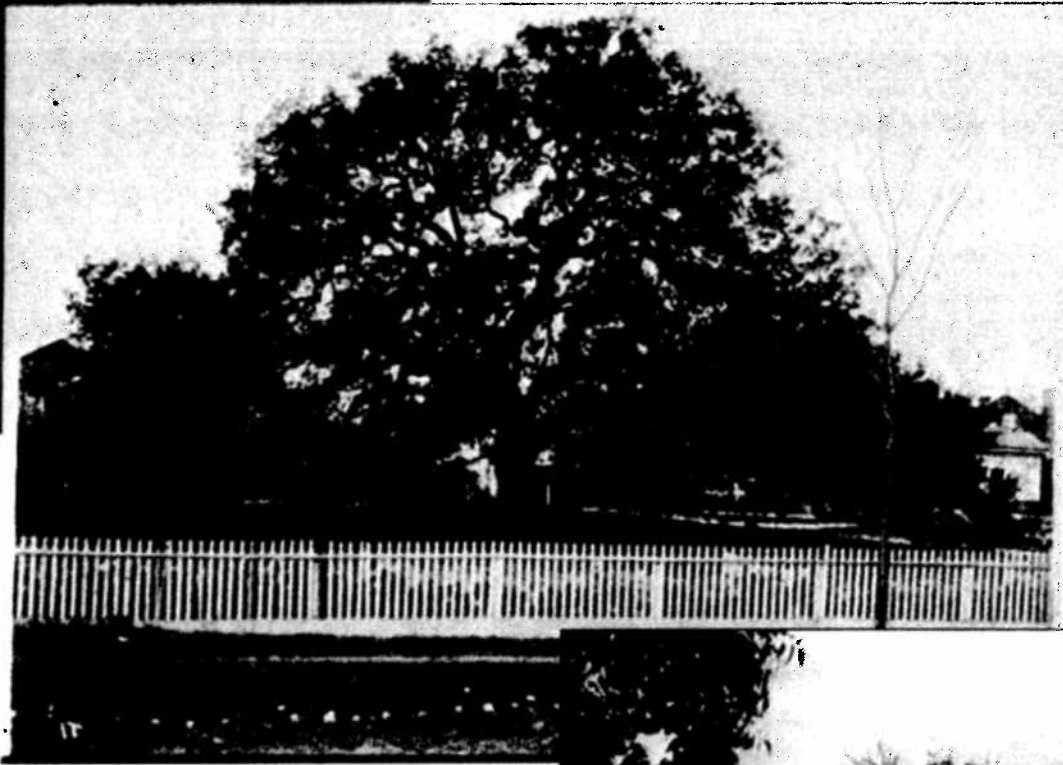


Treaty Oak Press



John Giedraitis
2013 Oakwood Trail
College Station, Texas 77845

Treaty Oak, Austin, Texas

1930 and 2002

5/29/90	Much more human	Lantz, Leonard	Austin A-S
5/19/90	Roots of compassion	Hill, Gloria Budillo	Austin A-S
5/18/90	A view from the branches	Hackney, Tim	Austin A-S
5/16/90	Cartoon - "... Shade of a Big Ol' Oak Tree"	Conwoop	The Austin Light
5/16/90	Still Claims Innocence	Malone, Shawn	Austin Weekly
5/16/90	Brink of extinction	Levine, Howard T.	Austin A-S
5/13/90	Politics tarnish Lone Star image	Elliot, David	Austin A-S
5/12/90	Jurors wrestled with sentence	Phillips, Jim	Austin A-S
5/11/90	9 years for attack on tree	AP	The Houston Post
5/11/90	Cullen gets 9 years, fine in oak case	Phillips, Jim	Austin A-S
5/10/90	Cullen guilty of poisoning Treaty Oak	Phillips, Jim	Austin A-S
5/10/90	Tree's travails	Tarkington, Melissa	Austin A-S
5/10/90	Faithful to the family tree	Bonnin, Julie	Austin A-S
5/9/90	Tree Trial Nears End	Malone, Shawn	Austin Weekly
5/9/90	Austin's love for poisoned tree is evergreen	Wallace, Linda S.	The Philadelphia Inquirer
5/9/90	Treaty Oak witness tells of watching men at tree	Phillips, Jim	Austin A-S
5/8/90	State rests Treaty Oak poison case against Cullen	Phillips, Jim	Austin A-S
5/8/90	Fates of poisoned mighty oak, suspect hang in balance	Weingarten, Paul	Chicago Tribune
5/6/90	Update - Treaty Oak gets TLC in Texas		Milwaukee Journal
5/5/90	Tape blames oak attack on infatuation	Phillips, Jim	Austin, A-S
5/4/90	Treaty Oak witness admits lying	Phillips, Jim	Austin A-S
5/3/90	The Treaty Oak Trial: A Triumph of Grace Over Legal Vengeance	Maraniss, David	The Washington Post
5/3/90	Attorney's joust over scenarios of how T.O. got poisoned	Phillips, Jim	Austin A-S
5/2/90	Poisoning confession called a lie	Phillips, Jim	Austin A-S
5/1/90	Potential jurors questioned for Treaty Oak trial	Phillips, Jim	Austin A-S
Apr-90	Why We Care		Life Magazine
4/30/90	Treaty Oak trial set to start today	Phillips, Jim	Austin A-S
4/24/90	Treaty Oak's Day After	Ward, Pamela	Austin A-S
4/8/90	Baytown tree gets manure cure	AP	Austin A-S
4/5/90	Pro Tem	Krampitz, Bo	The Sealy News
4/5/90	Treaty Oak suspect charged in federal firearms violations	Phillips, Jim	Austin A-S
3/27/90	Prosecutors get delay in start of Treaty Oak trial	Phillips, Jim	Austin A-S
2/28/90	Treaty Oak retains high level of poison	Phillips, Jim	Austin A-S
2/24/90	Trial set March 26 in Treaty Oak case	Delgado, Berta	Austin A-S
2/16/90	Treaty Oak defendant sues	Harris, John	Austin, A-S
2/14/90	Treaty Oak prognosis worsens	Phillips, Jim	Austin A-S

2/13/90	Jail term	Roesler, W. G.	Austin A-S
Jan-90	Is H. Ross Perot for the birds?		
Jan-90	The Roar of the Crowd: Austin's Mighty Oak		
Jan-90	Vandals Pick On Wrong Trees	Fazio, James R.	Texas Monthly
1/1/90	89 Glimpses: Cubs Fall, Mighty Oak Still Stands	Keller, Susan Jo	Arbor Day
1/1/90	Sequels Treaty Oak		The New York Times
12/14/89	Treaty Oak defendant ends bid to move trial		People Weekly
12/13/89	Assured, weary suspect awaits Treaty Oak trial	Delgado, Berta	Austin A-S
12/4/89	Poisoned Treaty Oak gets well-wishers	Phillips, Jim	Austin A-S
Dec-89	Points of Interest in Austin	AP	The Orlando Sentinel
11/22/89	Tree case to include suspect's felonies		SWB Telephone Book
11/14/89	Saving the Texas Treaty Oak	Delgado, Berta	Austin A-S
11/1/89	Treaty Oak has roots cut	Hamrick, Steve	Irrigation News
11/1/89	Troubadour For Trees	Wright, Scott W.	Austin A-S
10/25/89	Treaty Oak -- A Tribute In Poetry	Williams, Richard Lance	The Austin Light
10/15/89	Treating the Treaty Oak		The Austin Light
10/14/89	Two needed to speak the truth	Rodbell, Phillip D., Giedraitis, Jo	Proceedings of the Fourth Urban Forestry Confere
10/13/89	Saving the Oaks	Love, Elizabeth Cullen	Austin A-S
10/12/89	Our wonderful, grand Treaty Oak	Steinberg, R. U.	The Austin Chronicle
10/11/89	Live Oak Trees Inspire Poets	Seils, Damon	The Southerner
10/10/89	ReLeaf for Austin		The Austin Light
10/6/89	Treaty Oak (new age music and modern dance)		Austin A-S
10/6/89	New Age Dawns	Point, Michael	Zilker Hillside
10/4/89	Bail stands in tree case		Austin A-S
10/4/89	Tree and Music Lovers Unite At Live Oak Festival Oct. 14-15	Delgado, Berta	Austin A-S
Oct-89	All for the love of an old oak tree	Davis, John T.	The Austin Light
Oct-89	ASCA Members Lead Treaty Oak Task Force	Roskens, Lisa	Nursery Manager
Oct-89	Treaty Oak: A symbol of hope		Arbor Age
Oct-89	Live Oak Festival - Tour of Homes		New Texas Magazine
Oct-89	Vigil at Treaty Oak		
10/4/89	Treaty Oak Tribute	Harrigan, Stephen	Texas Monthly
9/30/89	Mystery witness fails to show for 3rd time in Treaty Oak case		Austin Weekly
9/29/89	Get Well Soon, Treaty Oak!	Delgado, Berta	Austin A-S
9/26/89	Treaty Oak 'mystery witness' fails to show for 2nd time		Scholastic News
9/26/89	Nature lover wants lot near Treaty Oak turned into park	Delgado, Berta	Austin A-S
9/25/89	Poisoned Treaty Oak Still Hanging On	Obregon, Enedelia J	Austin A-S
		Hudson, Elizabeth	The Washington Post

