

Taking Liberties with Historic Trees

Jared Farmer

Today, one of the innumerable minor privileges of American whiteness is the freedom to appreciate trees as just trees: anodyne features, ahistorical objects. Viewing the same scenery, African Americans can hardly ignore a painful past. “Trees carry an intolerable weight,” states Glenis Redmond. Another poet, Lucille Clifton, begins, “surely i am able to write poems celebrating grass,” before finding it impossible to advance to woody flora. A predecessor, Gwendolyn Brooks, said in 1969: “In Chicago we have had spirited conversations about whether a black poet has the right to deal with trees, to concern himself with trees. And one of the things that I’ve always said was, certainly, certainly a black poet may be involved in a concern for trees, if only because when he looks at one he thinks of how his ancestors have been lynched thereon.”¹

Not so long ago, white Americans popularized a *beneficent* mutualism of trees, history, and memory. From the Revolution until World War II, the literary landscape abounded with tree talk, even talking trees. Joyce Kilmer’s 1913 poem “Trees” (“I think that I shall never see/A poem lovely as a tree”) marked the peak bloom (though not the aesthetic crown) of a canon nurtured over generations. There are too many sylvan lyrics, orations, and eulogies to count. The current reputation of Billie Holiday’s recording of “Strange Fruit” (1939) belies the fact that far more Americans of her era listened to renditions of “Trees,” including one by Paul Robeson. The banality of tree talk both signals and obscures the importance of “tree culture,” a settler movement of the long nineteenth century. This term stands for a set of values and practices: the arboricultural “improvement” of gardens and forests, cities and parks, wastelands and homesteads. Tree culture also inspired the planting of memory—the designation of “historic trees” that had “witnessed”

Jared Farmer is a professor of history at Stony Brook University. He thanks Jennifer Anderson, Mia Bay, Robert Chase, Ann Fabian, Lori Flores, Amy Kohout, Ethan Kytle, Magdalena Mączyńska, Donzella Maupin, Catherine McNeur, Daegan Miller, Henry Miller, Andrew Newman, Harriet Ritvo, Blain Roberts, Gregory Rosenthal, Martha Sandweiss, Ellen Stroud, Richard White, the MIT Seminar on Environmental and Agricultural History, the Princeton Modern America Workshop, the Stony Brook Libraries Interlibrary Loan Department, and the *JAH* editorial team, particularly Benjamin Irvin.

¹ Glenis Redmond, “What Hangs on Trees,” *Orion*, 31 (Nov.–Dec. 2012), 38–43, esp. 42; Lucille Clifton, *Mercy: Poems* (Rochester, 2003), 23; George Starvos, “An Interview with Gwendolyn Brooks,” in *Conversations with Gwendolyn Brooks*, ed. Gloria Wade Gayles (Jackson, 2003), 52. On the black image of American trees, see Kimberley N. Ruffin, *Black on Earth: African American Ecoliterary Traditions* (Athens, Ga., 2010); James H. Cone, *The Cross and the Lynching Tree* (Maryknoll, 2011); Sandy Alexandre, *The Properties of Violence: Claims to Ownership in Representations of Lynching* (Jackson, 2012); and Carolyn Finney, *Black Faces, White Spaces: Reimagining the Relationship of African Americans to the Great Outdoors* (Chapel Hill, 2014).

moments of national significance. The making of the nation was naturalized by memorable events that took place, or putatively took place, under *this very tree*. Nationalists wrapped historic trees in flags, literally and figuratively, and honored them with names, poems, paintings, and plaques; they collected bits and pieces for relic boxes and civic reliquaries. Arbonationalism thrived on wars and anniversaries, and especially anniversaries of wars.²

The United States was unexceptional for producing historic trees. However, the process of historicization here was remarkable for its intensity, scale, and timing. Nowhere else did arbonationalists take such liberties with the practice. From the birth of the nation, Americans moved effortlessly from folk history to fakelore, inventing pseudohistoric trees that usefully distorted the young republic's past. Of the hundreds of storied plants feted locally by heritage groups, historical associations, pioneer societies, and women's clubs, scores became famous at the regional or national level. Seen from a distance, these landmarks look like generic memory sites, with recurring types and motifs. *Founder trees*—preeminently those associated with George Washington—composed one subgenre. Other meaningful megaflores included *inaugural trees* that shaded first sacraments, the building of first congregational churches, or the drafting of charters and constitutions; *lone trees* that guided overland pioneers and then watched the progress of afforestation; and *mother trees* that bore the earliest domesticated fruit.³

In my reading of the legacy landscape, the most consequential trees witnessed not Turnerian, but Rooseveltian history—a racialized contest for power. To complement the red-white-black triad in U.S. historiography, I have arranged two heuristic dyads. I pair *liberty trees* with *vigilance trees*, and *treaty trees* with *massacre trees*. Each subgenre implies a simple script: patriots resisting oppressors, and citizens punishing malefactors; negotiators settling with adversaries, and civilians attacked by brutes. In other words, trees associated with the making of freedom referenced the taking of liberties, and their stories conjoined racial violence with racial innocence. U.S. arbonationalism generally validated the claims and privileges of settlers-cum-citizens, and celebrations of historic trees often functioned retrospectively as ceremonies of possession. Nonetheless, this topographical

