surveys, the construction of roads, etc. While the anomalous nature of the boundary line was being discussed in Congress, the New Hampshire Legislature felt that

something should be done to indicate that it had jurisdiction over Indian Stream. Consequently, it directed the Attorney-General to proceed against any parties that resisted its authority. But because of the uncertain location of the true boundary and also because of the fierce resistance of the people of Indian Stream, little effective action was taken at that time.

### **Arbitration was no help**

Since there were unresolved disputes over the location of various parts of the Canada-U.S.A. border, the matter was finally referred to the King of the Netherlands for arbitration. In 1831, the King made his report which, among other things, stated that Indian Stream belonged to Canada. This ruling, however, was never accepted by the United States and the situation became ever more confused.

Many of the people looked to Canada for help. In 1826, some of them appealed for help to expand their holdings. Their appeal was addressed to Alexander Rea, a land agent and magistrate living in what is now Hereford, Quebec. Rea forwarded their request to Joseph Bouchette, Surveyor-General of Lower Canada. Apparently no action was taken on their request.

It was out of these frustrating circumstances that, in desperation, the people of Indian Stream, on July 9, 1832, made their Declaration of Independence. The immediate American

reaction on the part of the federal authorities amounted to a tacit recognition of the new regime since it levied customs duties on products coming into New Hampshire and Vermont.

The state of New Hampshire, however, acted as though there were no doubt about its jurisdiction over Indian Stream. In August, 1834, it sent authorities into the district to collect debts. They were driven off by the settlers. The sheriffs returned later in the winter and again in the spring of 1835, but were again repulsed by the inhabitants who by now were building a block house for the defence of their territory.

Thoroughly exasperated, New Hampshire sent a Company of the 24<sup>th</sup> Regiment of the State Militia to Stewartstown, the nearest town in the state to Indian Stream. This Company, consisting of about 50 men, arrived on August 6, 1835. Apparently, the move was made mainly as a show of force since the Company did not at that time enter Indian Stream itself.

### **Canadian reaction was restrained**

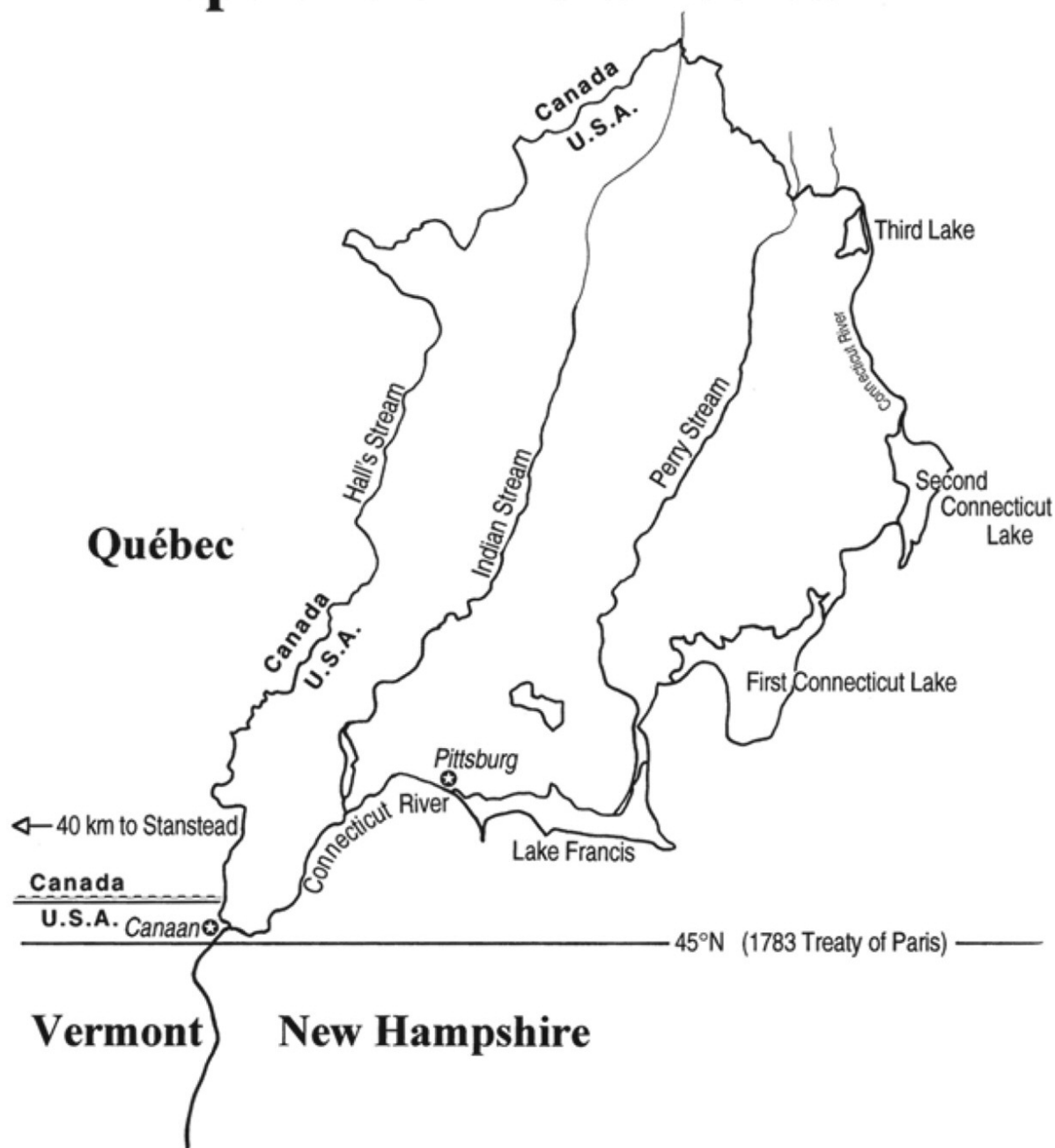
The official Canadian reaction was more restrained. Canada did not levy customs duties. One reason for this could have been that they regarded Indian Stream as being part of Canada and, thus, not subject to duties. Or, it could have been because all of the produce was flowing south and nothing was coming north to Canada upon which duties could be levied.