9/23/89	Surprise witness promised in Treaty Oak hearing	Delgado, Berta	Austin A-S
9/17/89	Only time will tell	Stanley, Dick	Austin A-S
9/9/89	Spoonfuls of sugar is medicine for Oak	AP	The Houston Post
9/8/89	Sapped of strength, Treaty Oak gets lift	Phillips, Jim	Austin A-S
9/7/89	Felony for all	Nance, Don	Austin A-S
9/7/89	Gardeners hope cutting project will produce clones of Treaty Oak	Lowell, Piper	Austin A-S
9/3/89	Treaty monument	Wissman, Josefina	Austin A-S
Sep-89	Popular 'Treaty Oak' faces uphill struggle for survival		Landscape Management
Sep-89	To Kill a Tree	Davis, Norah Deakin	American Forests
Sep-89	The fight to save Texas' Historic Treaty Oak	George, Bonnie Skaar	Arbor Age
Sep-89	TGBS efforts create Treaty Oak fund for future tree plantings		Almanac of the Texas Botanical Garden Society
Sep-89	World Rallies to Save Local Tree		Southern Landscape Architecture
Sep-89	Can we save the Urban Tree?	Leccese, Michael	Landscape Architecture
Aug-89	Treaty Oak: A New Age Tribute	George, Bonnie Skaar	New Texas Magazine
Aug-89	Treaty Oak Poisoned		Texas Forest Service News
8/31/89	Lower bond sought for Treaty Oak suspect		Austin A-S
8/29/89	Maximum under law	Cheverere, David	Austin A-S
8/29/89	City clips Treaty Oak to foster offspring	Phillips, Jim	Austin A-S
8/25/89	Odd sentence	Miner, Lois	Austin A-S
8/25/89	Treaty Oak Not Dead Yet	LeBlanc, Guy	The Austin Chronicle
8/23/89	Death of Ancient Trees Leaves a Big Hole for Humans	Aschenbach, Joy	Schneetady Sazette
8/20/89	A tree tragedy	Belkin, Lisa	Grit
8/17/89	YMCA Fall 1989 Program Guide		Austin A-S
8/16/89	Treaty Oak suspect is indicted	Delgado, Berta	Austin A-S
8/15/89	Power of positive thinking	AP	Austin A-S
8/13/89	Treaty Oak case investigators confident	Delgado, Berta	Austin A-S
8/12/89	Treaty Oak losing its fourth set of Leaves		Bryan - College Station Eagle
8/12/89	Treaty Oak's newest leaves about to die	AP	The Dallas Morning News
8/12/89	Deadwood	Heimann, James	Austin A-S
8/11/89	Austin's Treaty Oak is dead	Forrest, Hugh	The Austin Chronicle
8/11/89	Treaty Oak to lose 4th set of leaves	Wright, Scott W.	Austin A-S
8/9/89	Bringing Together	Byrd, Thomas M, Jr	Austin Weekly
8/7/89	Prescriptions for an aged patient, the poisoned-damaged T.O.,	Kennedy, J Michael	LA Times
8/7/89	Indians blast efforts to save Treaty Oak	Shelly, Elaine	Austin A-S
8/7/89	Treaty Oak Case		The Orlando Sentinel
8/6/89	Bronzed oak alone won't add enough wood to fan civic fire	Kelley, Mike	Austin A-S

8/5/89	Treaty Oak case called a witch hunt	Martinez, Sylvia	Austin A-S
8/4/89	Pines for an oak	Graves, Debbie	Austin A-S
8/3/89	Longviewites help to save Treaty Oak	Bruce, Doug	Austin A-S
8/3/89	Bronze Tree for all time	Porterfield, Billy	Austin A-S
8/2/89	On a bedside vigil for an ancient tree	Rozansky, Michael L	The Philadelphia Inquirer
Jul-89	A Historic Tree Is Poisoned		Urban Forest Forum
7/27/89	Saltwater used on Treaty Oak in last-ditch effort	Phillips, Jim	Austin A-S
7/23/89	Treaty Oak Commemorative Pendant		Austin A-S
7/21/89	Treasures of Austin easy to lose	Meyer, Rick	Austin A-S
7/21/89	The Tree doctor	Smith, Bette	St Petersburg Times Floridian
7/17/89	Learning tree	Worrell, Bill	Austin A-S
7/17/89	A Family's Tree	Bruce, John	Corpus Chitrisi Caller Times
7/17/89	An Apparent Murder Attempt on a Venerable Oak Tree		People Weekly
7/12/89	Annual Live Oak Festival Dedicated To Treaty Oak		The Austin Light
7/15/89	Theatre Music (Esther's Follies)		Austin A-S
7/14/89	Broken Treaty Oak	Fox, Aaron	Austin Chronicle
7/13/89	Seeing green		Austin A-S
7/12/89	Treaty Oak case goes to grand jury		Austin A-S
7/12/89	What's News: Fifty-foot Screens		Austin A-S
7/10/89	"Please Don't Die, Tree"		Austin Weekly
7/9/89	Hope for survival		Time Magazine
7/8/89	The prognosis worsens for Texas' ailing oak	Metoyer, Tony	Austin A-S
7/7/89	Shading a shade tree	Vrazo, Fawn	The Philadelphia Inquirer
7/7/89	Media Clips: wood that it were		Austin A-S
7/7/89	Over the Hedge	Forrest, Hugh	Austin Chronicle
7/7/89	Focus on saving life - or a tree - ignores society's victims	Spencer, Tom	Austin Chronicle
7/6/89	Understanding Earth	Trevino, Jesse	Austin A-S
7/6/89	Home search reveals no trace of herbicide	Riley, Nancy	Austin A-S
7/5/89	Knickknacks, notes show love for tree	Phillips, Jim	Austin A-S
7/5/89	Media Representatives	Wright, Scott W.	Austin A-S
7/4/89	EFFORTS TO SAVE		Austin Weekly
7/3/89	Austin nurses its ailing Treaty Oak		Austin Weekly
7/3/89	Treaty Oak has stirred passions for centuries		The Detroit News
7/4/89	Future looks a little greener for Treaty Oak	Phillips, Jim	Austin A-S
7/2/89	Treaty Oak pledge	Bryant, John	Austin A-S
7/1/89	Treaty Oak prognosis worsens with test results	Phillips, Jim	Austin A-S
			Austin A-S

7/1/89	Austin asked to sign pledge for Treaty Oak			Austin A-S
6/30/89	Arrest in tree poisoning	Fitzgerald, Michael		USA Today
6/30/89	Suspect jailed in poisoning of Treaty Oak	Phillips, Jim		Austin A-S
6/30/89	Book may explain circles around tree	Phillips, Jim		Austin A-S
6/30/89	Police say Austin man poisoned Treaty Oak	Montgomery, Lori		Dallas Times Herald
6/30/89	Suspect Arrested in Attempt To Kill a 500-Year-Old Tree	Belkin, Lisa		The New York Times
6/30/89	Police charge man in tree case	Lenz, Mary		The Houston Post
6/30/89	Ex-Convict Arrested in Tree Poisoning	Maraniss, David		The Washington Post
6/30/89	Treaty Oak case suspect arrested	Lubke, Ron		The Daily Texan
6/29/89	Gift to Treaty Oak	Hoffman, Margaret		Austin A-S
6/28/89	Specialist prescribe for oak tree	Lenz, Mary		The Houston Post
6/28/89	Tree rescue set in motion	Fikac, Peggy		The Dallas Morning News
6/28/89	Oak attack may be attempt to cast spell	Phillips, Jim		Austin A-S
6/28/89	An oak to bear	Osborne, Claire		Houston Chronicle
6/27/89	Texas mourns imminent death of 500-year-old Treaty Oak	Maraniss, David		The Washington Post
6/27/89	Treaty Oak snags TV time, experts	Phillips, Jim & Bryant, John		Austin A-S
6/27/89	Top experts gather in effort to help poisoned Treaty Oak	Fikac, Peggy (AP)		The Dallas Morning News
6/27/89	Special Treaty to be signed under historic oak on Saturday	Jones, Monty		Austin A-S
6/26/89	More help on the way			Austin A-S
6/24/89	Texas Mystery: Who is Trying to Kill a 500-Year-Old Oak And W	Belkin, Lisa		Herald International Tribune
6/24/89	Perot finds Treaty Oak Help	Phillips, Jim		Austin A-S
6/23/89	Murder Mystery Grips City: Just Who Would Kill a Tree?	Belkin, Lisa		The New York Times
6/23/89	Oak, workers fight time	editorial		Austin A-S
6/23/89	The strange case of the POISONED TREE	Kelso, John		Austin A-S
6/23/89	Top experts summoned to help oak	Phillips, Jim		Austin A-S
6/22/89	The USA's roots: Oaks, elms, pines, monkeypods	Morris, Julie		USA TODAY National News
6/22/89	Reward raised to \$11,000	Sousares, Shauna		West Austin News
6/21/89	Good wishes left for 'Mister Tree'	Kelso, John		Austin A-S
6/21/89	Police have suspect in poisoning	Phillips, Jim		Austin A-S
6/20/89	Treaty Oak's poisoning spurs a 2nd reward			Austin A-S
6/18/89	Honor Treaty Oak legacy	Toler, Terry		Austin A-S
6/14/89	Texans mourn a senseless act, a withering tree	Vrazo, Fawn		The Philadelphia Inquirer
6/14/89	cartoon - As if oak wilt wasn't bad enough	Conwoop		The Austin Light
6/14/89	Reward to try to 'flush out vandals'	Phillips, Jim		Austin A-S
6/13/89	Reward set for tree's poisoner	Phillips, Jim		Austin A-S
6/12/89	Aircraft carrier in Town Lake could resolve major Austin issues	Kelley, Mike		Austin A-S

