

George W. Smith, et al, to the Friends of Law and Order convened at Topeka

From a "camp near Lecompton," George W. Smith and the other Free State captives, including Charles Robinson and John Brown, Jr., write to state their views on issues facing the Topeka legislature as it convened. Smith and company argue that the freestaters had a "right to meet as a Legislature, complete the State organization and pass all laws necessary to the successful administration of Justice," but the assembly should not resist "Federal officer in the service of the legal process" unless they threaten the state organization. Smith, et al, believe success of the cause depends upon "a right position and, second upon calm, and unflinching firmness."

Creator: Smith, G.W. (George W.) 1806-1878

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George W. Smith, et al, to the Friends of Law and Order convened at Topeka

Smith, Geo. W., & Others

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Camp, near Secompton Kansas
July 1st 1856

To the friends of "Law and Order" convened
at Topeka:—

The undersigned desire to say a
word to their friends in regard to the present
aspect of affairs in Kansas. —

It is highly important at this time, that the
oppressed people of Kansas should occupy a tenable
position, one, which the Country and the world
will sustain.

There is, it seems to us, a
position which we can occupy and be triumphant
whether overcome by numbers or not; while there is
another position, which, if taken, would prejudice our
cause and might lead to defeat, and weaken the
confidence and support ^{of our friends} in the Country.

The first and true position is, Defense of
the State Organization.

You have a
Constitutional right to meet as a Legislature;
Complete the State organization and pass all laws
necessary to the successful administration of Justice;
and the Federal Government has no authority to
interfere with you in the exercise of this right; Should
it do so, it becomes a ^{Gravical usurpation of power} ~~violation~~ and resistance on your
part becomes justifiable Self-defense.

The second and untenable position, is, resistance
to a Federal officer in the service of a legal process,
when the defense of the State organization is not

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involved. Should a collision occur under such circumstances it would be most most unfortunate, and should be avoided if possible. If an attempt however is made to arrest the members of the State organization, merely because they are such, with a view to disable it, then resistance, becomes defense of the State organization and is manifestly justifiable.

Accordingly all persons against whom indictments are known to be pending, for any other charge than that of being a member of the State organization, should not be found at the Capitol as that might involve the people in this case. The feel that our hope of success in this important crisis depends, first, upon a right position: and, second upon calm, and unflinching firmness.

You have met for the purpose of doing what other new States have done, and what you have a Constitutional right to do, and no man or class of men has a right to interfere, not excepting even the President of the United States.

Our desire to be with you in this crowning emergency, is almost irresistible, and nothing but the fear that your position might be changed from a defense of the State organization to a resistance to our re-arrest, can reconcile us to this absence. As it is, you have our earnest solicitude and fervent prayers that all may go well with you, and that you may earn, as you will, if every step is judiciously



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and firmly taken, the gratitude of millions
of your fellow men, and the approbation
of the God of Justice and humanity.

Geo. W. Smith

Charles Robinson

Lucius J. Smith

Geo. W. Deitzler.

Henry H. Williams

John Brown Jr