

JUDGE TREAT IS DEAD

The U. S. Bench Loses One of Its
Two Oldest Members.

Appointed by President Pierce -- Fifty-
three Years a Resident of Springfield --
Honorable Life Record -- Funeral
Arrangements -- Bar Meeting.

Judge Samuel H. Treat, who has been since 1855 presiding justice of the United States court for the southern district of Illinois, and since 1884 a resident of this city, died at his residence on South Second street a little after 1 o'clock Sunday afternoon. Perhaps no figure has been better known upon our streets in years past than the tall form of this old man, as he walked with slow and dignified step back and forth between his residence and the court room, always silently and seldom even stopping to exchange greetings with his most familiar friends. Judge Treat's peculiarities are as well known, we may say better known in Springfield, than himself, for while his judicial duties brought him in an official capacity prominently before the people, they were few who gained an entrance to the inner pale of his social life or stood upon anything like a footing of intimacy with him. Judge Treat's disease has been of some two years' duration, in which space of time he has been known to be failing perceptibly, but up to about two weeks ago he kept his place upon the bench, and attended to his judicial duties with that methodical thoroughness and exactness which has always characterized him. For several days past it has been known that he was gradually sinking, and although it was thought by his friends that life might hold out a few days longer, the news of his did not come us a surprisa. He was attended in his last illness by Dr B. M. Griffith and his brother vestryman of the church, and the officers of the United States court, Superintendent J. S. Bradford and Mr. J. T. Jones were with him almost constantly. By the death of Judge Treat a vacancy is left in the bench of the United States court that will be hard to fill. At the time of his death he was the oldest judge on the United States bench with one exception. Judge Hoffman, of California who was appointed in the same year with Judge Treat, and still survives.

Samuel H. Treat, son of Samuel and Elsie (Tracy) Treat, was born in Otsego county, New York, June 21, 1812, and at the time of his death was in his 75th year. He received an academic and legal education in his native state, and came to Springfield in 1834. During the year in which he arrived in this city he was united in marriage, at Jacksonville, to Miss Ann F. Bennett, who, a few years ago, was taken from him by death.

He was then a young lawyer of 22 years. His first law partnership was with George Forquer, a half-brother of Thomas Ford, who became governor of the state in 1842. Forquer had been attorney general of the state under Gov. Edwards, and at the time now spoken of was register of the land office at Springfield. About three years after this partnership was formed, Forquer died, and Treat continued the practice alone. In 1839, however, a new judicial circuit was formed out of the counties of Sangamon, McLean, Lincoln, Tazewell, Menard, Logan and Christian and the late Stephen T. Logan was appointed judge for it. He was not satisfied with the place and resigned in about three months, when Gov. Carlin appointed Treat to fill the vacancy, a position to which he was afterwards elected once and in which he served till Feb. 15, 1841, when he was transferred to the supreme bench of the state, where he served continuously till his appointment by President Pierce, March 3, 1855, to be judge of the federal court for the southern district of Illinois.

Up to this time Illinois had constituted one federal district, of which the first judge was Nathaniel Pope, father of Gen. John Pope. On the death of Judge Pope Judge Thomas Drummond was appointed and served until the division of the state into two districts, when he was retained on the bench for the Northern district and Treat was appointed to the Southern district, as stated.

Consequently, the history of his service on this bench is the history of this judicial district. Throughout this long period of a little over thirty-two years he discharged the duties of his office in a manner that has reflected nothing but the highest credit upon himself, and uttered opinions that have become standard authority. His writings are characterized by simplicity and terseness, intricate points of law being dealt with and disposed of in a few words, which leaves no doubt or suspicion of ambiguity in the mind of the reader. As far as integrity of character is concerned, Judge Treat's life was without a blemish. In politics he was a sterling democrat of the old school, and maintained his principles at all times, but never did the least particle of political prejudice find its way into his judicial acts or opinions. Upon the bench he was the living embodiment of truth and justice, always suavely polite and courteous, but where principle was concerned immovable as the rock.