6/7/89	Treaty Oak poisoning a sick act	editorial board	Austin A-S
6/7/89	Poison used on Treaty Oak is identified	Rivers, Reggie	Austin A-S
6/7/89	Treaty Oak Is Poisoned	Cootes, Glen	Austin Weekly
6/6/89	Officials call oak poisoning intentional	Phillips, Jim	Austin A-S
6/4/89	Visitors wish Treaty Oak a speedy recovery	Montalvo, Morgan	Austin A-S
6/3/89	Outrage over poison damage to state's historic Treaty Oak	Lenz, Mary	The Houston Post
6/3/89	Poison Assalts Treaty Oak	Phillips, Jim	Austin A-S
6/10/77	City's Treaty Oak topic of legends	Bateman, Audrey	Austin American-Statesman
	Austin: A Historical Portrait	Willoughby, Larry	
1950	Treaty Oak		Texan Parade
1947	Famous Trees of Texas		Texas Forest Service
	The Treaty Oak	Stoner, W. L.	Texas Federation News
	Five Generations have sat beneath Historic Oak Tree	Scott, Mrs. Fred	
	Treaty Oak central figure in early Indian lore as well as history	Lewis, Ruth	
	Treaty Oak	Melli, Tony	
	Treaty Oak	Mitchum, Fred	
	Only God can make a tree	Mitchum, Fred	
	Home	Mitchum, Fred	
	Ode to Treaty Oak	Redding, Stephen W.	
	Treaty Oak	Cravey, Robin	
1990	Earth Day	Redd, Adrienne	
	The Treaty Oak: Centuries of Fighting for Survival		

TREATY OAK NEWSPAPER ARTICLES

TABLE OF CONTENTS

1991 Articles

1. May 13,1991] - Treaty Oak- H. Y. Price Jr. - A.A.S.
2. May 9, 1991 - "Austin Oak Limbs head for kiln" - Ellen Moore - The Bastrop
3. May 8, 1991 - "Shade of former self" Anon. - A.A.S.
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12. May 18,1990 - " A View from the Branches" - Tim Hackney - A.A.S.
13. May 16-22 1990, -Cartoon - Conwoop - Austin Light
14. May16, 1990 - "Brink of Extinction" - Howard T. Levine - A.A.S.
15. May 13, 1990 - " Politics tarnish Lone Star image" - David Elliot - A.A.S.
16. May 12,1990 - "Jurors wrestled with sentence" - Jim Phillips - A.A.S.
17. May 11,1990 - " Nine years for attack on tree '- Assoc. Press - The Houston Post
18. May 11,1990 - "Cullen gets nine years for poisoning" Jim Phillips A.A.S.
19. May 10,1990 - "Cullen guilty of poisoning Treaty Oak" - jim Phillips A.A.S.
20. May 10,1990 - "Trees Travails" Melissa Tarkington A.A.S.
21. May10,1990 - "Faithful to the family tree" - Julia Bonnin A.A.S.
22. May 9-]5,1990 - "Tree triaā nears end" Shawn Malone - A.A.S.
23. May 9, 1990 - "Austin's love for poisoned tree is evergreen " -Linda S. Wallace
Philadelphia Inquirer
24. May 9,1990 "Treaty Oak witness tells of watching men at tree" - Jim Phillips -A.A.S.

1990 articles cont.

25. May 8,1990 - " State rests case" - Jim Phillips- A.A.S.
26. May 8,1990 - " Fates of poisoned Mighty Oak" - Paul Weingarten - Chicago Tribune
27. May6,1990 - "Update- Treaty Oak gets TLC in Texas" - anon. - Milwaukee Journal
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30. May 3,1990 - The Treaty Oak trial : A Triumph of Grace over legal vengeance"
David Maraniss - The Washington Post
31. May 3,1990 -" Attorney's joust over scenarios" Jim Phillips - A.A.S.
32. May 2,1990 - " Poisoning confession called a lie" - Jim Phillips - A.A.S.
33. May 1,1990 - "Potential jurors questioned for Treaty Oak trial" Jim Phillips - A.A.S.
34. April 1990 - " Why We Care" - Life Magazine
34. April 30,1990 -" Treaty Oak Trial set to start today" - Jim Phillips - A.A.S.
35. April 24, 1990 - - Treaty Oak's Day After" - Pamela Ward - a.A.S.
36. April 8,1990 - " Baytown tree gets manure cure" - A.A.S.
37. April 5 ,1990 - "Pro Tem" Bo Krampitz - The Sealy News
38. April 5,1990 "Treaty Oak suspect charged in federal firearms violations"-Jim Phillips
39. March 27,1990 "Prosecutors get delay in start of Treaty Oak trial" -Jim Phillips A.A.
40. Feb. 28,1990 - "Treaty Oak retained high level of poison" Jim Phillips A.A.S.
41. Feb. 24,1990 - "Trial set March 26 in Treaty Oak case" Berta Delgado - A.A.S.
42. Feb. 16,1990 - "Treaty Oak defendant sue's" - John Harris - A.A.S.
43. Feb. 14,1990 - "Treaty Oak prognosis worsens" Jim Phillips - A.A.S.
44. Feb. 13,1990 - "Jail term" - W.G. Roesler - A.A.S.
45. Jan. -Feb. 1990 - "Is H.Ross Perot for the birds?"
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47. Jan - Feb. - "Arbor Day" James R. Fazio
48. Jan. 1,1990 - "Cub's fall mighty oak still stands" Susan Jo Kellor - New York Times
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1989 Articles

1. Dec. 14,1989 - " Treaty Oak defendant ends bid to move trial" Berta Delgado A.
2. Dec. 13,1989 -"Assured, weary suspect awaits Treaty Oak trial" Jim Phillips - A.A.S.
3. Dec. 4,1989 -" Poisoned Treaty Oak gets well-wishers" - The Orlando Sentinel
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5. Nov.22,1989 - "Tree case to include suspects felonies" Berta Delgado - A.A.S.
6. Nov.14,1989- "Saving the Texas Treaty Oak" Steve Hanrick
7. Nov.1,1989 - "Treaty Oak Has roots cut" - Scott W. Wright - A.A.S.
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1989 Articles Cont.

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15. Oct. 10, 1989 - "Releaf for Austin" Anon. - A.A.S.
16. Oct. 6, 1989 - "New Age Dawns" Michael Point A.A.S.
17. Oct. 6, 1989 - "Treaty Oak" Zilker Hillside
18. Oct. 4, 1989 - "Bail stands in tree case" Berta Delgado A.A.S.
19. Oct. 4-10, 1989 - "Tree and Music Lovers unite" John T. Davis Austin Light
20. Oct/Sept 1989 - "World rallies to save local tree" Southern Landscape Architecture
21. Oct. 1989 - "All for the love of an old oak tree" Lisa Roskens Nursery Manager
22. Oct. 1989, - "ASCA Members lead Treaty Oak task force" -Arbor Age
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24. 1989 - Live Oak Festival tour of homes
25. 1989- "Vigil at the Treaty Oak" Steven Harrigan - Texas Monthly
26. Oct. 4-10, 1989 - Treaty Oak Tribute " Austin Weekly
27. Sept. 30, 1989 - "Mystery witness fails to show" Berta Delgado A.A.S.
28. Sept. 26, 1989 "Treaty Oak mystery witness" Berta Delgado - A.A.S.
29. Sept. 26, 1989 - "Treaty Oak Mystery Witness" Berta Delgado - A.A.S.
30. Sept. 26, 1989 - "Nature lover wants lot near Treaty Oak turned into park"
Enedelia J. Obregon - A.A.S.
31. Sept. 23, 1989 - "Surprise witness" Berta Delgado - A.A.S.
32. Sept. 17, 1989 - "Only time will tell" Dick Stanley A.A.S.
33. Sept. 9, 1989 - "Spoonsfuls of sugar" Assoc. Press - Houston Post
34. Sept. 25, 1989 - "Poisoned Treaty Oak still hanging on" - Washington Post -
Elizabeth Hudson
35. Sept. 8, 1989 - "Sapped of Strength" - Jim Phillips A.A.S.
36. Sept. 7, 1989 - "Felony for all" - Don Nance A.A.S.
37. Sept. 7, 1989 - "Gardeners hope cutting project will produce clones of
Treaty Oak" - Piper Lowell -A.A.S.
38. Sept. 3, 1989 - "Treaty Monument" - Josefina Wissman - A.A.S.
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Landscape Management
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1989 Articles cont.

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Treaty Oak: more than just a tree

New City Council chamber has a piece of history

By **Jeremy Schwartz**
AMERICAN-STATESMAN
STAFF
Monday, January 10, 2005

ADVERTISEMENT

When Austin's new City Hall opened last month, officials announced with great fanfare that a ribbon of wood from the famed Treaty Oak had been embedded in the massive dais of the City Council Chambers. Not only that, but a sapling of the great tree had been planted on the City Hall grounds, the centerpiece of an elaborate piece of public art.

A newcomer might have wondered what all the fuss was about. A visit to the tree, in a tiny park in the fashionable west side of downtown Austin, would reveal little. At first gaze the tree is strangely mangled, the front half majestic with its cascading branches, the back stunted, an empty space where limbs and leaves should be.