² Joyce Kilmer, "Trees," *Poetry*, 2 (Aug. 1913), 160. David Margolick, *Strange Fruit: The Biography of a Song* (New York, 2001). Daegan Miller, "Reading Tree in Nature's Nation: Toward a Field Guide to Sylvan Literacy in the Nineteenth-Century United States," *American Historical Review*, 121 (Oct. 2016), 1114–40. Recent books on U.S. arboricultural history include Gayle Brandow Samuels, *Enduring Roots: Encounters with Trees, History, and the American Landscape* (New Brunswick, 1999); Thomas J. Campanella, *Republic of Shade: New England and the American Elm* (New Haven, 2003); Shaul E. Cohen, *Planting Nature: Trees and the Manipulation of Environmental Stewardship in America* (Berkeley, 2004); Henry W. Lawrence, *City Trees: A Historical Geography from the Renaissance through the Nineteenth Century* (Charlottesville, 2008); Philip J. Pauly, *Fruits and Plains: The Horticultural Transformation of America* (Cambridge, Mass., 2008); Andrea Wulf, *Founding Gardeners: The Revolutionary Generation, Nature, and the Shaping of the American Nation* (New York, 2011); William Kerrigan, *Johnny Appleseed and the American Orchard: A Cultural History* (Baltimore, 2012); Eric Rutkow, *American Canopy: Trees, Forests, and the Making of a Nation* (New York, 2012); Jared Farmer, *Trees in Paradise: A California History* (New York, 2013); Shen Hou, *The City Natural: Garden and Forest Magazine and the Rise of American Environmentalism* (Pittsburgh, 2013); William Thomas Okie, *The Georgia Peach: Culture, Agriculture, and Environment in the American South* (New York, 2016); and Jill Jonnes, *Urban Forests: A Natural History of Trees and People in the American Cityscape* (New York, 2016).

³ My typological approach resembles that in Grady Clay, *Real Places: An Unconventional Guide to America's Generic Landscape* (Chicago, 1994). Compendia of U.S. historic trees include Katharine Stanley Nicholson, *Historic American Trees* (New York, 1922); and Charles E. Randall and D. Priscilla Edgerton, *Famous Trees* (Washington, 1938). I distinguish between "historic trees" and "memorial trees," and exclude the latter for want of space. Historicizing trees *in situ* goes back to antiquity, though the modern convention owes much to romanticism and nationalism. Commemoration through tree planting is more modern. Memorial trees—plants dedicated, mainly at the time of planting, to persons, mainly in the wake of death—became an international phenomenon after World War I.

history has some nuance, for both Native Americans and African Americans contested and created memories with trees.⁴

My typology cannot be staunch: the categories bleed. For example, many Americans in the past treated the vigilance tree as a liberty tree, *de facto* or *de jure*. Henry Ward Beecher, in a collection of pastoral quotations, captured the positive association: “A traitor is good fruit to hang from the boughs of the tree of liberty.” Thomas Jefferson, in private, voiced a similar sentiment in 1787: “The tree of liberty must be refreshed from time to time with the blood of patriots & tyrants. It is its natural manure.” Other Americans disagreed. Depending on the geographical and temporal context, extralegal violence inspired unity or division. In the postbellum period, in practice and even more in imagination, popular justice bifurcated—New West versus New South—with each region bestowing divergent names and reputations upon the vigilance tree. West of the 100th meridian, postfrontier residents remembered vigilantes as bringers of law, and commemorated the “hangman’s tree” as a marker of state creation out of Indian statelessness. Below the Mason-Dixon line, consensus broke down because African Americans and their allies insisted that the “lynching tree” was an emblem of illegitimate nationalism. Americans of all races gradually forgot that the western and southern gallows were joined at the root in New England. It is unbearably fitting that the nation’s original libertarian landmark, the Liberty Tree of Boston, sported a noose, and inspired early use of the metaphor “strange fruit.”⁵

Studies of public memory and the invention of national tradition would seem to have exhausted all topics, but not trees. Combining thematic and chronological approaches, this essay provides a sweeping examination of place and race, material and memory, nature and nation. I begin with the premises that nonhuman organisms can be cultural beings and that memory sites can be biological things. I explain how the valorization of historic trees contributed to the racialization of American nature and the naturalization of racial hierarchies. My subject is Jim Crow as much as Johnny Appleseed, in recognition that white supremacy tainted everything, even greenery. I offer this essay as an entry in a collaborative work in progress: the U.S. guide to the decolonization of place.⁶

My narrative runs from William Penn to Donald J. Trump, with an emphasis on the long nineteenth century. Before Americans forsook their antimemorial tendencies—an unexpected outcome in a democracy born of revolution—they imagined ordinary trees as patriotic columns. The original National Mall was conceived as a “public museum of living trees and shrubs.” The pharaonic remaking of this once-wooded landscape required clearance in the early twentieth century, even as urbanization and automobility doomed many historic trees across the country. Tree culture atrophied, persisted, regrew. For the contemporary period, I describe a surprisingly adaptable tradition. In response

⁴ I borrow this formulation from Richard Slotkin, *Gunfighter Nation: The Myth of the Frontier in Twentieth-Century America* (Norman, 1998). Patricia Seed, *Ceremonies of Possession in Europe’s Conquest of the New World, 1492–1640* (New York, 1995).

⁵ Henry Ward Beecher, *Life Thoughts* (London, 1858), 60. “William Stephens Smith,” Nov. 13, 1787, in *Jefferson: Political Writings*, ed. Joyce Appleby and Terence Ball (New York, 1999), 110.

⁶ Foundational works on U.S. public memory include Michael Kammen, *Mystic Chords of Memory: The Transformation of Tradition in American Culture* (New York, 1991); and John Bodnar, *Remaking America: Public Memory, Commemoration, and Patriotism in the Twentieth Century* (Princeton, 1992). For a geographical perspective, see Kenneth E. Foote, *Shadowed Ground: America’s Landscapes of Violence and Tragedy* (Austin, 2003). For a literature survey, see Kirk Savage, “History, Memory, and Monuments: An Overview of the Scholarly Literature on Commemoration,” 2006, npshistory.com/publications/savage.pdf. See also Lauret Savoy, *Trace: Memory, History, Race, and the American Landscape* (Berkeley, 2015); and Andrew Lichtenstein and Alex Lichtenstein, *Marked, Unmarked, Remembered: A Geography of American Memory* (Morgantown, 2017).

to urban terrorist attacks, the U.S. state has twice turned to trees for memory services. Concurrently, African American activists have recommemorated vigilance trees as sites of national shame, while native peoples have co-opted treaty trees as markers of tribal sovereignty.⁷

It matters that American myths and symbols took vegetal as well as mineral form. Trees can be recontextualized—or decontextualized—more easily than statues, obelisks, and cenotaphs. Unlike monuments made of bronze or stone, trees live and die, and potentially live again. In a prior age of sentimentality, the mortality of historic trees added to their historicity. Upon the death of the plant, wooden relics could be made into domestic objects, not unlike Victorian hair wreaths. Tree death never seemed final: cuttings or seedlings could be propagated. The life-span of a historic tree ultimately depended on the local continuance of tree culture. Today, when so many patrimonial plants no longer exist as such—reduced to antiquarian texts, neglected plaques, unnoticed canvases, fusty displays—their roles in place making and place taking, in people building and person destroying, have been lost to many Americans, for whom trees are trees, not heritage, much less hate. In their season of youth, however, U.S. landmarks made of cellulose and lignin were no less significant than Plymouth Rock and no less weighty than Stone Mountain.

