

SP.002

"THE LIEUTENANT-GOVERNORSHIP OF ANDRIES STOCKENSTROM".

A THESIS FOR THE DEGREE OF M.A.

BY

P.J. SMUTS.

Res.

00P
MM2

UNIVERSITY OF CAPETOWN.

OCTOBER.1940.

The copyright of this thesis is held by the University of Cape Town. Reproduction of the whole or any part may be made for study purposes only, and not for publication.

The copyright of this thesis vests in the author. No quotation from it or information derived from it is to be published without full acknowledgement of the source. The thesis is to be used for private study or non-commercial research purposes only.

Published by the University of Cape Town (UCT) in terms of the non-exclusive license granted to UCT by the author.

"THE LIEUTENANT-GOVERNORSHIP OF ANDRIES STOCKENSTROM".

CONTENTS.

FOREWORD: (Page 1.)

CHAPTER I. STOCKENSTROM AS COMMISSIONER-GENERAL.

Trends of policy--Stockenstrom as Landdrost--
the Commissioner-Generalship--the Hottentots--
the Kat River Settlement--Trek-Boers and Griquas--
the Eastern Frontier. (Page 3.)

CHAPTER II: THE LIEUTENANT-GOVERNORSHIP.

Creation of the office-- Glenelg's instructions--
Difficulties of interpretation--Stockenstrom's
relations with the Governor and officials--
conditions under which he worked--His
personality. (Page 21.)

CHAPTER III: AFFAIRS OF THE INTERIOR.

Conditions on the frontier--Stockenstrom's admin-
istrative reforms--the land question--education--
The Hottentots--the problem of vagrancy--
Stockenstrom's views--the solution to the problem--
another Hottentot Settlement. (Page 41.)

CHAPTER IV: TREK-BOERS AND VOORTREKKERS.

The Treaty Policy--Trek-Boers in Transorangia--
Adam Kok's petitions--conditions in 1836--
Stockenstrom's policy--his aims defeated by the
disorder of the Griqua states--critical years for
the Griquas--Boer irregularities beyond the Orange--
Criticism of the Treaty Policy.
The Great Trek--Stockenstrom and Boer grievances--
his relations with Retief--Stockenstrom's insight
into the fundamental causes of the Trek--his view
of the consequences- his policy of controlling the
Trek--the solution to the whole trans-frontier
question suggested by Stockenstrom. (Page 53.)

CHAPTER V: THE EASTERN FRONTIER.

The D'Urban system--Glenelg's attitude--D'Urban's uncertainty--Stockenstrom and the D'Urban system--abandonment.

The evolution of Stockenstrom's policy--the "Stockenstrom system"--the treaties in operation--the growth of intercourse between white and black--difficult conditions on both sides of the frontier--the Fingos--the colonists' hostility to the treaties--the frontier "atmosphere"--inadequacy of the means at Stockenstrom's disposal--weaknesses of the system--"incorporation" the only solution. (Page 76).

CONCLUSION:

(Page 109).

BIBLIOGRAPHY:

(Pages ^{110, 111, 112, 113} ~~111, 112~~ and ~~4~~).

ABBREVIATED REFERENCES.

Autobiography: The Autobiography of the late Sir Andries Stockenström.

Bantu, Boer and Briton: Bantu, Boer and Briton, by W.M. Macmillan.

Bowker: Speeches, letters..... of the late J.M. Bowker.

Boyce: Notes on South African Affairs, by W.B. Boyce.

Brookes: The History of Native Policy in South Africa, by E.H. Brookes.

Cory: The Rise of South Africa, by G.E. Cory.

Eybers: Select Constitutional Documents, compiled by G.W. Eybers.

Marais: The Cape Coloured People, by J.S. Marais.

Theal: History of South Africa since 1795 by G.M. Theal.

v.d. Merwe: Die Noordwaartse Beweging van die Boere voor die Groot Trek, by P.J. van der Merwe.

Walker: A History of South Africa, by E.A. Walker.

FOREWORD.

This thesis covers a short but critical and decisive period in South African History--the crowded and fateful years about 1836. These years saw the final act in slave emancipation; large-scale settlement of Boers beyond the Orange; the application to the northern and eastern frontiers of a treaty policy, based on regard for native rights and interests; and finally a revolt against the liberal British policy and a Great Trek of irreconcilables, which turned the story of the Colony into that of South Africa. To the knowledge and understanding of these events and changes I have tried to contribute something by a study of the papers of Lieutenant-Governor Stockenstrom, who was not only closely connected with all of them, but who also differs from most other witnesses in his mental approach to the problems of the Colony and the frontier.

More particularly, however, this thesis treats of Stockenstrom himself. Of all his periods of administration, none has puzzled some South African historians more, or called forth more unqualified condemnation than the Lieutenant-Governorship. Theal, for example, says: "If it were possible to cut out of his life that portion commencing on the day on which he first appeared before the Committee of the Commons and ending with the day on which he became a baronet, his claim to be regarded as one of the worthiest of South African colonists would be disputed by no one... But during that time a shadow rests upon him, which neither he himself nor any of those who have attempted to give a favourable colour to his conduct has ever been able to remove". (1). It has been my aim to get to the truth about the actions, views and policies of Stockenstrom during this time. With....

(1). Theal: Vol. II. pp 138-9.

With that purpose in view, I have approached him with the desire to understand and interpret, rather than to criticise and condemn. I hope that I have succeeded in dispelling at least some of the darkness which hangs around his figure during this time.

Some knowledge of Stockenström's attitude to the various problems during his previous terms of office is necessary to an understanding of this period. With these I have briefly dealt in an introductory chapter, giving more particular attention to the period of the Commissioner-Generalship. Where I have thought it necessary, I have bridged the gap between these two periods, in order to trace developments in Stockenström's views or changes in the colonial situation.

Manuscript material in the Cape Archives has been the chief source of information. Apart from standard works on South African History, my bibliography contains rather more obscure works and pamphlets, usually by contemporary authorities. Stockenström's "Autobiography" has proved very useful, especially in the writing of the introductory chapter. I have been fortunate in finding in the Cape Archives some of his private letters, which, together with those quoted by Prof. Macmillan, have filled in many gaps and thrown a more intimate light on his character and policies.

CHAPTER 1.

STOCKENSTROM AS COMMISSIONER-GENERAL.

The year which saw the Cape come into the possession of the British for a second time, inaugurated a new period in the history of racial contact in South Africa. Not only did the new administration, like its more recent predecessors, show an anxious concern for the condition and treatment of its coloured subjects, but it developed a new policy towards the whole problem of colour. Moreover, it was the first government possessed of sufficient power and stability to make its authority effective throughout the wide extent of the Colony. The years preceding the Great Trek saw the steady growth of law and order in the Colony and the increasing manifestation of a liberal attitude towards persons of colour.

1809 saw the birth of the first of a series of measures giving effect to His Majesty's Government's policy of "equal justice and equal protection" for all classes, irrespective of race or colour.(1). Caledon's Hottentot Proclamation of that year, passed also in the interests of order, brought the Hottentots within the jurisdiction of the colonial courts and extended to them a greater measure of protection than they had previously enjoyed. The number of Landdrosts and Deputy Landdrosts' Courts were increased, thus facilitating reference to the courts of law, and in 1811 a Circuit Court was instituted which, besides improving the execution of justice, also provided the Central Government with a check on the administration of the Hottentot laws. In 1812 the newly instituted Circuit Court was specially instructed to investigate charges brought by Hottentots against European masters--an indication of the determination of the authorities to admit no distinction between classes in the dispensation of justice.

(1). Autobiography: Vol. I P. 76.

These measures had particular reference to the frontiers of the Colony. During the preceding century the Boers, turned cattle-farmers, and later Trek-Boers, by reason of economic and geographical conditions in the Colony, had gradually moved away beyond the effective reach of the authorities at Cape Town. In the isolation of the interior they enjoyed a considerable measure of independence and each, in the words of Lichtenstein, "without any attention to the laws, acted only according to his own pleasures". (2). Under these circumstances their relations with the native inhabitants left much to be desired. In an attempt to bring its subjects in these remote parts under control, the Company in 1786 established a Drostdy at Graaff-Reinet. Government interference in their relations with the coloureds and especially the uncongenial colour policy of its representative, H.C. Maynier, was not to be tolerated by the intractable frontiersmen. Imbued with the spirit of the times, they rose in revolt and formed themselves into independent republics. These were short-lived, but throughout the period of the First British Occupation anarchy and confusion prevailed in Graaff-Reinet. It was with a view to restoring order on the frontier that Andries Stockenstrom, the elder, was in 1803 appointed Landdrost of Graaff-Reinet (3). In 1815, at the youthful age of 22, Andries Junior, succeeded to the task of enforcing the Rule of Law on the frontier and regulating the relations of colonist and native.

Immediately after his assumption of office there occurred the affair of Slachter's Nek. In essence, this was a revolt against the application of the Rule of Law to the relations of master and servant. In this clash of principles Stockenstrom unflinchingly took his stand on the side of strict and equal justice. Largely by reason of his firm and resolute action, the forces of law and order were triumphant. The . . .

(2). Autobiography: Vol. I. P.20.

(3). Ibid. P.27.

The lessons of this crisis were not lost on the people of the frontier. "From that moment", writes Stockenstrom, "the power of the law has been paramount in the Colony". (4).

In his dealings with the various peoples of colour, Stockenstrom consistently followed a policy of justice and humanity. He made the full benefits of the Hottentot Proclamation available to that class. On the other hand, he condemned the apprenticeship provision and restricted the use made of it.(5). For the unfortunate Bushmen he showed a profound sympathy. By this time the "extermination" policy had been dropped in favour of that of conciliation. Stockenstrom encouraged the collection of stock for distribution among these nomads and ^{ye}assisted as much as possible the sending of Commandos. (6). He drew the attention of the authorities to the danger of illegal traffic in captured Bushman children. As a result, Lord Charles Somerset in 1817 by proclamation provided for the legal apprenticeship of these unfortunate spoils of war. (7). While thus striving to ameliorate their lot in various ways, Stockenstrom sought for a permanent solution to the problem of the Bushman. That, he realised, could only consist in setting aside reserves for them. As no land was available within the Colony, he favoured settling them on mission stations across the Orange, protected from aggression by the presence of missionaries, and supported by gifts of stock from the Colonial farmers. (8). With the assistance of the Rev. Faure he established such a station at Phillipolis in 1823, but when the Griquas drove them from there some years later a fresh attempt was made on the Caledon. For lack of assistance from the farmers and by reason of the inherently nomadic character of these people, this venture proved a failure.(9).

(4). Autobiography: Vol. I. P. 92.

(5). Autobiography: Vol. II. P. 9.

(6). v.d.Merwe: PR70, 95, 251.

(7). Ibid. P.169 F.F.

(8). Autobiography: Vol. I. PP.227-8.

(9). Clarke to Stockenstrom.(26/9/36).(L.G.191).

The Griqua, Bastard and Coranna communities about the Orange had drawn the attention of the Colonial Government to themselves by their barbarous conduct towards the Bushmen and Bechuana refugees. Alive to the menace they presented both to the Bushmen and the Colonial border, Stockenstrom advised the establishment of some measure of Government control over them by the appointment of a Government Agent. (10). As a result J.Melville was appointed to Griquatown, but for lack of effective authority the appointment proved useless. Meanwhile a new problem was in course of evolution on the North-Eastern frontier. With expansion heavily checked in the East and the Bushmen pressure weakening to the North, the outward movement, inspired by chronic land hunger in the Colony, changed direction. Since 1809 Boers had been crossing the Northern boundary and settling beyond it, and had asked that the frontier be moved up to the Orange. (11). On Stockenstrom's recommendation the Government decided on such a step. Accordingly between 1822-4 Stockenstrom and Lieut. Bonamey marked out a new Northern boundary, so as to include all the emigrants within the Colony and to set a limit to "all further encroachment".(12). After 1823, however, Stockenstrom had trouble to keep the Boers on this side of the Orange. Alive to the inevitable consequences for the Bushmen of Boer penetration into this place of refuge, he was determined to resist all further expansion. (13). In 1825, however, the conditions created within the Colony by drought and locusts compelled him to assent to a temporary migration. Fearing that a precedent was being created, he prescribed strict conditions for their observance and let them go. (14).

-
- (10). Autobiography: Vol. I. P.187.
(11). van der Merwe: P.114 ff.
(12). Autobiography: Vol. I. P.210.
(13). Ibid. P.213.
(14). v.d. Merwe. P. 207 ff.

On the Eastern frontier no solution had yet been found for the problem created by the meeting of the opposing streams of Bantu and European colonists. The expedient then being tried consisted in the establishment of a neutral belt between the two parties. Stolen cattle were recovered by the "spoor-law system", which closely followed Bantu custom. This system had, however, not brought security to the frontier. Natives and Colonists encroached from either side, stealing continued, and constant expeditions were being sent out against the natives.(15). Stockenstrom had approved of the attempt at segregating the two parties and he advised against allowing the kaffirs to return to the Ceded Territory.(16). His views on frontier policy clashed with those of Colonel Henry Somerset, and he seems to have severely expressed his opinion on the iniquities of the reprisal system. (17).

Early in 1828 Stockenstrom left Graaff-Reinet on his appointment as Commissioner-General for the Eastern districts. In his new position Stockenstrom was to superintend the affairs of his division generally and specially to supervise those of the border. Unfortunately Goderich's definition of his powers and duties had been very sketchy. His despatch was supplemented by lengthy and detailed instructions from the local authorities, but even these by no means left the position clear. The result of this was to rob the office largely of its potential usefulness. The Governor had directed that the Civil Commissioners should correspond directly with the Government in Cape Town. As a result, Stockenstrom's knowledge of and his interference with the affairs of his division were limited to occasional references to him by the Governor. Even those agents and others who were supposed to correspond with him, in practice ignored that instruction, and his remonstrances on that score proved unavailing. (18). The

(15). Autobiography: Vol. I. P.237.

(16). No. 538 of 1836. P.81.

(17). Autobiography: Vol. I. Pp. 238,240.

(18). No. 538 of 1836. Pp. 220-1.

The relationship between the civil and military authorities on the frontier also proved to be a matter of considerable difficulty. Stockenstrom considered that his approval should be necessary for commandos against the natives.(19), but on various occasions the Governor sanctioned such expeditions on the representations of the military and other officers, and without reference to the Commissioner-General. (20). Irreconcilable differences of opinion between Stockenstrom and the Commandant of the Frontier on matters of native policy showed themselves, and the fact of the former having no military authority over the latter made the position impossible. "As long as one single soldier could be moved with hostile intent", Stockenstrom stated, "without my requisition or sanction, my political responsibility was a sham and hoax". (21). Prevented from carrying into effect his own views with reference to the regulation of frontier affairs, he decided that "I could not consistently with my feelings and duty continue".(22). His representations to the Governor as to the complete disregard of his views and authority had no effect. The Governor simply "did not choose to employ me to do those duties for which I was appointed". (23). Persuaded of the uselessness of his office, he left for England in March 1833 to tender his resignation, "with aggrieved and acrimonious feelings, and a thorough contempt for the whole system of Colonial administration". (24).

(19). No. 538 of 1836. P.88.
(20). Ibid. Pp. 88,224, 232.
(21). Autobiography: Vol. I. P.407.
(22). No. 538 of 1836. P.43.
(23). No. 538 of 1836. P.91.
(24). Autobiography: Vol. I. P.417.

The first problem to engage Stockenstrom's attention was that of the Hottentots. The Hottentot laws of 1809-19 ^{had been} were responsible for an improvement in their position, but they continued to labour under many and serious disabilities. ~~and~~ Those very laws had worked harshly. The pass provisions, aimed at the eradication of vagrancy, placed serious restrictions on their freedom of movement, and, by thus immobilising labour, prevented improvement in wage and living conditions. The administration of those laws being vested in field cornets, the Hottentots were placed very much at the mercy of by no means disinterested parties. There is no doubt that both the pass and apprenticeship laws were liable to abuse and that, while vigorously enforcing the pass provisions, the officials allowed (and were themselves guilty of) evasion of those conditions imposed on the master for the protection of the servant. (25).

Just at this moment the activities of the philanthropists, and, more especially, of Dr. Philip, in arousing interest in the condition of the Hottentots, were bearing fruit. Governor Bourke received instructions to give "general freedom and equality before the law to all classes in the Colony". (26). Prior . . .

(25). Marais. P.121 ff.
(26). Walker: P.177.

Prior to the arrival of the despatch, Stockenstrom had already made suggestions for reform in a memorandum dealing with the position of the Hottentots and other free persons of colour. He condemned the distinction made by the laws of the Colony between different classes of the population, the system of "keeping down", which had had the effect of retarding the improvement and degrading the moral character of the coloured classes, as well as of generalising the idea that they were not fit for participation in those rights and liberties enjoyed by the Europeans, "to which they have an equal title". Justice demanded that they should be freed from the unfair restrictions imposed by the existing laws. "I therefore do not hesitate to recommend the enactment of a law placing every free inhabitant in the Colony on a level in the eye of the law, as to the enjoyment of personal liberty and the security of his property". He considered the Hottentots as "born to the right of citizenship" and entitled to possess land. He also urged reform of the apprenticeship laws and the regulations governing labour contracts. Finally, he stressed the need for "strict prohibitions against such an abuse of liberty generally conceded, as would endanger the peace of the community", and for stringently enforcing the laws against vagrants. (27). This document formed the basis of that epoch-making measure, the 50th Ordinance, which, sweeping away the existing system, gave the Hottentots freedom and equality before the law with Europeans.

This measure, so revolutionary and permanent in its effects, created a fresh problem for the Colonial authorities. Stockenstrom himself testifies to the fact that Hottentot emancipation was followed by an alarming increase in vagrancy and stock theft. (28).

(27). Autobiography: Vol. I. Pp. 286-91.

(28). No. 538 of 1836. P.153.

His advice about providing against these evils had been ignored and even the existing laws on the subject could not be enforced for lack of an adequate police force. Though the feebleness of the local administration was largely responsible for the seriousness of these evils, the root of the trouble was to be found in the fact that emancipation from a system of virtually forced labour had been unaccompanied by grants of land or the provision of other opportunities for making a living. Stockenstrom at least was alive to the need for providing "a field for the exertion of Hottentot industry", and to that end he favoured making them grants of land. (29). He submitted to the Government a comprehensive scheme, providing for the settlement of the whole of the Ceded Territory with Hottentots of character and property, indiscriminately mixed with European colonists, the grants being limited as much as possible so as also to secure an effective means of frontier defence. (30).

With the expulsion of Macomo from the sources of the Kat River in 1829, Stockenstrom saw his opportunity for putting his scheme into effect upon the lands vacated by the Kaffirs. In transmitting his plan to the Government, he stressed the advantages which would accrue from such a settlement in that position. It would not only prevent the return of the kaffirs but act as a permanent barrier of defence against them. Primarily, however, it was intended to end the clamour against the wandering habits of the Hottentots and to deprive the latter of the plea of having no refuge by providing them with the opportunity of becoming landholders. (31).

Having obtained the sanction of the Government, Stockenstrom set about colonising that area. He found it impossible, however, to carry out his original intention of mixing Hottentots and Europeans, as the latter would not be satisfied with grants sufficient for the former. (32). The . . .

(29). No. 538 of 1836. P.153.

(30). Autobiography: Vol. II. Pp. 351-2.

(31). Ibid. P.357.

(32). No. 538 of 1836. P.248.

The Hottentots were therefore located along the upper reaches of the Kat, while the Europeans were settled between the Kat and the Koonap. The coloured colonists consisted of Hottentots from the congested mission stations, Bastards, and some Gonahs left behind after Macomo's departure. (33). By April 1830 he stated that the completed Hottentot settlement would include among its residents at least 400 arms-bearing men. (34).

Stockenstrom's settlement was both carefully planned and well regulated. Locations were allotted to parties comprising at least ten arms-bearing men, and having some responsible person at their head. Plots were given out upon such conditions as would ensure that the recipients were deserving and respectable settlers. Lands were only granted in full title after five years, if during that time the settler had effected certain improvements on his allotment. Each landholder was to be allowed to graze a fixed number of cattle on the commonage. Strict provisions were made against the harbouring of unauthorised persons in the settlement. (35). Other regulations provided for the defence of the settlement, the protection of stock and the recovery of stolen cattle and horses. The settlement having been launched under Stockenstrom's personal supervision and direction, the further management of its affairs was entrusted to the coloured officials themselves. (36).

The settlement started with the advantage of being located in what was described as "perhaps the finest tract of country in South Africa".(37); but the experiment itself was inaugurated under trying conditions. During the first few years the settlers had to contend with drought, horse-sickness and Kaffir depredations, and, above all, with the difficulties imposed by their own poverty. From the side of the Government no more assistance was obtained than some seed-corn, the loan of guns and a supply of ammunition for defence against the Xosas. (38). Yet during these years the Hottentots displayed great industry and there were many pleasing signs of progress. (39). By

(33). Autobiography: Vol. II. P.419. (36).Autobiography: Vol. II
P.369.
(34). Marais: P.217. (37).Ibid. P.401.
(35). Marais: Pp. 219-20. (38).No.538 of 1836.P.153-4.
(39).Autobio:Vol.11.Pp. 360-7, 404-26.

By 1833 the population had grown to 2114 souls and, besides the extent of soil cultivated, some stone houses had been built, orchards laid on and many canals cut for irrigation purposes. (40).

There were, however, certain unhealthy features about the settlement which promised to jeopardise the prospects of the settlers and called for Government interference. "One great hindrance to the progress of their improvements", wrote one observer, "is the excessive poverty of the great bulk of the people". (41). Stockenstrom had intended to experiment only with Hottentots possessed of property, but very soon many others had flocked in, many of them destitute and of doubtful character. (42).

Gonahs and Mantatpes emigrating from Kaffraria also began to settle there, and vagrancy began to be complained of. (43).

These poverty-stricken intruders, idling and squatting in the settlement and living on their more fortunate and hospitable neighbours, were reducing everybody to want. (44). Moreover, all this time the settlers suffered severely from the depredations of kaffirs, lurking in and on the outskirts of the settlement. (45). With the passage of time these factors were to make themselves increasingly felt.

By the time of Stockenstrom's departure in 1833 the settlement showed great promise. He could point with justifiable pride to what had been accomplished during the few short years of its existence: to the zeal and industry which had been displayed by the Hottentots; to the measure of success which had attended their efforts; to signs of moral and religious progress (46). A year later Colonel T.F. Wade expressed the opinion that the settlement had "succeeded beyond the most sanguine expectations" and was "well worth preserving". (47). In

(40). Autobiography: Vol. II. P. 413.

(41). Ibid. P. 410.

(42). No. 538 of 1836. P. 153.

(43). Ibid. P. 247, Autobiography: Vol. II. P. 414.

(44). Autobiography: Vol. II. P. 410.

(45). Ibid. P. 363, 407, 414.

(46). No. 538 of 1836. P. 153-4.

(47). Autobiography: Vol. II. P. 413. Wade came out as military secretary to Sir Lowry Cole in 1828 and after his departure acted as Governor until January, 1834.

In 1838 Governor Sir George Napier, viewing the settlement with the marks of the ravages of a frontier war still upon it, told him: "Well Captain Stockenstrom, if I were the creator of this settlement I should fancy that I had done enough for one man's life".(48). Indeed, Stockenstrom is perhaps chiefly remembered as the sponsor of the Kat River Settlement. For his insight into the needs of the Hottentots and his practical endeavour to make that freedom which he had helped to win for them a real and worthwhile thing, he deserves every credit.

On the North-Eastern frontier Stockenstrom was faced with a problem, becoming ever more complex with the passage of time. In 1826 conditions within the Colony evoked another petition from the Boers for permission to cross the Orange. This time, however, Stockenstrom, though aware that conditions made the position of the farmers untenable, decided that, as a measure of policy, permission had to be refused. Before the end of 1827, however, the Boers trekked on their own initiative. (49). Throughout 1828 conditions remained unchanged and the Trek-Boers by Memorial brought their difficulties fully before the Commissioner-General. Stockenstrom had to admit the impolicy of enforcing their ^{refusal} action, but he insisted that the precedent of that year was not to be the forerunner of annual migrations or of permanent residence beyond, "as nothing can more retard the improvement of the inhabitants and frustrate the views of the Government with respect to the frontier settlements.(50). The start of 1829 found the Boers still across the frontier and now the authorities recalled them to the Colony. By the end of that year copious rains had fallen and when Stockenstrom reached the Orange early in 1830, he found them returning in great numbers. (51).

(48). Autobiography: Vol. II. P.371.

(49). v.d. Merwe: Pp. 216-21.

(50). v.d. Merwe. P.229.

(51). Ibid. P. 237.

During 1829 the Griquas began to object to the presence of Boers in Transorangia. In a Memorial to the Government Adam Kok and the Council of Philippolis complained of Boer encroachment on their lands and of the behaviour of some of these Trek-Boers. (52). In addition, alarming reports had reached the Government of Boers ploughing and sowing north of the boundary, and in April 1829 there arrived requests for farms along the Riet and Modder Rivers. (53). This led the Government to view the matter in a serious light, especially as the missionaries had also complained of the unfortunate effects on the Bushmen of the destruction of game by the Boers. (54). In October of that year, another Memorial from Kok arrived, expressing apprehension about Boer designs on his lands and asking the Government to compel the Boers to return to the Colony. (55). The Government now took action, recalled the Boers and charged Stockenstrom with the mission of investigating affairs in Transorangia, and of finding a means of enforcing their return or of counteracting the evils which could be expected from the presence of the Boers in Griqua territory. (56). It was on his trip to the North that Stockenstrom met the returning Boers on the Orange. By this time he had come to take up a more sympathetic attitude to the problem of trekking. For one thing, he was inclined to question the superior claim of the Griquas to these lands which he still considered as ultimately Bushman country. (57). Though alive to the consequences of dispossessing natives of their lands, he saw no reason or necessity for preventing the Boers from having recourse to vacant tracts. All that was needed was to instruct field cornets to send back to the Colony any persons guilty of molesting the natives or encroaching on cultivated lands. (58).