A plaque delivers the standard fare: the giant oak is half a millennium old and reputedly was the site of Stephen F. Austin's treaty with Native American tribes in the 19th century.

Nowhere is a mention of the tree's central role in a drama that gripped the city for two years beginning in 1989, the poisoning that united a city in grief and confirmed for many outside Austin that this truly is a weird place, or the subsequent trial that was covered in the local media with a frenzy usually reserved for serial killings.

The story began to unfold on Memorial Day weekend of 1989, when Austinites learned the terrible news: The Treaty Oak had been poisoned with a herbicide that threatened to kill the landmark. The tree was fighting valiantly for its life, continuously shedding its leaves and producing a new set, an act that required it to deplete its dwindling energy resources.

Reaction to the news was swift. Streams of well-wishers soon arrived to visit and soon began lining up to leave aspirin, cans of chicken soup, candles and healing crystals at the wounded tree's base.

City officials injected gallons of sugared water into the tree in hopes of reviving its energy stores, and the City Council dedicated a "Treaty Oak Day," asking residents to sign a pledge in support of the tree. Billionaire Ross Perot stepped in to help pay for care.

By the end of June, the tree's plight had gone national as Barbara Walters interviewed city arborist John Giedraitis live in a segment introduced with the question: "Who's trying to murder Austin's Treaty Oak?"

Giedraitis said recently that looking back, it is no surprise that Austin rose up in defense of the tree, and not just because the city is a haven for hippie tree huggers. Rather, it tapped a vein among Texans who take pride in their short but vivid history.

"What turned the dime was that tree was a living symbol of Texas history," said Giedraitis.

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now a staff forester for the Texas Forest Service in College Station. "People were just mad."

Austin police went in dogged pursuit of the poisoner, who was thought to have tried to cast a spell or curse by pouring herbicide around the tree to make a "magic circle."

On June 29, police arrested a drifter who had been living in the trailer of an 18-wheeler in southeastern Travis County, a man with a history of drug arrests and an interest in the occult.

When District Attorney Ronnie Earle announced the arrest of Paul Stedman Cullen, he said, "I don't think any of us here have ever seen an event that has so crystallized the feelings of this community."

Public condemnation came fast and furious for Cullen, who faced a life sentence for the crime because of his past felony convictions. At his arraignment, he was even heckled by the other prisoners.

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Meanwhile, Texas tribal leaders criticized the attention and money spent on the tree, a symbol for some of the broken treaties and land swindles visited upon Indians by white settlers.

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"What a waste of money while we Indians are at the bottom of the heap," said Ardena Rodriguez, the president of the San Antonio Council of Native Americans.

In the spring of 1990, Cullen's trial began, and every pretrial hearing and motion was breathlessly reported by local media. The most damaging evidence against Cullen was a tape recording by a friend in which Cullen said he poisoned the Treaty Oak in a ritual that he hoped would end his love for a counselor at a methadone clinic.

By the time he was found guilty, about two-thirds of the tree was dead. Cullen was sentenced to nine years for the poisoning and wound up serving three.

In a bizarre jailhouse interview, Cullen maintained his innocence and joked about opening a nightclub called the Velpar Spot, a nod to the lethal poison used on the tree. He told a reporter that he wanted to live in a place "where the fish speak classical Latin and the cabbages sing." For a time that place was Austin, where he returned when he was released in 1993, amid pleas by his lawyer for people to give him a chance. Cullen died in California in 2001.

After Cullen's trial, the Treaty Oak story was almost immediately canonized into a bona fide Austin legend. That fall, the Doss Elementary School choir put on a musical called "Treaty Oak: Promise of Peace." Its dead limbs were removed and sealed with liquid paraffin, and much of its wood was used to create souvenirs: furniture, musical instruments and pens. Saplings from surviving acorns were harvested for sale as part of a fund-raiser for the Parks and Recreation Department.

In 1994, the Austin History Center presented an exhibit on the Treaty Oak's story, containing the get-well cards, candles, vitamins and other tributes left for the tree. One note from June 1989 read, "May the people of Austin learn something from you. I pray that we do."

Asked what she thought future generations would make of the saga, exhibit curator Linda Zezulka answered: "That we were concerned about the environment. But I wonder about our perspective. Others were saying things like, 'This is just a tree!'"

The Treaty Oak survived its harrowing attack, and today about 35 percent of the original tree remains intact and is in great health, according to city arborist Jay Culver.

In 1997, the tree produced its first crop of acorns since the poisoning, and they were collected and germinated. Seedlings grafted from Treaty Oak cuttings also are being nurtured in Texas seed orchards.



"That's sort of the legacy that keeps on going," Giedraitis said. "That tree does not want to die. It's just full of life."

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Treaty Oak, May 1, 1941 (PCA 06967)

The Treaty Oak is a living symbol of history. For five centuries it has survived searing summers, dusty droughts, and whistling winds. . . . It is the last survivor of a grove of fourteen trees known to local Indians as the Council Oaks. . . . Myths and magic surround the tree.

The Treaty Oak has also played an important and unique part in the history of the Lone Star State. One legend has the Father of Texas, Stephen F. Austin, signing the first boundary treaty with the local Indians under the tree, and hence its name. . . .

In the late 1920s the hallowed ground where the tree is located was offered for sale with the possibility of the tree being cut down, and a cry to save the Treaty Oak was heard across Texas. Women's organizations took up the cause and aroused public interest through speeches and letter writing campaigns. . . . Finally, in 1937, the City of Austin. . . . purchased the lot to "stand as a living and fitting symbol of the mighty state it has watched develop."

In recent years, the small one-quarter acre lot around the tree has been the site of weddings, school outings and picnics. In 1989, the tree was deliberately vandalized with massive amounts of poison. As the tree slipped into critical condition, a blank check was written by Texas industrialist Ross Perot and experts were summoned. As the world watched, intensive care was administered in a desperate battle to save the tree. . . . The culprit was arrested, tried and convicted for his crime. . . . His reason [for the poisoning] -- unrequited love.

Excerpts from "A Brief History of Treaty Oak"

According to dictionaries, a "numinous" object has what may be called spiritual, mysterious, or supernatural associations -- an intangible quality that connects us to real or imagined events of the past. For example, many of us press corsages in scrapbooks, or save a favorite toy, or display a family photo because we want to remind ourselves of those significant and now lost times. In Austin, at least two special places seem to have numinous qualities as well. One is Barton Springs and the other is Treaty Oak. Over the centuries, legends and myths have accrued to these unique places, to honor their residing spirits.

When Treaty Oak was poisoned in 1989, the outpouring of concern and even affection for the magnificent tree was overwhelming. Thousands of people from around the world visited, sent messages and drawings, lit candles, held healing ceremonies, donated money, and left "get-well" gifts. Chicken soup, vitamins, candles, and aspirin were touching and meaningful gifts. We can only guess at the private meanings of the more personal totems such as handmade jewelry, baby shoes, and painted high heels. While these efforts were successful in saving only 35% of the tree, they certainly were successful in uniting a usually fractious Austin in a common cause.

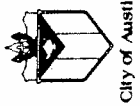
The staff of the City of Austin's Forestry Program collected many of these messages and gifts and transferred them to the Austin History Center for preservation. The dead wood pruned from Treaty Oak was fashioned into a variety of objects -- sculpture, furniture, gavel, and souvenirs -- so that at least a part of the beauty of the oak will live on. In this exhibit, we have selected several of these tributes as a reminder of that powerful time, and also as a reminder that unless we consciously save these memories, we will lose them forever.

Birtua Celmins Kearl, Administrator
Austin History and Records Center

Exhibit Curator: Linda Zerulka

Brochure Design: Carlos Lowry

Special Thanks to: Jan Berry, Grace McEvoy, Ed Van der Vort, John Giedraitis, Mark Wieland, Jay Godwin, the Austin American-Statesman, David Yendes, Gail Armstrong



TREATY OAK

SEPTEMBER 2 - NOVEMBER 20
1994



Treaty Oak, February 22, 1936 (PCA 06967)

AUSTIN HISTORY CENTER
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810 GUADALUPE

May Day Party, circa 1925 (MCA 23004)



in the backyard was the biggest oak tree I ever saw. Its huge branches bent close to the ground and were easy to mount and walk upright on. Around 1925 Aunt Lou's daughter, Mrs. Jay Knox, had an all day party for her daughter Emma Lee, me, and a group of friends. We climbed on the tree and had lunch served under its branches.

Jane Gracy Bedicek
March 1990

They brought me here in 3rd grade to see you. I didn't know then what a beautiful thing I was seeing. I hope 3rd graders in the year 2000 can still come visit.

Anonymous
June 1989

As an artist. . . I want to show people that it's not the end of Treaty Oak, it's beginning a new life. Hopefully, there will be some pieces around for future generations to see. I'd rather not be here, but since I am, I want to see that they save what's left as best as possible.

James Poppell
May 6, 1991



Remaining live pruned oak, June 29, 1989. Courtesy, Ralph Barrera, Austin American-Statesman

Shading a shade tree, July 7, 1989. Courtesy of Mike Boroff, Austin American-Statesman



This is a magnificent creature. . . . It's hard to sit here over the last six weeks like I have and think it doesn't have some sort of spirit. You saw those roots. This thing is pressed to the earth. This thing is alive!