The situation in Indian Stream had been brought to the attention of the Lieutenant Governor of Lower Canada. In April, 1835, he brought the matter to the attention of the British Minister in Washington, who, in turn, took up the matter with the State Department. And there, for the time being, the matter rested.

Although Indian Stream has been declared a republic, the people still retained something of their previous loyalties. So factions developed. Some favoured Canada; others favoured the United States. Luther Parker, who had been active in the organization of the republic and had at one time been a member of the Executive Council, now came to favour New Hampshire. Another resident, Jonathan Knight, favoured Canada. A fist fight ensued in which Parker drew a butcher's knife. Knight complained to the Canadian authorities in the person of Alexander Rea, the magistrate of Hereford. Rea promptly arrested Parker and took him to the Sherbrooke Jail where he was released for lack of a true bill.

Rea also sent a petition to the Lieutenant Governor asking that legal protection be provided to the residents of Indian Stream. Apparently, this assurance was given. On September 26, 1835, Rea called a public meeting where he told the people that they were assured of British protection and that they should choose magistrates according to British law.

# Republic of Indian Stream



*Republic of Indian Stream. (Source: Société historique de Stanstead, d'après Carl Gustafson. Journal de la SHS, vol. 23, 2009)*

## Establishing law and disorder

Alexander Rea came to be looked upon as a trouble-maker by the New Hampshire authorities and they set out to "get

him." There followed a number of Keystone-Cops-like episodes where the authorities of one side or the other would go about arresting each others' law enforcers.

An incident occurred that was to aggravate the dislike of the Americans for Rea. One of the Indian Stream residents who had incurred debts at a general store and tavern in Canaan,

Vermont, was a certain John Tyler. The owners had been unsuccessful in collecting their debts. A warrant for Tyler's arrest was placed in the hands of a New Hampshire sheriff. The sheriff, assisted by Richard Blanchard of Indian Stream and another man, arrested Tyler. As they were taking him away, they were accosted by nine settlers of the pro-British faction who threatened them and caused the sheriff to release Tyler.

A few days later, Tyler went to Rea's place and laid a complaint against Blanchard, one of his former captors. So, Tyler, along with two Canadians, Zebulon Flanders and Zaacheus Clough, was given authority to arrest him. After taking Blanchard in custody, they were joined by others of the pro-Canadian faction. They brought their prisoner over to the Canadian side of the border, close to Rea's house, when they were confronted by ten armed Americans on horseback who demanded the release of Blanchard. Assuming that discretion was the better part of valour, they released him.

So the Canadians went back empty-handed to Rea's place while the Americans triumphantly brought Blanchard back to the tavern in Canaan. Here, a great crowd of about 100 people gathered, including the militia captain from Stewartstown and the deputy sheriff who had surrendered Tyler in

the first place. Now that they had Blanchard back, they decided that they should now go after Tyler and the Canadian magistrate Rea whom they felt had abetted him. So with much fanfare, they started out for Canada, arriving at Rea's place in the later afternoon. Two men who had been sent ahead of the main party came upon Rea and a part-time Canadian Peace Officer by the name of Bernard Young. A heated exchange of words took place and Rea ordered Young to arrest the two men. One of them cut a gash in Rea's head with a sabre; the other fired a pistol striking Young in the groin.