(52). v.d.Merwe: P.263 ff.

(53). Ibid. P.233-4.

(54). Ibid. P.257-8.

(55). Ibid. P.267.

(56). Ibid. P.267-8.

(57). Ibid. P.268.

(58). Ibid. P.266.

Stockenstrom availed himself of his mission to Griqualand to investigate charges brought against the Boers by Kok and the missionaries. At a meeting with the principal Griquas at Philippolis nine cases of injury to Griquas by Boers were brought forward. On the other hand, Stockenstrom produced proofs of their having murderously attacked two Bushman kraals; but they countered this accusation by blaming certain Boers for instigating and participating in the massacres. All these charges Stockenstrom referred to the Civil Commissioner of Graaff-Reinet for investigation.(59). At the Caledon River mission he found that the charge against a Boer of shooting a Bushman could not be substantiated. (60). Later in the year he proceeded to Colesberg to inquire into the charges himself. After questioning the accused and the witnesses present, he went North and questioned various Corannas and Bushmen, who were unanimous in their declaration that the Boers had had no part in the attacks. Finally he examined Kok's witnesses and found that their evidence did not prove "one single point" of the charge against the Boers.(61).

After these tours Stockenstrom expressed his views on the problem of Transorangia. It was clear to him "that the greatest and most inveterate jealousy exists between the Colonists and Griquas about the possession or occupation of that part of the Bushman country into which both parties have of late emigrated".(62). He feared that every season of drought would drive the farmers across the Orange for the preservation of their flocks and herds. Yet he was still firmly opposed to systematic annual migrations because of their unfortunate effects on the Colonists themselves. Moreover, he thought it desirable that where the Griquas had settled down to agricultural pursuits they should be protected in their lands, as dispossession would turn them into marauders,"which will be fatal to the Colony as well as to the black tribes".(63). Yet...

(59). Autobiography: Vol. 1. Pp. 373-7.

(60). Ibid. P. 380-1.

(61). Ibid. P. 383-8.

(62). Ibid. P. 378.

(63). Ibid. P. 379.

Yet there were other considerations which weighed with him. His tours in Transorangia had brought much evidence of the terrible cruelties committed by the Griquas on the Bushmen and refugee Bechuanas across the Orange. (64). Not only had many Bechuanas been driven into the Colony, but he got the impression that the attacks of the Griquas were largely responsible for the plundering raids of the Bushmen on the Colonial frontier during this time. (65). He had told Kok that such conduct would no longer be tolerated. He feared that to keep the Boers out of Transorangia would tend only to give a free reign to their "bloodthirsty barbarity" towards the weaker tribes, and thus he thought it might be desirable to have the country peopled by persons on whom laws and religion had a stronger hold. (66).

During 1830 another migration took place and by now these were developing a regular and seasonal character. (67). Stockenström realised that the movement across the Orange had passed beyond his control and that the time had come for Government interference in the affairs of Transorangia. "Migrate they will", he wrote, "and it only remains for the Government to turn their and the Griqua's migrations to the advantage of the Bushmen and other defenceless tribes. (68). He pointed out that these migrations must inevitably lead to settlement across the frontier, and though alive to the evils of this, he could suggest no other remedy than "Systematic Colonization", "against which I am aware too strong prejudices exist in the Mother Country, but which must ultimately be resorted to after much mischief shall have been done and when the task will be more colossal". (69). *These*

-
- (64). Autobiography: Vol. I. P.376.
(65). Ibid. Pp. 389, 383.
(66). Ibid. P.380.
(67). v.d.Merwe. P.283.
(68). Ibid. P.278.
(69). Ibid. P.312.

These statements show a grasp of the essentials of the situation. The later history of Transorangia was to reveal the wisdom and farsightedness of Stockenström's advice.

The most difficult problem at this time, and for many years to come, was that of the Eastern frontier. By the time of Stockenström's arrival mutual pressure of population had produced the complete breakdown of the "neutral belt" policy. Very soon reports of increasing depredations brought him to the frontier. He found Kaffirs wandering about the Ceded Territory and plundering the farmers, and decided that it was necessary for the security of the frontier to clear the Ceded Territory of Kaffirs and to settle it with a dense population of British subjects. Once that had been done, any Kaffirs driven into the Colony by want of subsistence in Kaffraria, admitted under Ordinance 49 and controlled by its vagrancy provisions, would present little difficulty. (70).

Immediately after his visit to the frontier, Macomo attacked and drove a small tribe of friendly Tambookies into the Colony. Stockenström considered that this outrage called for "the most peremptory and exemplary measures on the part of the Government". Macomo was to be compelled to make full restitution and to leave the Ceded Territory. (71). The Government agreeing to this, Stockenström was sent to co-operate with Colonel Somerset in the removal of Macomo. He met the Chief and arranged for a peaceful solution to the difficulty. The latter did not keep his promise, however, and the troops resorted to force. Other chiefs in the Ceded Territory were warned of a similar fate unless they conducted themselves peaceably. (72).

Stockenström then outlined his own scheme for the settlement of the frontier. He proposed to colonise the whole Ceded Territory, so as to secure a dense population from the sources of the Kat and the Koonap to the mouth of the Fish and Keiskama. (73).

(70). Autobiography: Vol. I. Pp. 301-3.

(71). Ibid. Pp. 299, 305.

(72). Ibid. P. 315 ff.

(73). Ibid. Pp. 366-7.

The Hottentot settlement formed part of this plan, and white locations were to follow similar lines. Small farms were^{to be} granted to European applicants, for which no rent or survey fees were to be charged until they were prepared to meet those expenses. Strict conditions were, however,^{to be} prescribed to grantees. On every location there was to be a certain number of fighting men, part of whom were to guard their property and part to assist in frontier defence. In this way Stockenstrom settled the region between the Kat and Koonap, securing 432 fighting men in that area. (74).

The Kaffir tribes living in the Ceded Territory were^{to be} allowed to remain on condition of good conduct; each tribe receiving a well defined area in which it could put the land to use for grazing or cultivation purposes; without, however, impairing the Government's title to the lands. The chiefs were to co-operate with the Government in checking depredations, and in the capture of robbers and the recovery of stolen property. Any chief encouraging plunderers or failing to control his people was to be liable to expulsion. Kaffirs were not to cross the tribal limits in the Ceded Territory without permission. (75).

Stockenstrom gave special attention to the mode of recovering stolen cattle. He held very strong views on the subject of the reprisal system. He told the Aborigines Committee that it made for great irregularities.: that the farmers were responsible for nine-tenths of their losses by reason of their own carelessness; that in ninety-nine percent of cases the punishment fell on the innocent; that some people profited by the system by making fraudulent representations of robberies, and that all the misfortunes of the frontier were to be ascribed to this system of patrols and the taking of Kaffir cattle. (76). Cole's

(74). Autobiography: Vol. I.P.367.No. 538 of 1836. P.85.

(75). No. 538 of 1836. P. 214 ff.

(76). Ibid. P.44, 83-4. Autobiography: Vol. I.P.322.

Cole's version of the reprisal system, introduced at the start of 1829, accorded with Stockenstrom's own views. The latter insisted that flocks and herds should be guarded and that no patrols should be allowed in cases where this was not done, and where the robbery had not been noticed and pursuit commenced immediately. (77). Where stolen cattle was overtaken, force could be used for its recapture; parties were to be headed by responsible officers; unsuccessful owners were to have no claim for compensation and no kaffir cattle was to be taken in lieu of that stolen, except in special cases. (78).

Thus Stockenstrom carried out a comprehensive scheme of settlement, comprising all classes, with their relations carefully regulated. It aimed at far more than constituting a mere barrier to external aggression. "Entire tranquility", wrote Stockenstrom, "will be found ultimately to be the result of the dense population of that territory in the manner proposed..... and the gradual improvement of the aborigines which the provisions of the 49th and 50th Ordinances..... will assuredly bring about". (79). This attempt at establishing a settled and peaceful society on the frontier was an advance on any of the policies previously tried; it was, in fact, the first constructive approach to the problem of the Eastern frontier.

The experiment was, however, attended with little success. To start with, the scheme, which provided for a string of locations on the Kat River Settlement principles along the whole line of the frontier from the Winterberg to the sea (80), was never applied in its entirety. Instructions from Home enforced the suspension of the plan at the junction of the Kat and the Fish. (81). But there were other disappointments. The system was introduced at a time when drought conditions, heightening the difficulties produced by overcrowding in Kaffraria, sent robbers and marauders into the Colony in considerable numbers and Stockenstrom found the Chiefs conniving at depredations. (82). With

(77). No. 538 of 1836. Pp. 83, 85.

(78). Autobiography: Vol. I. Pp. 309, 322.

(79). Autobiography: Vol. I. P. 310.

(80). Ibid. P. 357.

(81). Ibid. P. 370, 408.

(82). Ibid. P. 358 ff.

With depredations continuing, Stockenstrom also found the settlers disregarding his regulations and patrols regularly going into Kaffraria and taking Kaffir cattle. (83). By the middle of 1830 depredations had assumed such proportions that he agreed to a commando against Tjahl and the other chiefs principally concerned in these thefts. (84).

On this expedition the famous Zeco affair took place. At the time Stockenstrom gave credit to the statement of field cornet P.R. Erasmus that the Kaffirs had attacked the party driving Zeco's cattle to Fort Willshire and that Zeco and others had been killed in the resulting melee. Later, however, Macomo and Tjali told him that the chief and his men had been treacherously murdered. After questioning various witnesses Stockenstrom reported to the Governor that Zeco had been murdered in cold blood while assisting to drive the cattle which had been taken by the party in violation of his orders. (85). Before the Aborigines Committee he stated that an inquiry had been promised but that nothing had come of it. (86). Stockenstrom ever adhered to this view of the affair, but there are certain features of the case which seriously weaken his position. Why, if he had prohibited the taking of Kaffir cattle, did he not protest against the action of Erasmus? In fact at the time he stated that "great quantities of Kaffir cattle were necessarily brought along". (87). It was also proved that Somerset had ordered the seizure of all cattle. (88), while Wade stated that the Governor had definitely told Stockenstrom that Erasmus would be punished if he could substantiate his charge against him. (89). There were other cases of a similar nature in which Stockenstrom seems to have been guilty of like negligence. He pleaded that he was not asked to investigate. (90). *But. . . .*

-
- (83). No. 538 of 1836. Pp. 89, 234.
(84). Autobiography: Vol. I. P. 394.
(85). No. 538 of 1836. Pp. 85, 101.
(86). No. 538 of 1836. P. 86, 102, 235.
(87). Autobiography: Vol. I. P. 397.
(88). No. 538 of 1836. P. 236.
(89). Ibid. P. 414.
(90). Ibid. P. 239.

But it does seem as if he was expected to substantiate his charges before an enquiry would be instituted.

In 1831 Colonel Somerset proposed the sending of another commando in view of the unrest existing on the frontier and the continuation of depredations. Investigation proved Kaffraria to be tranquil and the farmers to be as unconcerned as ever over their flocks. Somerset, however, applied directly to the Governor and obtained his sanction for the expedition. Stockenstrom's representations on the subject came too late to be of any effect.(91). By the time of his departure in the following year it was clear that his system had broken down. He had failed to secure the co-operation of the chiefs or to hold the colonists to their conditions of settlement. The next few years were to see the repeated expulsion of chiefs and the growth of unrest, culminating in the conflagration of 1834-5.

By the end of his period of office, Stockenstrom had apparently come to realise that, for applying his measures, it was necessary to bring the tribes under more effective control. In a Memoir on the frontier question he expressed himself in favour of granting the lands altogether to those tribes in the Ceded Territory who had complied with the arrangements, "provided they consent to become amenable to the laws of the Colony under certain modifications, as it would not be politic to allow that land to revert to the Kaffirs, particularly now when it affords such an excellent opportunity for making the experiment of incorporating with ourselves its present tenants with their own consent". (92).

(91). No. 538 of 1836. Pp. 88-9.

(92). Ibid. P.100.

Stockenstrom thus brought to the position of Lieutenant-Governor an intimate knowledge and wide experience of the problems of the frontier and the Colony. He also came to it with an established attitude towards the problems of race and colour. In his dealings with all classes he had striven to uphold the principles of human justice. Writing shortly after his departure from the Colony in 1833, he stated: "If I continue to have anything to do with the public administration, I see no cause to deviate from what my conduct has hitherto been: injustice to whites-English or Dutch--to blacks, Kaffirs, Hottentots or Bushmen, I will still consider injustice and deal with it accordingly". (93).

(93). Autobiography: Vol. II. P.10.

CHAPTER II.

THE LIEUTENANT-GOVERNORSHIP.

The office of Lieutenant-Governor had its origin in the report of the Commissioners of Enquiry, which recommended the creation of a separate administration for the Eastern division under a distinct official. Acting on this advice, the Home Government had in 1826 sent out Major-General R. Bourke as Lieutenant-Governor of the East, but actually as acting Governor of the whole Colony. (1). For purposes of economy, the office of Commissioner-General was in 1828 substituted for that of Lieutenant-Governor and to this position Stockenstrom was appointed. As we have shown, the office proved to be useless, and on the advice of the latter it was abolished on the last day of 1833. (2).

There was a very real need of such an independent authority on the frontier. As D'Urban pointed out, the frontier districts were 6-700 miles distant from the seat of the Government, and this was responsible for delays in the settlement of public business as well as for a lack of personal supervision on the part of the Governor. The sudden outbreak of war in 1834 and the consequent confusion on the frontier had brought home to the authorities the seriousness of this deficiency. Accordingly, D'Urban had in 1835 advocated either the removal of the seat of Government to Uitenhage, or the appointment of a Lieutenant-Governor, though he stressed the fact that the latter alternative would entail additional expense and bring with it the danger of friction with the Governor. (3).

In his celebrated despatch of 26 December 1835, Lord Glenelg, the Colonial Secretary, informed D'Urban that a Lieutenant-Governor was to be appointed, on whom would devolve the regulation of the future relations of colonists and natives, as well as "the administration of the executive Government within the boundaries to be assigned to his command". In London Lord Glenelg had intimated to Stockenstrom his desire that the latter should take upon himself the application of his views with reference to the Eastern districts and the borders of the Colony. With these views he had found Stockenstrom in full accord. (4). Early . . .

(1). Walker. P.168.

(3). No.279 of 1836,P.58.

(2). No. 538 of 1836.P.43.

(4).Autobiography: Vol.II.P.29.

Early in 1836 D'Urban was informed that Stockenstrom had been appointed to the Lieutenant-Governorship; his commission extending to the districts of Albany and Somerset, Uitenhage and Graaff-Reinet. (5).

In transmitting to Stockenstrom the instructions by which he was to be guided, Glenelg explained the motives behind the establishment of the Lieutenant-Governorship and further elaborated the purposes of the office. The appointment, he showed, was primarily intended to remedy the abuses resulting from the remoteness of the seat of authority from the frontier. "The powers of the Government", he stated, "have become enfeebled and its measures wavering and uncertain.....and precisely in that part of the Colony in which a firm and energetic command has been most required, it has been least exhibited". As a result, a most unsatisfactory state of affairs had arisen on the frontier. There was no subordination of the military to the civil power; martial law governed relations with the Kaffir tribes, while the Commandant and his soldiers executed justice. The vacillation of policy and the instability of purpose which had always characterised their conduct towards the tribes was to be attributed to the fact that Governors, being far removed from the frontier and its problems, had perforce been guided in their conduct by reports and advice rather than by personal experience and observation. By the institution of the Lieutenant-Governorship he hoped to secure the Colony against a recurrence of hostilities. The administration of the frontier districts had likewise suffered by reason of their distance from the supervising authorities, which had "sheltered the subordinate officials in the more remote parts of the Colony from all real control and effective responsibility". "For

(5). Glenelg to D'Urban. (11/2/36). (C.O. 1323).

"For the collection of revenue, for the management of police, for the administration of justice, for the improvement of internal communications, for the military defence of the inhabitants--in short for whatever constitutes good Government the much closer vicinity of some superior authority would appear indispensable".

Next the Secretary of State went on to define the powers and duties of the Lieutenant-Governor, and his relations with the Governor and the Commandant of the frontier. "In general", he stated, "your office will be to execute in the districts of Albany and Somerset, Uitenhage and Graaff-Reinet the executive powers which Sir Benjamin D'Urban exercises throughout the whole Colony". The legislative machinery of the Colony was to function as before, except that all laws affecting the Eastern districts had first to be referred to him before being finally adopted and that his representations on that head were to accompany the transcripts of the laws to England. He was to draw up an annual estimate for service for the Eastern division, and all public money voted for it was to be drawn from the treasury by warrants signed by him and countersigned by the Governor. In recommending candidates for public positions in that division, the Governor was to act on the advice of the Lieutenant-Governor. All public officers in that division were to correspond with the Lieutenant-Governor alone and to obey his instructions. The Lieutenant-Governor himself was to correspond with the Home Government only through the Governor, to whom he was to apply for instructions, and whose lawful instructions he was to obey. In cases of minor importance the Lieutenant-Governor was to act on his own initiative and responsibility. The Governor was to send all his correspondence on to Downing Street. The relations of the respective civil and military authorities on the frontier were to be regulated by the standing instructions of 20 November 1824. His "special and peculiar duty", however, was to be that of "framing, consolidating and carrying into execution such a system as may ensure the maintenance of peace, good order and

strict justice in all the intercourse and relations between inhabitants of European and African origin" on the frontier.(6).

These instructions vested in the Lieutenant-Governor an extensive and independent authority and made his position one of considerable importance and responsibility. Stockenstrom was satisfied that the extent and nature of his powers and duties had been adequately defined. (7). The instructions, however, were by no means of such a nature as to rule out the possibility of their being variously interpreted, nor did they provide against all disagreement over authority. What, for instance, constituted matters of "minor importance"? And if every question of any importance had to be referred to the Governor, what was the purpose of appointing an independent authority in the East? Again, what voice was the Governor to have in the shaping of the new frontier system?

D'Urban, certainly, showed himself to be puzzled by the position. His original interpretation of Stockenstrom's powers ascribed to the office an exaggerated degree of independence. The latter's Government, he stated, was "a separate and distinct one", in which he exercised all the Governor's powers, and "his Civil Executive authority is independent, except in the extreme and rarely probable case of the Governor coming within the district".(8). In addition, he had assured Stockenstrom that "it is neither my inclination or intention ever to interfere in the slightest degree with the prerogatives of the Lieutenant-Governor".(9). He soon came to realise, however, that this position was inconsistent with the provision in the Secretary of State's instructions enforcing the Lieutenant-Governor's obedience to his "lawful instructions". "I cannot . . .

(6). Glenelg to Stockenstrom.(5/2/36). (C.O. 1323).

(7). No. 538 of 1836.P.225.

(8). D'Urban to Stockenstrom.(13/10/36).(L.G.2.No.25).

(9). Ibid. (19/9/36).(L.G.2. No.17).

"I cannot reconcile these conflicting provisions", he wrote, "nor see any essential purpose they are expected to effect unless it be to impose on the Governor a joint responsibility (at least) for measures over which he can exercise no real control, by giving him the shadow of an authority of which he is altogether without the substance". The difficulty, he thought, might be minimised by the Lieutenant-Governor referring all important questions to him or receiving his instructions with submission. Should this not be the case, however, "then the imaginary power thus ostensibly but unsubstantially given to the Governor, is worse than useless, as necessarily the ineffectual attempts to use it can only lead to dissensions between the respective Executive authorities of the Eastern and Western divisions of the Colony". He pointed to a further anomaly resulting from the independent military power vested in the Lieutenant-Governor, which constituted an interference with the legitimate powers of the Commander-in-Chief. As a result he disclaimed all responsibility for the military dispositions on the frontier, (10), and warned against the probable consequences of independent action by the Lieutenant-Governor, that "improfessional authority", who could virtually exercise without control on the frontier all the functions of the Commander-in-Chief. (11).

Glenelg pointed out that his intention had been that the Lieutenant-Governor should ultimately be subordinate to the Governor, by whom he was to be directed and controlled in any serious emergency or on questions of importance, both of a civil and military character. The Governor's supreme control of the military forces throughout the Colony was unimpaired. In fact, their relationship was intended to be closely analogous to that existing between the Governor and the Secretary of State. Naturally

(10). D'Urban to Glenelg. (15/3/37). (C.O. 1447).
(11). D'Urban to Glenelg. (15/1/38). (C.O. 1447).

Naturally the Minister could not provide against unforeseen developments, but he held that adherence to his regulations on the part of both parties and a discharge of their functions "in a spirit of cordiality and mutual confidence" would obviate all difficulties. (12).

This dependence of the Lieutenant-Governor on Cape Town, especially in view of the state of communications, made against the prompt decisions and effective action that were often needed on the frontier. Stockenstrom, however, had not come out merely to occupy a position of complete subordination to the Colonial Governor. Napier later stated that Stockenstrom had wished the office completely independent, to the extent of corresponding directly with the Secretary of State. (13). Soon after his assumption of office, in the case of certain military dispositions and again, on the occasion of his dismissal of Retief (14), the Governor found it necessary to question his authority for such independent action. Later he complained to the Colonial Secretary that his subordinate was an officer "of great confidence in his own ability,--impatient of control or suggestion,-- and jealous to a degree of any interference with his own authority". (15). D'Urban certainly had a case. Notoriously inclined to stand on his rights, Stockenstrom made every minor infringement of his powers the subject of a formal protest to the Governor. (16). Moreover, though he referred most questions of importance to the latter, he was not prepared to submit to his decision. Repeatedly we find him demanding that the matter be referred to Downing Street, "where I hope to have my measures and motives considered with less aversion and distrust". (17). In the final stages of the reversal of the D'Urban system Stockenstrom exceeded his instructions to the extent of concluding the various treaties with the tribes and carrying them into execution without prior preference to the Governor and Council. (18). Finally . . .

(12). Glenelg to Napier. (9/11/37) and (13/11/37). (C.O. 1325).

(13). Select Committee on Kaffir Tribes: P. 210.

(14). D'Urban to Stockenstrom. (6/3/37) (L.G. 3 No. 86).

(15). D'Urban to Glenelg. (15/3/37). (C.O. 1447).

(16). Stockenstrom to D'Urban. (L.G. 274. Nos. 8, 73, 75, 149, 295).

(17). Stockenstrom to D'Urban. (7/11/37) (C.O. 1356 No. 321) Also L.G. 274, Nos. 161, 135, 234).

(18). D'Urban to Glenelg. (15/3/37). (C.O. 1447).

Finally the Governor complained that his intervention in the affairs of the East was limited to remonstrance, and as even his opinions were treated with scant respect, he expressed his resolve to refrain from offering them in future. (19).

We will see that the personal relations between the two officers had much to do with Stockenstrom's intractability to control by the Governor. But he was also clearly influenced by his experiences during the Commissioner-Generalship. "Ten years ago", he told D'Urban, "an office was created by His Majesty's Government to which I was appointed, which....if properly supported, would have prevented the Kaffir war and its concomitant calamitiesTherefore I consider it my sacred duty to the Government to which I am deputed and to the country, to prevent this second experiment from likewise dwindling into a sinecure". (20).

We must also remember the peculiar position in which Stockenstrom was placed. He was, in fact, allied with the Secretary of State against a hostile Governor, and was dependent on his backing for the execution of those orders with which he had been specially charged. (21).

D'Urban, certainly, whether deliberately or otherwise, obstructed Stockenstrom to a considerable degree. *Being . . .*

(19). D'Urban to Glenelg. (15/3/37). (C.O. 1447).

(20). Stockenstrom to D'Urban. (13/1/37). (C.O. 1352 No. 73).

(21). Glenelg certainly stood by Stockenstrom. He seems to have been at pains to sanction Stockenstrom's action or standpoint on every point at issue between him and D'Urban. To D'Urban's complaints about the independent proceedings of the Lieutenant-Governor and the tone of his despatches, Glenelg replied: "I must pronounce the general tenor of his communications highly honourable to his diligence, to his resolution and to his humanity....his proceedings taken as a whole appear to me fully to justify his appointment. (C.O. 1325). (13/11/37).

Being the only channel of communication between the Lieutenant-Governor and Downing Street, it was of paramount importance that he should forward Stockenstrom's correspondence as quickly as possible. Actually, it was only after Stockenstrom had been in office for a year that Glenelg received any of his letters, and then the Governor sent on a pile of 125 of them, followed soon after by 120 more and leaving Glenelg to sort out the various topics with their developments for himself.(22). Beyond that, the Governor kept him in the dark about the decision to repeal Martial Law (23) and on more than one occasion omitted to consult him about matters falling within his sphere of authority.(24).

Little co-operation was to be looked for from the side of the Governor. Dreadfully exasperated against Glenelg, D'Urban started with a prejudice against this instrument of his, specially deputed to overthrow his own cherished frontier system. Extremely touchy, and inclined to resent criticism of his views and policies, he was the last man to allow the independent views and rather high-handed actions of Stockenstrom to go unchallenged.

He had received the Lieutenant-Governor amicably enough, shown him "every appropriate honour", and "every possible attention and countenance".(25), but very soon differences of opinion not only as to the interpretation of the Secretary of State's instructions, but also on fundamental issues of policy began to show themselves. To his first despatches from the frontier D'Urban had replied, opposing each and every of his views on frontier questions and censuring most of his doings in the East.(26). Immediately after, he used his superior military power to subvert Stockenstrom's arrangements in connection with the posts in Kaffraria.(27). By the end of October Stockenstrom expressed his regret that his measures "have deserved so little of your countenance and that they have elicited a degree of acrimony".(28). Soon . . .

(22).Glenelg to Napier:(13/11/37).(C.O.1325).