John Giedraitis
Austin's Urban Forester
Summer 1989



Pruning the dead branches, May 6, 1991. Courtesy Larry Kokoord, Austin American-Statesman

7-13-95

To: Holly Marshall
Phone: 499-6700
Fax: 472-2174

Treaty Oak

503 Baylor
Central West

Once known as "the most perfect specimen of a tree in the United States," the Treaty Oak was the center of fourteen trees known as the Council Oaks, under which Stephen F. Austin supposedly signed the first boundary treaty with the local Indians. Treaty Oak was then roughly 400 years old.

When Treaty Oak was poisoned in 1989, the outpouring of concern and affection for the magnificent tree was overwhelming. The oak's struggle to survive drew national attention, including treatment financed by Texas industrialist H. Ross Perot. Thousands of people from around the world visited, sent messages and drawings, lit candles, held healing ceremonies, donated money, and left 'get-well' gifts. These efforts were successful in saving only 35% of the tree and dead wood pruned from the tree has been fashioned into a variety of objects -- sculpture, furniture, gavels, and souvenirs. Proceeds from the sale of these objects and fund raisers such as the 'Treaty Oak 500th Birthday Party' have netted \$40,000 for planting of the Treaty Oak Memorial Forest on public property throughout Austin.



Man convicted of harming Treaty Oak back in jail

■ **Authorities say Cullen violated terms of his parole**

By JIM PHILLIPS
American-Statesman Staff

Paul Stedman Cullen, who was convicted of poisoning Austin's Treaty Oak in 1989, is back in jail on an allegation that he has violated the conditions of his release from state prison.

Cullen has been free for 14 months but is under supervision by state and federal authorities because he served time in both prison systems.

He was arrested Aug. 11 by Elgin police on a charge that he violated his release conditions. State officials would not comment on the nature of the allegations except to say that they are technical, as opposed to a charge that he had committed a new crime.

In a letter to his former attorney, Terry Kirk of Austin, Cullen

said he was accused of falsifying a document that showed he had attended sessions of an alcohol and drug support group.

The letter said that Cullen was arrested when he went for a routine report to his parole officer, Kirk said. Cullen remained in the Bastrop County jail Monday. A preliminary hearing on the allegations is scheduled for Thursday, said parole office spokesman Gerald Garrett.

Cullen served almost three years of a nine-year sentence for the poisoning of Treaty Oak, and was released in June 1993. He then served a year in a federal prison in Louisiana for a conviction of lying when he filled out a form to buy a rifle in 1988.

Cullen was convicted of pouring the herbicide Velpar around the base of the centuries-old oak tree, which is located in a small city park in the 500 block of Baylor Street. After months of effort to combat the poisoning, forestry experts cut off more than half of the tree's massive limbs.

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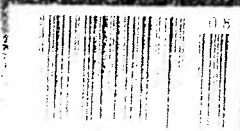
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AUSTIN'S TREATY OAK: TRIUMPH OVER TRAGEDY



Poisoned by a madman in 1989, the famous Austin Treaty Oak has been saved, thanks to a heroic effort.

MARK WIELAND

Five years ago it was nearly done in by a madman's poison, but today Texas' famous Treaty Oak is alive and well, with part of it now living on in

works of art.

The Treaty Oak has played a special role in the life of Austin, Texas, for 500 years. But in 1989, a man poisoned the tree with a lethal dose of Velpar, an herbicide, in a bizarre attempt to avenge unrequited love. A heroic effort to

save the tree ensued. Texas billionaire Ross Perot provided the cash, and city foresters provided labor. They shaded the tree to protect it from direct sun-

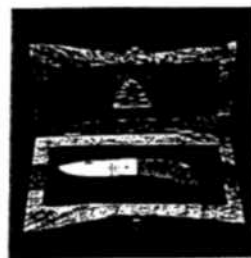


JAMES POPPELL

light, sprinkled it with spring water, injected it with nutrients and completely replaced the soil around the base.

Thanks to all the work, the tree survived, but one major limb had to be removed. Realizing the limb was too important to be turned into common firewood, the city donated much of it to woodworkers, who have used the wood to create art commemorating

This turning (left) by James Poppell, and this knife and matching case (below) by Harvey Dean were made from a limb of the Treaty Oak.



MARK WIELAND

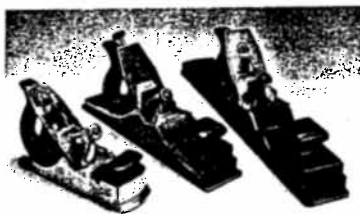
the tree, including the pieces shown here. Several of these works have been auctioned to raise money for tree-planting in Austin.

INTERNATIONAL TOOL AUCTION ACCEPTS ABSENTEE BIDS

More than 1,000 lots of outstanding woodworking tools for both collectors and craftsmen will go up for bid at the International Tool Auction, Friday July 29 at the Limes Hotel in Needham Market, Suffolk, England.

You say your wife won't let you fly abroad for the weekend? That needn't stop you from bidding. Tony Murland, sponsor of the auction and co-owner of The Tool Shop in Needham Market, makes it easy for North American woodworkers to place absentee bids.

Here's how it works. Purchase the auction catalog (full of great color photos)



These rare planes will be sold at the International Tool Auction in July. From left: Gunmetal Scottish smoothing plane, 14 1/2-in. dovetailed steel Norris A1 panel plane, 20 1/2-in. dovetailed steel Mathieson jointer plane.

PHOTO COURTESY OF TONY MURLAND

and fill out the absentee bidder's form on the tool(s) you want to bid on. Indicate the most you're willing to pay for the item in U.S. Sterling.

£1 = approximately \$1.50) and mail or fax back the form. If your bid is higher than the highest bid on the floor, you'll get the tool for £5 to £10 more than the highest live bid (plus a 10 percent buyer's premium—a common practice at many auctions). Murland will send you a bill (payable by check in U.S. dollars) and ship you the tool.

For more information, or to order a catalog (\$15), contact Tony Murland at Tool Shop Auctions, 78 High St., Needham Market, Suffolk, U.K. IP6 8AW. Phone (from the U.S.): 011-44-149-722992 FAX 011-44-149-722655

If you own one of the early Makita 2012 planers, you've probably had the bed vibrate downward during a cut, resulting in a board that's thicker at one end. That's because prior to October 1989 the planers didn't have a lock knob for the depth-of-cut adjustment. (The date of manufacture is stamped on the planer identification plate.) To solve this problem, Makita is now offering to install a lock knob for free if you take your planer to one of the company's 48 service centers nationwide. Call (714) 522-8088 for a service center near you.

American Woodworker 8/94



Staff photo by Enedelia J. Obregón

Doug Harwell, 70, is carving dulcimers out of pieces of the Treaty Oak.

Lago Vista dulcimer maker carves a piece of history

■ Pieces of historic Treaty Oak will get a new lease on life

By Enedelia J. Obregón
American-Statesman Staff

For 35 years, 70-year-old Doug Harwell of Lago Vista has been making dulcimers.

He has yet to make a profit.

"I don't sell them," said Harwell, who retired to the lakeside community 10 years ago after 30 years with Houston Lighting & Power

Co. "I give them away. If I sell them, anyone can get one. If I give them away, then the people I want to have them will have them."

Harwell recently made an exception. He was one of 19 artisans or art associations from around the country who were commissioned by the City of Austin to craft objects from pieces of the Treaty Oak.

The Treaty Oak was poisoned in 1989 by a man who poured herbicide around it. About two-thirds of the tree was trimmed in an effort to save it.

The sawed off pieces were used to create objects of art, which were

auctioned Oct. 22 in celebration of the 500th birthday of the famous tree. Proceeds will be used to plant more trees in Austin.

The dulcimer crafted by Harwell fetched \$1,300.

"It wasn't my best work," Harwell said. "I only had three weeks to make it."

Mark Wieland, Treaty Oak coordinator, said the idea for making crafts from Treaty Oak wood came from a committee of eight members of the community organized by the Urban Forestry Board. Wieland said the Parks and Recreation Department turned to the forestry board for ideas.

The committee sent out requests for qualified artisans and ideas throughout the country in February 1992. Ninety-six entries were received. After requesting more information from those artisans, the list was narrowed to 49. Wieland said the finalists were selected based on three criteria: historical preservation, commemoration of the Treaty Oak tree and fund-raising value of the item.

Since the auction, Harwell has completed another dulcimer. It is now in the hands of Susan Foster, who works in the Lago Vista school district's administration building and paints for a hobby. Foster said Harwell asked her to draw a picture of the Treaty Oak on the dulcimer.

Harwell is about to finish another dulcimer made from Treaty Oak wood. He will make six in all — which isn't what originally was planned.

When Harwell was notified in early October that a committee set up to consider crafts proposals had selected him, he made the trek to Austin to select a piece of wood.

He rejected the first piece of wood he was given. Then he noticed a log about 6 feet long, 4 inches thick and about a foot wide.

"I knew that would work" for dulcimers, Harwell said. "So I talked them into letting me make six."

Harwell crafts his dulcimers in a woodworking shop behind the house he shares with Jewel, his wife of 45 years. Half a dozen dulcimers lie across the beds in the

shop's spare bedroom, once meant for visiting grandchildren.

Because oak is a very hard wood, Harwell said he uses oak for the bottom and sides of the dulcimer and redwood for the top.

"This makes it a nice sounding instrument," Harwell said. "Oak is not normally used for musical instruments."

Harwell also makes dulcimers out of buda, maple, rosewood and mahogany. He also has made violins for 35 years, although he has not made many recently.