Judge Treat had no children, and spent much of his time at home in company with his books. In the course of his life he had collected one of the finest private libraries in the state. He was a member of St. Paul's Episcopal church and senior warden of the parish.

having been a vestryman ever since the organization of the parish fifty years ago. He has probably done as much in a financial way for the advancement of the interests of the parish as any man in it, and it is said that he never turned a deaf ear to any appeal for aid, either from the church or any public or private charity. How much he gave, or when he gave, no one knew but those directly concerned. In this respect he strictly followed the scriptural injunction, and his charities were not heralded forth to the world, though his fellow-churchmen knowing of his liberal nature and his value as a practical worker appreciate deeply the loss which the parish has sustained in his death. And so he has reached the end of a long, honorable and useful life, this quiet, unobtrusive, eccentric old man who was so familiar to all, and yet whom so few really knew. It is granted to few public officers to serve the country so long and faithfully as he, and fewer still are able to so successfully resist the allurements of office and the blandishments of public flattery. We do not all understand him or know him personally, but we as fellow men, knowing our own weaknesses, can stand with uncovered head at his open grave and think with admiration of the stern inflexibility of character, the rugged adherence to principle which raised him to such a high place of official distinction and public reputation. What a contrast to the noisy, empty politician, the officious demagogue is presented by this quiet, unambitious, unostentatious life, which leaves in acts rather than showy marble its most fitting monument.

Judge Treat leaves one sister, Mrs. McClure, of Laport, Ind., who arrived in the city yesterday, having been telegraphed immediately upon the death of her brother, and is the guest of friends here.

It was a favorite boast of Judge Treat, during the latter part of his life, that having been appointed by a democratic president he would never resign as long as the republican party was in power. A chance was given him to retire upon his own condition when President Cleveland was elected, but having lived a busy life so many years and his home being broken up by the death of his wife he preferred to keep his mind and body employed as the only proper recreation for a constitution such as his. He was not the man who could spend the least portion of his life in idleness and so when death came it found him still busy in his country's service.

Bar Meeting

At 9 o'clock yesterday morning, in the Sangamon county court room, a meeting of

members of the bar was called to order by Hon. W. J. Allen, and at his suggestion, ex-Gov. Palmer was chosen to preside. As Gov. Palmer took the chair he spoke as follows:

REMARKS BY GOV. PALMER.

Gentlemen of the Bar of Sangamon County: The death of Judge Treat is to me a very affecting circumstance—affecting from the fact that I have known him from my earliest admission to the bar, and from the fact that I have known him personally and somewhat intimately from that day to the present. He was judge of the state circuit court when I came to the bar, and held court in Macoupin county the second year after my becoming a lawyer, and, what may sound somewhat singular to younger men who have known Judge Treat only as a judge, he practiced in Macoupin for a year or two before he came to the bench. I never knew of his trying a lawsuit. He was at that time attorney for the State Bank of Illinois, and a decree is now on the files of the Macoupin circuit court written by Judge Treat. My acquaintance with him, then, covers my whole professional life, which, by the way, has now extended to nearly fifty years.

I have known him as you all have known him, as a judge of singular purity of life, of very earnest devotion to his judicial office, without taking much part in other public affairs; and I suppose it may be said of him with as much truth as of any man who has ever been a judge, that there has been no day in his life when any man doubted his integrity or his judicial impartiality or questioned his capacity for his place. Judge Treat was a singularly modest man, and it is remarkable that in the earlier reports of the supreme court the decisions rendered by Judge Treat are brief, terse and pointed, manifesting no disposition on his part to display judicial learning. He seemed to be totally destitute of that ambition which has impaired the force of the opinions of some of our judges with mere rhetoric. He had no ambition apparently beyond the simple discharge of his duty. Those of you who are familiar with the United States District court have observed before now that his opinions rarely appear in the reports, and when they do they are a mere half page or so—a bare disposition of the question without any attempt at display.

Judge Treat is dead. It cannot be said that he has died an untimely death, and his death should not excite much pain or sorrow beyond that on account of the disappearance of a valuable man because he has reached the fair limit of life. And as I grow older it has seemed to me always that death—timely death is not a thing to be deplored by the friends of the dead who must simply accept the result as occurring at the right time in the day in the due course of nature—coming when it is a relief, as the leaves fall in autumn when the season of the year arrives for them to perish. They have already begun to cease to live because they have grown brown and sere and they pass away because in the order of nature they should do so. We anticipate that at no distant day the sun will again shine and the winds blow and other leaves will appear and the tree will again grow green. While we cannot accept such a physical reappearance on the part of those whose death we commemorate, I have the utmost confidence that such men as Judge Treat do live again—do bloom out again, and that their brilliancy and beauty then depend very much on the condition of the limbs before they have grown sere and yellow.