The founding tree of the United States slightly predated the republic. The type specimen was an elm on the banks of the Delaware River outside Philadelphia. Beneath its canopy, reputedly, William Penn promised peace to Lenni-Lenape leaders in 1682, an act of friendship extolled by Voltaire as “the only treaty between those people and the Christians that was not ratified by an oath, and was never infring’ d.” Despite no written record of this happening under a tree—no firm evidence it happened at all—the council by Penn’s Elm became iconic like the first Thanksgiving or Pocahontas saving John Smith. In the 1870s the Treaty Tree was immortalized in the Frieze of American History in the Rotunda of the Capitol.⁸

In artistic form, the scene goes back to the mid-eighteenth century, when various peace medals and certificates featured the triad of Indians, Penn, and a big tree. As a tableau, the encounter became indelible thanks to Benjamin West’s *Penn’s Treaty with the Indians* (1771–1772), one of the most reproduced paintings in U.S. history and one of the earliest “history paintings” to take the recent past as its subject. West received the commission from Penn’s son Thomas, whose proprietorship of the colony faced opposition. An oversized portrayal of the Penn family’s goodness served Thomas’s interests. As a young man, he had orchestrated the fraudulent Walking Purchase (1737), through which Lenapes lost their remaining land in Pennsylvania. By the end of his proprietorship (1775), relations with natives had descended into sanguinary violence. The painting performed a kind of memory therapy. After the Revolution, engravers copied West’s art, and Edward Hicks, the naïve painter, depicted the treaty scene over one hundred times as part of his *Peace-*

⁷ The quotation is from Andrew Jackson Downing’s 1851 plan for the mall. See Kirk Savage, *Monument Wars: Washington, D.C., the National Mall, and the Transformation of the Memorial Landscape* (Berkeley, 2009), 67.

⁸ Voltaire, *Letters Concerning the English Nation*, trans. John Lockman (London, 1733), 29. “Frieze of American History,” *Architect of the Capitol*, <https://www.aoc.gov/art/other-paintings-and-murals/frieze-american-history>.



This lithograph published by Nathaniel Currier in the 1850s, based on Benjamin West's *Penn's Treaty with the Indians* (1771–1772), shows Penn's Elm sheltering the legendary conference. Courtesy Library of Congress, LC-DIG-pga-10161.

able Kingdom series. Early U.S. consumers encountered versions of the image on objects ranging from chinaware to chintz.⁹

After a gale prostrated the sacred elm in 1810, newspapers around the country printed eulogies. Souvenir hunters carted off everything but the trunk, though not before horticulturists took cuttings that grew into second-generation trees. Memorialists fixed a tablet to the remnant; the inscription included a quote from West, who vouched that Gen. John Graves Simcoe had ordered his Queen's Rangers to "protect it from the axe" during the occupation of Philadelphia. Artisans eventually remade the trunk—and the grubbed-up roots—into furniture pieces and genteel mementos. When Marquis de Lafayette visited Germantown in 1825, near the end of his yearlong tour, his local hosts presented him an elm fragment inside a box inscribed, "Relics of the olden time." The box had been woodworked from a walnut—"last tree of the forest of Penn"—that had grown outside Independence Hall. Lafayette returned to France with additional "treaty tree" boxes, not to mention a cane fashioned from a New Jersey apple tree, under which, he was told, he had breakfasted with George Washington a half century before. One of Lafayette's surviving comrades perceived the numina of such objects. "Politics, as well as Religion has its superstitions," wrote Thomas Jefferson on the affidavit he attached to his writing desk in 1825 when he gifted it to his favorite granddaughter. "These, gaining strength with time,

⁹ Andrew Newman, *On Records: Delaware Indians, Colonists, and the Media of History and Memory* (Lincoln, 2012), 95–132.

may, one day, give imaginary value to this relic, for its association with the birth of the Great Charter of our Independence.”¹⁰

Although a settlers’ landmark, Penn’s Elm was partly indigenous, too. In the Northeast, the rudiments of a syncretic tree culture once existed. The early tree-themed peace medals from colonial Pennsylvania owed as much to native symbology as European. The famous Hiawatha wampum belt of the Haudenosaunee—and its oral constitution—featured the tree under which Mohawks, Oneidas, Onondagas, Cayugas, and Senecas actually and metaphorically buried the hatchet. This Iroquoian symbol sometimes took biological form as white pine (*Pinus strobus*). The “great tree of peace” also appeared as a literary metaphor. The diplomatic record of the colonial Mid-Atlantic contains numerous references to a “tree of friendship” or “tree of welfare” being planted, or struck by lightning, or uprooted, or replanted on the highest mountain. The Five Nations and their Lenape and Mahican neighbors schooled the colonists, and later the Continental Congress, in this language.¹¹