(23).Autobiography:Vol. II.P.45.Stockenstrom to D'Urban.(5/9/36).
(C.O.1352. No. 3).

(24).L.G.274 Nos. 8,73, 75,149,295.

(25).D'Urban to Glenelg.(23/8/36).(C.O.1447).

(26).D'Urban to Stockenstrom.(13/10/36).(L.G.2 No.25).

(27).D'Urban to Stockenstrom.(25/10/36).(L.G.2. No. 27).

(28).Stockenstrom to D'Urban.(9/11/36).(C.O.1352 No. 39).

Soon after, he was persuaded of the necessity of reviewing his position and actions for the benefit of the Secretary of State in whose mind, he feared, the Governor's censures of his proceedings "originates doubts as to the utility of my continued administration of the affairs of this division".(29). Finally, Stockenstrom's attitude precipitated abandonment,(30); there followed a violent clash over the interpretation of Glenelg's instructions with reference to the frontier, and now the position finally became impossible. The whole of 1837 saw sustained conflict of authority and growing personal hostility. Besides their enduring hostility on the score of Stockenstrom's frontier policy, which D'Urban was convinced could "scarcely end otherwise than in disaster" (31), they clashed on most other issues: the appointment of magistrates, the Relief affair, the Fingo problem, the Hottentot locations, the treaty specifications. Stockenstrom was determined on having his own head, D'Urban uncompromisingly hostile to his every suggestion. "It is a source of unqualified regret to me", wrote Stockenstrom, "that I have hardly in any instance since the assumption of the Government of this division been fortunate enough to render myself intelligible to or my acts approved by Your Excellency".(32). Meanwhile, D'Urban had finally given expression to his indignation against the Secretary of State (which he had probably been venting on Stockenstrom all this time), in terms which led to his recall. Before the recall took effect, Stockenstrom spoke his mind. "I was sent here", he said, "to carry into effect measures which were disagreeable to Your Excellency....and it has been my misfortune to meet with Your Excellency's determined opposition and resistance to almost every effort which I deemed it my duty to make to restore peace and rescue the districts entrusted to my superintendence from absolute chaos".(33).

(29). Stockenstrom to D'Urban (3/11/36) (C.O. 1353 No. 39.)

(30). D'Urban to Glenelg. (2/12/36). (C.O. 1447).

(31). D'Urban to Glenelg. (12/8/37). (C.O. 1447).

(32). Stockenstrom to D'Urban. (18/1/37). (C.O. 1353 No. 80).

(33). Stockenstrom to D'Urban. (1/11/37). (C.O. 1356 No. 321).

With Napier, however, Stockenstrom co-operated most cordially. Finding that the new Governor was determined to uphold the treaty system (34), that they were in complete agreement as to their relative powers and positions (35), and convinced that Napier's Government would be based upon "impartial justice and humanity, without regard to religious or party prejudices or colour", Stockenstrom was prepared to make the Governor's will his law. / This seems to show that personalities entered largely into the disputes with D'Urban. On all occasions Stockenstrom showed himself quite capable of working with people whose views and purposes coincided with his own. (36).

This time his relations with the Commandant of the frontier, Colonel Henry Somerset, (37) as well as with the other high military officers, were of the best. His relations with his own subordinates were again largely governed by the personal factor. From the start certain officials were suspect by reason of their implication in the murder charge against him. It is significant that his relations were most difficult with Duncan Campbell, Civil Commissioner of Albany and the central figure in the affair. Likewise he declined to appoint J. O'Reilly, Justice of the Peace at Cradock, and Captain A. B. Armstrong, who held a similar position at Fort Beaufort, to higher positions, on the ground that they were not sufficiently competent. (38). This may have been true, but it is significant that O'Reilly was also concerned in the charge, while of Armstrong he wrote that, for defeating the aims of the hostile factions, "I need the assistance of men in whom I can confide, and Armstrong has not my confidence". (39). With the exception of C. L. Stretch, the Gaika agent, the frontier officials generally seem to have been hostile to the Lieutenant-Governor and his measures. Stretch

(34). Napier to Stockenstrom. (28/1/38). (L.G. 5 No. 1.).

(35). Napier to Stockenstrom. (2/3/38). (L.G. 5 No. 23).

(36). Stockenstrom to Napier. (9/2/38). (C.O. 1357 No. 376).

(37). Stockenstrom to Fairbairn. (21/10/36).

(38). Stockenstrom to D'Urban. (17/11/36) and (24/11/36). (C.O. 1352. Nos. 46, 55).

(39). Stockenstrom to D'Urban. (1/11/37). (C.O. 1356 No. 321).

Stretch, for one, stated that "Stockenstrom should have removed Campbell and Armstrong at once....who are daily endeavouring to place obstacles in his way".(40). In a private letter Stockenstrom spoke of the various agents with the tribes as "on our side", "neutral", and "in the hands of the faction".(41). In demanding the resignation of one of these agents, Mitford Bowker, Stockenstrom exclaimed: "It is impossible for me to put my plans into execution unless my subordinates act with me".(42). Bowker himself later admitted: "But we upset him, bothered him from the first, and made him right down savage and careless. For myself, I know I thwarted him for ever".(43). Amazingly enough, there is evidence to show that all this time D'Urban was privately corresponding with frontier officials and using the evidence so obtained to support his allegations against Stockenstrom and his works.(44).

Though, as we have seen, Stockenstrom himself calls for censure, it cannot be denied that lack of co-operation and even obstruction, from the side of the Governor and officials went far to frustrate the purposes of the office. He himself complained that "from first to last my efforts to carry into effect the orders with which I had been honoured by His late Majesty were opposed and thwarted at every step".(45). Governor Napier, too, was of opinion that "he tried in everything to do his duty, but he was thwarted by everybody in every way that they could thwart him".(46). These remarks did not only refer to official relationships. In judging of Stockenstrom's administration during this period it is necessary to take into account the general circumstances under which he worked.

To add to his difficulties, he had the misfortune, as D'Urban put it, "of coming out under the disadvantage of being personally

(40). Stretch to Fairbairn. (4/7/36).

(41). Stockenstrom to Fairbairn. (17/9/37).

(42). Bowker. P.241.

(43). Bowker. P.241.

(44). Bantu, Boer and Briton. P.158; Bowker P.18ff; C.O.1931 Enclosures to C.O.144. No.71.

(45). Stockenstrom to D'Urban. (18/12/37). (C.O.1356.No. 350).

(46). Select Committee on Kaffir Tribes. 1851. P.205.

unacceptable to a large proportion of the inhabitants of the districts he is destined to govern".(47). In 1835 he had been summoned to give evidence before the Aborigines Committee, and, knowing "that my evidence will make me a number of enemies", (48) he had plainly spoken his mind on frontier systems and practices at the Cape. Briefly reviewing the history of the frontier, he had noted the facts of Boer encroachment on all sides and of oppression of the Bushmen and Hottentots, and had censured the whole policy of military coercion. But his evidence was chiefly taken up with a vehement condemnation of the reprisal system, while he also repeated his version of the Zeco affair.(50). The time was ill chosen for publicly expressing such views. The Eastern frontiersmen, still smarting under the losses and sufferings of the war, took it badly. The impression generally prevailing was that they had been indiscriminately denounced as "monsters of cruelty and barbarity".(51). Certain officials went the length of collecting evidence rebutting the charge which had aroused most indignation--that against field cornet P.R. Erasmus.(52). At a

(47).D'Urban to Glenelf: (23/8/36).(C.O. 1447).

(48).Autobiography: Vol. II. P.25.

(50).Stockenström's evidence contained much unpleasant truth but it was inaccurate in parts. We have already dealt with some aspects of the Zeco affair (Ch.1). The evidence put in by Wade further proved Stockenström wrong.(Cory.Vol.III.P.289-90). Similarly his statements about the "system of taking Kaffir cattle under any circumstances by patrols", were, if not exaggerated, then at least unproved. But I have found no ground for Theal's contention that his evidence was "at variance not only with his own previous acts but with his official reports and correspondence".(Vol. II.P.139). In respect of the two main charges--the Zeco affair and the reprisal system.(Cf.Autob.Vol. I. P.322), his evidence was fully consistent with his previous reports.

(51).Compare for example the address of the Winterberg farmers.
(Cory.Vol.III .P.353).

(52).Cory. Vol. III .P.286 ff.

At a meeting in Grahamstown early in 1836, called with a view to petitioning the King for a Commission of Inquiry to investigate the truth of the allegations made before the Aborigines Committee, it was resolved that "the most objectionable evidence is the testimony of Captain Stockenstrom, as being most prejudicial to the character of the inhabitants of the frontier".(53). The appointment of Stockenstrom as the much desired Lieutenant-Governor must have had the appearance of an act of spiteful malevolence. The "Grahamstown Journal" denounced it as "an act of consummate folly", and "a flagrant injustice", (54), and attempts were even made to have him suspended from assuming office until the accuracy of his statements had been inquired into. (55).

Under the circumstances Stockenstrom's welcome in the East was a stormy one. Grahamstown welcomed him with an address challenging his statements before the Aborigines Committee. (56). Stockenstrom declined to receive it and firmly told them that he was determined to act up to his opinions "without thirst for popularity or dread of the contrary". (57). "The first salutations he received among us", wrote Bowker, "embittered the feelings on both sides, and opened his eyes to the difficulty and the hopelessness of the undertaking". (58). Among the Boers, especially in the Northern districts, away from the Eastern Frontier and the Grahamstown press, his reception seems to have been more favourable. The kindness, confidence and affection shown him, which even verged on the enthusiastic, was "beyond my expectation, after all the villainy which has been put into practice to poison their minds". (59). Yet he did not deny that Glenelg's measures were intensely unpopular and none more so than his own appointment. (60). During . . .

(53). Grahamstown Journal. (28/1/36).

(54). Grahamstown Journal. (28/4/36).

(55). Grahamstown Journal. (28/4/36). (7/7/36).

(56). Autobiography: Vol. II. P. 53ff.

(57). " " " " P. 52.

(58). Bowker: P. 241.

(59). Stockenstrom to Fairbairn. (1/10/36). Stockenstrom to D'Urban. (26/12/36). (C.O. 1352. No. 66).

Autobiography: Vol. II. P. 60-1.

(60). Stockenstrom to D'Urban. (3/11/36). (C.O. 1352. No. 39).

During the next two years his unpopularity was, if anything, heightened by the nature of the policy he was pursuing.

Stockenstrom's period of office as Lieutenant-Governor was also marred, as it was cut short, by the unfortunate circumstance of the murder charge against him. While the evidence refuting his charge against P.R.Erasmus was being taken up, a certain H.P. Klopper had deposed before Campbell that Stockenstrom had many years previously, while on commando, shot an unarmed Kaffir herd at point blank range. The depositions of three other witnesses, differing in various details, had been taken by other functionaries. Klopper's statement had been sent to Wade to be laid before the Aborigines Committee, apparently with a view to discrediting Stockenstrom's evidence, while some of the others had been stored in the Colonial Office at Cape Town. Immediately after his arrival Campbell had forwarded Klopper's affidavit to Stockenstrom, but the latter being unable to obtain the only other one of which he knew, the affair had lapsed into obscurity until the libel action of Moodie v.s.Fairbairn brought it to light. By this time he had also learned and got possession of the other depositions.(61).

It is rather surprising that Stockenstrom should have allowed this matter to remain in abeyance for more than a year. The absence of the one affidavit may account for it. Stockenstrom himself explained that he had deemed "Captain Stockenstrom's grievances which involved only his own character and fortune secondary to the duties of the Lieutenant-Governor".(62). To clear his reputation he instituted a libel action against Campbell and lost it to the intense satisfaction of his enemies. Finally Glenelg granted Stockenstrom's request for an official inquiry, and Napier, together with two military officers, conducted a most searching investigation into the charge. The Court by a unanimous decision acquitted Stockenstrom of the charge of murder, as well as Campbell and the others of that of conspiracy.(63).

(61). Stockenstrom to D'Urban.(10/6/37). (C.O. 1354 No. 218).

(62). Autobiography: Vol. II . P.155.

(63). Ibidem. P. 175 ff.

Though the finding of the Court cleared his character, Stockenstrom was of opinion that an unfavourable impression had been created in the mind of Glenelg. Accordingly he asked for leave to proceed to England to lay his case before the Minister.(64).

It seems that he had intimated his intention not to return, but his reception in Downing Street was such as to persuade him to alter his determination.(65) (65) Just then, however, Glenelg went out of office and his successor, the Marquis of Normandy, decided to relieve Stockenstrom of his position in view of "the feelings of distrust and alienation" manifested towards him in his province.(67).

The circumstances, the context in which Stockenstrom worked acquires a special significance when seen in relation to his peculiar personality. These two factors taken together explain much of what occurred during the Lieutenant-Governorship.

Stockenstrom on all occasions proved himself to be^a man of strong personality and independent views and, above all, of very fine ideals. Throughout his career he championed the cause of the weak and oppressed; his conduct was ever shaped by the principles of justice and humanity. What is more, he had the courage of his convictions. His liberal views on questions of colour had brought him into violent conflict with the prejudices and the conventional conceptions of the Colonial community, but he had ever refused to compromise on principles.

On the other hand, he showed both a pronounced disposition to take offence and a peculiar sensitiveness on the score of personal honour and reputation. Witness to this fact is the long series of quarrels, even with intimates like Fairbairn and Philip, which marked his public career; as well as the number of real or imaginary personal wrongs of which he is forever complaining in his Memoirs.

(64). Stockenstrom to Napier. (2/7/38). (C.O. 1357).

(65). Autobiography: Vol. II. P.190.

(66). Ibid. P. 191.3.

(67). Ibid. P. 200.1.

This characteristic of his made his relations with D'Urban, a man of no more accommodating disposition, a matter of particular difficulty. His correspondence with the latter is instructive in this regard. It shows him to have been extremely sensitive to criticism, quick to interpret remarks as "Charges" against him, to which he opposed the most passionate defence, (68), inclined to make personal questions of public matters. (69).

Under any circumstances the difficulties of Stockenstrom's position would have been aggravated by his peculiar temperament. Under the special conditions which obtained at this time, it became impossible. The bitter prosecution to which he was subjected for his evidence before the Aborigines Committee, the hostility manifested towards all his measures, the "vulgar and stupid scurrility" (70) lavished on him by the Grahamstown press, had an unbalancing effect on his mind. It made him more uncompromising than ever in his views, it blinded him to the defects of his own measures, it alienated his sympathies for the ordinary burgher. Added to this was the fact of the murder charge against him. Stockenstrom was convinced of the "deep design" behind this "specimen of the machinations by which it has been attempted to defeat the views of the Home Government on this frontier and to bring about my ruin..." (71). Proudly jealous of his name and honour as he was, he brooded over this charge throughout the period of his Lieutenant-Governorship. The result of all this was to produce in Stockenstrom an attitude of impossible hostility to the Governor, (72) of suspicion and distrust towards officials and burghers, (73) and of hatred and contempt for all who

(68). Stockenstrom to D'Urban. (L.G.274. Nos. 39, 199).
(69). See, for example, his repeated denials that the Trek was due to his frontier system. (Stockenstrom to D'Urban: Deps. 91, 171, 234, 345, 354, 408).
(70). Stockenstrom to D'Urban. (11/12/37). (C.O.1356 No.345).
(71). Stockenstrom to D'Urban. (20/6/37). (C.O.1354 No.218).
(72). He told Fairbairn that the Government was "fomenting and encouraging agitations." (17/9/37).
(73). See his repeated assertions that there was a conspiracy aimed at ruining himself and undoing his measures. (L.G.274. Nos. 79, 100, 123, 182). Likewise he suspected that Hoodie, collecting material for "The Record", was collecting "unconnected & garbled matter out of my official proceedings and by his own distorted constructions to assist in the propagation of the vilest slanders against me. (C.O.1355 No.235).

openly showed themselves his opponents. (74). On the other hand, we must admire him for his lone battle in defence of his convictions. The bitter personal strife of the two years, however, left him little time or energy to devote to the objects of his appointment.

It is clear, then, that the definition of Stockenstrom's position was not sufficiently clear nor the measure of co-operation which attained among the officials ~~such~~ such as to render the office effective for the purposes for which it had been instituted. He was further handicapped by his own temperament and his personal unpopularity. Yet, in respect of the principal objects of his charge, his period of office was not the complete failure it has been made out to have been. Besides infusing an unwonted energy into Eastern officialdom, he appointed much-needed magistrates, while his "system", given more favourable circumstances and the co-operation of the colonists, might have achieved a stable settlement on the Eastern Frontier.

(74). He was satisfied with the contempt with which he had treated the "vulgar and stupid scurrility" heaped on him. (C.O. 1356 No. 345). In another letter he stated "that ~~the~~ to prevent this assumption of office, the basest of calumnies and the most palpable of perjuries... was resorted to - that these base proceedings were countenanced by men in authority - that for years every act of mine has been exposed to the uncontrolled research of those who have given the most indubitable proof of their rancorous hostility - that upon all the said calumnies, perjuries and machinations a species of cowardly insult was attempted to be founded - that the unhappy Relief and other functionaries heaped to gain certain objects by echoing that insult, and instead of being dismissed, as they deserved, were only reminded of their utter insignificance and folly and forgiven, and that after wandering through this ocean of iniquity, my accusers have failed..." (C.O. 1354 No. 199.)

CHAPTER THREE. (III).

AFFAIRS OF THE INTERIOR.

In outlining the reasons for his appointment, Glenelg had mentioned to Stockenstrom as a consideration of no small importance, that "the remoteness of the seat of Government has greatly impaired the efficiency of the local administration".(1). The public affairs of the East were, indeed, in a state of chaotic confusion (2). Lack of effective supervision, which made for official slackness, no doubt, had much to do with it. The official policy of economy and retrenchment, however, militated against effective administration. The control of the frontier districts, rendered more difficult by reason of the enormous extent of the area and the sparseness of the population, was seriously hampered by the insufficiency of officials of all kinds. At this time three magistrates, each with a subordinate at a minor centre, were administering the law in an area of 33,000 square miles, with hardly a living soul to the square mile.(3). No wonder that the emigrants told Stockenstrom: "We leave as we know neither law nor Government--except to pay money and be punished for acts we did not know to be wrong".(4).

Stockenstrom set about reorganising the affairs of his department with characteristic energy and ability. Conditions were most difficult in the great expanses of the North-East where the lack of magistracies rendered control on the part of the Government and the due administration of justice very difficult and extremely imperfect. Immediately after his arrival, Stockenstrom pressed for reform. The ...

(1). Glenelg to Stockenstrom. (5/2/36). (C.O.1323).

(2). Stockenstrom writes to Fairbairn. (1/10/36): "Hundreds of people are emigrating because they say there is no law in the land..... and with all this no civil commissioner has been seen in the remote parts for eight or more years. In fact no one functionary has an idea of the state of things here--all is chaos".

(3). S.A.Commercial Advertiser: 18 May 1836; Cory.Vol. III.P.424.

(4). Stockenstrom to D'Urban. (25/10/36). (C.O.1352 No. 34).

The proposal he submitted to the Governor provided for the creation of three new districts with their own magistracies, those of Port Elizabeth, Cradock and Colesberg. (5). Port Elizabeth was at this time a rapidly growing town and a concomitant increase in crime made the absence of a local tribunal a matter of serious grievance. (6). The new frontier districts of Cradock and Colesberg comprised, roughly, the northern and north-eastern wards of Somerset and Graaff-Reinet respectively. (7). Their magistrates were also to discharge the duties of justice of the peace and civil commissioner. In the latter capacity, Stockenstrom considered, the frontier had special need of them, both in respect of relations with the bordering tribes and the increasing variety of domestic subjects which called for more prompt and efficient handling. (8). During 1837 Stockenstrom also effected the separation of Somerset from the administration of the Civil Commissioner of Albany and its creation into a distinct district. (9). By these arrangements he gave general relief to the inhabitants of the East and made a notable contribution to the promotion of law and order on the frontier.

Stockenstrom was hampered in his task by the prevailing public poverty which forced him to combine economy with efficiency, often to the detriment of the public service. Thus he adopted the expedient of the combination of offices, which at least in the case of Grahamstown reacted adversely on the efficiency of the district office, if the complaints of the responsible official as well as the testimony of both D'Urban and Napier are to be believed. (10). Similarly his endeavours in other respects were restricted by financial considerations. He

(5). Stockenstrom to D'Urban. (27/9/36). (C.O. 1352. No. 16).

(6). Letter in Grahamstown Journal. 28 June, 36.

(7). Government Gazette: 10.2.37.

(8). Stockenstrom to D'Urban: (13/1/37). (C.O. 1352 No. 68).

(9). Stockenstrom to D'Urban: (29/6/37). (C.O. 1354 No. 226);
Government Gazette: 14.7.37.

(10). Campbell to Hudson: (29/3/37). (L.G. 45 No. 74); D'Urban to Stockenstrom: (14/9/37). (L.G. 4 No. 184).
Napier to Glenelg. (15/2/39). (C.O. 1448).

He complained that "nothing can be more truly lamentable than the state of the prisons, schools, roads and other public establishments, the improvement of which is principally obstructed or retarded by the want of means.(11).

Stockenstrom wrought a great change in the state of affairs in the East. His first task being that of restoring order, he called for arrear taxes and dues (12), and for all books, papers and returns necessary for placing the public business on a proper footing.(13) . He carefully supervised the acts of his subordinates, showing no mercy to incompetent or dilatory officials, insisting on punctuality, regularity and attention to the interests of the public,(14). and enforcing the strictest economy in the public service, even to the extent of cutting the salaries and allowances of his subordinates down to a minimum.(15).

Of all the branches of the public service, none was involved in greater confusion than that dealing with the land question--a matter which vitally affected every frontiersman and thus was more likely than any to be the cause of irritation and dissatisfaction. The quit-rent system had worked badly, mainly by reason of the fact that an understaffed administration had failed to cope with the additional administrative work. Lack of surveyors and official slackness were, no doubt, partly responsible for the fact that by 1836, four years after the Ripon plan had been applied to the Cape, there were still numerous "request-places" for which no titles had been issued.(16). More recently there had been considerable irregularity in connection with surveys. Various surveyors had been allowed, in contravention of the regulations, to survey lands without prior inspection and to collect the survey fees themselves. Subsequently most of these surveys had been proved inaccurate,

(11).Stockenstrom to D'Urban.(1/5/37).(C.O.1354 No.177).

(12).Hudson to Campbell.(29/10/36).(L.G. 280).

(13).Hudson to Campbell.(26/8/37).(Enclosure to C.O.1355 No.278).

(14).Hudson to Campbell.(20/3/37).(3/4/37).(L.G. 280).

(15).Stockenstrom to D'Urban.(31/7/37).(26/9/37).(C.O.1355 Nos. 247,295).

(16).v.d.Merwe. P.127.

many diagrams had not been supplied and no accounts or records of surveys could be produced.(17). As a result there was much confusion, unsettlement and discontent among the farmers, who felt themselves insecure in the possession of their lands, and were exposed to endless litigation.(18). Besides these irregularities there were cases of official favouritism and injustice in the matter of grants, while the Governor himself was found to have illegally granted away to officials and others, practically all the lands reserved by Sir Lowry Cole for Hottentot settlements along the frontier. (20). In fact, Stockenstrom exposed "a chain of official error and neglect, a regular system of fraud, deception and petty oppression, extortion and favouritism, quite sufficient to account for every phenomenon which appals the friends of order..." (21).

Stockenstrom took immediate and drastic measures for restoring order. He persuaded the Governor to commence immediately the re-survey of lands and the issue of title deeds;(22) demanded redress for applicants unfairly treated,(23) and insisted that the several assignments of reserved lands be declared null and void, and that the lands be appropriated to the correct purposes.(24). In the latter object he succeeded,(25) but chiefly by reason of official obstruction, the land question generally was not brought to regularity during his Lieutenant-Governorship.(26).

A cause to which Stockenstrom rendered a signal service during this time was that of education. *The*

-
- (17). Stockenstrom to D'Urban. (23/8/37). (C.O. 1355 No. 269). (28/12/37).
(C.O. 1356 No. 354).
- (18). Stockenstrom to D'Urban. (7/9/37). (C.O. 1355 No. 282).
- (19). Stockenstrom to D'Urban. (12/6/37). (C.O. 1355 No. 236). to Napier,
(31/7/38). (C.O. 1357 No. 408).
- (20). " " " (26/8/37). (C.O. 1355 No. 274).
- (21). " " " (11/12/37). (C.O. 1356 No. 345).
- (22). " " " (27/9/36). (C.O. 1352 No. 15).
- (23). " " " (12/6/37). (C.O. 1355 No. 236); to Napier:
(31/7/38). (C.O. 1357 No. 408).
- (24). " " " (26/8/37). (C.O. 1355 No. 274).
- (25). Autobiography: Vol. II. P. 370-1.
- (26). Stockenstrom to Napier: (1/8/38). (C.O. 1357 No. 415).

The state of the public schools and education in general throughout the Colony urgently called for attention.(27). While promoting the cause of education in various ways, by having existing schools repaired and encouraging and supporting the establishment of new schools, including evening schools for the coloured, Stockenström called for drastic Government interference,(28) and especially for the establishment of a distinct school commission for his division, furnished with a due proportion of the funds.(29). His action at least had the effect of arousing interest in the state of education. In a memorandum on the subject the Colonial Secretary, Colonel Bell, expressed himself against the suggestion to create a second school commission. Attributing the deplorable state of education to the lack of competent teachers and the feebleness of the supervision exercised by the Central School Commission, he urged the appointment of a Director-General of Education for the Colony.(30). Before any action could be taken in the matter D'Urban retired and Stockenström recommended the cause of education to Napier's "early solicitude".(31). The Governor called for suggestions for reorganising the educational system from Sir John Herschel, the astronomer, and transmitted his memorandum, together with that of Bell, to Downing Street. The Secretary of State favourably received these proposals and sanctioned the expenditure for the introduction of the famous Herschel System of public schools, and the appointment of a Superintendent-General of Education.(32).