Jewel Harwell jokingly refers to her husband's hobby as "therapy" from the daily grind. Harwell figures he has made about 10 violins and made 70 to 80 dulcimers.

"I don't remember how many I made," Harwell said.

SECOND LIFE FOR TREATY OAK



Del Stubbs begins a sharpening clinic by analyzing the tools students brought with them.

- When cutting to the right, lead with your right hand, and vice versa.
- If you can't move smoothly through an arc, you can't cut a smooth curve.
- Feedback is ever important; be mindful of the results of your actions. Shavings, sounds, your own body will tell you what's happening. Say no to white knuckles and bunched shoulders.
- Power sanding is disadvantageous: you can't see what you're doing at 1200 rpm, and the paper gets hot, causing the grit to clog and the adhesive to break down. If you use sanding discs in a drill motor, leave the lathe turned off.

Pointers for Spindle Work

- A conventional parting tool should not be used for parting off; it tears end grain. Use it in conjunction with callipers to establish reference diameters. Part off with the skew.
- For repetitive work, make a story stick, a wood strip notched to position a pencil for marking the locations of features onto spindles.
- In production, do all the work you can with one tool before changing tools. The more regular and efficient your procedures, the more consistent your work will be.

WHEN THE TREATY OAK of Austin, TX, was deliberately poisoned in 1989, the living symbol of 500 years of history was in jeopardy. In the shade of this tree Apache, Tonkawa, and Commanche Indians conducted sacred rituals and settled disputes. With the arrival of White settlers, the tree marked the boundary between Whites and Indians; it was the legendary site of the first treaty signing between Stephen Austin and local Indians.

An angry drifter had doused the base of the tree with twenty times the amount of herbicide necessary to kill it. A neighbor noticed the leaves turning brown, unusual for a live oak, which keeps its leaves until spring. He alerted the city, and a massive rescue effort began. Earth around the roots was replaced; the tree was sprayed with spring water and injected with sugar water; a shelter was built to shade the tree. Six times the tree shed its leaves and brought forth new ones. The efforts worked; only one major limb was lost.

The city decided to do right by all the wood that had to be removed. A committee evaluated nearly fifty projects for its use, aimed at memorializing, educating, and fund raising for tree plantings. Among the twenty proposals

approved was that of AAW member James Poppell of Belton, TX. He received a one-year contract to turn the wood into vessels and lidded boxes, returning thirty-five percent of the retail proceeds to the city. Poppell plans to produce some 1500 boxes and 200 larger vessels, one of which will remain on permanent exhibition.

For Poppell the most interesting and promising development has been the better understanding of woodturning that people have gained. City workers assigned to dismantle the dead wood, for instance, were instructed to lower to the ground, rather than drop and risk shattering, every sawn piece and to salvage even the smallest branches. The first day was marked by some grumbling; workers in the habit of dropping trees from cherry pickers couldn't see the value in this extra work. But Poppell brought home a 2-inch diameter branch and returned the next day with a turned box. "You could see the change in their attitude," says Poppell. "They began to bring blanks to me, excited about what I might be able to do with them.... People have come to understand through this that although one chapter of the tree's life is over, a new one has begun."



Carefully dismembering an injured limb, left, and one of Poppell's boxes, above, from a 2-inch-diameter branch.

CITY & STATE

Austin American-Statesman

Monday,
November 1, 1993



Going, going, gone

At the "Treaty Oak Remembered" live auction on Oct. 22, it took a scare tactic to coax the frugal crowd into bidding on the first item: a hand-carved golden-cheeked warbler perched on Treaty Oak twigs.

After several pleas for a starting bid, the auctioneer resorted to desperate tactics.

"I understand Jim Bob Moffett is interested in this one," he threatened.

After a round of laughter, the bidding took off, and the item sold for \$425 to Bryan Hale, past president of the Travis Audubon Society, who has worked for years to save the endangered warbler.



Austin American-Statesman

COMMENTARY**Paradise lost**

While the battle has raged over Barton Creek's greenbelt, developers continue to win skirmishes all around Austin. Environmentally sensitive areas are once again being obliterated as development again reaches a feverish pace.

I would like to call attention to just one such example.

When I first moved to North Austin in 1985, there was an undeveloped tract of land between Burnet and Metric, now partly occupied by the Northridge campus of Austin Community College. Just to the west was a small unnamed tributary of Walnut Creek where one could wander in the shade of magnificent old-growth live oak, pecan and other native trees in a wild, untamed setting. Remnants of the bought-out landowner's buildings and corrals remained nearby.

Soon after I discovered this small haven of surviving wilderness, the bulldozers and graders arrived, stripping the land bare and cutting through the grove of live oaks with a four-lane roadway now named Gracy Farms Lane.

The live oaks that remain in the median of Gracy Farms Lane are now sadly almost dead, looking as forlorn or worse than the infamous Treaty Oak. Nearby, Hobby Horse Apartments are under construction, increasing the impervious cover on the immediately adjacent land, spelling doom for what could have been a wonderful parkland asset for the future residents of these apartments and other area residents. As I passed by the other day, front-end loaders and ditch-digging machines were parked in the sparse shade next to the scarred trunks of the dying oaks.

JACK L. SCHULLER
11203 Brushy Glen Drive

Christine M. Thomas
Harvard Divinity School
45 Francis Avenue
Cambridge, MA 02138

John Giedraitis
City Forester
Parks and Recreation Department
600 River Street
Austin, TX 78701

1 March 1993

Dear Mr. Giedraitis:

I was delighted to receive, about a week and a half ago, the package that you sent with the files on the Treaty Oak -- and a piece of the Oak itself! Thank you very much for taking the time to prepare and send all of this information. I have followed the plight of the Oak from afar since I first heard about the poisoning, so it was fascinating for me to follow the unflagging efforts to save the Oak, and the outpouring of community response that the event seems to have generated.

I am currently assisting Dr. Kimberley Patton of Harvard Divinity School in a course entitled, "Sun, Stone, Sea, and Tree: Supernatural Aspects of Natural Elements." The course explores the religious or sacred dimensions that these four natural objects can assume at certain times in history. The Treaty Oak at Austin seemed to be a good modern example of a tree that became the focus of a community, and the object of religious responses. Dr. Patton plans to use the information that you sent for one of the class lectures, and as a resource for students writing term papers for this course.

It was a wonderful surprise to find an actual slice of the Oak in the package; being a student of the history of religions, I cannot help being delighted by icons and relics! We will display the tree prominently on the day of the lecture.

With your permission, we will also add the file of articles on the Treaty Oak to our library collection. Many students here are interested in researching environmental issues, and the materials would be very helpful to them.

Thank you again for your kindness. The Divinity School at Harvard will be sending you an honorarium that should adequately cover any costs you have incurred. I wish you the best in your continuing work.

Sincerely,



Christine M. Thomas
Ph.D. Candidate, Harvard University

cc: Kimberley Patton

Austin, Texas
Permit No. 645

The TEXAS

February 1993

The Official Publication of the Texas Association of Nurserymen

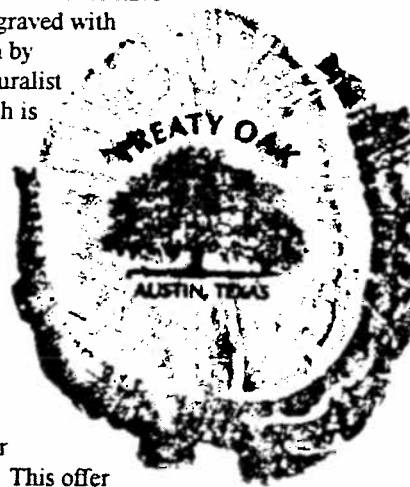
NURSERYMAN



Order Your TREATY OAK COMMEMORATIVES

- Limited Edition - Collector's Series
- *Each piece ordered will come with a signed and numbered certificate of authenticity*
- *A project of the City of Austin Forestry Program*
- *All funds received will be used to plant trees*

You can now own a piece of Texas history, and help reforest the earth. The Treaty Oak is a 500 year old landmark that attracted international attention when it was intentionally poisoned in 1989. The portion of the tree which didn't survive is now available to you. Slices of the 1-3 inch branches have been laser-engraved with an illustration by renowned naturalist Hal Irby. Each is attached to a certificate of authenticity bearing the signatures of the Austin Mayor and City Forester. 100% of your contribution will be used for planting trees. This offer is limited due to the amount of wood available. **ORDER YOURS TODAY!**



Name _____
Address _____
City, State, Zip _____
Phone _____
Quantity _____ @ \$24.55 \$ _____
(includes tax & \$3 postage/handling)
Payable to Treaty Oak Fund, mail Check or money order to:
Treaty Oak Office, City of Austin, P.O. Box 1088, Austin,
Texas 78767. Call (512) 462-1588 for info.

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The TEXAS

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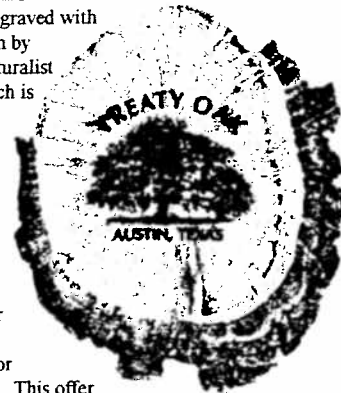
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Texas 78767 Call (512) 462-1588 for info

Treaty Oak slices

help trees grow

Wood from Austin icon funds plantings



TERRENCE STUTZ

AROUND AUSTIN

AUSTIN — The Treaty Oak, which gained national attention after its bizarre poisoning four years ago, has come back from the dead. An ambitious program to market the dead wood that was removed from the 350-year-old oak is proving successful, and city foresters are using the proceeds to plant trees throughout Austin.