The visible landscape, too, bore witness to native tree culture. Throughout the eastern half of North America, “council trees” marked the locations of episodic gatherings, seasonal encampments, or permanent villages. The practice of dendroglyphs—carving or painting pictographs on trees—was likewise widespread and sometimes recorded sites of man-to-man military duels. Natives of various cultures turned trees themselves into signs—“trail trees,” “message trees,” “signal trees,” “bent trees”—by training the trunk or one large branch to grow in an irregular direction. Colonists in the forested East, and as far west as Texas, could not fail to notice what scholars now call “culturally modified trees.” Amerindians may not have shared European notions of private property, but they immediately grasped the legal concept of “witness trees”—trees blazed by surveyors. Indeed, colonial negotiators often stipulated the boundaries of land purchases with descriptions of “markt trees” blazed by indigenous sellers.¹²

Most early negotiations with eastern natives came at times of (relative) indigenous power, with resulting agreements, generally oral, conducted at the local or regional level. By the 1820s, when Philadelphia’s great tree of peace received the canonized name, Treaty Tree, the word *treaty* suggested different power relations in the American East: a weakening tribe capitulating to a strengthening state through a signed contract. An elm that stood for a verbal promise from the colonial era became a national icon during the period of Indian removal, when the United States caused scores of treaties to be written, signed, notarized, ratified (or rejected), and filed away. The old chestnut about Penn’s treaty was useful to those who defended Jacksonian Indian policy, and to those who disputed its benevolence. For example, Jeremiah Evarts, the secretary of the American Board of Commissioners for Foreign Missions, wrote influential tracts under the pseudonym “William Penn” that, among other things, castigated Georgian surveyors for illegally marking trees on Cherokee land.¹³

¹⁰ *The General Address (in Two Parts) of the Outinian Lecturer to His Auditors* (London, 1822), 44–45; Jules Cloquet, *Recollections of the Private Life of General Lafayette*, trans. Isaiah Townsend (London, 1825), 193–95; Silvio A. Bedini, *Declaration of Independence Desk, Relic of Revolution* (Washington, 1981), 36.

¹¹ Arthur C. Parker, “Certain Iroquois Tree Myths and Symbols,” *American Anthropologist*, 14 (Oct.–Dec. 1912), 608–20.

¹² Fred E. Coy Jr., “Native American Dendroglyphs of the Eastern Woodlands,” in *The Rock-Art of Eastern North America: Capturing Images and Insight*, ed. Carol Diaz-Granados and James R. Duncan (Tuscaloosa, 2004), 3–17; Nicholas C. Kawa, Bradley Painter, and Cailin E. Murray, “Trail Trees: Living Artifacts (*Vivifacts*) of Eastern North America,” *Ethnobiology Letters*, 6 (no. 1, 2015), 183–88.

¹³ Colin G. Calloway, *Pen and Ink Witchcraft: Treaties and Treaty Making in American Indian History* (Oxford, 2013), 131–32.

Lydia Sigourney, the author of many lines of sylvan verse, illustrated the Janus-faced settler attitude toward Indian treaties and trees. With poems, essays, and petitions, the early republic's most successful female poet spoke out against removal. Just as remarkably, she criticized "man's warfare on the trees." In 1844 she penned "The Intercession of the Indians for the Charter Oak of Connecticut," in which early settlers lay down their axes at the insistence of Native Americans, who anticipate the tree's destiny as a U.S. historic site. The same year, for a book of landscape sketches, Sigourney wrote "The Great Oak of Geneseo," in which a landmark in New York speaks to its counterpart in Connecticut, and denigrates Indians. The "Great Western Tree" recalls the "barbaric revels" and "orgies" once practiced by the "red man" beneath its bough before Europeans arrived to cleanse the wilderness. In an accompanying note, Sigourney softened her language, saying that local "aborigines" had regarded "Big Tree" with "veneration, as a sort of intelligent or tutelary being," and held councils there.¹⁴

The actual relationship between natives, settlers, and New York's great oak is dispiriting. The settlement Geneseo was originally called Big Tree after a noted Seneca man who resided nearby. In 1797 presidentially appointed commissioner Jeremiah Wadsworth led a U.S. delegation to negotiate with Senecas at the Geneseo homestead of Wadsworth's land-speculating nephews, William and James. Their property adjoined the Genesee River, along which grew large specimens of swamp white oak (*Quercus bicolor*). By hook and crook, Americans persuaded Senecas to sign a contract: \$100,000 in U.S. Bank stock for the sale of 3.3 million acres to one man, Robert Morris, a close friend of former president Washington. Deeply obligated to his creditors, including the Wadsworth family, Morris immediately resold the Seneca homeland to Dutch bankers. The whole deal seems like a sordid parody of the legendary scene by the Delaware River. In the National Archives, the contract is titled "Agreement with the Seneca, 1797," but starting with William L. Stone's book *The Life and Times of Red-Jacket* (1841), Americans renamed it "Treaty of Big Tree." Given the mnemonic power of Penn's Elm, the next step was probably overdetermined. The personal name Big Tree that had become a settlement name now became a botanical place-name. In 1848 the landscape critic Andrew Jackson Downing observed the "Big Tree" at the James Wadsworth estate "under which the first treaty was signed between the Indians and the first settlers of Geneseo."¹⁵

"Indian treaty trees" became less authentic over time. The type specimen in Philadelphia had some plausibility, as did others in greater Iroquoia. Far less credible was a story that grew from Chesapeake soil. In 1842 the Philodemic Society of Georgetown College and the Calvert Beneficial Society of Baltimore began celebrating the "Landing of the Pilgrims of Maryland." Soon Marylanders were spinning tales about the "mammoth mulberry-tree" at the water's edge in St. Mary's City. Here, according to one 1855 oration, Lord Baltimore "concluded his equitable treaty with the Indian tribes." Later mythmakers changed the negotiator's identity to Leonard Calvert, a better analogue to William Penn.

¹⁴ Lydia Sigourney, "The Intercession of the Indians for the Charter Oak of Connecticut," *Columbian Magazine*, 1 (March 1844), 108; "The Great Oak of Geneseo, to the Charter-Oak in Hartford," in *Scenes in My Native Land*, by L. H. Sigourney (Boston, 1844), 82–88. See also Karen L. Kilcup, *Fallen Forests: Emotion, Embodiment, and Ethics in American Women's Environmental Writing, 1781–1924* (Athens, Ga., 2013).