By bringing the courts of law and the local authorities nearer to the people, by tightening up the administration and improving educational facilities, Stockenström did much to improve conditions on this borderland of civilization.

-
- ((27). S.A. Commercial Advertiser: 9.3.36; 3.9.36.
(28). Stockenström to D'Urban: (14/8/37). (C.O. 1355 No. 256).
(29). Stockenström to D'Urban. (7/3/37). (C.O. 1353 No. 120).
(30). Bell's Memorandum. (Enclosure to C.O. 1448 No. 11).
(31). Stockenström to Napier. (7/2/38). (C.O. 1357 No. 375).
(32). Glenelg to Napier. (22/12/38). (C.O. 1326).

In the promotion of law and order in the East Stockenstrom came up against the most troublesome of the domestic problems of the Colony-- the problem of the free but landless Hottentot. The 50th Ordinance had by now had a trial of eight years, but as yet the unfortunate effects attending this revolution in legal relationships had not worn off. The attempt, in 1834, of the Colonial community to apply the practical remedy dictated by self-interest and prejudice had been promptly quashed by the authorities at Home. This action had averted the threat to the gains of 1828, but it had left the evils of vagrancy and stock theft in unimpaired force.

There is evidence to show that by this time these evils had, if anything, gained in seriousness. Unofficial estimate puts the number of vagrants in the Colony at this period at between eight and ten thousand.(33). Stockenstrom, himself, reported much unauthorised squatting and trespassing on public and private lands.(34). In 1838 Governor Napier stated that to his knowledge vagrancy existed "in an alarming degree".(35). Evidence of the gravity of the situation is provided by the action of the Chief Justice, Sir John Wylde, in applying the death sentence in cases of stock theft, while on circuit in 1839. In justification of this drastic action, he pointed to the alarming frequency of such thefts in districts of the Eastern division, and for which he chiefly blamed vagrant Hottentots.(36). The inhabitants of Colesberg in petitioning the Lieutenant-Governor for a vagrant law reported daily acts of theft and house-breaking on the part of vagrants infesting those parts.(37). The effect of the abolition of pass-laws had, of course, not only been to render property less secure but also to rob the farmer of a dependable labour supply. In . . .

(33). Boyce. P.119.

(34). Stockenstrom to Napier.(24/4/38).(C.O.1357 No.404).

(35). Napier to Glenelg.(22/6/38).(C.O.1448).

(36). Marais: P.182.

(37). Colesberg Memorial.(Enclosure to C.O.1355 No. 297).

In this connection the colonists had at least one just grievance. Napier remarked on the propensity of the Hottentots for changing masters. The fact that long-term engagements were generally disliked made things more difficult for the farmer, but what was much more serious was that short-term contracts were frequently broken, and with impunity at that. (38).

The importance of the question was enhanced by the fact that the whole slave population would soon go to swell the ranks of the free coloured class. In view of the failure of the administration and the Colonial police system to cope with the situation created by Hottentot emancipation there was every reason for alarm at the prospect of this new development. Again, it was not only a question of security but also one of labour. Napier, along with the Colonists, was apprehensive about the future. If the late apprentices were to put their freedom to the same use, he feared that practically the whole Colony would be thrown on the "verge of vagrancy". He was persuaded of the necessity of some enactment on the subject. (39).

As we have seen Stockenstrom had been alive to the fact of vagrancy. Writing to a friend in 1833, he expressed the view that the failure to prevent vagrancy had been responsible for the outcry against Ordinance 50. The depredations of the Hottentots "acquired in the eyes of the ignorant...the appearance of being warranted by that enactment". (40). As to the slaves, he was of opinion that after emancipation they would be found working as before. "Nothing but the just and impartial execution of wise vagrant laws...will be requisite...". (41).

His comments on Napier's suggestion revealed a change of view. He showed himself distinctly sceptical about the efficacy of coercive measures as a remedy for the evil. He pointed out that the effect of previous laws on the subject had been merely to drive the evil underground. The

(38). Napier to Glenelg. (22/6/38). (C.O.1448).

(39). Napier to Glenelg. (22/6/38). (C.O.1448).

(40). Autobiography: Vol. II. P.8.

(41). Ibid. P.5.

The root of the trouble was that, the Europeans having possessed themselves of all the grazing lands in the Colony, the Hottentots were left the alternatives of living as vagrants or working for the Colonists at next to nothing. In this connection he specially remarked on the fact "how perfectly consistent in this Colony a clamorous complaint against a congregation of idle labourers and of a great demand for labour is with a refusal on the part of the complainants to pay anything like a reasonable price for labour".(42). The passage of a vagrant law, he feared, would tend only to reduce wages still further. He, himself, favoured putting an end to vagrancy, but "I never knew civilization to consist in one man being forced to serve another who has deprived him of his land".(43).

There was much that was sound in Stockenstrom's criticisms of vagrant laws. Coercive measures being purely negative in their effects would never solve the problem. Moreover, as long as wages remained low and land a white monopoly there could be no justification for compelling persons of colour to work if they could live without doing any. Stockenstrom was right, too, in his view that any measure aimed at securing a "sufficiency of labourers" would inevitably depress wages and prevent the Hottentots from improving their position. Under the circumstances it was impossible to devise a vagrant law which would not again place the Hottentots in the powers of those who previously, according to Stockenstrom, "on the pretext of enforcing the law or suppressing vagrancy, were only persecuting those whose services they wanted gratis".(44). To sum up, any such measure would be a piece of purely "class legislation". For Stockenstrom, however, there was no going back on the principle of "non-discrimination" established in 1828. "We will never again see the day", he told Commandant Tjaart van der Walt, "when under British rule different degrees of rights and privileges will exist for different classes of His Majesty's subjects".(45).

(42). Stockenstrom to Napier. (19/4/38). (C.O. 1357 No. 402).

(43). Stockenstrom to D'Urban. (27/9/37). (C.O. 1355 No. 297).

(44). Stockenstrom to Napier. (19/4/38). (C.O. 1357 No. 402).

(45). Stockenstrom to van der Walt. (20/9/37). (Enclosure to C.O. 1355 No. 297).

Stockenström's view was that the farmers were to be left to solve the labour problem themselves by offering better wages and conditions of service. For the rest, the law was there to protect their property; while he urged more stringent provisions against trespassing and unauthorised squatting.(46). In short, Stockenström's policy was: protection for the Colonists consistent with the rights and liberties of the Coloured People. The trouble, of course, was that the law could not be effectively applied for want of sufficient magistrates, prisons and police.

As Stockenström had pointed out in 1833, the only constructive solution to the problem of vagrancy consisted in giving full effect to the spirit of the 50th Ordinance.(47). That law by itself was a half-measure. It was not enough to have freed the Hottentots from one set of unsatisfactory conditions but to have offered them no decent alternative, to have given them freedom while leaving them in a position of abject economic dependence. If the Government's policy was to be worked out to its logical conclusion, it had to be made possible for persons of colour to attain to independence of status, to become something better than ordinary labourers. To that end it was necessary to give them land of their own. The success of Stockenström's experiment at the Kat River had persuaded at least one observer that, "where no impediments oppress, they (The Hottentots) are capable of attaining a respectable station in the ranks of society".(48). It was only by making them worthy of the freedom which had been conferred on them that the authorities could effectively guard against abuse of it.

With the establishment of the Kat River Settlement Stockenström had made a real and valuable contribution to the solution of the problem; he now proposed to amplify it. The first people to engage his attention were the Hottentots who had drifted to the towns from unsatisfactory conditions of employment on the farms. Already . . .

(46). Stockenström to Napier.(19/4/38).(C.O.1357. No.402).

(47). No. 538 of 1836. P.153.

(48). Autobiography: Vol. II. P.408.

Already there were complaints that these landless and destitute persons congregating on the fringes of towns and villages, were resorting to plunder for a living.(49). Stockenstrom recognised that the evil was aggravated if not caused by the lack of decent homes and profitable employment. Accordingly he instructed his Civil Commissioners to try the experiment of providing these people with plots of ground on the outskirts of towns.(50).

Stockenstrom, however, had a more comprehensive scheme in mind. In short, he intended following out his original plan of lining the frontier with Hottentot settlements on the principles of that at the Kat River. By this means he not only sought to strengthen the frontier by securing a dense population on the immediate border, but he also intended creating an auxiliary force which, by co-operating in the defence of the Colony, would enable the Government to reduce the strength of the military forces.(51). Thus these settlers were to be armed and provisioned at the public expense, were to execute the orders of the military officers on the frontier, and to assist in intercepting thieves and stolen property.(52). Apart from their military value, however, these settlements were intended as "an act of dilatory justice to a once oppressed people".(53). They were to provide relief for the landless and unemployed Hottentots and to "reclaim from idleness and inebriety a people who appear only to require a proper stimulus to prove themselves reclaimable".(54).

Stockenstrom's plan provided for the settlement on locations of parties comprising ten families each. As these settlers were wholly destitute, each family was to be provided with fifty goats, which were to be paid off in time. As

(49). Stockenstrom to D'Urban.(13/1/37). (1353 No. 76).

(50). Circular to Civil Commissioners.(16/9/36).Enclosure to C.O.
1353 No. 76).

(51). Stockenstrom to D'Urban.(3/4/37).(C.O.1353 No.142); (27/7/37
(C.O.1355 No.241).

(52). No.424 of 1851 P.97;Stockenstrom to D'Urban.(3/4/37).(C.O.
1353 No. 142).

(53). Stockenstrom to D'Urban.(11/12/37).(C.O.1356 No. 354).

(54). Stockenstrom to D'Urban.(3/4/37). (C.O. 1353 No. 142).

As for land, he intended utilising those tracts which had been preserved by Sir Lowry Cole for this precise purpose.(55). At the very outset, however, he found his plan obstructed by the fact that D'Urban had disposed of practically all these lands.(56). While waging a bitter struggle for the restoration of these lands, he was forced to fall back on such areas as were still available for the purpose. D'Urban having sanctioned the arming and provisioning of these settlers, Stockenstrom established his first settlement of fifty families below the junction of the Fish and the Kat. By June he had also fixed three other small settlements further down the Fish.(57). By reason of the land difficulty the scheme was naturally on a much smaller scale than Stockenstrom had originally intended. By the end of that year approximately 300 Hottentots had been located in this way.(58). Stockenstrom, however, had hoped to locate 500 families on the frontier settlements. In view of the saving in ^{military} expenditure it made possible, as well as the material and moral advantages with which such a scheme would be attended for the Hottentots, he confidently appealed to the Secretary of State for financial assistance for expediting his settlements.(59).

Stockenstrom's scheme never had a chance. Unlike the Kat River experiment, these settlements were handicapped by the poverty of the soil on which they were placed. The lands were comparatively sterile, the pasturage sour and the place badly watered.(60). As Stockenstrom bitterly complained; "every inch of soil worth having" had been given away to "addressmongers".(61). Another most potent factor militating against the success of this venture was the extreme poverty of the settlers. Stockenstrom, who had bought 1500 goats out of his own pocket,(62) in appealing to "the friends

-
- (55). Stockenstrom to D'Urban. (3/4/37). (C.O. 1353 No. 142).
(56). Stockenstrom to D'Urban. (26/4/37). (C.O. 1355 No. 274).
(57). Hudson to Campbell. (26/4/37). (L.G. 281).
(58). Hudson to Sandford: (23/1/38). (L.G. 281).
(59). Stockenstrom to D'Urban. (17/4/37). (C.O. 1355 No. 261).
(60). Grahamstown Journal: 19 July 1838. No. 424 of 1851. P. 97.
(61). Stockenstrom to Fairbairn. (11/8/37).
(62). Ibid.

of religion and humanity" at home for support, stated: "They are without herds or flocks, without clothing or the commonest agricultural tools..."; and he emphasised that:"my plan cannot succeed without missionaries or schoolmasters, seed corn and agricultural instruments".(63). Whatever assistance was obtained from that quarter, none was forthcoming from the side of the Colonists or the Governor. Even Glenelg was discouraging, preferring rather to see the Hottentots becoming "free labourers".(64).

Under these circumstances it was only to be expected that these plantations should fail. By the middle of 1839 the settlers were still receiving rations (65), and it had become clear that there was no prospect of their becoming a self-supporting community of small farmers. Their goats had gradually died off, they had taken to hunting and wandering about; many had left their places altogether and others had taken to cattle lifting or gun-running. In 1841 Lieutenant-Governor Hare decided to abandon the settlements. (66).

The failure of this experiment does not detract from the creditableness of Stockenstrom's efforts. It only serves to emphasise the enormous difficulties, the universal apathy or opposition, which faced the few Europeans who honestly strove to promote the welfare of the coloured classes. The value of Stockenstrom's work in this respect, and its almost unique character, is only recognised when we remember that "with this experiment, all attempt to give the Hottentots the hope of rising to economic independence was allowed to lapse". (67).

(63). S.A.Commercial Advertiser. 7 July 38.

(64). Glenelg to Napier.(9/11/37). (C.O.1325).

(65). Sandford to Hudson.(20/6/39). (L.G.122).

(66). No.424 of 1851 P.91.

(67). W.M.Macmillan: The Cape Colour Question. P. 252.

CHAPTER IV.

TREK-BOERS AND VOORTREKERS.

The Lieutenant-Governorship saw the trans-frontier problem gain greatly in scope and complexity. The spontaneous movement across the Orange, assuming ever larger proportions, led to increasing settlement in Transorangia during this period, while acute land-hunger and political discontent within the Colony combined to produce a great exodus which brought new problems and fresh complexities in its train.

Round about 1834 the Government had for the first time taken action on the Northern frontier, when it opposed a firm refusal to all requests for land grants and for the extension of the boundary in that direction. (1). At the same time a new policy was introduced to the Colony which aimed at the preservation of peace and stability beyond the Colonial border by the conclusion of treaties of friendship and alliance with neighbouring chiefs, by which their sovereignty and land rights were recognised. At the end of 1834 D'Urban negotiated the first of these treaties with Waterboer, the Griquatown Chieftain, by which the latter was accorded recognition and, in return for some remuneration, undertook to keep order along the frontier from Kheis to ~~KRama~~ and to protect it from violation from without. He was also to receive a Government agent in the person of Rev. ^{P.}Wright. (2).

While thus securing the Griqua right flank, D'Urban missed the vital significance of the situation of Philippolis, which was in the direct line of Boer advance to the North. In the years following Stockenström's departure Boers had found their way in increasingly large numbers into the lands beyond the Orange, especially into those of the Philippolis "state", which were most accessible to the frontier farmers. Thus in July 1834 Rev. Kolbe reported the presence of hundreds of Boers in the lands around and to the North of Philippolis. "The

(1). Bantu, Boer and Briton. Pp. 46, 171-2.

(2). Walker. P. 191.

"The Riet, Modder and Vaal Rivers are thronged with Boers", he stated, "and the whole country is depastured by their cattle". What is more, he remarked on the readiness with which individual Griquas sold or hired out their places to the incoming Boers; an evil against which the Chief appeared to be powerless.(3). It was evident that the Boers had come to stay. Donald Moodie, after a tour of these parts, expressed the view that "nothing but the submissive disposition of these people and their strong desire to live under the protection of the laws, and within the privileges of their church, could have prevented them from long since taking possession of a country where they found no competitors...", and he warned that any show of compulsion from the side of the Colonial Government might lead to their disclaiming its authority.(4).

The generality of the Griquas, with an eye only for immediate profit, welcomed these Boers into their country. Both the missionary and the Chief of Philippolis, however, were alive to the threat to their security which the presence of such numbers of land-hungry Boers constituted. In October 1834 Adam Kok, the "Captain", petitioned the Governor on the subject of Boer intrusion into his lands. He asked that their lands and property should be guaranteed them, that Boers who had purchased farms should be expelled from Transorangia and that they should be assured of future government by their own chiefs and officials; failing that, he pleaded for the incorporation of his country in the Colony.(5). In 1835 he personally journeyed to Cape Town, hoping to effect an arrangement by which "the rights of his people and the interests of his country may be more permanently established and better secured". He repeated his request that they should either be recognised as the lawful possessors of the land or be incorporated in the Colony with their land rights ~~to be~~ secured to them.(6). In a

(3). Kolbe to Philip.(14/7/34).(C.O.1011).

(4). Moodie to Menzies.(18/12/34).(C.O.1011).

(5). Kok's Memorial to the Governor.(13/10/34). (C.O.1011).

(6). Kok's Memorial to the Governor.(27/6/35). (C.O.1011).

In a pencilled note to this Memorial D'Urban stated: "I am well disposed to enter into a treaty with Kok", and he suggested a draft on the lines of the agreement with Waterboer. Kok, however, found the Governor away on the frontier and was prevented by the state of his health from awaiting his return.(7). He died soon after, and thus nothing came of this attempt at securing closer relations with the Colonial Government.

By the end of 1835 D'Urban could speak with satisfaction of the effects of the treaty with Waterboer and of the Chief's exertions for the establishment of peace and order beyond the frontier.(8) The condition of Campbell, however, was deplorable. Waterboer reported that the station was lying waste and that the Chief, Cornelis Kok, had lost most of his subjects in attacks on surrounding tribes.(9). This was confirmed by Donald Moodie who found the population dispersed and the lands converted into a farm for the Chief.(10). From Philippolis came rumours of the hostile intentions of the Griquas towards Waterboer and Umzilikazi. W.C.van Ryneveldt, Civil Commissioner of Graaff-Reinet, who was sent up to investigate the truth of these reports, reported on the state of affairs there. The Griquas disclaimed all intention of attacking other tribes, nor had they any complaints to make against the Trek-Boers. On the contrary, Hendrik Hendriks, Kok's secretary, stated that an excellent understanding existed with both the farmers on the Northern frontier and the Trek-Boers, that the latter paid well for grazing and that the Griquas generally benefitted by their presence. They reiterated, however, the desire to be acknowledged as allies of the British Government.(11).

This was the condition of Transorangia by the time of Stockenström's arrival.

-
- (7). Kok to D'Urban.(26/8/35). (C.O.1011).
(8). D'Urban to Glenelg.(7/11/35). (C.O.1447).
(9). Waterboer to Smith.(15/12/35). (C.O.1011).
(10). Moodie to Bell.(16/6/36). (C.O.1011).
(11).Van Ryneveldt to Bell.(10/2/36).(L.G.80.Enclosure to No.8).

Before the Aborigines Committee he had expressed himself in favour of dealing with the Griquas on the same principles as with the tribes on the Eastern frontier; that is: establishing friendly relations with the Chiefs and affording them security of land and property. He had specially praised the work of the L.M.S. in domesticating the Griquas, which had made possible the conclusion of a treaty with Waterboer, of the beneficial effects of which, both for the Griquas and the Colony, he was convinced.(12). Soon after his arrival he informed F.Rawstorne, the newly appointed Civil Commissioner of Colesberg, that "it is His Majesty's intention to enter into treaties with the Griqua Chiefs, of which copies will be sent to you for information and guidance, and to which I must call your particular attention as one of the most important objects of your charge".(13). He emphasised that the British Government claimed no jurisdiction of any kind over the Griquas, who were consequently to be considered as an independent people. All British subjects going amongst them would have to submit to their laws. The most friendly intercourse was to be kept up with them and their improvement and civilization were to be promoted in every possible way.(14).

On his tour along the Northern frontier Stockenström gave further expression to his views on the policy to be pursued towards the Griquas. He insisted on the rights of these people to the lands beyond the Orange and expressed the desire "that the Griquas should not be disturbed, that on the contrary it was my anxious wish to see these descendants of the Hottentot race settled, cultivate the soil and consolidate themselves into an organized community". He met Kok and his Council on the Orange and his views gave them "the most lively satisfaction". He intimated to Kok his desire to conclude a treaty with him, but insisted on the settlement of his differences with Waterboer as a necessary preliminary to such an agreement. On

(12). No. 538 of 1836. P.96.

(13). Hudson to Rawstorne.(5/1/37). (L.G.280).

(14). Hudson to Rawstorne.(9/1/37).(L.G.280).

On their part the Griquas gave "the most solemn assurances.... of their peaceable intentions and good faith", and promised not to assist the emigrants in possible aggressions on other tribes. As to the Trek-Boers, Stockenstrom expressed himself as most satisfied with their relations, with the Griquas, and he encouraged the system of hiring out Griqua lands to the Boers, as it established the right of the farmer to the soil and strengthened their mutual dependence. "It affords us a hold upon our neighbours", he wrote, "which we never before possessed, makes them a bulwark of defence instead of objects of dread and suspicion, secures their protection for the Bushmen and other native tribes and paves the way to their own civilization". Naturally many farmers objected to these "undue concessions to the natives", but he convinced them that "a friendly tribe protecting and grazing their flocks for payment were better neighbours than gangs of marauders". He was aware that the Griquas had possessed themselves of much Bushman country, but they had promised to protect the Bushmen and the Griqua state might serve as a retreat for many Hottentots for whom no land was left in the Colony. (15).

Contrasting these views with those he expressed as Commissioner-General, we find that he showed less qualms about the strength and justice of Griqua claims to the land. He realised by now that the reinstatement of the Bushmen "had become forever impossible", (16), and that the only course for securing order and stability in Transorangia would be to recognise the rights to the territory of its actual occupants and to strengthen the authority of the Chiefs by official recognition and support. On the other hand, he showed himself reasonable towards Boer claims and needs.

By the terms of the treaty ^{which} Stockenstrom was prepared to offer Kok, the British Government was to acknowledge "the right of the Griquas to the territory beyond the present Colonial boundary within those limits which shall be agreed on and which will not infringe

(15). Stockenstrom to D'Urban. (13/1/37). (C.O. 1352 No. 74).

Stockenstrom to Fairbairn. (18/1/37).

(16). Bantu, Boer and Briton. P. 192.

on the rights of other independent tribes"; British subjects crossing the boundary into Griqua territory were to place themselves under Griqua jurisdiction; a British Agent was to be appointed to the Griqua Chief, and the latter was to co-operate in preserving the tranquility of the border and to protect it along the extent of his territory, to punish infringements of the treaty and depredations on the part of his own subjects, and to keep the peace with other tribes.(17).

In February of 1837 the necessary agreement was arrived at between Waterboer and Kok, by which, among other things, they divided between themselves the whole territory from *Kheis* to Kownetspruit. ~~by the line which was to play so important a part in the future Diamond Fields dispute.~~ This arrangement ignored the legitimate claims of Cornelis Kok, Lepui, Moshesh and other chiefs. (18). Stockenström, while expressing his pleasure at the agreement, which he hoped would make for greater tranquility beyond the Orange, expressed his objections to the territorial provisions. His Majesty's Government, he stated, could not countenance the extension of Griqua jurisdiction to the extent provided for by the treaty between the Chiefs, without first satisfying itself that the rights of independent tribes were not sacrificed, as that could only lead to wars and disturbances and thus defeat the very purpose of the treaty. He insisted on satisfactory adjustments on these points as a condition of the conclusion of the treaty.(19).

The internal situation at Philippolis, however, was such as to defeat Stockenström's attempt at establishing an effective relationship between Philippolis and the Colony. Abram Kok, who had succeeded the deceased Adam, had given little satisfaction to his people. In addition, he was under the influence of the missionary, Kolbe, who was opposed to closer relations with either the Colony or Waterboer.(20). *In . . .*

(17). Hudson to Wright.(26/4/37).(L.G.280).

(18). Theal Vol. II.P.476; Grahamstown Journal. 4 May, 1837.

(19). Hudson to Wright.(26/4/37). (L.G. 280).

(20). Hendriks to van Ryneveldt.(17/8/36). (L.G.80, Enclosure to No. 5).

In spite of his engagements with Stockenstrom and Waterboer, Abram Kok and his party were determined on sending an expedition against Umzilikazi and equally determined on declining the proffered treaty with the Colony.(21). Abram was at logger-heads with his Council over Mr. Kolbe, whom the latter wished to expel, and it was clear that the country was drifting into anarchy. Apparently there was a rival party which favoured the claims of the younger Adam, who also had the backing of the L.M.S. missionaries.(22). By October 1837 Waterboer reported that Abram had "abandoned himself to the support of the marauders of the country", and that he was no longer acting as Chief.(23). Soon after, he withdrew altogether from Philippolis, significantly taking all the gunpowder on the place along with him, and was succeeded by Adam.(24). From this time a state of chronic civil war existed at Philippolis, the rival factions occasionally getting to grips and Abram having the support of Cornelis Kok. By June 1838 Hendrik Hendriks sent an appeal to Stockenstrom to come north to decide the rights and wrongs of the case,(25) while Cornelis Kok, longing for rest and peace, also desired the Lieutenant-Governor to intervene.(26).

Stockenstrom had already been disappointed in Abram Kok, who had allowed his subjects to assist the Boers in the expedition against Umzilikazi. He considered that the Colonial Government could not by treating with the Chief countenance such proceedings. (27). The change for the worse in Kok's feelings and the complete disorder which reigned beyond the Orange from the middle of 1837 persuaded Stockenstrom to await the outcome of the crisis in Griqua affairs before coming to a decision. (28). Thus it came about that he left the Colony without having concluded the treaty, and with the affairs of Transorangia as unsettled as ever.

-
- (21). Anderson to Stockenstrom.(28/6/37) .(L.G. 191).
(22). Atkinson to Rawstone. (L.G. 67 Enclosure to No.44).
(23). Waterboer to D'Urban.(10/10/37).(L.G.4 Enclosure to No.220).
(24). Rawstone to Hudson.(11/11/37).(L.G. 67).(No.66).
(25). Hendriks to Stockenstrom.(14/6/38).(L.G. 191).
(26). Kok to Stockenstrom.(23/6/38). (L.G. 191).
(27). Hudson to Wright.(26/4/37). (L.G. 280).
(28). Hudson to Rawstone.(14/8/37). (L.G. 281).