When the rest of the posse appeared, Rea, who was unarmed, fled into the woods. He was pursued by the Americans, one of whom fired two pistols at the fleeing man, but neither shell exploded and, in a rage, he threw the weapons after him. Rea, who was lame, stumbled over a log and his pursuer attacked him with a sabre, kicking and trampling him into submission. The bruised and bleeding Rea was then loaded into a wagon and brought back to Parmelly and Joy's Tavern in Canaan.

One can well imagine the celebration that took place at the tavern. The arch-villain Tyler, who had managed to evade his bills there and who had arrested Blanchard, was still at large.

However, they had now rescued Blanchard and brought back Rea whom they felt was the real source of the dissension.

After the celebrations and excitement had quieted down somewhat, a discussion took place as to what would be done with Rea. He was a Canadian citizen who had been taken by a questionable incursion into Canadian territory and was now being held in the state of Vermont. In spite of these obstacles, the New Hampshire men indicated their intention to take Rea out of Vermont and bring him into New Hampshire to the jail at Colebrook. They were in the act of taking him from the tavern when some Vermonters, feeling that the posse had gone too far in this matter, came to his defence and brought him to another room, where they did what should have been done long before: dressed his wounds. After darkness fell, some friends brought Rea quietly back to Canada, to his home in Hereford.

### **Send in the Marines!**

Frustrated by problems that seemed to defy reasonable solution, the New Hampshire authorities fell back on the panacea suggested by the phrase, "Send in the Marines!" Only in this case, it was an order from the Adjutant-General of New Hampshire to Captain Mooney to take his Company of

militia and *occupy* Indian Stream. The order was given on November 13, 1835, and the stated purpose was “to enable the executive officers of the County of Coos to execute the laws and put down all insurrectionary movements.”

The force, which consisted of seven officers, two musicians and forty-two privates, struck just before dawn. They surrounded the Applebee house which had been fortified in anticipation of just such an attack. They arrested Emor and Benjamin Applebee who had recently assisted in the release of Tyler. The Applebees were held in jail in Lancaster, New Hampshire, to be tried for inciting rebellion. Alanson Cummings and Reuben Sawyer escaped with their families to Canada. There were other Canadians, too, who left their homes and fled across the border. Some Canadians went along with the majority, accepting the New Hampshire jurisdiction and promising to cooperate with it.

The attacking force set up guards at the various entrances to the community and no one was allowed to enter who did not appear to the guards to have proper business there. They even turned away at bayonet point the members of a commission appointed by the Canadian government to investigate the disturbances at Indian Stream.

### The end of the affair

The little republic had begun so bravely with ideals inspired by the Constitution of the United States and which assured that there would be freedom of religion, freedom from cruel punishment and the right to life, liberty and property. It had set forth the ideology of the new republic in these words :

*“Therefore resolved that to preserve union among ourselves, establish justice, ensure domestic tranquility, provide for our common security and defence and ensure the important Blessings of civilized society, we do ordain and establish this Constitution and the principles of government contained therein...”*

This little republic which had been planned to endure only until the proper international border was delineated, came to an ignominious end.

The Government at Quebec appointed a Commission to look into the matter. The members were Edward Short, J.McKenzie and Benjamin Pomeroy. This was the commission mentioned earlier that was not allowed to enter Indian Stream to obtain evidence. New Hampshire, which was now holding the area in question, appointed a similar commission. Predictably, each commission made a report in favour of the country which had appointed it.

Diplomatic notes were exchanged and, eventually, Great Britain sent Lord Ashburton to Washington where he discussed with Daniel Webster, the then Secretary of State, the question of disagreements concerning the northeastern international border, including the matter of Indian Stream. Since Webster had been born in what is now Franklin, N.H., and had represented that state in Congress, he would naturally favour a treaty which was generous to New Hampshire. Since Ashburton was less interested in the 150 square miles of Indian Stream than he was in a huge tract of land in Maine, he accepted the American version of the border.

On August 9, 1842, the Ashburton Treaty was agreed upon, which settled the northeast boundary dispute and which placed Indian Stream within the bounds of New Hampshire. This ended what must surely have been the world’s smallest republic.

N.D.L.R. : Le traité d’Ashburton-Webster ou traité de Washington établit aussi la ligne de partage des eaux comme frontière de l’état du Maine avec le Bas-Canada et le Nouveau-Brunswick, corrige de façon mineure la frontière nord du Vermont et de l’état de New York, et délimite la frontière allant du lac Huron au lac des Bois.