¹⁵ "Agreement with the Seneca, 1797," in *Indian Affairs: Laws and Treaties*, vol. II: *Treaties*, ed. Charles J. Kappler (Washington, 1904), 1027–78. See also Norman B. Wilkinson, "Robert Morris and the Treaty of Big Tree," *Mississippi Valley Historical Review*, 40 (Sept. 1953), 257–78. William L. Stone, *The Life and Times of Red-Jacket, or Sa-Go-Ye-Wat-Ha; being the Sequel to the History of the Six Nations* (New York, 1841). "The Meadow Park at Geneseo," *Horticulturist*, 3 (Oct. 1848), 163–66, esp. 165.

In 1891 the state of Maryland erected an obelisk on the stump. The hallowed mulberry was the prototype for a pseudohistoric subgenre: trees that had witnessed imaginary conferences of imagined Indians. Once the United States stopped negotiating treaties with tribes in 1871, false memory sites such as this—a monocultural tradition—multiplied across the land. In the era of forced detribalization, heritage groups mal-commemorated the Pell Treaty Oak of Westchester County, New York; the Logan Elm of Pickaway County, Ohio; the Treaty Tree of Grosse Ile, Michigan; the Old Council Tree of Neenah, Wisconsin; the Pow-Wow Oak of Lowell, Massachusetts; and more. White Americans took greatest liberties with this genre at the lowest point of native power, long after the neglected monument at the site of Penn's Elm had been defaced by "well-directed discharges of bricks and stones."¹⁶

Like the Treaty Tree of Philadelphia, the nation's other ur-tree—the Liberty Tree of Boston—was, appropriately, an American elm (*Ulmus americana*). One symbolized the creation of New World order, while the other marked rebellion against Old World order. One elided the violence of settler colonialism, while the other emphasized the violence of British imperialism. The history of the Liberty Tree and its symbolic offshoots gives credence to Robert G. Parkinson's argument about the American Revolution: Patriots created a "common cause" during and after wartime by telling stories that conflated the external British enemy with internal proxies otherized as subversive blacks and savage Indians.¹⁷

The Liberty Tree's history began on August 14, 1765, when rebellious Bostonians gathered at a prominent elm east of the common and hung from it an effigy of a well-known tax collector. Within weeks, they dedicated the Liberty Tree with a copper plaque. The ground by the tree became known as Liberty Hall, and was, for a time, more important than Faneuil Hall. The honored elm, sometimes decorated with pennants and lanterns, became a gathering place for antiroyalist meetings, rallies, additional mock hangings, and other political rituals. Over time the merchant-class Sons of Liberty lost control of Liberty Hall to more radical artisans and dock workers, who stuck "virulent" notices upon its trunk. August 14 became an annual celebration for the city's "rabble" and "mobs." In the decade following the 1765 Stamp Act, political cartoonists in London frequently depicted the seditious landmark. For example, Philip Dawe's *The Bostonians Paying the Excise-man* (1774) shows a tarring and feathering at the elm. The words, "Liberty Tree," engraved upon the bark are made ironic by an adjacent noose.¹⁸

Crown officials explicitly linked the Liberty Tree at Massachusetts Bay to past peasant rebellions. Boston's resisters also knew this history and took the opposite lesson. The British woodland was, as Simon Schama notes, the symbolic source of "greenwood lib-

¹⁶ Joseph R. Chandler, *An Oration Delivered at the Fourth Commemoration of the Landing of the Pilgrims of Maryland, Celebrated May 15, 1855* (Philadelphia, 1855), 19. On the Leonard Calvert legend, see Julia A. King, *Archaeology, Narrative, and the Politics of the Past: The View from Southern Maryland* (Knoxville, 2012). Sexagenary, "Penn's Treaty Tree," *Potter's American Monthly*, 1 (Sept. 1876), 217. On mal-commemorated trees, see, for example, Eugene C. Winter, "Acorn to Icon: The History of the Pow-Wow Oak in Lowell, Massachusetts," *Bulletin of the Massachusetts Archaeological Society*, 74 (Spring 2013), 2–15.

¹⁷ Robert G. Parkinson, *The Common Cause: Creating Race and Nation in the American Revolution* (Chapel Hill, 2016).

¹⁸ David Hackett Fischer, *Liberty and Freedom: A Visual History of America's Founding Ideas* (Oxford, 2005), 19–49; Alfred F. Young, *Liberty Tree: Ordinary People and the American Revolution* (New York, 2006), 325–77. "Copy of a letter from Governor Bernard to the Earl of Hillsborough, dated Roxbury, near Boston, June 14, 1768," in *Letters to the Ministry, from Governor Bernard, General Gage, and Commodore Hood* (Boston, 1769), 3. [Philip Dawe], *The Bostonian's Paying the Excise-man, or Tarring and Feathering, 1774*, <https://www.loc.gov/resource/cph.3g14078/>.



Philip Dawe's *The Bostonian's Paying the Excise-man, or Tarring & Feathering* (1774) shows the Liberty Tree, which became a seditious landmark after the 1765 Stamp Act. *Original in the John Carter Brown Library at Brown University.*

erty, a patrimony shared by both the polite and the common sort." Some of Britain's most famous historic trees—mainly oaks—represented royal power, but just as often they represented folk rights and other constraints on royalism. Consider the following: the Parliament Oak where (purportedly) an assembly met Edward I in 1290; Wallace's Oak in which (allegedly) Scottish freedom fighter William Wallace hid after King Edward

defeated his army in 1298; the many “greenwood trees” by which (dubiously) Robin Hood and his Merry Men trysted; the Oak of Reformation under which (ostensibly) commoner-rebel Robert Kett in 1549 convoked fellow opponents of enclosure; and the Royal Oak in which Charles II (actually) hid from Parliamentarians in 1651 (whether or not the commemorated oak was the actual tree).¹⁹