It was all the more unfortunate that Stockenstrom was prevented from taking effective action in the North as Griqualand entered on a critical period of its history during these years. Economic distress among the farmers of the Colony was becoming acute just at this time. As Stockenstrom had pointed out, the area included within the Colony by the last extension of the boundary in 1824 was already fully occupied at the time of incorporation so that it had in no way relieved the pressure of population. (29). The surplus population which had accumulated in the frontier districts during all these years inevitably overflowed into the regions beyond. The practically vacant lands beyond the Stormbergspruit provided one outlet, but the greater influx was into the lands beyond the Orange.

To add to the difficulties of a cramped farming community, drought followed drought in grim succession during the years between 1834 and 1838. (30). As a result there was large-scale trekking into Griqualand. Mr. Wright, somewhat anxiously, reported in 1837 that the Boers beyond the frontier were rapidly increasing in numbers. (31). The severe drought of that year practically produced the depopulation of the frontier districts. In the Winterveld ward alone 60 out of the 85 farms were deserted by their owners. (32).

The movement across the Orange had by now passed beyond the stage of seasonal migrations. As Stockenstrom had foreseen, the next phase was that of permanent settlement. Soon after 1830 Boers had begun to settle down in Transorangia. (33). These were chiefly men who could find no land in the Colony, as was proved by a petition of 225 farmers from Transorangia to the Governor on the occasion of his recalling the Trek-Boers to the Colony in September 1834. *These . . .*

(29). v.d. Merwe: P.242.

(30). Ibid. P.304.

(31). Wright to Stockenstrom. (6/8/37). (Enclosure to C.O.1355 No. 297).

(32). Rawsterne to Hudson. (21/3/38). (L.G. 67. No. 20).

(33). v.d. Merwe. P.342.

These men, in petitioning the Government for grants of land in that region, informed that they possessed no land whatever in the Colony. (34). But undoubtedly many of the farmers who had been crossing the frontier for years, ultimately settled down across the Orange. The rapid increase in flocks, made possible by the excellence of the grazing in Griqualand, made it more difficult for the farms within the Colony to carry them. Moreover, there were bigger and better farms for the having in Griqualand than many of the Boers possessed in the Colony; while settlement there would obviate the necessity of undertaking an arduous trek across the Orange for change of pasture. Thus by the start of the Great Trek there must have been a not inconsiderable number of Boers who had made Transorangia their home. In his return of farmers who had quitted the Colony, Rawstorne in 1837 mentioned 5 families who were "from several districts originally, but did ~~origina~~ in 1836 in Nieuw Hantam; being then residing outside the boundary in Griqualand"; Likewise eleven other families "who have been for some years residing over the boundary". (35).

During these years settlement in Griqualand was accelerated, both by reason of conditions within the Colony and the fact of the Great Trek, which at least showed up the inability of the Colonial Government to prevent farmers from settling beyond the borders. Thus field cornet M.A. Oberholzer, the future leader of the Boers in Transorangia, stayed behind in Griqualand, where he had gone to escape drought conditions in the Colony, and settled along the Riet River. (36). In March 1838 Rawstorne reported that the farmers had not returned to the Colony though the drought had broken, and he suspected that they had no intention of returning to the Colony. (37). By June many had returned, but in the Winterveld alone 20 farms were still unoccupied while many others were still staying about the Riet and Modder Rivers. *Oberholzer*

(34). v.d. Merwe. P.328 ff.

(35). Rawstorne to Hudson. (22/3/37). (L.G. 67 No. 12).

(36). Rawstorne to Hudson. (8/2/37). (7/5/38). (L.G. 67 Nos.

(37). Rawstorne to Hudson. (31/3/38). (L.G. 67 No. 20).

Oberholzer had, however, assured him that they intended returning to the Colony. (38). In August of that year the Rev. T. Reed of Colesberg asked the Governor for permission to visit "a great proportion" of his congregation who were settled between the Riet and the Modder. (39). With the Boers settling down in increasing numbers, Mr. Atkinson also reported "an increasing disposition on the part of all, whether Bastards or Griquas, to let their farms to the Boers for longer or shorter periods". (40). These two facts are significant. With the Boers gaining a firm hold on Griqualand, the fate of the Griquas was in the balance. Stockenstrom was alive to the dangers of the situation. "The Colonial Government", he stated, "will not countenance the purchase of land by Colonists of any class beyond the frontier, and even the locating of Colonists beyond the frontier must altogether depend on the Government of the country in which they are so located". (41). This, however, merely amounted to refusing official recognition of effective Boer occupation of Griqua lands.

The presence of Europeans in a native country, possessed of no settled or effective authority, naturally gave rise to other difficulties. One of the reasons for Stockenstrom's original objection to trekking beyond the Orange had been the fear of bad characters among the Boers causing mischief beyond the border. (42). To provide for some check on the activities of its extra Colonial subjects, the British Government had enacted the Cape of Good Hope Punishment Act, which extended the jurisdiction of the Colonial Courts over territories adjacent to the Colony, up to the 25th degree of South latitude. Naturally there were many difficulties in the way of its application.

Early in 1837 Rawstone reported that a certain Botha and a certain Lottering were said to have attacked a Mantatse kraal

-
- (38). Rawstone to Hudson. (June 38). (L.G. 67 No. 33).
(39). Rev. T. Reed to Napier. (20/8/38). (L.G. 191).
(40). Anderson to Stockenstrom. (28/6/37). (L.G. 191).
(41). Hudson to Fynn. (28/2/37). (L.G. 280).
(42). No. 538 of 1836. P. 117 ff.

with Griqua assistance and to have carried off much cattle.(43). At Stockenström's instructions he took steps for their arrest but found that Waterboer was too far away to be of assistance while Moshesh could not be entrusted with the mission. In any case, they could not be detained as there were no depositions incriminating them.(44). Meanwhile, Rolland, of the Beersheba institution, had reported that the same persons had carried off four Bushman children from his station. (45). Field-Cornet Gideon Joubert, who was sent up to investigate the matter and to effect restitution, found that the particulars of the outrage were confirmed by general testimony. A similar case, in which five children were concerned, was also reported. He contacted Botha who denied the charges; Lottering was reported to have gone to the Colony with Bushman children. The reports concerning the attack on the Mantatke kraal were conflicting, but the fact of the attack itself was established beyond doubt. (46). Later Rolland reported that Joubert's visit had been instrumental in effecting the restoration of two children, and that its significance had not been lost on the Boers.(47). These occurrences had, however, proved that the Punishment Act could be of little practical utility. Finally, at the trial of four Colonial Hottentots on charges of theft and murder across the Orange, Counsel for the defence objected to the Act on the grounds that British subjects could not be liable for deeds committed in circumstances where they could receive no protection from the Government, or alternatively, that it exposed them to double prosecution for the same offence. The objections were upheld and the accused acquitted.(48). This judgement virtually nullified the Act and, in Stockenström's words, restored to British subjects "licence to murder and plunder" in the interior.(49).

(43). Rawsterne to Hudson.(22/5/36).(Enclosure to C.O.1354 No. 207).

(44). Rawsterne to Hudson.(6/7/37).(Enclosure to C.O.1355 No.240).

(45). Rolland to Rawsterne.(26/6/37).(Enclosure to C.O.1355 No. 240).

(46). Joubert's Report.(7/7/37).(Enclosure to C.O.1355 No.242).

(47). Rolland to Rawsterne.(2/9/37).(Enclosure to L.G.67 No.48).

(48). Rawsterne to Hudson.(31/10/37).(Enclosure to C.O.1355 No. 240).

(49). Stockenström to D'Urban.(31/10/37).(C.O.1356 No. 327).

Though Stockenström's treaty policy was not carried into effect, we may, in the light of our evidence, judge of its potential value as a solution to the problem of Transorangia. As we have seen, Stockenström was alive to the need for securing the Griquas in their lands, safeguarding their rights in relations with the Boers and forming them into an ordered and settled community. Could an effective settlement have been achieved by treaty-making? Treaty recognition of Griqua land rights meant little unless those rights could be enforced, but the weak and divided Griqua government, which had failed to hold its own subjects to its restrictions on the sale or exchange of lands, was hardly likely to hold its own in the face of the growing influx of land-hungry Boers, notoriously regardless of native rights and interests. Again, it was not only unsatisfactory that Europeans should be subjected to the jurisdiction of a native Chief, but, with the feeble Philippolis Government powerless to enforce its authority and the Punishment Act a dead-letter, there could be no effective control of white and black relations. In short, nothing could meet the situation but effective interference by the British Government. We will see how far Stockenström realised this.

With the "First Great Trek" still in full progress, there began about the middle 'thirties the second and more spectacular movement into the interior. This exodus, Civil Commissioner D. Campbell stated, had become inevitable "when land could no longer be found within the Colony to satisfy the demands of an increased population". (50). Indeed, just at this time land shortage had become acute in the Colony. (51). For . . .

(50). Campbell to Bell. (25/3/36). (L.G. 117).

(51). Dr. P.J. v.d. Merwe in arguing against the assumption that land shortage was a major cause of the Trek, points out that land-hunger had always been satisfied by the gradual and spontaneous outward movement, which lately had taken the form of a drift across the Orange and was still in progress at this time. (P. 383-4). He also shows that Trek-Boers in Transorangia mostly came from Colesberg (P. 363), while few Trekkers came from there. (P. 375). Even allowing for the fact that these farmers in the isolation of the Northern wilds had less political grievances, these facts seem to show that land-hunger had much to do with the Trek; especially as they show that Transorangia had provided no outlet for the surplus population of the older districts from which most trekkers came.

For two generations now the Bantu vanguard had put a limit to the natural expansion Eastwards, and there is evidence to show that the pressure of population was making itself felt in the East.(52). To make matters worse for a land-hungry community, there had been changes in the land-system in 1813, and, particularly, in 1832, both making it even more difficult to obtain land within the Colony. Latterly a run of bad seasons had brought home to them more effectively than ever their elemental need of land.

Essentially, however, the Great Trek was of a character distinct from that peaceful penetration of the interior which the Colony had always known. As Prof. Walker so aptly puts it: "It was unprecedented in South African history by reason of its organization, its size and its spirit".(53). While the "first Great Trek" had consisted largely in a haphazard outward movement of individual farmers in search of pasture, the "Great Trek" proper had been appreciably organized beforehand and was responsible for the loss to the Colony within a very few years of some thousands of its white inhabitants. These two features of the movement are explained by the third: its spirit. The Pre-Trek Boers who had crossed the border were still very much "of the Colony". They still showed attachment to their church and Government, paid their taxes and showed no desire for severing relations with the Colony.(54). The "Trek", however, originated in hostility to the British Government, and a consequent desire to trek beyond its reach and to "govern ourselves without its interference in future" (55). As Stockenstrom recognised, the Boers were "only preferring expatriation to insurrection".(56).

(The causes of discontent soon engaged Stockenstrom's attention. The more general among these he found to be the unregulated

(52). D'Urban, after the 1835 annexation, received memorials for all the land up to the Kei. (Bowker.P.264), while Stockenstrom was overwhelmed with requests for the farms of emigrants. (Cory.Vol.111p.352)

(53). Walker.F.205.

(54). Rev.T.Reed to Napier.(20/8/38). (L.G. 191).

(55). Retief's Manifesto. Eybers. P.143.

(56). Stockenstrom to Fairbairn.(14/10/36).

ingress of native "foreigners", lack of compensation for war losses, the failure of the Government to honour requisition notes, the insufficiency of local authorities and the withholding of title deeds, while Retief had plainly expressed his conviction that the existing frontier system afforded no security. (57). A further "matter of serious complaint with many" was that re-captured cattle had been sold by the Government after the war or used by the Commissariat. Stockenstrom showed himself both sympathetic towards the grievances of the Colonists and zealous in procuring their relief. Immediately after his assumption of office he brought these grievances to the Governor's notice and urged the immediate adoption of measures for restoring confidence and order in the Colony. (58). After that he repeatedly returned to the subject of the hardships of the people and their "indisputable claims" on the Government. (59). But, while thus forcing upon the notice of the Government the well-founded grievances of the Boers, Stockenstrom also expressed the view that propaganda had much to do with the Trek. He was convinced that the ignorant masses had been made the dupes of designing persons who were trying to frighten them away in order to get possession of their lands. (60). The Boers had all been "taught to feel discontented" (61); the most insidious use had been made of the Glenelg despatch, (62) and the newspapers had been encouraged "to preach disaffection and disloyalty". (63).

Stockenstrom's contentions were not devoid of truth. There is evidence to show that the trekkers themselves worked on the discontent of their fellows. (64). *Stockenstrom's*

-
- (57). Stockenstrom to D'Urban. (27/9/36). (C.O. 1352 No. 15).
(58). Stockenstrom to D'Urban. (27/9/36). (C.O. 1352 No. 15).
(59). Stockenstrom to D'Urban. (9/3/37). (C.O. 1353 No. 123). (6/2/37)
(C.O. 1352 No. 88).
(60). Stockenstrom to D'Urban. (15/2/37). (C.O. 1353 No. 100).
(61). " " " " (13/1/37). (C.O. 1352 No. 74).
(62). " " " " (13/11/36). (C.O. 1352 No. 43).
(63). Stockenstrom to Fairbairn. (11/7/37).
(64). Bird. P. 230ff; Rawstone to Hudson. (13/5/37). (Enclosure to
C.O. 1354 No. 199).

~~Notes~~ Stockenstrom's view of the activities of the newspapers and the motives of the agitators was fully confirmed by Dr. Philip. (65). Besides, the most absurd and suspicious rumours about the measures and intentions of the Government were current among the frontiersmen.(66).

Stockenstrom certainly exerted himself to counteract the effects of propaganda and to dissuade the would-be emigrants from their plans. He specially directed the Civil Commissioners to investigate the reasons advanced for emigration, many of which, he thought, were due to "misapprehensions and false reports", to assure them of redress in real cases of complaint and to enlighten them on points "on which the most unaccountable delusions exist". (67). In this matter he also had the assistance of some field-cornets, who, however, lamented one and all that there was no stopping the Trek.(68).

It seems that Stockenstrom in his efforts to disillusion the Boers had also looked for assistance to Retief, in whom he had recognised a man "competent, when he makes use of his sound reason, to lend me a helping hand to bring our country and its inhabitants back to prosperity".(69). "If all honest and sensible men unite in protecting the ignorant against the cunning and deception", he told Retief,"this country can still be happy", and he added: "Do as an honest man and watch against such deception". (70). In October

(65). Bantu, Boer and Briton. P. 201.

(66). Stockenstrom to D'Urban. (27/9/36). (C.O. 1352 No. 15).

(67). Hudson to Rawstorne. (5/1/37). (L.G. 280).

(67). Hudson to Gilfillan. (5/11/36). (Enclosure to C.O. 1352 No. 43).

(68). S.J. van Wyk to Stockenstrom. (24/7/37).

Buchner to Stockenstrom. (25/1/37). (L.G. 189).

(69). Stockenstrom to Retief. (20/10/36). Grahamstown Journal. 17. Nov. 1836.

(70). Stockenstrom to Retief. (6/9/36). (24/9/36). "

In October, however, Retief forwarded to Stockenstrom an address of the Winterberg farmers which again raked up the subject of his evidence before the Aborigines Committee, followed this up with a curt demand for greater security and took firm action in the matter of wandering native "foreigners", whether possessed of passes or not.(71). This turned the whole issue into a personal one and Stockenstrom cut him off immediately. In a sharp reply he accused Retief of having allowed himself to become the tool of the "seducers", assured him that he was not to be moved by threats and warned him against disregarding the laws or adding to the prevailing confusion.(72). Retief's reply indicated a parting of the ways. In February 1837 Retief published his "Manifesto", and Stockenstrom promptly dismissed him. Retief, he stated, knew that the Government was exerting itself "to soothe the existing excitement and stem the torrent of emigration...and it was his duty to co-operate with the Government instead of adding fuel to the flame".(73). But there was more to the quarrel than that.

When D'Urban, censuring the tenor of his correspondence with Retief, impressed on him the need for conciliation, persuasion and attention to the wants of the Boers,(74) Stockenstrom could challenge him "to point out one single instance in which one of the above requirements has been neglected by me". "My despatches", he pointed out, "on the contrary, teem with the many insupportable, unpardonable grievances of these farmers".(75). On the other hand, he made it clear that there were limits to the lengths he was prepared to go to conciliate the Trekkers. From the first he had promised Retief nothing but "strict justice", (76) and had stressed the fact that the principle of his action would be "equal rights to all classes without distinction".(77). Now . . .

(71). Retief to Stockenstrom.(18/10/36).(L.G. 139).

(72). Stockenstrom to Retief.(26/10/36). Grahamstown Journal.
17 Nov. 1836.

(73). Stockenstrom to D'Urban.(20/3/37). (C.O.1353 No. 135).

(74). D'Urban to Stockenstrom.(1/5/37). (L.G. 3 No. 121).

(75). Stockenstrom to D'Urban.(25/5/37). (C.O.1354 No. 199).

(76). Stockenstrom to D'Urban.(27/9/36). (C.O.1352 No. 15).

(77). Stockenstrom to Retief. (23/9/36).

Now, in defending his treatment of Retief, he burst out: "I might indeed have soothed Retief and his associates with the promise that the slaves should not be free, that the 50th Ordinance should be repealed, that Kaffraria should be divided among the Colonists, the missionaries hanged and the blacks extirpated".(78). For all his exaggeration, Stockenstrom was right. Primarily the Great Trek was a revolt against the liberal colour policy of the British Government. If any further proof of this was required, it was supplied by Retief's significant manifesto. Complaining of slave regulations, vagrancy, losses by emancipation, and the plunder endured from the Kaffirs and other native classes, he expressed their determination "to maintain such regulations as may suppress crime and preserve proper relations between master and servant".(79). "Master and Servant", white and black respectively were in their eyes, master and servant they would remain. The equal human rights of all people of colour could find no place in the slave-owner's scheme of things.

Embittered by this express repudiation of his own line of policy, and with the knowledge that he was accused of having added to the weight of "unjustifiable odium" poured on the frontiersmen, Stockenstrom turned against the Trek. But, what was even worse, as the months passed amidst unprecedented drought and the full implications of Stockenstrom's system became known, the Trek became "a general and decisive movement".(80). There is no denying it that Stockenstrom's settlement was the "last straw".(81). That finally decided the issue for Stockenstrom. "As to the determination of the Boers to emigrate rather than submit to what is just", he told Gilfillan, "that consideration must not influence you or any public servant in the least. The . . .

(78). Stockenstrom to D'Urban.(25/5/37).(C.O. 1354 No. 199).

(79). Retief's Manifesto: Eybers.P.143.

(80). D'Urban to Glenelg.(29/7/37).(C.O.1447).

(81). Napier told Glenelg that the final cause of the Trek was "a general dislike to the present policy towards the Kaffir tribes and a conviction..that the treaties..are useless and can never be of any effect". (18/4/38). (C.O.1448).

The British Government will use its utmost endeavours to redress the real grievances and afford the Colonists every possible protection, but it will rather see the last man quit the Colony than have the principles of justice and morality violated in order to conciliate those who might be discontented or wish to make their will the law".(82).

When the scope of the movement had first declared itself D'Urban had referred to the Attorney-General to find what means the Government was empowered to adopt to stop the Trek. The latter had replied that it was practically impossible to prevent persons from leaving the Colony, either by existing laws or by any that might be framed. "The Government, therefore, if I am correct in my conclusions, is and must ever remain without the power of effectively preventing the evil..." (83). Stockenstrom, for his part, had stated: "I am not aware of any law which prevents any of His Majesty's subjects from leaving his Dominions and settling in another country; and such a law if it did exist, would be tyrannical and oppressive".(84).

That did not diminish his opposition to the Trek, especially as he very clearly foresaw the consequences of this Great dispersal for both Trekkers and natives. "I place so much interest in the fate of my countrymen", he told Retief, "that I consider it my duty at least to advise them fully to weigh what they undertake and what the consequences may be for them and their posterity".(85). Stockenstrom had been among the first to draw attention to the evils of unrestrained trekking. He saw that it made for purely subsistence farming and a low standard of living, that it constituted "a lamentable drawback on their improvement" by keeping them from "more profitable and industrious pursuits.(86). The . . .

(82). Hudson to Gilfillan.(21/4/37).(L.G. 280).

(83). Attorney-General's Report.(Enclosure to L.G.2 No. 7).

(84). S.A.Commercial Advertiser.(14/9/36.)

(85). Stockenstrom to Retief. (23/9/36).

(86). Autobiography. Vol. I. P.379.

The one thing needful was to induce closer settlement and more intensive cultivation of the soil, but the effect of this Trek could but be to perpetuate those habits which had already become traditional. Stockenstrom saw, too, that it meant their moving "from the verge of civilization...into worse than barbarism" (87); that is, from something like settled society into the wilds of the interior where their isolation and dispersal, the lack of educational facilities and of contact with the greater world could only be productive of backwardness of every kind. It is this backwardness and these superficial and easy-going farming methods which in the changed conditions of later days produced the "Poor White".

But what was of more immediate concern to Stockenstrom was the effect this exodus would have on the natives of the interior. When early in 1836 he warned against the danger of provoking a large scale Trek, he expressed the fear that the presence beyond the frontier of large numbers of Trekkers, in need of land and freed from the restraints of law, would be productive of fearful collisions with the natives.(88). In his parting message he had reminded Retief: "that you are Christians and as such have heavy responsibilities", (89) and he had asked his Civil Commissioners to warn the emigrants against endangering the peace of the Colony by collisions with the natives.(90). Stockenstrom's worst fears were realised. The massacre of the Liebenberg party was followed by the clash at Vechtkop and the reprisal on Mosega. In addition, disturbing but rather vague rumours reached Stockenstrom of "frightful" Boer depredations and trading in Bushman children.(91).

(87). Stockenstrom to D'Urban.(11/12/37).(C.O.1356 No. 345).

(88). Stockenstrom to Glenelg.(8/3/36). (Enclosure to C.O.1324; Glenelg to D'Urban. (29/3/36).

(89). Stockenstrom to Retief.(18/11/36).

(90). Hudson to Rawstorne.(5/1/37).(L.G. 280); Hudson to Gilfillan.(14/11/36).Enclosure to C.O.1352 No. 43).

(91). Stockenstrom to D'Urban.(6/6/37). (C.O. 1354 No. 207). 11/10/37). (C.O.1356 No. 303).

Incensed by these reports, the excitable Stockenstrom, by now completely hostile to the trekkers, condemned the emigration as "a scheme which must evidently lead to such cowardly massacres", and demanded of the champions of the "calumniated Boers" to suggest the means of checking "the torrent of blood of which they have opened the sluices". (92). In his memoirs he wrote that the emigrants renewed their aggressions upon the tribes as soon as they had crossed the frontier.(93). Stockenstrom was, of course, unfair to the trekkers. There were, no doubt, irresponsible persons among them, but, generally speaking, the collisions were none of their seeking. They aimed at securing some of those lands left empty by the Chaka Wars and their policy throughout was one of peace and friendship with the tribes, with whom they treated for land where necessary. (94). But it was almost inevitable that their presence among the Bantu masses of the interior should give rise to clashes, with disastrous consequences for the natives.

Stockenstrom was not only alive to the immediate dangers of contact between white and black in the interior, but he also foresaw the ultimate consequences of Boer penetration. The natives, he told Napier, were in danger of being reduced to the former condition of the Hottentots.(95). Later history has proved Stockenstrom's prophecy correct. The trekkers, who had left the Colony precisely in order to have their own way with the natives, were not long in gaining control of the land, and, by their failure or refusal to recognise the needs and interests of the tribesmen, reduced great masses of them to a position of landlessness and economic dependence, with the old alternatives of vagrancy and unregulated conditions of service-- a status, in short, not unlike that of the Hottentots before 1828. In the long run the Trek has left us with a "Native Problem". To-day . . .

(92). Stockenstrom to D'Urban.(20/3/37).(C.O.1354 No.135):
(26/7/37). (C.O. 1355 No. 240).

(93). Autobiography: Vol. I. P.185.

(94). For example the treaties with Moroko, Sikonyella, Moshesh:
Cloete.P.94.

(95). Stockenstrom to Napier.(12/3/38). (C.O.1357 No. 399).

Today the hopelessly backward Bantu are, except for those in the overcrowded "Reserves", a landless proletariat of farm or city labourers, competitors in the unskilled labour market with the "Poor White", likewise a product of the Trek.

Alive to these possibilities, Stockenström sensed the need for controlling the Trek. He urged on the Governor that no deals in or claims to native lands on the part of the emigrants should be recognised,(96), and favoured the enactment of a law visiting irregularities in their conduct towards the natives with the severest penalties.(97). This need was met by the passing of the Punishment Act, but for lack of magistrates and police in the interior it was always ~~imperative~~, and was finally pronounced "not enforceable in the Colonial Courts" by the Cape Supreme Court.(98). Thus, though Glenelg could state that the emigrants "have not ceased to be subjects of the Queen or responsible to Her Majesty's courts and officers",(99), there was no means of making the Government's hold on them effective. Stockenström realised that the only logical conclusion was direct British inter- ✓
vention in the lands occupied by the Trekkers.(100). "Wherever the preservation of the peace and prosperity of this Colony and of the bordering tribes shall appear to me to require that military possession be taken of the seaport called "Port Natal", he warned the emigrants, "I shall be prepared and am determined to do so in Her Majesty's name".(101). Napier agreed that this alone could save the natives from "extermination or slavery". (102).

Reviewing the problems of Transorangia, the Highveld and Natal we see that they were essentially the same. "The fundamental question everywhere", as Prof. Macmillan points out, "was the land,

(96). Stockenström to D'Urban. (6/6/37). (C.O. 1354. No .207).

(97). Hudson to Rawstone. (5/1/37). (L.G. 380).

(98). Grahamstown Journal. 28 March 1838.