One- and 2-inch slices of the Treaty Oak are being sold by the city in an attractive "certificate of authenticity" that includes an illustration and brief history of the giant tree.

The certificate sells for \$9.95 and comes framed for an extra \$10.

Although sales started only a month ago — a few weeks before Christmas — more than 5,000 already have been sold.

The \$50,000 raised by the sales will allow the planting of about 1,000 trees in Austin, according to city forester John Giedraitis.

"I am amazed at how popular they are," said Mr. Giedraitis, who estimated that as many as 15,000 more of the Treaty Oak pieces can be sold before the supply of wood runs out.

"It provides a pretty good incentive for people to buy," he said. "Not only can someone get a piece of Texas history but they also can help plant new trees."

"Every nickel is being used to plant trees. The funds we raise will create a Treaty Oak memorial forest across Austin."

Mr. Giedraitis said Austin officials got the idea for the marketing program from Boston, where a similar campaign was used to restore the Old North Church after it was struck by lightning.

Larger pieces of the Treaty Oak will be used in a variety of projects, ranging from carvings to a replica of a chair used by Sam Houston that will be placed in the Governor's Reception Room in the Capitol.

The city received about 50 proposals for using the wood, and this month about 15 will be chosen to receive pieces of the tree.

"Most are for artwork that probably will end up on display in public buildings."

"None of it will be used for toothpicks," he said with a laugh.

As for the Treaty Oak itself — legendary site of a treaty signing by Texas colonist Stephen F. Austin and Central Texas Indians 1½ centuries ago — about a third of the tree has survived and is healthy.

"We harvested acorns again this year, and the remainder of the tree still has decades of life in it," Mr. Giedraitis said.

Foresters have grafted several small trees from the oak, and those saplings are in a nursery in South Texas. One eventually will be selected for planting alongside the original to ensure that the historic tree will live on for centuries more.

Those wishing to purchase a piece of the Treaty Oak can call the city forester's office at (512) 476-3809.



John Giedraitis ... city forester has sold 5,000 certified Treaty Oak pieces.

Timber!

Limited edition Treaty Oak trinkets are even more limited than originally thought.

City officials figured they had enough tiny branches to make about 20,000 certificates featuring an authentic medallion-size piece of the legendary oak.

But the tree had other ideas.

About half of the wood city officials planned to use to make the medallions, which are about two inches in diameter, was too dark.

Each medallion features a laser-engraved illustration of the tree and the words "Treaty Oak" and "Austin, Texas." The contrast of the black etching against the dark wood was not stark enough to show.

"It's an aesthetic problem," said Mark Wieland, Treaty Oak project coordinator.

The dark wood is a natural phenomenon and has nothing to do with the poisoning of the tree, he said.

The pieces not used for the medallions now will be used for other Treaty Oak projects. Wieland said an artist has proposed using them as part of a mosaic mural.

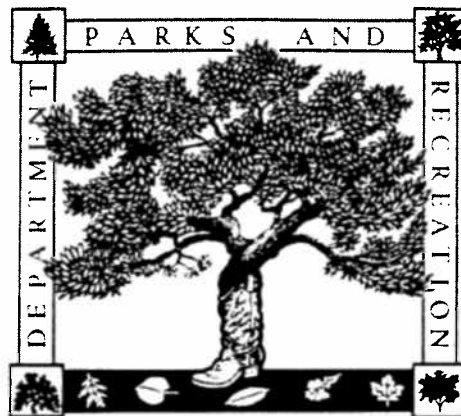
About 8,000 Treaty Oak certificates already have been made. They sell, framed, for \$19.95, with proceeds going toward city tree planting.

DEC 28, 1992 American Statesman



TREATY OAK PROJECT

Forestry Program
City Of Austin
(512) 476-3809



AUSTIN FORESTRY

The **Treaty Oak Project** is making a positive experience come from the tragic event of the Treaty Oak's poisoning in 1989. The first special project developed utilizing trimmed branches from the tree allows the public to purchase their own piece of Texas history while helping to replant in Austin's urban forest at the same time. The limited issue Treaty Oak Mementos are an actual slice from trimmed branches affixed to a Certificate of Authenticity. They are now available through mail order and sponsor retailers in Austin. 100% of the proceeds will go towards planting new trees in the Austin area.

The 500 year old Treaty Oak is still bestowing blessings on Austin, three and a half years after being poisoned, through the Treaty Oak Memorial Forest Fund.

The single remaining member of the grove of 14 live oaks (*Quercus virginiana*), the Treaty Oak has been many things to many people over its 500 year history. This tree provided sacred space for Tonkawa and Commanche Indians. In its shade they conducted political and religious ceremonies. Later, with the arrival of White settlers in Austin, the Treaty Oak marked the boundary between Whites and Indians. Legend has it that Stephen F. Austin signed the first boundary treaty with the local Indians at the base of this tree. In 1937, due to public demands to save the tree, the City of Austin purchased the quarter acre lot containing the Treaty Oak, once again making the area under the tree a special community space. The community continued to use the site in ceremonies such as weddings and other celebrations.


When the Treaty Oak was intentionally poisoned with an herbicide in 1989, world-wide public interest and outrage was generated. This was the first recorded intentional poisoning of an historic tree. However, the Treaty Oak lives on as a testament to the outstanding efforts of an international team of foresters (as well as the constant prayers of many well-wishers). Led by John Giedraitis, Austin's City Forester, the rescue effort included replacing of all of the contaminated soil surrounding the tree, shading and cooling of the tree, and nutrient injections.

The rescue effort was quite successful. Having been poisoned with enough herbicide to kill 25 trees of similar size, the Treaty Oak has survived although a major limb had to be removed. The dead wood that was removed was catalogued and has been drying for two years. It is now being used in several special projects.

The large pieces have been allocated to a few qualified artists, who will be creating public works of art commemorating the Treaty Oak. The one to three inch diameter branches, too small for other use, have been retained by the city. These branches are being sliced and laser engraved, to be sold with certificates documenting their authenticity. The **Treaty Oak Memorial Forest Fund** created by these sales will be used exclusively for tree planting in Austin. To date, over \$50,000 has been raised through the sale of these "Treaty Oak Certificates." John Giedraitis says: "Ultimately, the majesty of the Treaty Oak will be continued in the new trees that are sponsored by the Memorial Forest Fund."

TREATY OAK HOTLINE - 1-800-537-2757

CITY & STATE

Monday, December 28, 1992  Austin American-Statesman



Timber!

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About 8,000 Treaty Oak certificates already have been made. They sell, framed, for \$19.95, with proceeds going toward city tree planting.

LIFESTYLE FOCUS

PROJECT EARTH

Tuesday, December 1, 1992  Austin American-Statesman



Wood for good

Those laser-etched remnants of Treaty Oak now being offered for sale by the City of Austin Parks and Recreation Department are more than just keepsakes. By purchasing one of the discs — either framed or unframed and with a certificate of authenticity — you'll be contributing toward Austin's reforestation effort. All proceeds go toward planting trees to offset the losses to our urban forest from old age, disease and other causes.

State approves the parole of Treaty Oak poisoner

By Chuck Lindell
American-Statesman Staff

Paul Stedman Cullen, convicted in the 1989 poisoning of the centuries-old Treaty Oak, has been approved for parole, state officials said Wednesday.

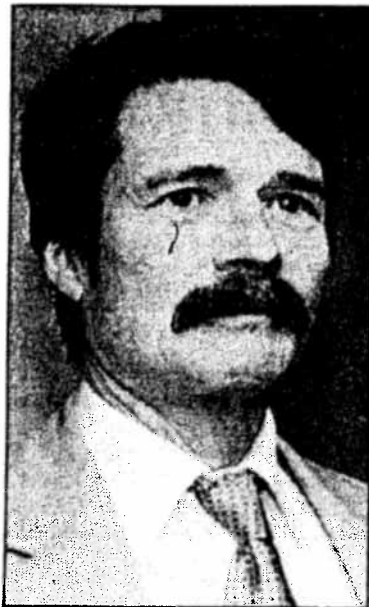
When he is released, Cullen will be taken into custody by the U.S. marshal's office to begin serving a one-year sentence for lying on a federal form when he bought a rifle in Austin in 1988, according to the Pardon and Paroles Division of the Texas Department of Criminal Justice.

Under conditions of his parole, Cullen will not be allowed to enter Texas without parole board approval until June 1998 and must undergo counseling, said Daniel Guerra, spokesman for the parole board.

No date has been set for his release. "It won't be any time real soon. There's still a lot of paperwork," Guerra said.

Cullen has served two years and nine months of a nine-year prison sentence.

The poisoning of Treaty Oak spurred thousands of get-well wishes from around the world and a massive effort to save the tree,



Paul Stedman Cullen was convicted of poisoning the Treaty Oak.

where legend says Texas pioneer Stephen F. Austin signed treaties with Native Americans.

A dose of Velpar, a potent herbicide, killed about three-fourths of the oak. Huge limbs have been cut away, the wood saved for use by

artists and charities.

Terrence Kirk, the attorney handling Cullen's appeal, doesn't believe his client's exclusion from Texas would be upheld in court.

"I would be interested in challenging that. I don't think it's constitutional. Banishment, I don't believe, is an acceptable form of punishment," he said.