The liberty tree—America’s greenwood—had the power of plasticity. It was a specific elm in Boston; it was also a generic designation for the dozen-plus gathering sites in the thirteen colonies (mainly in New England, also notably Charleston and Annapolis); and it was a stylized tree in the form of a “liberty pole,” plus a design element for flags. Before the bald eagle, the tree of liberty represented American freedom, even natural liberty. Thomas Paine, in his 1775 lyric “Liberty Tree,” warned of “tyrannical pow’rs” uniting to “cut down this guardian of ours.” The following year, in *Common Sense*, he imagined the ideal formation of civic society in a state of nature: “Some convenient tree will afford them a State-House, under the branches of which the whole Colony may assemble to deliberate on public matters.”²⁰

At the first opportunity, September 1, 1775, Tories gleefully chopped down Boston’s emblematic elm (a fate opposite that of Penn’s Elm). A Loyalist poet marked the occasion by writing a soliloquy in which the long-suffering plant utters its last words. Having lived through the ancient ways of guileless Indians, the elm had been horrified to witness the barbarism of revolutionaries: “For their *god* they chose a tree.” Having outlived “the ruin of the state,” the plant urges the choppers to finish the job: “If ever there should be a shoot, / Spring from my venerable root / Prevent, oh heaven! it ne’er may see / Such savage times of liberty.”²¹

By winning the war, patriots gained the power to designate the new nation’s historic trees and dictate what they would say about savagery and civilization. Young poet Philip Freneau set the tone in 1775 when he imagined “Tories and Negroes” who “attack’d the honour’d tree, / Swearing eternal war with Liberty.” This racialized “common cause” denied the multicultural appeal of the symbol. Tellingly, the Sons of Liberty in Newport, Rhode Island, appropriated for their cause a sycamore that had previously been used as a political gathering place for the city’s African population. After French and Haitian revolutionaries enthusiastically adopted liberty poles, Federalists disowned the tradition for its foreign associations with regicide, Jacobinism, anarchy—and blackness. In the black Atlantic, abolitionists came to know François-Dominique Toussaint L’Ouverture’s apocryphal parting words: “In overthrowing me, you have overthrown only the trunk of the tree of negro liberty; but the roots remain; they will push out again, because they are numerous, and go deep into the soil.” Antislavery newspapers regularly printed toasts and songs about the glorious tree that bore the fruit of freedom. British and American abolitionists spoke of the metaphorical inverse, the “evil fruit” of the “tree of slavery,” often conflated with the poison-producing upas tree (*Antiaris toxicaria*).²²

¹⁹ Simon Schama, *Landscape and Memory* (New York, 1995), 139. See also Jacob George Strutt, *Sylvia Britannica; or, Portraits of Forest Trees* (London, 1826); and Mary Roberts, *Ruins and Old Trees Associated with Memorable Events in English History* (London, 1843).

²⁰ Thomas Paine, “Liberty Tree,” in *The Writings of Thomas Paine*, ed. Moncure Daniel Conway (10 vols., New York, 1908), IV, 484. Thomas Paine, *Common Sense* (Philadelphia, 1776).

²¹ “The Soliloquy of the Boston Tree of Liberty, as They Were Cutting It Down,” *Massachusetts Gazette and Boston Weekly News-Letter*, Feb. 22, 1776. Emphasis in original.

²² Philip Freneau, “A Voyage to Boston,” 1775, in *The Poems of Philip Freneau: Poet of the American Revolution*, ed. Fred Lewis Pattee (3 vols., Princeton, 1902–1907), I, 173; Edward E. Andrews, “Creatures of Mimic and

In Massachusetts the Liberty Stump regained its unifying symbolism during the War of 1812 and one last time in 1825 for Lafayette's heroic return on the fiftieth anniversary of the Siege of Boston. Local dignitaries paraded the honorary American to a hotel across the street from the "sacred ground" and presented him "a chip of the Liberty Tree, showing the bark, the sap, and the heart, and also a small fragment of one of the roots." After the revolutionary generation died, Bostonians desecralized Liberty Hall and commercialized the property. In the process they cleaned up the tree's mnemonic associations. An 1850 on-site facade featured a plaque of the elm with roots bearing revisionist words: "LAW AND ORDER." In an 1841 children's book by Nathaniel Hawthorne, the aged narrator receives an innocent question from his granddaughter: "What was Liberty Tree?" Grandfather feels ambivalent about the "violent deeds" of the "young and hot-headed people" who once gathered at the elm. "It bore strange fruit, sometimes," he answers, obliquely. The truth was inappropriate for children.²³

By the seventy-fifth anniversary of the Revolution, the Washington Elm of Cambridge and the Charter Oak of Hartford—memory sites of order and consensus, not disorder and conflict—had become America's most revered historic trees, appropriate subjects for poets and painters. However, nationalists still had use for bloodletting trees, as illustrated by Benson J. Lossing's two-volume, 1,500-page *Pictorial Field-book of the Revolution* (1850–1852). Lossing was, in his time, more widely read than Francis Parkman or George Bancroft. This entrepreneurial writer-artist released a stream of history textbooks and pictorial histories—armchair travel books—full of local lore. He endeavored to preserve in words and pictures the "animate and inanimate relics of the old war" before they faded from the earth. By the time Lossing composed his middlebrow works, the United States had erected its first large monuments—Washington Monument in Baltimore and Bunker Hill Monument in Boston—but the older republican impulse to look to nature for organic monuments persisted. Lossing called his approach "topographical history."²⁴

A significant number of Lossing's landmarks were trees where enemies of the Revolution faced capture, punishment, or court-martial execution. A whitewood near West Point had witnessed the apprehension of Benedict Arnold's co-conspirator John André—a memory site previously noted by Washington Irving and Frances Trollope. Lossing also drew and described the "great tulip-tree" near Kings Mountain, South Carolina, "upon which, tradition says, ten Tories were hung" in the aftermath of the engagement. The

Imitation': The Liberty Tree, Black Elections, and the Politicization of African Ceremonial Space in Revolutionary Newport, Rhode Island," *Radical History Review*, 99 (Fall 2007), 121–39. The statement attributed to Toussaint L'Ouverture has been translated various ways from the "original." Pamphile de Lacroix, *Mémoires pour servir à l'histoire de la révolution de Saint-Domingue* (Memoirs in service of the history of the Santo Domingo Revolution) (2 vols., Paris, 1819), II, 203–4. In Jamaica, Cudjoe's Tree, which memorialized the 1738 treaty between the Leeward Maroons and the British, likewise points to transatlantic tree culture. See the drawing "Old Cudjoe making peace," 1803, <https://www.bl.uk/collection-items/old-cudjoe-making-peace>. For a cartographic depiction of the tree of slavery, see John F. Smith, "Historical Geography," 1888, <https://www.loc.gov/item/2002624023/>.