(99). Glenelg to Napier. (29/10/37). (C.O. 1325).

(100). Stockenström to Napier. (12/3/38). (C.O. 1357 No. 399).
Bird. P.498.

(101). Memorandum. L.G. 253.

(102). Napier to Glenelg. (18/4/38). (C.O. 1448).

since the occupation of the Boers, wherever they got a footing, tended to be so extensive and complete as to raise at once the old and ever new, problem of the dispossessed. (103).

The only solution was for the British Government to annex these territories into which the Boers had found their way and then to demarcate adequate native reserves and to establish an effective administration to bring both whites and blacks under the control and protection of the Colonial laws.

We have seen that Stockenstrom pointed to this solution in the case of Natal; there is evidence to show that he was alive to its applicability to the whole trans-frontier problem. Writing after the period of his Lieutenant-Governorship, he urged that "wherever British subjects have already settled, or the tribes are broken and weak, the British Government ought to take control". Though this might be opposed on the grounds of expense or "as appearing to sanction dispossession", it was the only alternative to "extermination". (104). In another letter he favoured the "systematic colonization of all depopulated territories" (105). But even more instructive is a letter on this subject written to Spring-Rice, the former Colonial Secretary, at the end of 1834. In this he advocated taking the Griquas under Colonial protection "which I firmly believe they would most readily adopt, if extended upon just and liberal principles". The objection to this measure was that it entailed the further extension of the Colonial boundary, but, as it was, the Boers were already in occupation of the lands beyond and there was no bringing them back. There was unlimited land in the interior and the whites would inevitably have their share. "But the question is whether they shall be allowed to go forth without control, dispossess the natives, destroy them upon the least resistance and the Government follow when the

(103). Bantu, Boer and Briton. P.196.

(104). Bantu, Boer and Briton. P.182-3.

(105). Ibid. P.235.

mischief is irremediable, as has been the case heretofore, or whether the Government shall take the land, prevent anything being taken but what the natives choose to part with, taking care that they be amply indemnified, that this indemnification be applied to their advantage, and that extensive tracts be reserved for their own support in which they shall be protected upon an equal footing with the most privileged classes".(106-). This policy, had it been applied, might have saved us a "Native Land" problem and perhaps, a "Poor White" problem too.

The question is, why Stockenstrom changed his policy with respect to Transorangia. We must remember that any scheme such as that outlined above was obstructed by the attitude of the Colonial Office and the financial position of the Colony. "His Majesty's Government", Glenelg had told D'Urban, "is.....deeply persuaded of the inexpediency of engaging in any scheme of colonization or of acquiring any further enlargement of territory in Southern Africa". (107). Just at this time, too, the financial position was more critical than ever. At the end of 1835 the public debt of the Colony stood at more than £250,000.(108). Referring to "the additional expenditure or defalcation of revenue incidental to the war", Glenelg stated: "I cannot but conclude that it would be highly inexpedient under present circumstances to impose any new burdens on the Colonial Treasury".(109). In addition, the extension of the frontiers would require an increase in military strength, and already the expenditure on the war and the cost of the increased military establishment maintained at its close, had led the Lords Commissioners of the Treasury to view the matter "in a serious light" and to enjoin the strictest economy.(110).

To what extent Stockenstrom was influenced by these considerations and by Glenelg's preference for a "Treaty System" it is difficult to say, but it is significant that both before and after this period he advocated "incorporation".

(106). No. 538 of 1836. P.121.

(107). Glenelg to D'Urban.(29/3/36). (C.O.1324).

(108). Theal. Vol. 11. P.33.

(109). Glenelg to D'Urban .(10/9/36).(C.O. 1324).

(110). Glenelg to D'Urban.(31/12/36).(C.O.1324).(16/8/36).
(C.O.1324).

CHAPTER V.

THE EASTERN FRONTIER.

The special task with which Stockenstrom had been entrusted, was that of finding a permanent solution for the difficult problem of the Eastern frontier. The breakdown of his own previous experiment had resulted in the frontier war of 1835. Forced to abandon his initial intention of expelling all the hostile tribes from the area up to the Kei, annexed as the Province of Queen Adelaide, D'Urban had then inaugurated the first systematic attempt at incorporating native tribes with the Colony. By the treaties of September 1835 the tribes were to receive reserves within the border on condition of becoming British subjects under Colonial law. The Chiefs were to accept Government agents and missionaries and to assist in preventing depredations. Large tracts of land in the New Province and most of the Ceded Territory were reserved for European colonization. Thus it was hoped "to substitute colonial law for tribal custom, and to introduce the Kaffirs to industry and civilization, religion and morality by the power of legal coercion,.....humane persuasion and example behind the presumably defensible barrier of the Kei".(1).

This was an ambitious scheme, but there was much to be said for it; and after the vigorous and enthusiastic Colonel Harry Smith had got things under control, it promised well. All the agents reported favourably on its working and stated that the natives were learning to appreciate the advantages of the system. The Chiefs alone remained a doubtful quantity.(2).

A greater difficulty than that of application was getting the scheme accepted in Downing Street. D'Urban's original "extermination" policy was badly received at the Colonial Office, known for its regard for native land rights and its opposition to all schemes involving the extension of British responsibilities at the Cape. Moreover,

(1). Walker. P.193.

(2). Bowker to Hudson.(10/5/36). (L.G. 131).
Southey to Hudson.(28/3/36).(L.G. 130).
Rawstone to Hudson.(12/4/36). (L.G. 130).

Moreover, for lack of information from the Governor, the philanthropically minded Glenelg welcomed the evidence proffered from philanthropist quarters, evidence which told against D'Urban's policy. Thus it came about that D'Urban was informed that "the present inclination of His Majesty's Government is to doubt in some measure the justice, and in larger degree the necessity or policy of this acquisition". At the same time he was warned against "committing still further the British Government in regard to a measure from which it is not impossible that you may be called upon to recede". (3). And then had come the despatch of December 1835. Professing to find "ample justification" for the aggression of the Kaffirs in their treatment by the whites, Glenelg informed that on grounds both of justice and expense no further extension of British dominions was to be allowed. The Ceded Territory could not be surrendered, but the claims of sovereignty over the New Province were to be renounced, as "the original justice is on the side of the conquered". Accordingly D'Urban was to prepare the public mind for abandonment "by announcing that the British occupation....will be resigned by the end of 1836". These instructions, however, were not to be considered as "peremptory and inflexible". Should the Governor have information which could convince the Minister of the justice and expediency of his measures, he was to suspend the execution of his orders and forward the evidence to Downing Street. After that "final instructions" would be issued. (4).

Though D'Urban must bear the responsibility for the actual abandonment, it is only fair to him to point out the circumstances under which he came to that decision. Glenelg's mind might not have been finally made up, yet he certainly acted as if the issue was settled. Not only was Stockenstrom sent out with the express object of negotiating treaties, but D'Urban's despatch announcing

(3). Glenelg to D'Urban. (20/10/35). (C.O. 1323).

(4). Glenelg to D'Urban: (26/12/35). (C.O. 1323).

the drastic change of policy was hardly considered worthy of notice, since "His Majesty is not disposed to accept the allegiance of the Kaffirs".(5). D'Urban, for his part, rightly sensed that Glenelg's December despatch referred to his "May Policy", and thus deferred his reply until his later despatches should have elicited an expression of opinion. To that end he used his discretionary power to suspend the orders. The reception of his later despatches, however, seems to have decided the issue for him. Expressing regret that the Minister's policy remained unchanged notwithstanding the later despatches "which exhibited such an essential change of policy", he decided that "since it is your Lordship's decision to renounce the possession of the Province, there is no need to discuss the policy....."(6). It was his duty to obey instructions and he would proceed to do so "unless I shall find on conference with the Lieutenant-Governor...that there remain any reasonable grounds for my continuing to take upon myself the heavy responsibility of further delay".(7).

Such was the situation at the time of Stockenstrom's arrival. The latter brought no fresh instructions nor could he report any change in Glenelg's views.(8). D'Urban decided that if there was no hope of the Minister altering his determination, it was best to end the suspense and carry abandonment into effect without further delay .(9). Stockenstrom thought that such a step would be premature until the receipt of his Lordship's final directions and proposed to proceed to the frontier to see things for himself.(10).

Stockenstrom thus left for the frontier apparently under the impression that the existing system was to remain in force, for the time at least. On the same day D'Urban sent Smith confidential

(5). Glenelg to D'Urban: (17/2/36).(C.O. 1323).

(6). D'Urban to Glenelg: (9/6/36).(C.O.1447).

(7). D'Urban to Glenelg: (12/7/36). (C.O. 1447).

(8). Stockenstrom to D'Urban: (5/8/36). (C.O. 1352 No. 2).

(9). D'Urban to Stockenstrom: (1/8/36). (L.G.2).

(10). Stockenstrom to D'Urban. (5/8/36). (C.O.1352 No. 2).

instructions for the withdrawal of advance posts, since "there is no longer the slightest ground for hoping that the Secretary of State's determination may be hereafter changed, nor consequently any ground resulting from such a hope for my longer continuing to suspend the execution of at least the preliminary measures". A note was added, however, suspending the order and calling for Smith's comments.(11). A day later D'Urban by proclamation repealed Martial Law. Unknown to Stockenstrom,(12) he had been discussing with the judges of the Supreme Court the legality of retaining Martial Law in the New Province. Now Stockenstrom was told that he had been "somewhat reluctantly" compelled to such action,(13) while to Glenelg he had it that his "system", "having happily restored tranquility", had made such a step possible (14). Stockenstrom protested that the matter had not been referred to him and told the Governor that all agreed that without Martial Law the system was impossible.(15).

As it was, Stockenstrom had come out with his mind made up about the wisdom of D'Urban's settlement. In a letter to Glenelg, at the start of 1836, he outlined his objections to the Governor's policy. The submission of the tribes after the war was not to be trusted, he thought. They were bound to seize on every opportunity "to restore themselves to liberty and to make us pay dearly for their temporary submission". In this connection he pointed out that they were now within the Kei boundary, which it had been the main object of the acquisition to secure. While fully approving of the readmission of these people to their lands, he feared that it meant that "we make for ourselves two boundaries instead of one to protect". Moreover the Colonial Government would make itself responsible for the aggressions of these new subjects. He

(11). No. 503 of 1836. No. 15.

(12). Autobiography: Vol. II. P.45.

(13). D'Urban to Stockenstrom. (19/8/36). (L.G. 2 No. 8).

(14). D'Urban to Glenelg. (7/9/36). (C.O. 1447) .

(15). Stockenstrom to D'Urban. (14/9/36). (C.O. 1352 No. 10).

He was sceptical about the practicability of introducing British laws among the Kaffirs and thought the ruling Chiefs incapable of serving as magistrates. Finally, he objected to any measure calculated to weaken the position of the Chiefs.(16).

A short stay on the frontier confirmed Stockenstrom in his opinions. He found that order had only been kept by the industry and zeal of Smith and the exertions of his auxiliaries. He had no doubts of the dissatisfaction of the Chiefs with the system and of their determination to recover their former lands and power.(17). The Chiefs and the tribes could not be kept permanently in subjection without a far larger force than the British Government was likely to allow them. At least Capt. A.B.Armstrong was at one with him in his conviction that "the premature adoption of British laws among the Kaffir tribes, will certainly be the cause of much bloodshed, turmoil and never ending disputes". Moreover, the only logical line of frontier defence that suggested itself was the Fish-Kat line, which was the only one segregating the two parties; was the shortest; most direct and nearest to the base at Grahamstown; and besides secured a concentration of troops on the most vulnerable spot--the Fish River jungles.(18).

Some of Stockenstrom's criticisms were sound. The policy of an arrangement which secured a more suitable advance military boundary but left the Colony proper exposed, was at least questionable. There was something, too, in his argument that the immediate application of British rule might be attended with great difficulty, and even with danger, more especially in view of the lack of adequate resources in men and money. As the working of his own system subsequently showed, Stockenstrom over-estimated the power of the Chiefs and the strength of tribal custom and organisation. What . .

(16). Autobiography. Vol. II.P.30 ff.

(17). At their first meeting Macomo had asked for the Gaika tribal lands and complained about his loss of power, while Tjali had demanded the free exercise of witchcraft.

(C.O. 1352. No. 10).

(18). Stockenstrom to D'Urban.(5/10/36). (14/9/36). (28/10/36).
(C.O. 1352 Nos. 19, 10, 36).

What Stockenstrom did recognise was the fundamental character of the land question as a cause of unrest and unsettlement.

Stockenstrom was on firmer ground when he pointed out that, in spite of D'Urban's protestations of tranquility, (19), the "system" had not brought security to the frontier. The farmers, he reported, declared that "there has never been a week's successive tranquility since the peace was made, that the Fingos and Kaffirs since they have become British subjects plunder worse than ever they did before the war". (20). These allegations were supported not only by official "Returns of Depredations" (21) but also by the reports of officials like Armstrong (22) and Campbell, (23), while even "The Grahamstown Journal" had to admit that "the depredations of the neighbouring Kaffirs have been as numerous and as daring as at any period of our frontier history". (24). *These all refer to his time when Smith had left.*

In justice to D'Urban it must be admitted that a combination of circumstances contributed largely to the undoing of his measures. The unsettlement produced by the war as well as the unprecedented drought not only accounted for much of the stealing but also resulted in an enormous influx of native "foreigners", who roamed the country, plundering the farmers or squatting on farms, and generally creating a sense of insecurity. (25). A certain Collet complained to Stockenstrom of their having to support "such incredible numbers of Hottentots, Bechuanas and Fingoes, that daily vagabondize the country". (26). The

-
- (19). D'Urban, like Stockenstrom afterwards, received glowing reports of tranquility from his agents in Kaffirland, eg. Sbrech to Hudson. (29/9/36). (L.G. 130). Rawstorne to Hudson (3/10/36). (L.G. 180).
- (20). Stockenstrom to D'Urban. (7/10/36). (C.O. 1352 No. 20).
- (21). Between February and September 500 cattle and 130 horses had been stolen. (Enclosure to C.O. 1352 No. 39).
- (22). "I have seldom known the Kaffirs so persevering in their depredations". Armstrong to Hudson. 6/9/36). (L.G. 119).
- (23). Campbell to Hudson. (29/9/36). (Enclosure to C.O. 1352 No. 20).
- (24). Grahamstown Journal. 15. September, 1836.
- (25). Armstrong to Somerset (9/10/36). (Enclosure to L.G. 121 No.); Campbell to Hudson (16/4/36). (L.G. 148). D.J. Joubert to Stockenstrom. (24/8/36). (L.G. 148). Campbell to Hudson. (6/10/36); (18/11/36). (L.G. 45 Nos. 10, 34).
- (26). Collet to Stockenstrom. (17/9/36). (L.G. 189).

The few frontier officials were naturally unable to cope with this situation. D'Urban himself had increased their difficulties by the deproclamation of Martial Law.(27), while the uncertainty about the fate of the New Province helped on the unsettlement. Smith's departure was followed by an increase in theft (28); Zeyolo refused to restore cattle, pleading that the Lieutenant-Governor was no longer acting on the system, and lifted cattle from Umgai and Noribe,(29), while Macomo ordered the police recruited from his tribe to desist from acting.(30).

Impressed by this "wretched state of anarchy", Stockenstrom decided to take action. "As for keeping the New Territory", he told Fairbairn, "we may thank God if we keep the old without a great deal more bloodshed". (31). Accordingly he ordered Somerset to evacuate four of the advance posts and to concentrate the troops at Kingwilliamstown and Fort Willshire (32). After a "frontier scare" had brought him scurrying from the north-eastern frontier, he ordered the withdrawal of two further posts and the establishment of new posts at strategic points along the Fish and the Kat. (33). It is significant of the state of the frontier that these arrangements met with the approval of the Grahamstown Journal.(34). Stockenstrom's activities seem to have improved matters, "but I cannot answer for the present calm lasting", he wrote, "unless the decision from home arrives soon".(35).

His views and actions had, however, moved D'Urban to action. Stockenstrom's reports from the frontier had surprised him, but he was prepared to believe that the rumours of renunciation and the changes in the administration had given rise to restlessness after seven months of tranquility.(36). What . . .

(27). See Bowker's Complaint: Bowker to Hudson.(27/9/36).(L.G.131).
(28). No. 503 of 1837. P.262.
(29). Rawstone to Hudson.(1/11/36). (L.G. 130).
(30). Stretch to Fairbairn.(4/10/36).
(31). Stockenstrom to Fairbairn.(1/10/36).
(32). Stockenstrom to Somerset.(17/9/36).Enclosure to C.O.1352 No. 12).
(33). Stockenstrom to D'Urban.(11/10/36). (C.O. 1352 No. 21).
(34). Grahamstown Journal. 13 October 1836.
(35). Stockenstrom to Fairbairn.(21/10/36).
(36). D'Urban to Stockenstrom. (13/10/36). (L.G. 2 No. 25).

What was more important, "the spirit and tenor" of Stockenstrom's despatches had convinced him that "with such opinions and such prejudices against the existing system it would have been vain to expect that he could have efficiently continued its operation".(37). Moreover, he had heard no more from Glenelg, who was still waiting "with anxiety" for D'Urban's report.(38). The latter, beyond harping on the excellent prospects of his system, had done nothing to convince the Minister of its advantages, nor had he sent that report on which Glenelg was set to the exclusion of all else. He had started writing it in June but delayed to post it till November, by which time he decided that it was no longer necessary to Glenelg's decision and turned it into a voluminous "apologia" in vindication of himself and his subordinates. Faced by the realities of Glenelg's unaltered resolve, and Stockenstrom's decision in favour of abandonment, as well as by the necessity of putting an end to the suspense which was by this time assuming "a dangerous aspect", he decided that the time had come "when I may no longer delay the execution of your Lordship's will".(39). Accordingly he ordered Stockenstrom to begin evacuation and to frame the necessary treaties for the introduction of Glenelg's system.(40).

The dropping of the experiment evoked many expressions of regret and apprehension. To Stockenstrom's statement that "I saw nothing that promised the ultimate success of the plan we were pursuing".(41), can be opposed the evidence of Smith himself,(42) the missionaries Ayliff and Boyce,(43) and all the agents (44), who were unanimous in their praises of the system and equally unanimous in their expectation of disaster in the event of its reversal. The Guna-kwebe and Fingo Chiefs, as well as some of the other friendly chiefs, were apprehensive about their future in a Kaffraria free from British jurisdiction.(45). D'Urban

-
- (37). D'Urban to Glenelg.(15/3/37). (C.O. 1447).
 - (38). Glenelg to D'Urban.(31/12/36). (C.O.1324).
 - (39). D'Urban to Glenelg.(2/12/36). (C.O.1447).
 - (40). D'Urban to Stockenstrom.(13/10/36). (L.G.2 No. 25).
 - (41). Stockenstrom to D'Urban.(3/11/36). (C.O. 1352 No. 39).
 - (42). No. 503 of 1837. P.259 ff.
 - (43). No. 503 of 1837. P.267 ff.
 - (44). Enclosures to C.O.1447. No. 43.
 - (45). Bowker: P.19-20; Southey to Hudson.(3/11/36). (L.G. 130).

D'Urban entered on the minutes of the Council a solemn protest against the principles of the treaties, as constituting a line of policy "which cannot fail to be pregnant with insecurity, disorder and danger".(46).

Before discussing the "Stockenstrom system" in detail, it may be well to trace the evolution of this policy, which is generally held to indicate a complete volte-face on the part of Stockenstrom, since the days of the Commissioner-Generalship.

As we have already seen, a "treaty system" was the set policy of the Colonial Office since 1834. D'Urban had been asked to consider the propriety of "cultivating an intercourse with the Chiefs" and inducing them to become responsible for the peaceful conduct of their tribes.(47). Whether Stockenstrom suggested or even influenced the adoption of this policy it is impossible to say. Already as Landdrost of Graaff-Reinet he had expressed the view that the natives were only to be controlled and civilized through their Chiefs, and had advocated a treaty system. "You must deal with them upon principles of strict international law", he stated in conversation with Philip and Fairbairn, "or you must make them what the Hottentots are now";(48) and again, "a powerful Government like that of England by equitable treaties, honestly and wisely drawn up and faithfully kept in a spirit of candour and liberality, will soon have the Chiefs so completely under its influence that its word will be law without appearing or pretending to be so....".(49).

We have seen what system he applied as Commissioner-General. Writing to the Secretary of State in 1834 he insisted that the solution to the problem consisted in dealing with the natives on principles of strict justice, in affording them equal security of life and property with the Colonists. To that end he favoured the extension of the Kat River Settlement system along and beyond the boundary. He

(46). No. 424 of 1851. P.31 ff.

(47). Brookes. P.14.

(48). Autobiography. Vol. I. P.247.

(49). Ibid. P.248.

He thought it might be applied to Pato, who could be granted the lands he occupied on condition of adopting British laws and customs. He hoped that other chiefs, allowed to settle in the Ceded Territory, could be brought to adopt the same course, and thus "we might gradually have obtained a dense population of white colonists, Kaffirs and Hottentots from the Winterberg to the sea, all governed and protected by the same laws and equally interested in the peace of the country". At the same time, however, he thought that for some time, blacks should be allowed to rule blacks, and he vaguely advocated the conclusion of treaties with tribes able "to control and protect themselves". (50). These conflicting statements are perplexing. It is not clear whether he had a different system for tribes within and beyond the limits of the Ceded Territory, or whether treaties were generally to pave the way for incorporation in the Colony.

Before the Aborigines Committee he suggested substantially the same scheme of settlement with reference to the Ceded Territory, but on this occasion, possibly with an eye to the D'Urban system, he emphasised the advantages of a treaty system over that of incorporation. He was of opinion that if an adequate force was supplied for supporting the system, the Chiefs could effectively prevent and punish breaches of the treaties.

By pursuing a course of justice and humanity more could be done towards civilising the natives and instructing them in the principles of Christianity than by taking military control of them. Justice, trade and commerce he considered to be the principal means of preserving peace on the frontier and improving the tribes. Above all, he emphasised that no land should be taken from them except what was secured by treaty. (51).

Before assuming office in 1836 he gave expression to his views on the subject. He showed that he was not opposed to the

(50). No. 538 of 1836. P.117 ff.

(51). No. 538 of 1836. Pp.96, 184, 247, 250-1.

principle of incorporation where it concerned peoples who could in no other way be controlled or civilized, but he did not wish "to render our own system of administration more complicated or expensive by conquest or interference with the internal affairs of nations or tribes who are so far organised and consolidated as to require only our example and justice, our commerce and the free and friendly communication of those improvements which they would gradually become prepared to cultivate, in order to advance in the path of civilization and peace as rapidly as under our dominion". With regard to his plans for the immediate settlement on the frontier, they were founded on the impression that "the late attacks of the Kaffirs.....have not been altogether unprovoked". Accordingly, he thought that the tribes should be justly and leniently treated. Aiming as he did at the security of the Colony and the improvement of the tribes, he proposed, at the start, to strengthen the military forces on the frontier; to settle the Ceded Territory with a dense population on the principles of the Kat River Settlement, granting those tribes in the territory who had remained loyal to the Colony, their areas of occupation; to restore the New Province to the tribes and to conclude treaties with them. Most important of all, the reprisal system was to be completely abolished. Intercourse between whites and blacks and the recovery of stolen property were to be strictly regulated, for "to give every man who has a real or pretended grievance a military force to go and avenge his own case is enough to account for everything that has occurred".(52).

It will be seen that this policy was substantially the same as that pursued during the Commissioner-Generalship. The only difference was that it provided for a more definite understanding with the Chiefs. The changed policy--that of virtual segregation--which was actually carried into effect, was forced on Stockenström by Glenelg. In

(52). Autobiography: Vol. II. P.30 ff.

In his despatch of December 1835 the Minister had given strict injunctions that none but Kaffirs and Fingoes were to be allowed to settle east of the Fish River, the Kat River Hottentots excepted. Stockenstrom had persuaded him to modify this instruction, pointing out not only that the Fish had never constituted the boundary except for a short distance from its mouth, but also that a considerable body of Colonists had settled beyond the Fish, "with the knowledge, countenance and consent of the Government". Instead, he had proposed that the boundary should follow the Fish up to its junction with the Kat, the latter up to Fort Beaufort and thence a line to a point in the Winterberge, including within the Colony the Hottentot and European locations beyond the Fish. (53). Glenelg had approved of the principle of this arrangement, and had left the precise demarcation to Stockenstrom and D'Urban. (54). Under the circumstances Stockenstrom decided, to the dismay of D'Urban and the Colonists, to restore the whole of the Ceded Territory to the tribes who had previously possessed it, and to make the Fish-Kat line the real frontier of the Colony. He argued, very soundly, that if only Kaffirs and Fingos were to be allowed in it, it would be folly to concentrate the troops on the Keiskamma and leave the Colony undefended. As it had been proved that the Kaffirs could get into the Fish River bush in defiance of advance posts, he preferred to concentrate the troops along the Fish itself, (55) and to settle the tribes immediately beyond it, so as to give them a "stake" in the Ceded Territory. Moreover, he scouted the idea of settling only Fingos and friendly tribes in the Ceded Territory, which contained the ancestral lands of the Gaikas and Ndlambis. That, he felt, could merely prove an enduring source of irritation and unrest. (56) .

(53). Stockenstrom to Glenelg: (8/3/36). (Enclosure to C.O. 1323 No. 47).

(54). Glenelg to D'Urban. (29/3/36). (C.O. 1323).

(55). Fort Thompson was to be retained until the Fingos had left the Tjumie; likewise Forts Peddie and Willshire as long as the Government had obligations towards the Fingos and Gunuakwebes. (Stockenstrom to D'Urban), (15/11/36); (8/12/36); (C.O. 1352 Nos. 43, 57).

(56). Stockenstrom to D'Urban. (3/11/36). (C.O. 1352 No. 39).

