

The Treaty System

In 1836. Andrew Stockenstrom had been appointed Lieut. Gov. of the Eastern Province. He had formerly been Land. Dist. Asst. Comm. & later "Comms."-General at Graham's Town (1828) whence he reported on the border situation. As Commissioner-General he had reported in favour of the liberal provisions of the 50th Ord. & this & other actions of his had brought him into conflict with the ^{border} settlers. He ^{had} advocated the settlement of a policy of partial segregation, under which Hottentots wd. be settled in reserves near Europeans, while ~~new~~ 'new colonies for Europeans ~~should~~ wd. be founded on land obtained from the Eastern Bantu under a system of treaties. He ~~did~~ ^{had} not favour annexation & it was largely on his advice that the annexation of the Province of Queen Adelaide had been given up in 1836. So that when he arrived back in the Eastern Province his return was opposed by the settlers.

Upon the evacuation of the Province of Queen Adelaide, Stockenstrom initiated a system of treaties with the Native chiefs; but as we have seen the system broke down, largely because the forces of law & order were not adequate. "The general aim of this... (policy) was to do away with reprisals by patrols set in motion & the mere ipse dixit of a farmer, & to provide for the legal punishment of thieves when taken or, if neither thief nor stolen stock could be secured, to hold the chief & clan responsible for proved losses - a principle well understood in Bantu Law." Actually the treaties were broken by Governor Napier himself by entering Native area with troops. And also there was an enormous amount of unprincipled claiming for supposed stolen cattle so that one chief said "Our people steal ~~with~~ oxen & cows but the Govt. steals with the pen".

Walker
p. 219-

There was also the difficulty of deciding who had power to make treaties; since the Gov. officials were not always able to distinguish who ~~the~~ were the real chiefs.

But the treaty system really broke down because the Eastern settlers desired more land & wished the Ceded Territory & British Kaffraria ^{to be} annexed. So that when in 1844 the Ceded Territory was re-occupied the farmers were jubilant "for Kaffraria must soon fall" It was the conviction in the mind of the Native chief that the White Man meant war that precipitated "The Battle of the Axe" - they feared "to be broke up as the Hottentots were."

The war ended in the submission of the chief who was now to be subjects & not allies.

~~The~~ The end of the treaties was spectacularly announced by Gen. Harry Smith who terrified the assembled chiefs by exploding a powder wagon & exclaiming "Here is the treaties. Do you hear? No more treaties!"

But the end of the treaties ended a policy ^{to} which South Africa wd. give a great deal to be able to return. They were ended by the determination of the white man to reach Naloth's vineyard beyond the Keiskamma.

Lectur. 8.

Note on the Stocherstrom Treaty System. 1836-38.

1. Stocherstrom had to carry out the evacuation & make arrangements to prevent border friction.
2. Cleunor Strick was appointed "agent among the Saikas" & he stayed till 1846.
3. Stocherstrom had so many details of courts &c. to settle to give undivided attention to the treaties.
3. Treaty system pleased the chiefs by acknowledging their power & therefore gave greater facilities to colonists to recover property.
4. The military & police force was not sufficient & the chiefs did not maintain the treaties.
5. One of the great difficulties was that if the chiefs did not make restitution the administrator - understaffed & with philanthropic feelings - did not wish for a punitive war. After strong action all went well.
6. Military & even judicial officers pushed claims not well substantiated.
7. A system of "not reclaimables" counted as a permanent debt against the chiefs was very irritating.

Lecture 18.

The Great Trek.

- Difficulties caused by extra-colonial subjects
1. Policy of exclusion
 2. Policy of following up criminal cases.
 3. Policy of annexing.

Great Trek was an acceleration of continuous process.

Accelerated by

1. More land hunger (families to be provided)
2. More difficult system of land tenure
3. Various personal reasons
4. Emancipation - shocked pride at equality.
5. Withheld Vagance Law.
6. False rumours.

In the whole lands were found sparsely occupied + not too much fighting with natives. Some treaties made. Republican Govt. Wintberg & Thabane withdrew of considerable men from the frontier meant more unrest. Sheep farming followed cattle. Paper followed Durban.

Lecture 7

July 1836. Stocherstrom arrived.

Unpopular with settlers

Popular with army

— — Dutch.

Limit Maritz started north.

Oct. 1836. Evacuation ordered ∴ Stocherstrom released chiefs from allegiance & made treaties.

Much difficulty & friction between Stocherstrom, settlers v. Durban v. Rehob.

Law against extra colonial Kafir void.
Great Trek developed.

Note British settlers when discontented on the frontier turned westward as they did not know how to back.
Dutch frontiersmen backed.

Eastern Frontier

1841 → Stockenstrom treaty system waning

Friction of over cattle re. & murders.

Demands from frontier farmers for annexation

1844 Macleay's Treaty System. Mercants to be tried in the colony.

Man accused of having stolen an axe rescued on Brit. soil & Dolentot killed. Chiefs wd. not file up murders.

1846 Colonial forces strike. War of the axe.

Smith arrived as governor 1847.

Wholesale annexation - The High Commission to be put Chief. ^{max. hating to both overrule just} Reserves to be allotted - farms open to Europeans - strong forts. Mission Stations ^{Walker 234}

Attempt to rule Black & white as inhabitants of one country.

Walker 254 295 297 314/3 373 376

Dec. 1847. Smith through O.G.S. & Natal. settled farmers on uplands.

1848. Proclaimed sovereignty over country between Orange Vaal to the Drakensberg.

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