

Judge Woodbury decided that the warrant, in his opinion, was legal and proper; and taking into consideration the circumstances which are now surrounding him—the crowded court rooms, and the people in the streets near the court house, the danger of the rescue of the prisoner, &c., the Marshal was justified in the course he had pursued. The offence charged is certainly a serious one, striking at the root of all society; it is a resistance to law. And should the officers fail to prosecute it, unless for good and sufficient reason, they will be highly culpable, especially at this time, when resistance to law, and assaults upon its officers, are so remanding Sims to the custody of the Marshal.

The usual affidavit that he fears a rescue, has been made by the agent of the claimant; and probably such a force of police, military, &c., will be detailed to carry Sims out of the State, as will render even an attempt at rescue impossible.