Having decided on this aspect of the system, Stockenström proceeded to negotiate the treaties. For this purpose a meeting of all the Chiefs was convened for December 1836, on which occasion Stockenström got the Chiefs to settle differences among themselves prior to entering into an agreement with the British Government. The reconciliation effected, he on 5 December 1836 renounced His Majesty's Sovereignty over the New Province and released the tribes from their allegiance to the Crown. (57). On the same day treaties were entered into with the Gaika, Ndlambi and Guma-kwebe tribes. Later treaties, slightly modified to suit circumstances, were concluded with the Fingo Chiefs and the Tambookies, the latter treaty restoring the old Colonial boundary along the Zwart Kei and Klaas Smits Rivers. (58).

The treaties provided for peace and amity between the Colony and the tribes, both parties undertaking to adhere to its provisions and to prevent a rupture of peaceful relations. The 1819 Colonial boundary, roughly the Keiskamma-Tjume line, was restored. The Kaffirs recognised His Majesty's Sovereignty over the Ceded Territory, which was given back to them as "a loan in perpetuity", reclaimable only in case of hostility or unredressed breach of treaty. The tribes to whom grants were to be made in that territory were to retain their internal organisation and the exercise of their own laws and customs, the British Government exercising no dominion over them, though reserving the right to build forts and station troops in it. The actual frontier and limit of European occupation was to be the Fish-Kat line already stipulated.

(57). Stockenström to D'Urban. (8/12/36). (C.O. 1352 No. 56). This was strictly illegal, as his proclamation could not annul the Governor's. Thus D'Urban issued another on February 2. (C.O. 1354 No. 193). Stockenström was forcing the pace. "Neither Dr. Philip nor Parliament can "keep" the Kaffir country after what I have done. It must be 'retaken'..." he wrote to Fairbairn. (18/1/37).

(58). Treaties. (L.G. 143).

On the Colonial side of the border there was the line of military posts. For the rest, the preservation of peace devolved on the Chiefs to whom "diplomatic" agents were to be appointed to represent Colonial interests, and to act as the medium of Communication, between the two parties. The Chiefs, were to station Amapakati at strategic points along their boundary with the Colony, who were to assist in checking depredations and aggressions. Inter-course between the natives and the Colonists was strictly regulated. British subjects were to cross the boundary only if unarmed and in possession of a permit, and while in Kaffraria were to be subject to the Kaffir law. Similarly, entry into the Colony was limited to unarmed Kaffirs carrying passes granted by the agent at the request of the Chief, who was to be responsible for their conduct while in the Colony. Passless natives found within the Colony were to be sent back for punishment by the Chief; those caught in the act of committing a crime were to be arrested, by force if necessary, and dealt with according to the laws of the Colony.

Detailed stipulations governed the recovery of stolen property. It was emphatically laid down that "on no occasion whatever shall any patrol or armed party of any description, be allowed to cross the said line for the said purpose". Any owner claiming compensation was required to swear that the missing animals had been properly guarded by day, or secured in kraals or stables at night, that pursuit had been commenced immediately and that the spoor had been traced to the boundary. If these conditions had been complied with, two courses were open to the pursuer. Either he might report to the nearest pakati (who was to satisfy himself of the truth of the statement), and having with his assistance traced the spoor and recovered the property, report on oath to the Agent as to his proceedings and the quantity and nature of the property recovered, and carry it off, leaving the Chief to recover compensation. Or else he might apply to the nearest military post for a police escort, trace the spoor as far as possible and report to the Agent with the responsible Chief, swearing to the circumstances of the case and the value of the property. The onus was then on the Chief to recover the

property and punish the perpetrators. If after a month the property had not yet been recovered, the Chief was to indemnify the loser and compensate the pakati and police. No person was to take any except his own property except in the shape of indemnity or to recover any more than the exact value of his own property.

Other articles provided for the promotion of trade and the encouragement of missions by the Chiefs, who also promised to remain at peace with other tribes and especially to abstain from interference with the Fingos at Fort Peddie.(59).

Hereafter the provisions of the treaties were quickly carried into effect. The military forces were withdrawn from the Ceded Territory and the tribes assigned their respective limits. Capt. C.L.Stretch was appointed agent with the Gaikas, J.M.Bowker with the Ndlambis, Gumukwebes and Fingos jointly, H.F. Fynn with the Tambookies on the north-eastern frontier, and W.Fynn with Hintzas. The latter appointment ^{aimed} ~~aimed~~ at securing greater security for the Colony and for the tribes on its immediate border by preserving peace beyond the Kei and keeping the tribes friendly to the Colony. (60). In his instructions to the agents Stockenstrom emphasised the diplomatic character of their mission and drew their attention particularly to the pass regulations and those regulating the recovery of stolen property. They were to impress on the Chiefs that under the new system any demands on them would be strictly fair and "must be unflinchingly insisted upon". No mention had been made of witchcraft as he felt that coercive measures merely tended to aggravate the evil, but they were to exert themselves to extirpate the evil in other ways.(61).

As a complement to the treaty policy His Majesty's Government had enacted the Punishment Act. It was found, however, that certain provisions of the treaties clashed with those of the Act. The Executive Council therefore proposed certain amendments to the

(59). No. 424 of 1851. P. 31ff.

(60). Stockenstrom to D'Urban.(8/12/36). (C.O. 1352 No. 56).

(61). Hulson to Agents. (14/12/36). (L.G. 280).

treaties to prevent double prosecution of British subjects for the same offence. Stockenstrom objected to this as it meant suppressing the jurisdiction of the chiefs over British subjects committing offences in their territories. The enforcement of these amendments, he considered, would invalidate the treaties and operate as a licence for murder and plunder. To leave the tribes no other redress for wrongs against their person and property than reference to a distant British Court would be tantamount to a denial of justice.(62). The Executive Council, bowing before Stockenstrom's determination, referred the matter to Glenelg, who upheld Stockenstrom's objections. The law, he stated, was intended to establish a concurrent, not exclusive jurisdiction.(63).

The treaties were further supplemented by Stockenstrom's regulations which were designed to secure to the Colonists that additional protection which the Punishment Act provided for the Kaffirs, for he insisted that "the protection of the Colonists against aggression on their part must be as complete before we can hope to see peace maintained".(64). His draft regulations, after being modified and recast by the Attorney-General, were finally embodied in an Ordinance "for the more effectual prevention of crimes against life and property within the Colony". This law gave the local officials increased powers for the arrest of criminals and passless vagrants, and for preventing the entry of armed and passless natives; sanctioning the use of force, and admitting even a plea of "justifiable homicide", where force proved necessary for the arrest or expulsion of such persons. On the other hand, heavy penalties were provided for breach of the treaty regulations governing the recovery of stolen property.(65).

(62). Stockenstrom to D'Urban. (9/5/37). (C.O. 1354 No. 182).

(63). Glenelg to Napier. (13/11/37). (C.O. 1325).

(64). Stockenstrom to D'Urban. (13/2/37). (C.O. 1353 No. 94).

(65). Government Gazette. (23/6/37).

Such was the "Stockenstrom System", based on the principle of "perfect security for us for life and property on this side of the frontier....and the same for the Kaffirs beyond", (66), and aimed at securing "the protection of the interests of His Majesty's subjects, the maintenance of the peace of the frontier, the promotion of commercial and political intercourse with the native tribes, founded on equal rights and equal justice, as also their religious improvement and civilization". (67).

In the unsettlement attending the inauguration of the system Eno disputed Umkye's claims to the lands allotted to him and Tzatzoe's kraals were "eaten up", but after that the country assumed a more quiet aspect. By February Bowker alone had reported either thefts or murders and for these Eno had granted compensation. (68). Stockenstrom expressed the view that the frontier had "never in the memory of man been more tranquil".(69). By May he demanded of the "faction" to "show me such another four months in the history of the frontier".(70). Later he reported that the Kaffirs were more peaceable than ever before,(71) and proudly spoke of "the measures of the Colonial Minister in full success beyond the hopes of their supporters as exemplified in the tranquility and happiness of the tribes--the revival of trade and the restoration of confidence".(72). After the treaty had been in operation for a year he met the Gaika and Ndambi Chiefs in assembly and found them completely satisfied with the system, grateful for the treatment they received and ready to co-operate with the Government in maintaining peace and preventing and punishing depredations. (73). The unsettled claims of the Colony on the Kaffirs for the year amounted to two cases involving six horses, one other case being in course of settlement. Besides, two Fingos had been murdered.(74). In fact

-
- (66). Stockenstrom to Fairbairn. (14/10/36).
(67). Hudson to Agents. (14/12/36). (L.G.280).
(68). Bowker to Hudson. (7/2/37). (L.G.121 No. 16).
(69). Stockenstrom to D'Urban. (24/2/37). (C.O.1353 No. 108).
(70). Stockenstrom to Fairbairn. (4/5/37).
(71). Stockenstrom to D'Urban. (6/6/37). (C.O.1354 No. 207).
(72). Stockenstrom to D'Urban. (11/7/37). (C.O.1355 No. 234).
(73). Stockenstrom to D'Urban. (22/11/37). (C.O.1356 No. 332).
(74). Stockenstrom to D'Urban. (18/12/37). (C.O.1356 No. 350).

In fact, he was convinced that the Kaffirs understood and approved of the system so fully that, but for the "agitations", its success would be "beyond all doubt".(75).

Stockenstrom certainly had solid reasons for thinking the system to be working successfully. The reports from Kaffraria were most heartening. Eno and Macomo had recovered and restored cattle, and the Gaika Chiefs had assembled, sentenced every Kaffir found guilty of theft to a severe punishment and sent Tjali to the agent with all the horses and cattle lately stolen from the Colony by their followers.(76). Bowker and Stretch consistently reported "no depredations", though the former referred to incessant plundering of the Fingos by other tribes.(77). Fynn, from Tambookieland, reported that thefts were rare and that all stolen property was being recovered with Mapassa's willing assistance.(78), though twice during the year he spoke of sharp increases in thefts.(79). Even ~~Hutse~~^{Kveli}, whose people ~~were~~ stealing horses extensively, was collecting stolen property for restitution to the Colony.(80). Moreover, Stretch and Fynn could state that where the stipulations of the treaties had been complied with, property had invariably been recovered or the owners compensated.(81).

There was, however, another side to the picture. While these reports of tranquility were coming from Kaffraria, the Grahamstown Journal was weekly publishing heavy lists of depredations and Armstrong, on the immediate border, was also sending in a steady stream of "Returns of depredations". H.Fynn reported that the farmers along his part of the frontier declared that thefts had increased since his arrival,(82) while Campbell privately told D'Urban that the new system "is admitted by all to be not only a perfect failure,

-
- (75). Stockenstrom to Fairbairn.(17/9/37).
(76). Stretch to Hudson.(29/8/37). (L.G. 124).
(77). Bowker to Hudson.(15/3/37). (L.G. 131 No. 25).
(78). H.Fynn to Hudson.(20/3/37);(21/5/37).(L.G.128 Nos. 3,8).
(79). H.Fynn to Hudson.(30/6/37); (29/11/37). (L.G.128 Nos.11,22).
(80). W.Fynn to Hudson.(4/10/37). (L.G. 130 No.6).
(81). H.Fynn to Hudson.(10/1/38). (L.G.128 No.25); Stretch to Hudson.
(5/12/37). (Enclosure to C.O.1356 No.350).
(82). H.Fynn to Hudson.(10/1/38). (L.G.128 No.25).

but that it will produce the most ruinous results if not speedily abandoned".(83). Even Bowker reported to the Governor that the stealing was "terrible" and that "we are on the high road to anarchy and confusion".(84). Finally, I have found two sets of "official" returns for 1837, the one showing the losses for the year as 217 horses and 491 cattle, of which scarcely one-third was recovered.(85), the other putting it at 384 horses and 2403 cattle.(86). Not only is this discrepancy most baffling, but it is impossible to ascertain the accuracy of these figures. No doubt, the farmers ascribed to the Kaffirs all losses whatever, whether the animals had strayed, been stolen or destroyed by wild animals. (87). On the other hand, it is clear that many losses were never reported. (88). Stockenstrom was inclined to dismiss all reports not appearing in the agents' statements as false (89), these losses "weekly poured into the public ear by every vehicle of falsehood".(90). It must be remembered, however, that he was naturally out to vindicate the success of his own system, and thus was prone not only to seize on every scrap of evidence which went to justify his measures (91), but also to ignore evidence pointing to a contrary conclusion. (92). It is extremely difficult to get to the exact truth in this matter, but it does seem as if the general complaints of depredations in the Colony had some justification.

-
- (83). Campbell to D'Urban. (20/10/37). (Enclosure to C.O.144). (No. 71).
- (84). Bowker to D'Urban. (10/10/37). (Enclosure to C.O.1447 No.71). Bowker: P.25.
- (85). L.G. 136.
- (86). No. 424 of 1851. P.196.
- (87). See P. 103 *infra*.
- (88). H.Fynn: Memorandum: (C.O.1011); Gilfillan to Hudson. (19/6/38). (L.G.148). Armstrong to Campbell. (3/7/37). (Mag. Records Fort Beaufort. No. 190).
- (89). Stockenstrom to D'Urban. (18/12/37). (C.O.1356 No. 350).
- (90). Stockenstrom to D'Urban. (31/8/37). (C.O.1355 No.280).
- (91). See for example Despatches. Nos. 249, 375.
- (92). He ignored Fynn's unsettled claims for 1837 as Fynn was known to take notice of claims not strictly in accordance with the treaty. (L.G.128 No. 25).

The reports for 1838 give even less ground for satisfaction. There is evidence of unrest in Kaffirland. A dispute between Pato and Umkye (93) was followed by another between Macomo and Umhala (94); while there is strong evidence pointing to the implication of Umkye (95) in a rebellion of ranks of the Cape Mounted Rifles, a rising which, as the mutineers gave out, had been intended as a preliminary to a general attack on the Colony. (96). The Gumukwebes, feeling themselves increasingly insecure in Kaffirland, approached the Government for a closer alliance and obtained a supplementary treaty with the Colony for mutual defence and support. (97). Apart from this there is the fact of depredations. Judging by the "reclaimable" losses alone, stock-theft was assuming alarming proportions while the percentage of recoveries was disappointing. It was clear that the chiefs were increasingly shirking their responsibilities under the treaties. Referring to certain unsettled claims, H. Fynn wrote that there was "little probability of their being adjusted until the Chiefs are convinced of the determination of the Government". (98). Napier was forcibly impressed by the prevalence of depredations, which "must be acknowledged to have been carried on to a considerable extent for some months past". Determined on enforcing the provisions of the ^{treaties} ~~depositions~~ he gave Botman and Macomo ten days in which to make restitution in respect of claims lodged with them three months previously; failing which he threatened an armed reprisal. The chiefs generally were warned of forcible action in all cases of failure to give redress for proved losses within the prescribed period, the patrol system was strengthened (99) and Glenelg was asked for reinforcements

-
- (93). Bowker to Hudson. (16/1/38). (L.G.131 No. 85).
(94). Bowker to Hudson. (13/2/38). (L.G.131 No. 90).
(95). Bowker to Hudson. (22/2/38). (L.G.131 No. 93); Somerset to Stockenstrom. (21/2/38). (L.G.122).
(96). Stockenstrom to Napier. (25/2/38). (C.O.1357. No. 389).
(97). Enclosure to C.O. 846 No. 49.
(98). H. Fynn to Hudson. (2/6/38). (L.G.148).
(99). Napier to Glenelg. (25/5/38). (C.O. 1448).

"to defend the Colony from any sudden rush of Kaffirs" and "to check the constant stealing of cattle".(100). It was clear that the Stockenstrom system was not working well.

Not all the thefts are to be attributed to weaknesses in the system. By this time considerable numbers of natives had found their way into the Colony, either refugees, who had drifted in, or Kaffirs, admitted under the 49th Ordinance (101) for farm service in the Colony. After the way these had been absorbed in increasing numbers as starvation in Kaffirland forced them over the border. Towards the end of 1836 Bowker reported that the frontier was already fully stocked with native labourers.(102). In 1837 Fingo servants were reported to be on practically every farm in the East.(103). A year later H.Fynn stated that Tambookies were extensively employed in the districts of Somerset and Cradock.(104). Stockenstrom, realising that these natives, while supplying the labour demand, could become a fresh domestic complication, tried to keep the influx down to manageable proportions. He enjoined on the agents "the strictest adhesion to the treaties with the natives on the subject of passes", and warned against too numerous an issue of the same. (105). However, ~~apparently~~ considerable numbers came in during this time. For this the farmers were themselves responsible. Most of these natives obtained passes on the application of farmers, who often hired natives with only temporary permits, (106-) and were even guilty of harbouring passless natives.(107). There is evidence to show that farmers encouraged natives to squat on their farms in numbers. Early in 1839 Chief Justice Wylde spoke of "the kraals of Kaffirs, Mantatjes and of other tribes allowed to be made on so many estates in the Eastern districts.".(108).

(100). Napier to Glenelg.(12/7/38). (C.O.1448).

(101). On 25 August 1829 Cole had by proclamation suspended the Ordinance, but all this time the authorities had been issuing passes under the Ordinance.(C.O.846 No.80).

(102). Bowker. P.25.

(103). S.A .Commercial Advertiser.(8/3/37).

(104). H.Fynn to Hudson; (25/5/38). (L.G.148).

(105). Circular to Agents.(8/2/37). (L.G.280).

(106). H.Fynn to Hudson.(25/5/38). (L.G.148).

(107). Armstrong to McResty.(8/8/36). (Mag.Records.Fort Beaufort. No. 190).

(108). Marais: P.183.

AM About the same time Stretch found these kraals "so numerous as scarcely to distinguish the Colony from Kaffraria".(109). The provisions of the treaties and of Ordinance 49 conflicted, so that whatever restriction the agents might impose on the issue of passes, the Ordinance allowed for a great influx. (110).

While this growth of intercourse was in many ways desirable and fitted in with Stockenstrom's plans, the presence of such numbers, could, in the absence of an adequate police force, only be fatal to internal security. Many of these undoubtedly joined the ranks of the vagrants. What was more serious, they had an appreciable share in the thieving. J.Collet told Stockenstrom that Fingo labourers were stealing extensively (111) . H.Fynn was of opinion that most losses were due to these native servants who stole stock from neighbouring farms and passed them on to Kaffirland, or else acted as accomplices of parties from beyond the border.(112). Bowker held the same view with regard to the Fingos, whose herds had increased out of all proportions at Fort Peddie. (113).

Stockenstrom's system was inaugurated under peculiarly unfavourable circumstances. The times were trying to both natives and colonists. The most devastating frontier war yet waged had come to an end barely a year before. In January 1836 Jarvis, the Commissary General, reported that "in every part of Albany which I have lately visited, the marks of the ravages and depredations which have been committed by the Kaffirs are apparent to a most melancholy and appalling degree".(114). The Kaffirs had suffered no less. "There have been taken from them", wrote D'Urban, "about 60,000 head of cattle, and almost all their goats; their habitations are everywhere destroyed and their gardens and cornfields

(109). Stretch's Memorandum: P.8 .

(110). Memorandum by Fynn: Notes on Treaty System by Menzies. (C.O. 1011).

(111). J.Collet to Stockenstrom.(17/9/36). (L.G.189).

(112). H.Fynn to Hudson.(16/4/37). (L.G.128 No. 6).

(113). Bowker to Hudson: (19/8/37). (L.G. 131 No. 51).

114). No. 503 of 1837. P.337.

laid waste." (115). On top of these miseries had come a spell of unprecedented drought and a locust visitation.(116). Thus at the time Stockenstrom was carrying his system into effect, the Colonists were desperately petitioning the Home Government for relief, while the frontier districts were being overrun by destitute Kaffirs.(117). During the two years of Stockenstrom's administration of the system there were to be further periods of drought on the frontier with consequent distress and unrest in Kaffirland.(118).

As it was, things were becoming increasingly difficult for the Bantu in Kaffirland. The restoration of the Ceded Territory could not have done much to relieve the congestion on the Kaffir side of the frontier. For half a century now the Europeans had stopped their natural expansion, and even pushed back among them those already settled beyond the Fish. This result of all this had not only been to render their livelihood more precarious but also to give rise to land squabbles and internal dissensions which weakened and disorganized the tribes. Matters were complicated by the arrival of waves of refugees--Fingos, Mantatjes, Tambookies--remnants of the tribes dispersed and broken up by the Chaka wars, who crowded on to their lands or settled around them. It is under the circumstances produced in Kaffirland by acute pressure of population and the harassing and impoverishing frontier and tribal wars of all these years, that Stockenstrom's system was introduced.

Unsettlement and poverty beyond the frontier inevitably reacted on the Colony. Besides the influx of native labourers, there was the more troublesome problem of the unauthorised entry of numbers of marauders. In trying to cope with this problem Stockenstrom found not only that the vagrancy provisions of the 49th Ordinance were inadequate (119), but that "in the means to avail ourselves

(115). D'Urban to Glenelg.(7/11/35). (C.O.1447).

(116). No. 503 of 1837. P.338. Grahamstown Journal.(13.10.36).

(117). Armstrong to Somerset. (9/10/36). (Enclosure to L.G.121.
(13/10/36).

(118). Stretch to Hudson.(11/6/38). (L.G.48).
Grahamstown Journal. 30.7.37.

(119). Stockenstrom to D'Urban.(1/10/36).(C.O.1352 No. 17).

of that power we are as deficient as ever".(120). Various amendments were embodied in his Ordinance which supplemented the treaties, but it seems that for lack of effective administrative machinery the Ordinance was hardly applied.(121). Certainly, throughout this time complaints of loose Xosas, Fingos and others wandering about and plundering the inhabitants continued to come in. (122). These "foreigners" also took to building kraals and huts in bushy ravines and inaccessible corners of the Colony, which they used as bases of operations for their plundering expeditions. (123). One such party which had established itself in the Winterberg, was found to have accumulated a hundred cattle in the course of three years.(124). On various occasions military parties had to be sent to clear parts of such intruders. Just before Stockenstrom's departure a sudden and unprecedented influx of Kaffirs without passes or permission from the Chiefs left Stretch complaining about the lack of means for controlling the entry of such foreigners and vainly pleading for a greater police force.(125). Besides the losses they inflicted on the Colony, these "foreigners" kept alive an enduring sense of insecurity and in this way helped to undermine confidence in the Stockenstrom system.

While refugees of all clans were wandering about the Colony and Tambookie incursions were causing uneasiness in the North,(126) the more compact body of Fingos was proving a serious embarrassment to Stockenstrom on the frontier. The . . .

(120). Stockenstrom to D'Urban. (13/2/37). (C.O.1353 No. 95).

(121). Grahamstown Journal.(31.5.38); Campbell to Hudson. (6/9/37). (L.G. 45 No. 155).

(122). Campbell to Hudson.(25/1/37). (L.G.45 No.55); v.d.Riet to Hudson.(22/3/37). (L.G. 101 No. 58).

(123). v.d.Riet to Hudson.(5/6/38). (L.G.103 No. 94).
Armstrong to Hudson.(19/2/37). (L.G. 119).

(124). H.Fynn to Hudson.(16/2/38). (L.G.128 No. 30).

(125). C.L.Stretch to Hudson (18/6/38)(27/4/38) (L.G.148)

(126). H Fynn to Hudson.(29/4/37). (L.G. 128 No. 7).
(27/10/37). (L.G.128 No. 20).

The Xosas cherished an inveterate hatred for these "dogs" who, when accepted as British subjects by D'Urban during the war and located in the Ceded Territory, had come away with much of their masters' cattle. (127). With the Ceded Territory reverting to the Kaffirs, Stockenstrom arranged that they should vacate the Galka lands at the Gaga and be concentrated at Fort Peddie. The treaty provisions against molesting of the Fingos availed those at the Gaga little, until their removal in July 1837, when, refusing to go to Fort Peddie, they were settled at the Zitzikamma. The lands of this location proving unsuitable for cultivation or grazing purposes, they proved a further source of unrest and annoyance in this quarter.(128). Those at Fort Peddie, planted as they were on Xosa lands, with Xosa cattle in their possession, kept alive unsettlement on the frontier throughout this period. The incessant harrying of these people, reported by Bowker, finally culminated in the first serious breach of the treaties. In August 1837 the location was attacked by a Xosa army under the petty chiefs Seyolo and Stock, which killed and wounded several Fingos and swept off practically all their cattle.(129). The Chiefs, disclaiming all share in the operations, put the blame on Seyolo,(130) who, acknowledging his guilt, sent in 35 cattle, saying that the rest was in the possession of other chiefs who were more heavily implicated than he was. (131).

Stockenstrom demanded satisfaction from the Ndambi tribe as a whole. Umhala, replying for the tribe, stated that Seyolo had returned all the Fingo cattle in his possession, was sending 39 head more as compensation, and asked to be forgiven.(132). Stockenstrom expressed himself as satisfied and declared the matter closed.(133).

-
- (127). Stockenstrom to D'Urban.(9/8/37). (C.O.1355 No.254).
(128). Bergh to Bell.(18/10/37). (Enclosure to L.G.4 No.203).
(129). Bowker to Hudson.(23/8/37). (Enclosure to C.O.1355 No.228).
(130). Bowker to Hudson.(19/8/37). (Enclosure to C.O.1355 No.271).
(131). Bowker to Hudson.(29/8/37). (Enclosure to C.O. 1355 No.280).
(132). Bowker to Hudson.(16/9/37). (Enclosure to C.O.1355 No.291).
(133). Hudson to Bowker.(17/9/37). (Enclosure to C.O.1355 No.291).

To his mind the conduct of the Chiefs showed an understanding of the treaties and a determination to abide by them.(134). Stockenstrom, however, was refusing to admit defeat. D'Urban at least made it known that he did not consider the atonement as sufficient, nor could he "regard the system, to the working of which you attribute this result, with a satisfaction at all equal to that it appears to afford you" (135), and he feared that "from such a 'lame and impotent' conclusion as this grave and vital question has been suffered to rest in, nothing but future mischief can result".(136). This affair was unfortunate in its effects. The Fingos, not daring to reoccupy their lands, left the location in a steady stream (137). Boyce reported that this virtually unpunished aggression had the most injurious influence on the Kaffirs (138), while it certainly went to discredit still further the system in the eyes of the Colony.