My brethren of the bar, though I can scarcely afford to say brethren when there is not a single lawyer present of my own age, this is no occasion for the expression of profound sorrow, and I have no disposition to deplore the order of Divine Providence, but this meeting is rather to note an anticipated and natural event—one that has occurred rightfully and at the right time, and we meet not so much to grieve over the death of a man who has fallen as to speak of him as a proper example for those who are to live after him and may well live like him. Let me say to you there are other considerations which go far to mitigate any sorrow. Judge Treat had reached a condition of age when he was a lonely man. He had no children and but few relatives. He was never fortunate in making close, warm, confidential friends, and he lived until he became a lonely, desolate old man. A childless wife, who lived with him so long, had passed away; he was left a solitary, desolate old man—all that he had loved gone before—left standing alone, without home, without society, without any of the ordinary circumstances that make old age endurable; and when the message was spoken to him that called him away, I have no doubt he passed into that condition where he will find at last congenial society.

I have no more to say, gentlemen of the bar. I am ready now for anything that may assist in recalling to you the professional example of him who has gone, and it will afford me great pleasure at this place or any other to bear my most earnest testimony to his value and to do what I can to assist in commemorating and preserving the memory of his most valuable services to the country.

On motion by L. H. Bradley, Judge N. M. Broadwell was made secretary of the meeting.

At a suggestion from Judge Gross the chair appointed the following as a committee of arrangements for the funeral: Attorney General Hunt, Judge W. L. Gross, Hon. James W. Patton, Hon. J. C. Conkling and Judge N. M. Broadwell. To these were subsequently added Major Buford Wilson, master in chancery of the United States court, and E. T. Roe, assistant district attorney.

Hon. D. Littler presented a paper prepared by the officials of the United States court in consultation with the vestrymen of St. Paul's Episcopal church, of which deceased was a member. The paper was read and referred to the committee on arrangements. It contained the following suggested list of pall-bearers:

Honorary pall-bearers, the judges of the supreme court of the state of Illinois, Hon. John M. Harlan, Hon. Thomas Drummond, Hon. W. Q. Graham, Hon. H. Blodgett, Hon. Lawrence Weldon, Hon. John A. McClermand, Hon. Clifton H. Moore, Hon. Hamilton Spenser, Hon. Ninian W. Edwards, Gustave Van Hoorbeck, Norman L. Freeman, Gov. Oglesby, Senator Cullom and Judge Craighton.

Hon. Milton Hay, John M. Palmer, D. T. Littler, N. M. Broadwell, W. J. Allen, John S. Bradford, James A. Conolly, Bluford Wilson and Charles E. Hay.

At the close of the reading of the paper Mr. Littler requested the substitution of another name in the place of his own, as he would probably be unable to attend the funeral.

At the suggestion of Mr. Littler the appointment of a committee was ordered to draft appropriate resolutions, to be reported at some subsequent meeting of the bar. The committee was ordered at the suggestion of Mr. Littler, but on a motion by Judge Allen, and the appointment was reserved by the chair to be made upon consultation.

The meeting then adjourned to 9 o'clock this morning.

Funeral Arrangements Completed.

The arrangements for the funeral of Judge Treat have been completed and in compliance with his own expressed wish the acting pall bearers will be his fellow members of the vestry of St. Paul's church, as follows: Hon. Chas. E. Hay, Capt. John S. Bradford, Judge W. J. Allen, E. L. Merritt, John A. Hughes, Lloyd Johnston and H. D. Mann. Bishop Bayne, who was in Chicago at the time of Judge Treat's death, was telegraphed on Sunday and has signified that he will be

here to conduct the burial services which will occur at 2 o'clock to-day at St. Paul's church.

Vestry Meeting.

A meeting of the vestry of St. Paul's church was held yesterday afternoon and a committee consisting of the rector Rev. F. W. Taylor, Judge W. J. Allen and Hon. Chas. E. Hay were appointed to draw up appropriate resolutions upon the death of Judge Treat, and another committee consisting of Hon. C. E. Hay, Capt. John S. Bradford and E. L. Merritt were appointed to confer with the committee of the Bar association in regard to arrangements for the funeral which will take place from St. Paul's church to-day at 2 o'clock p. m.