²³ Frederick F. Hassam, *Liberty Tree, Liberty Hall, Lafayette, and Loyalty!* (Boston, 1891), 9. Nathaniel Hawthorne, *The Liberty Tree: With the Last Words of Grandfather's Chair* (Boston, 1841), 25–26. Usage of "strange fruit" in reference to the Liberty Tree appeared at least once earlier. See "Reminiscences of a Walker Round Boston," *United States Magazine and Democratic Review*, 3 (Sept. 1838), 79–87, esp. 81.

²⁴ On the oak, see Samuels, *Enduring Roots*, 5–21. On the elm, see Campanella, *Republic of Shade*, 45–68; and Howard Mansfield, *The Bones of the Earth* (Washington, 2004), 19–34. Benson J. Lossing, *Pictorial Field-book of the Revolution* (2 vols., New York, 1850–1852). Alexander Davidson Jr., "How Benson J. Lossing Wrote His 'Field Books' of the Revolution, the War of 1812 and the Civil War," *Papers of the Bibliographical Society of America*, 32 (1938), 57–64, esp. 58. Harold E. Mahan, *Benson J. Lossing and Historical Writing in the United States, 1830–1890* (Westport, 1996), 55. See also Barry Joyce, *The First U.S. History Textbooks: Constructing and Disseminating the American Tale in the Nineteenth Century* (Lanham, 2015).

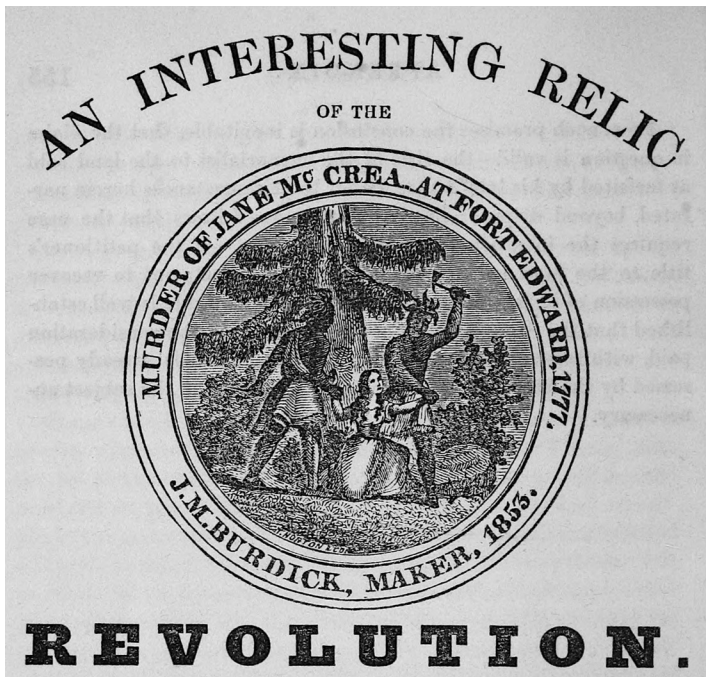
Kings Mountain battlefield began to be memorialized in 1855, the seventy-fifth anniversary, with a cornerstone ceremony organized by John S. Preston, a prominent local slave owner (and future secessionist), who sanctified the ground as one of “the places where liberty was born.” Preston’s event was honored by the presence of George Bancroft, who gave a historical address “hard-by the spreading branches of the venerable tree from which the baker’s dozen of traitor tories were hung.” “Hard-by” was inexact, for second growth covered the mountain in the 1850s. Lossing’s arboreal portrait probably came from his imagination. No matter. For the next half century, textbooks and Arbor Day lesson plans included information on the Tory Tulip-Tree, a prototypical vigilance site, where, supposedly, one patriot had exclaimed: “Would to God every tree in the wilderness bore such fruit as that!”²⁵

Nationalist trees could signal victimhood as well as victory. Patriots commemorated a pine near Fort Edward, New York, as the site of the “murder” or “massacre” in 1777 of Jane McCrea, the only female martyr of the Revolution. According to propaganda spread on the eve of the Battle of Saratoga, the beautiful Jenny, attired for her wedding, was raped, murdered, and scalped by Mohawks allied with Gen. John Burgoyne. This seminal “common cause” story later inspired John Vanderlyn to paint a *tableau d’histoire* in neo-classical style. *The Murder of Jane McCrea*, originally called *A Young Woman Slaughtered by Two Savages in the Service of the English During the American War* (1804), was one of the first American canvases exhibited at the Paris Salon. Looking for the painting’s surviving subject, heritage pilgrims singled out a pine that looked appropriately ancient and melancholy, its trunk marked by bullets, its crown destroyed by wind or lightning—a “striking emblem, of wounded innocence.” By 1819, McCrea’s name and death date had been carved into the wooden cenotaph. Three decades later, Lossing reported that “the venerable and blasted pine” was “sapless and bare,” and that many visitors had “intaglied” their names on its decrepit trunk. Vandalism and commodification went hand in hand. An 1853 account of the “massacre” of McCrea contained an advertisement for “An Interesting Relic of the Revolution”: the owner of the tree, having been “censured through the public Prints” for felling the tree, now offered to sell “elegant Canes and boxes,” with samples on view at the Crystal Palace on Broadway in New York City. As a mark of authenticity, each relic featured an engraving of the heroine being slaughtered at the pine. The ad warned: “All other parties offering Canes for sale, representing them to be made from the renowned Jane McCrea Tree, are counterfeits, and will be dealt with accordingly.”²⁶