From the very nature of the system, much depended on the ability and willingness of the parties to adhere to the treaties and to enter into the spirit of the agreement. The native chiefs, however, could hardly be expected to appreciate a policy based on recognition of their needs and interests. During half a century of contact with the Europeans they had experienced nothing but military force. There was much to live down before the chiefs could co-operate with the Government in a spirit of mutual good-will and confidence. As Stockenstrom pointed out, it was rather late in the day to begin upon such principles, "when mutual provocation and retaliations had already so much damaged the prestige of British equity and benevolence, and when some of our failures and their results had so much weakened the fear of our power and the respect of our wisdom, which had long influenced the minds of

(134). Stockenstrom to D'Urban.(31/8/37). (C.O.1355 No. 280).

(135). D'Urban to Stockenstrom.(3/10/37). (L.G.4 No. 191).

(136). D'Urban to Glenelg.(9/10/37). (C.O.1447).

(137). Bowker to D'Urban. (3/10/37). (Enclosure to C.O.1447 No. 71).

(138). Boyce. P.99.

our barbarian neighbours." (139). The constant agitation in Grahamstown during this period was not calculated to increase their confidence and trust in the sincerity of European justice.

The co-operation of the Colonists was indispensable for the successful working of this experiment. The frontiersmen, however, their hopes of land beyond the frontier frustrated, and bitterly opposed to any policy shaped by Stockenstrom and Glenelg, were in no mood to give any policy a fair trial which sought to deal with the Kaffirs on equal terms. "The general feeling against the original treaty", states H.Fynn, "was such that no colonist appeared desirous of informing himself of its principles, beyond what appeared to operate against himself".(140). Prejudiced against the system as they were, the farmers, by their failure to adhere to its provisions, were responsible for much of their own losses. "Many losses of cattle and horses", Armstrong reported, "have taken place from the want of due precaution either on the part of the owners or herds".(141). H.Fynn reported that cattle and horses were rarely "kraaled", and were allowed to run wild day and night; that during the first year there had been only four instances of thefts being reported within 48 hours. The result of this ignoring of the treaty provisions was that many claims could not be entertained, and thus the idea was generated that the Government would not give redress. Consequently many farmers did not trouble to report thefts, the percentage of animals recovered fell and the kaffirs were in like measure encouraged by the impunity with which they robbed the Colony.(142). On the other hand, the farmers were always prepared to believe the worst and to ascribe everything to the Kaffirs. "I cannot but lament the propensity some of the border farmers have lately evinced", wrote Stretch "in charging the Kaffirs with crimes which have not even been ascertained, much less reported".(143). Indeed . . .

(139). Autobiography: Vol. II. P.29.

(140). H.Fynn: Memorandum. (C.O.1011).

(141). Armstrong to Campbell.(3/7/37). (Mag.Rec. Fort Beaufort. No. 190).

(142). H.Fynn.to Hudson.(10/1/38). (L.G.128 No.25).

(143). Stretch to Hudson.(20/5/37). (L.G.124).

Indeed, there were repeated instances of charges of theft levelled against the Kaffirs being proved false. (144). Speaking of the treaty system some years later, Mr. John Montagu, the Secretary to the Government stated: "There seems too much disposition too hastily to circulate reports of Kaffir depredations, without taking sufficient pains to ascertain their truth---By these, and such means as these the minds of the farmers have become wax to receive and marble to retain everything that makes against the Kaffirs...., this process has led not only to much of the feeling of insecurity that exists on the frontier, but to dissatisfaction against the Government for not taking measures to prevent the injuries complained of". (145).

The "atmosphere" on the frontier throughout this period was fatal to the prospects of any system aiming at establishing friendly relations with the Kaffirs. To start with, the frontiersmen had not yet lived down the memories of the late war. In March 1836 Campbell reported that "they continue to be much discomposed and their minds agitated by every vague report put into circulation, whether it regards the conduct of the Kaffirs or the measures of the Government". (146). Throughout, there was a state of suspense and nervous excitement, kept at a pitch by the propaganda and the alarmist tenor of the Grahamstown press. From the first, Stretch stated, the most determined hostility was shown towards Stockenstrom's measures, and "war" was the watchword of the frontier. (147). Fairbairn complained of "the unwearied efforts publicly made to embarrass his administration, to deprecate all his measures and to check the growth of anything resembling confidence in the new system on both sides of the frontier". (148). Stockenstrom himself was convinced of the existence of a "war party", which was trying "to keep up alarm and excitement on the frontier", (149) ◀

(144). Stretch to Hudson. (14/5/37). (L.G. 124). Despatches: 303, 330, 350. (Stockenstrom to D'Urban).

(145). Bowker P. 151.

(146). Campbell to Bell. (25/3/36). (L.G. 119).

(147). Stretch to Hudson. (13/9/40). (L.G. 125).

(148). S.A. Commercial Advertiser. (26.8.37).

(149). Stockenstrom to D'Urban. (26/4/37). (C.O. 1354 No. 173).

of "a desperate disappointed and unprincipled faction---ready to sacrifice the tranquility and the happiness of the Colony and of the surrounding natives to their thirst for revenge and lucre", who were fomenting dissensions and inventing "the most disgraceful false alarms" (150). Whatever truth there was in Stockenstrom's allegations, the period was certainly characterised by a series of empty "scares" and panics on the frontier.(151).

To crown it all, there was the fact of the Great Trek. The emigration kept alive excitement, it left those remaining behind in a state of alarm and disturbed the Kaffirs. Moreover, it seriously weakened the frontier, robbing it of a considerable proportion of its best defenders and making the task of the few officials in coping with native immigrants and thieves one of immeasurably greater difficulty.(152).

Taking into account the circumstances of poverty, overpopulation and unsettlement in Kaffirland, together with excitement and hostility to Stockenstrom and his measures in the Colony, it must be admitted that the Stockenstrom system never had a chance. The Lieutenant-Governor was further handicapped by the lack of adequate instruments for applying the system. Such a scheme required, above all, sufficient magistrates and an adequate police force for effective administration on the Colonial side of the border, for the firm control of natives within the Colony and the prevention of thefts. *A starved. . . .*

(150). Stockenstrom to D'Urban. (9/5/37). (C.O.1354 No. 182).
(151). Stockenstrom to D'Urban.(Desps . 108, 173, 181, 195).

✓ To prove "the worthlessness of much, if not all, of what Stockenstrom wrote in this strain".(Cory.Vol.III.P.411). Sir George Cory deals with one of these false alarms, but is guilty of a glaring misrepresentation. For the report of the officer who investigated and found that the report was without foundation (Rishton to Somerset (25/3/37), he substitutes the alarmist report made to the officer, and which was subsequently disproved. (Rishton to Somerset.(22/3/37). (Enclosures to C.O.1354 No. 173).

(152). Fynn to Hudson: (30/8/37). (L.G.128 No. 17); (16/9/37). (L.G. 128 No. 18).
v.d.Riet to Hudson.(5/6/38). (L.G. 101 No. 94).

A starved administration, however, did little to assist in the prevention of cattle-thieving and left the frontier open. At the frontier posts and residencies there was, stationed a native police force, ^{but it was quite} ~~inadequate~~, ^{its members} ~~badly remunerated~~, indifferent to their task and afraid of acting where their own tribe was concerned, and ^{it was} further reduced in numbers during this time for purposes of economy. (153). The only police protection the frontier enjoyed was provided by military patrols and this was necessarily limited by reason of the necessity for keeping the troops together for garrison purposes. As it was, Stockenstrom, who had contemplated military coercion in the initial stages of the application of his system, found himself with seriously weakened forces soon after the assumption of office. (154). The reduced strength of the force no doubt had much to do with the failure of the Chiefs to carry out the terms of the treaties. "The Caffres", Stretch stated, "soon discovered the error and weakness of the Government to enforce the penalty attached to Colonial depredations". (155).

The failure of the Colonial Government to do its share in policing the frontier threw an impossible burden of responsibility on the Kaffir Chiefs. As it was, the root of the trouble was that the power of the Chiefs was waning. The uprooting of tribes, the influx of refugee clans, the internal rivalries and dissensions of all these years had not been without effects on the stability of the tribes. There was a growing number of petty chiefs over whom the Great Chiefs had less control. (156). Moreover, as Pato and Umkye complained to Bowker, the Kaffirs were no longer respecting their laws. (157). Even . . .

-
- (153). Stretch to Hudson. (16/5/38). (L.G. 148); (1/1/38). (L.G. 188).
H. Fynn to Hudson. (30/6/37). (L.G. 128 No. 11). Bowker to Hudson: (15/5/38). (L.G. 148).
(154). Somerset to Stockenstrom. (21/3/37). (Enclosure to C.O. 1353 No. 137).
(155). Stretch: Memorandum: P.3.
(156). Fynn: Memorandum: (C.O. 1011).
(157). Bowker to D'Urban: (10/10/37) (Enclosure to C.O. 1447 No. 71).

Even Macomo and the other Gaika Chiefs were said to be unable to restrain their followers. (158). Lieutenant-Governor Hare was forcibly struck by the general loss of authority on the part of the Chiefs. (159). Among the refugee Tambookies Mapassa's leadership was not only disputed, but there was even a section which recognised no Chief at all. (160). It was plain that no Chief could consistently prevent or punish depredations in defiance of the general will. There is evidence to show that delinquents were welcomed by rival chiefs, anxious to strengthen their numbers. (161). The Chiefs thus stood to lose much by adhering to the terms of the treaties. In return, they received no assistance from the Government for enforcing their authority and prosecuting depredators. Little inducement was held out to them to stimulate their exertions on behalf of the Colony. In fact, during this time the value of presents distributed to the Chiefs was cut down. (162).

The weakness of the Chiefs was one obstacle to the recovery of stolen property, the other was the treaty provisions themselves. In his anxiety to eradicate past abuses Stockenstrom framed regulations which were both unreasonable and impolitic. However, necessary it was to penalise negligence and prevent frauds, the realities of the situation had to be taken into account. Moreover, to make carelessness on the part of the farmers a plea for allowing thefts to go unpunished and uncompensated, was merely to encourage the natives. On an open and unsettled frontier it must have been difficult to comply with Stockenstrom's stipulations. It was not always that thefts came to the farmer's notice immediately, nor could he always avoid allowing his animals to graze at night; in many cases the spoor must have been obliterated by wind and rain or ^{by} cattle driven across it. Even where the regulations had been fulfilled, the restrictions on the pursuit of stolen

(158). Bowker to Hudson. (16/6/38). (L.G. 131 No. 98).

(159). No. 424 of 1851. P.57.

(160). H. Fynn to Hudson. (2/6/37); (22/7/37). (L.G. 128 Nos. 9, 13).

(161). H. Fynn to Hudson. (16/9/37); (29/7/37). (L.G. 128 Nos. 18, 19).

(162). Circular to Agents. (6/3/38). (L.G. 280).

~~of stolen property~~ facilitated the escape of thieves, while the discretionary powers allowed the pakati, the agents and the Chiefs, placed the farmers largely at their mercy. In short, the scales were heavily weighted against the farmer.(163).

To this defect in the treaties must be attributed much of the clamour which produced an amendment of their provisions in 1839, the first of a series of such alterations which certainly contributed as much as drought and the weakness of the Chiefs to the ultimate breakdown of the treaty system.

Stockenstrom, thus, had failed to bring peace with security to the frontier. The habit of looking at frontier policies merely as police measures, however, has blinded most people to the wider aims of Stockenstrom's system. There was much that was sound and constructive about his policy. As we have seen, Glenelg had a hand in the shaping of the policy. Stockenstrom did not desire ~~the~~ complete withdrawal of Colonial influence from the Ceded Territory. Beyond that, however, the system was his own. The outstanding feature of his system was the recognition that it was fundamentally a question of land; that there could be no hope of peace on the frontier unless the Kaffirs were secured in their lands. The basis of his treaties was the "acknowledgment of the right to the territory of its then actual possessors".(164). On this basis Stockenstrom strove to find a modus vivendi with the Kaffirs. He sought to attain that by regulating the mutual relations of Colonists and natives; by enforcing a just and equitable system of recovering stolen property; by promoting intercourse, trade and commerce between whites and blacks, which would establish closer relationships between them and make possible the gradual

(163). It is not generally known that the cattle-stealing provisions were almost wholly taken over by Stockenstrom from Smith's Memorandum on the subject.(No. 503 of 1837.P.363 ff.). See Stockenstrom's statement to this effect.(Select Committee on Kaffir Tribes. P.1851. P.227).

(164). Bantu, Boer and Briton. P.182.

assimilation of the natives to the habits, customs and ideas of the Europeans, to their conceptions of law, government and property; above all, by following a course of justice and truth towards the native chiefs, of respect for their feelings and interests, and thus winning their confidence, persuading them of the moral superiority of the European "until in the process of time you may find them dwindling into your Magistrates, through the conviction of the whole community that a Christian is a better man than a heathen--- and that British laws, when faithfully administered, are better than Kaffir laws".(165). This point has not been sufficiently emphasised. For Stockenström the treaty system was merely the means of preparing the natives for the acceptance of British rule.

Such a policy needs a long period of time to produce results, and it could hardly have been expected that much could have been achieved in the short space of time that Stockenström worked the treaties. He was succeeded by officers who were set on security to the exclusion of all considerations of policy. Even during Stockenström's time conditions were generally most unfavourable. It can thus be said that his system never had a chance. On the other hand, there was the problem of providing for the security of the frontier while these measures were being applied. Even if the Chiefs could have controlled their subjects, it was another matter holding them to their treaties. The Government was naturally reluctant to risk war by the application of force. Nothing could have met the situation but to have incorporated the tribes in the Colony and to have brought them under European administration. Stockenström, however, insisted that the natives should first be persuaded of the advantages of civilized government, and should be allowed to adjust themselves to the changed conditions. "I confess", he wrote, "that (with Sir B.D'Urban) I should be glad to see the whole of Africa one immense British Colony with our laws in full vigour through every nook of it. But--it is folly to talk of reversing the order of nature".(166).

(165). Stockenström: Brief causes of the Kaffir War. P.8.

(166). Bantu, Boer and Briton: P.235.

CONCLUSION.

We have seen what Stockenström's views and policies were with respect to each of the problems of his time. During these years he had achieved little of lasting value. He had helped to safeguard Hottentot liberty against the forces of reaction, but his contribution to the solution of the problems of vagrancy and stock theft had come to nothing; he had formulated a definite policy to the problems created by the Trek-Boers and the Great Trek, but it had not been applied; on the Eastern frontier alone, he had carried into effect his frontier system, but the results had been disappointing.

All Stockenström's efforts were hampered by the fact of economic anaemia within the Colony and the refusal of the British Government to assume further responsibilities at the Cape. Lack of support, especially financial support, from the side of the Government had much to do with the failure of his Hottentot settlements on the Fish. The attitude of the Colonial Office and the fact that the Colony was financially crippled put out of the question the application of his policies with respect to Transorangia and Natal. On the eastern frontier the lack of adequate means contributed largely to the undoing of his measures. There too, incorporation was ruled out by considerations of expense.

Lastly, there is the attitude of the Colonists to be considered. Long-range schemes could not be put into practice without the necessary spirit among the Europeans. And during this period Stockenström was bitterly persecuted for the principles on which his policies were based. Today we have come to realise the soundness of those principles and the wisdom and far-sightedness of those policies. The Colonial community of 1836-8 was but following the age-long custom of stoning the prophet in her midst.

BIBLIOGRAPHY.

S.A.P.L. indicates that the newspaper, book or pamphlet is to be found in the South African Public Library, Cape Town.

PRIMARY SOURCES.

A. OFFICIAL PAPERS.

(1). MANUSCRIPTS. (CAPE ARCHIVES).

D'Urban to Secretary of State: C.O.1447.

Napier to Secretary of State: C.O.1448.

Secretaries of State to Governors: C.O.1323-6.

Stockenstrom to the Governors: C.O.1352--7.

Acting-Secretary to L.G. to Secretary
to Government: C.O.825, 846.

Proceedings, Court of Inquiry
into Stockenstrom Trial: C.O. 836.

Papers re Border tribes, treaties etc: C.O.1011.

The LIEUTENANT-GOVERNOR'S LETTERBOOKS: L.G.280-1.

Governor to the Lieutenant-Governor: L.G. 2-5.

Secretary to the Government to
Acting-Secretary to L.G. : L.G. 13.

Civil Commissioner, Albany to
Lieutenant-Governor: L.G. 45-6.

Civil Commissioner, Colesberg,
to Lieutenant-Governor: L.G. 67.

Civil Commissioner, Cradock to
Lieutenant-Governor. L.G: 72.

Civil Commissioner Graaff-
Reinet to Lieutenant-Governor. L.G. 80.

Civil Commissioner Somerset
to Lieutenant-Governor. L.G. 97.

Civil Commissioner Uitenhage
to Lieutenant-Governor. L.G.101-3.

Civil Commissioner, Albany to
Secretary to Government: L.G.117.

J.P.Fort Beaufort to Lieutenant
Governor. L.G. 119.

Officer commanding the frontier.
to Lieutenant-Governor. L.G. 121-2.

Resident Agents to Lieutenant Governor.	L.G.124-6; 128, 130-1.
Miscellaneous letters.	L.G. 188-91.
Field cornet's returns.	L.G: 135.
Correspondence re Griquas.	L.G.144.
Sundry Memorials, Papers:	L .G.217-8.
Memoranda.	L.G. 253.
Kaffir treaties.	L.G. 143.
Kaffir cases.	L.G.145.
Kaffir papers.	L.G. 148-9.
Returns, Stolen cattle etc.	L.G.136.
Cattle Returns.	L.G.139.

(2). PRINTED:

IMPERIAL BLUE BOOKS.. (S.A.P.L.).

1. Papers re Death of Hintza: No. 279 of 1836.
2. Report of Select Committee on Aborigines: No.538 of 1836.
3. Report of Select Committee on Aborigines: No.425 of 1837.
4. Return: the late Caffre War: No. 503 of 1837.
5. Correspondence re Caffre Tribes: No. 424 of 1851.
6. Select Committee on Caffre Tribes: 1851.

B: NON-OFFICIAL:

- (1). Letters: (Cape Archives).

Stretch to Fairbairn.

Stockenstrom to Fairbairn.

- (2). The Autobiography of the late Sir Andries Stockenstrom, Bart....(C.W. Hutton Ed.). 1887.

C: NEWSPAPERS: (S.A.P.L.).

Grahamstown Journal: 1836-8.

The South African Commercial Advertiser: 1836-8.

The Cape Government Gazette: 1836--8.

SECONDARY SOURCES.

A. CONTEMPORARY OR NEARLY SO.

(a). PAMPHLETS: (S.A.P.L.).

- (1). R.Godlonton: Review of the condition of the frontier Hottentots. (1799-1851). 1851.
- (2). R.Godlonton: Sunshine and Cloud: being an exposition of the reversal of the D'Urban system. 1855.
- (3). H.E.Macartney: A plain and easy way to settle the frontier question. 1840.
- (4). Public Documents: showing the character of Sir Benjamin D'Urban's administration of the Colony of the Cape of Good Hope. 1838.
- (5). A. Stockenstrom: Brief notice of the causes of the Kaffir War. 1851.
- (6). C.L. Stretch: Memorandum on the Stockenstrom Treaty System. 1846.
- (7). C.L.Stretch: Correspondence with the Secretary of State and the Colonial Government. 1849.

(b). BOOKS: (S.A.P.L.).



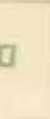

- (1) J.Bird: The Annals of Natal. 1838.
- (2). J.M. Bowker: Speeches, Letters...etc. 1864.
- (3). W.B. Boyce: Notes on South African Affairs. (1834-8).
1838.
- (4). J.C.Chase: Natal Papers. 1843.
- (5). H.Cloete: History of the Great Boer Trek. 1899.
- (6). R.Godlonton: The case of the Colonists of the Eastern Frontier of the Cape of Good Hope, with reference to the war of 1835. 1879.
- (7). W. Shaw: Memoirs of South Africa. 1838.

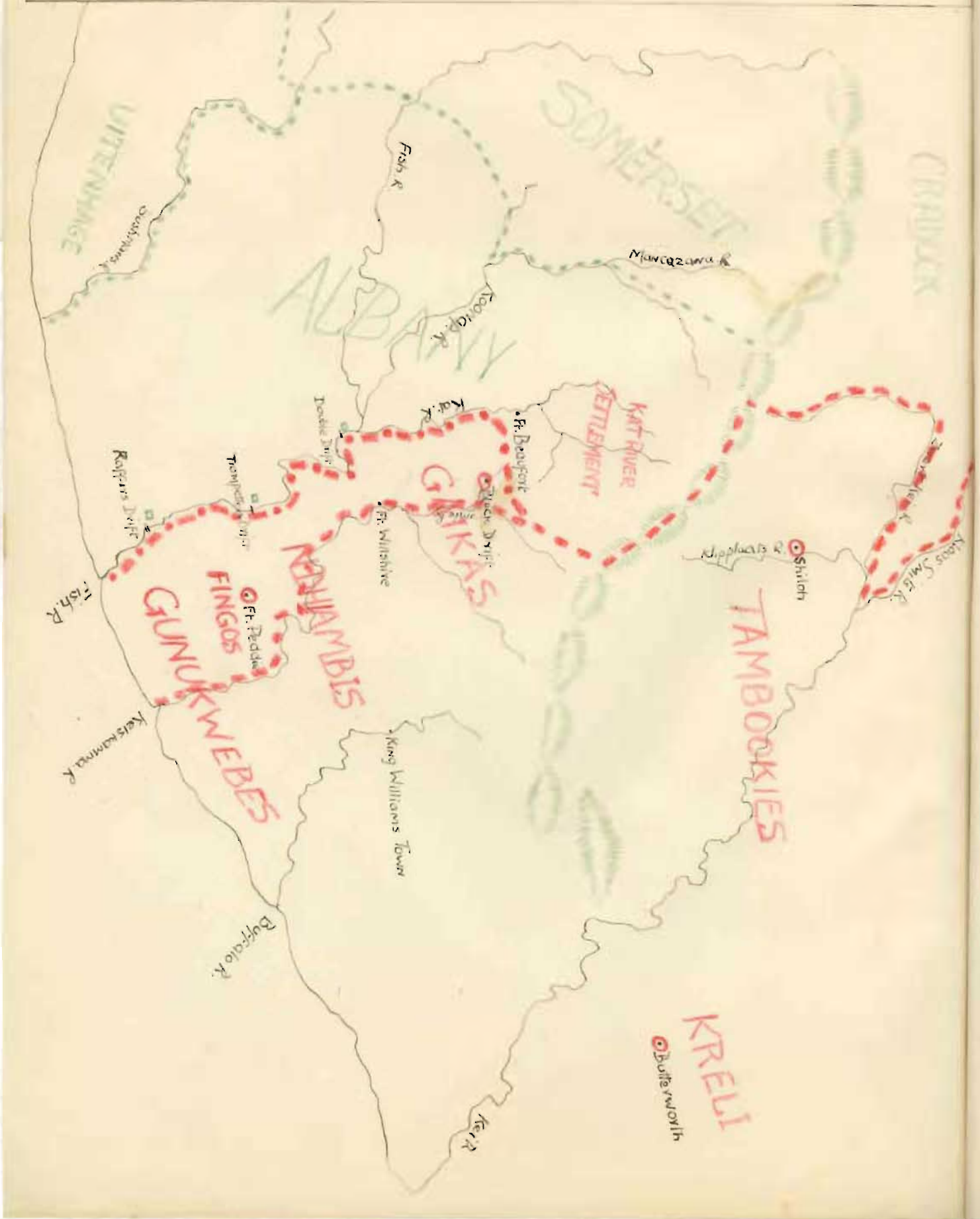
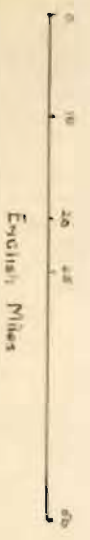
B. MODERN WORKS:

(a). ARTICLES:

H.A.Reyburn: Studies in Cape Frontier History. (The Critic, Oct. 1934, Jan. April and July 1935).

STOCKENS TRON'S
EASTERN FRONTIER SETTLEMENT

	Formal Boundary
	Real Boundary
	Hutten/Pl. Settlements
	Agents' Residences



(b). BOOKS:

- (1). J.A.I. Agar-Hamilton: The Native Policy of the Voortrekkers. 1928.
- (2). The CAMBRIDGE HISTORY OF THE BRITISH EMPIRE: : Vol. VIII.
(South Africa).
- (3). G.E. CORY: The Rise of South Africa. 1910-26.
- (4). E.H. BROOKES: The History of Native Policy in South Africa from 1830 to the present day. 1924.
- (5). G.W. EYBERS: Select Constitutional Documents illustrating South African History, (1795-1910).
- (6). W.M. MACMILLAN: Bantu, Boer and Briton. 1929.
- (7). W.M. MACMILLAN: The Cape Colour Question. 1927.
- (8). J.S. MARAIS: The Cape Coloured People. (1652-1937).
- (9). G.M. THEAL: History of South African since 1795.
- (10). P.J. van der MERWE: Die Noordwaartse Beweging van die Boere voor die Groot Trek. (1770-1842). 1937.
- (11). E.A. WALKER: A History of South Africa. 1928.
- (12). E.A. WALKER: The Great Trek. 1934.

(c). UNPUBLISHED THESES:

- (1). L. Engels: D'Urban's handling of the frontier problems of the Cape.
- (2). J.D. PITMAN: The Commissioner-Generalship of Andries Stockenström.