Kirk argued Wednesday before the 3rd Court of Appeals that Cullen was improperly charged with a felony, the search of his truck was illegal and the jury was improperly instructed during his spring 1990 trial.

He is seeking to overturn the conviction or gain a new trial for his client, who is being held at the Ellis Unit of the state prison in Huntsville. "The parole doesn't affect the appeal, obviously," he said.

Cullen had been denied parole twice, but in early April he was brought up on a special review that looked at offenders previously denied release, Guerra said.

"Because of the prison overcrowding, there are cases going back to the board," he said. "In Cullen's case, they decided that since it was a non-violent crime, so to speak, they would change their minds and vote favorably."

Austin American-Statesman

COMMENTARY

EDITORIALS

LETTERS

Treaty Oak

I am sorry to see that the "experts" on Treaty Oak have dismembered it. If they are experts they must know that live oaks, if left alone, will again cover that dead skeleton with bark and green leaves and it will be as beautiful as ever. It may be an eyesore in the neighborhood for a few years, but my observation of live oaks over eight decades makes me believe that nature will take care of the problem if left alone.

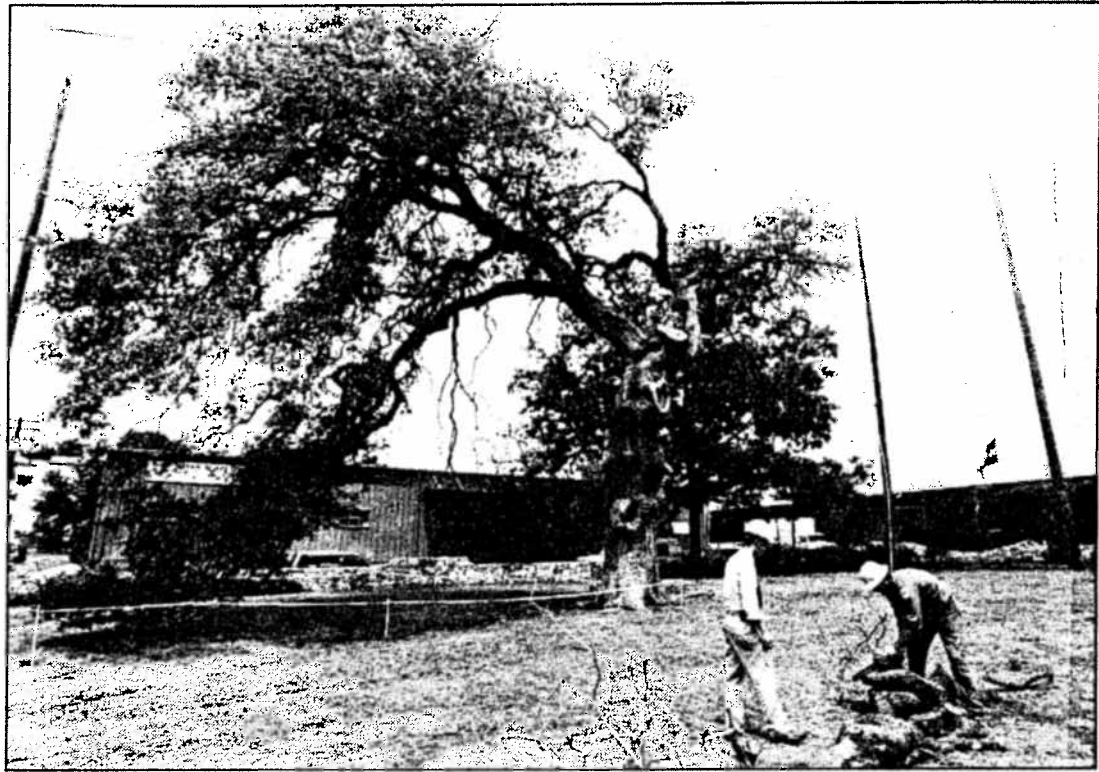
I have seen it happen time and again in the oaks around my boyhood home and in the live-oak grove that surrounds my present home. I was astounded to see it happen to a tree that stood dead for at least 20 years. A dead live oak, without bark or leaves, was at the corner of the corral when I moved here in 1951. I never got around to having it cut down, and then in the late '70s bark began to cover the trunk and in time it covered all the dead limbs and leafed out.

If there are any live roots in Treaty Oak, my experience leads me to believe there is a good probability it will fully recover.

H.Y. PRICE, JR.
Route 3, Box 27
Kyle

CITY & STATE

Wednesday, May 8, 1991 Austin American-Statesman

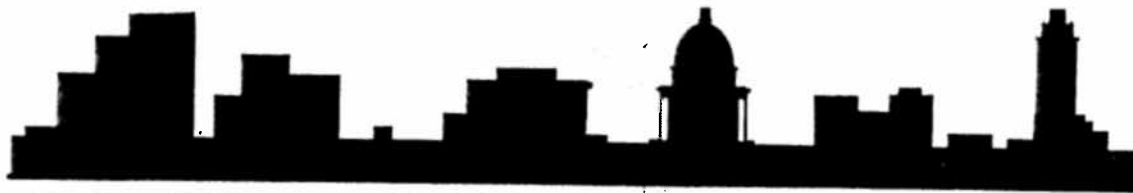


Staff photo by David Kennedy

Shade of its former self

City workers cut up branches Tuesday from the Treaty Oak after crews completed the pruning of the poi-

soned giant. Only one major limb system of the landmark live oak survived a dose of Velpar.



AUSTIN WEEKLY

MAY 8, 1991



photo by Brian Sipple

Workmen start the careful task of trimming dead limbs from historic Treaty Oak Monday. City workers Curtis Fowler (left), Jeff Gatlin and others cut 75 percent of the tree, saving the lumber for historic purposes. See story on page 3.

City conducts careful harvest of Treaty Oak's dead limbs

By Brian Sipple
Weekly Staff Writer

John Giedraitis probably shall see few things in life he considers lovelier than a tree. A forester for the City of Austin, Giedraitis has devoted his career to the planting, nurturing and love of trees.

Beneath the crowning boughs of one of his favorite Austin trees, Giedraitis proposed to his wife.

That must have made it all the more difficult for Giedraitis this week as he stood among the drone of chain saws and smell of fresh-cut hill country live oak, stapling sheets of tin to the cut ends of the pieces of that very tree: Treaty Oak.

Two years after it was poisoned in an act of vandalism, almost 70 percent of the 500 years old tree was cut down this week by city workers.

Giedraitis directed much of the prototypic treatments successful in saving but one of the mighty tree's three great boughs. He also directed much of the dismemberment of the tree.

Two-thirds of the crown were removed. The remaining limb, which was the first to show the signs of the poisoning, has fully recovered and is expected to live indefinitely.

The larger pieces of wood removed from the oak will be kiln dried for about six months. The smaller will be preserved and stored.

During that time, the City will consider and choose from proposals by artists, fund-raisers, educational groups and others before deciding how best to use the wood.

"Every piece of wood that comes off this tree must be utilized," Giedraitis said this week as he labeled each piece for identification. "Anything larger than an inch will be stored and inventoried."

In between tagging scraps, Giedraitis cheerfully answered questions from passers-by. Inside, he said, that day he had very mixed feelings.

For one thing, Giedraitis said, "What we're used to doing here is

planting and maintaining trees, not cutting them down."

That is why, Giedraitis said, when the city decided it was time to cut the oak it called in help from experts like Thomas Perry of North Carolina State University, a nationally known tree expert studying the effects of such anti-herbicide treatments as injections of diluted potassium chloride and sugar-laced water. Both were tried on Treaty Oak.

"He's probably one of the world's leading experts on roots and trees and forestry," Giedraitis said.

"One way to look at this is that we're doing an autopsy and that's why we have Dr. Perry here. Another way is that we're cutting the tree so we preserve as much of the wood as we can for artists or any sort of fund raising event.

The tree once was named "The most perfect specimen of live oak tree in North America," by the Hall of Fame of Forestry in Washington, D.C. Before it was cut, almost 75 percent of the tree was dead.

Every other week since the poisoning, Giedraitis says, he "harvests" the memorabilia accumulating in the City's mail room and on the wire and chain barrier that runs along the sidewalk adjacent to the oak.

He said the current media attention is certain to bring even more.

"I have boxes and boxes of these things," he said. "Cards and letters from all over the world that the Post Office has actually delivered to the

Treaty Oak like it was a person with an address."

"One came from Germany and was addressed to the Treaty Oak, Austin, Texas U.S.A. On the back side was, 'We love you. Get well soon.' It came from Munich.

"The Post Office clipped it to the string," Giedraitis said.

City Urban Forester Carl Schattenberg said the stacks of memorabilia eventually will go the the Austin History Center.

The tree is so named because Stephen F. Austin speciously signed a peace pact with resident Indian tribes beneath the branches in his efforts to establish a colony here.

The tree may have served as the boundary line between the tribal lands and that of the new settlers.

Giedraitis said his department has three objectives for the wood.

"We want to memorialize the tree by creating works off art and things like that. We want to continue to provide education about the importance of trees and we want to raise funds needed to do this.

"Hopefully it will not only be the most famous tree in the world, it will also be the most valuable lumber ever to come off a single tree," he said.

The man convicted of poisoning the tree, Paul Stedman Cullen, is still in prison. Cullen continues to deny he attacked the tree with a lethal dose of velpar, a herbicide produced to kill hardwood trees.