Whether by omission or oversight, Lossing did not anthologize the Lynch Law Tree of Virginia, a comparable anti-Loyalist site. In 1780 Governor Jefferson called on the militia leader Charles H. Lynch to guard the commonwealth’s lead mines against various plots, real and imagined, of Tory sabotage, Indian attack, and slave insurrection. The militia

²⁵ Washington Irving, “The Legend of Sleepy Hollow,” in *The Sketch Book of Geoffrey Crayon, Gent.* (2 vols., London, 1822), II, 373. Mrs. Trollope, *Belgium and Western Germany in 1833* (2 vols., Paris, 1834), I, 199. Lossing, *Pictorial Field-book of the Revolution*, II, 423, 429; Lyman C. Draper, *King’s Mountain and Its Heroes: History of the Battle of King’s Mountain, October 7th, 1780* (Cincinnati, 1881), 341; John S. Preston, *Celebration of the Battle of King’s Mountain, October, 1855* (Yorkville, 1855), 41, 28. See also Thomas A. Chambers, *Memories of War: Visiting Battlegrounds and Bonefields in the Early American Republic* (Ithaca, 2012), 165–70.

²⁶ Parkinson, *Common Cause*, 340–50. Samuel Y. Edgerton Jr., “The Murder of Jane McCrea: The Tragedy of an American *Tableau d’Histoire*,” *Art Bulletin*, 47 (Dec. 1965), 481–92. For the quotations, see Benjamin Silliman, *Remarks, Made, on a Short Tour, between Hartford and Quebec, in the Autumn of 1819* (New Haven, 1820), 135–36; Lossing, *Pictorial Field-book of the Revolution*, I, 96; and D. Wilson, *The Life of Jane McCrea* (New York, 1853), back matter.



This detail from an advertisement at the end of D. Wilson's *The Life of Jane McCrea* (1853) depicts the killing of Jane McCrea in 1777 and shows a pine commemorated as the location of her death. The landowner was attempting to sell mementos made from the tree.

meted out rough justice. Lynch himself coined the phrase that later made his name infamous: to Jefferson, he reported dispensing “Lynchs Law” to “Torys & such” for their “Dealing with the negroes &c.” When it entered American vernacular, *lynch law* did not imply death, though it did connote corporeal punishment—flogging or tarring and feathering—at a tree. In the 1830s the meaning changed by association with sensational hangings in the Midwest. “Dead men were seen literally dangling from the boughs of trees upon every road side,” said a young Abraham Lincoln, “and in numbers almost sufficient, to rival the native Spanish moss of the country, as a drapery of the forest.” By 1850, *lynch* and its derivatives implied mobs rather than militias. Had it acquired a different name, the whipping site near Lynchburg, Virginia, surely would have merited inclusion in Lossing’s exhaustive field book. Locally, at least, the “venerable oak” inspired pride. It was said that Charles Lynch’s grandson would “sooner lose an arm than part with the old homestead and its tory-haunted tree.”²⁷

Even as the word *lynch* gained negative associations, the practice of lynching continued to spread. The 1850s was a pivotal decade for U.S. extralegal violence, for it received new legitimacy in western frontier settings. In mining districts of California and Montana, Americans began treating vigilance trees as de facto historic trees—sites worthy of naming, artistic representation, commemoration, and relic gathering. Western vigilantes

²⁷ On Charles Lynch’s assignment and his report back to Thomas Jefferson, see *Lynching in America: A History in Documents*, ed. Christopher Waldrep (New York, 2006), 32–37; “The Perpetuation of Our Political Institutions’: Address to the Springfield Young Men’s Lyceum,” 1838, in *Lincoln: Political Writings and Speeches*, ed. Terence Ball (Cambridge, Eng., 2013), 13; review of *The War in Kansas* by G. Douglas Brewerton, *United States Democratic Review*, 37 (May 1856), 401.

did not use the name “lynch law tree.” Instead, they took a familiar phrase from the English penal system—*hanging tree*—and gave it a nomenclatural twist. For example, the gold rush town of Jackson, California, fussed over its Hangman’s Tree, located on Main Street. At least ten died there—seven Mexicans, one Chilean, one European (variously identified as German, Swiss, Swedish), and one indigenous man. A pioneer-era historian explained that this interior live oak (*Quercus wislizeni*) “was never very beautiful, but was a source of so much pride to the citizens” that they engraved a likeness of it on Amador County’s seal. The first “hangman’s tree” to earn national fame—partly because the vigilantes defended themselves in the press—was a *Pinus ponderosa* standing alone in Dry Gulch outside Helena, Montana. A convenient place for hangings, the lone tree bore several “crops” of “fruit” between 1865 and 1870. After it was cut down in 1876, the pine became a mnemonic landmark of the state’s “vigilance days,” the subject of postcards, and a renewable source of souvenirs: “That tree became as famous for the number of canes it produced, as it had been, for the number of persons that had cast their last look up among its branches.”²⁸

Midcentury mineral rushes showed that Americans could, from the grassroots, create historic trees without the genteel services of artists. Similarly, the Civil War revived and expanded—indeed, democratized—arbo-nationalism, and made it more immediate. Unlike so many Revolutionary War trees that were hallowed years or decades after the fact, Civil War trees were designated on the spot. Unionists—including soldiers who sang “We’ll Hang Jeff Davis on a Sour Apple Tree”—could not contain their enthusiasm and destroyed more than one tree in the process of historicizing it. Even before Lincoln consecrated the orchards and woods of Gettysburg, local civilians got a jump on the memorabilia market. “Every boy went out with a hatchet to chop pieces from the trees in which bullets had lodged,” remembered one.²⁹

The men in blue also brought to life a new variety of treaty tree that witnessed Confederates assuming (temporarily) the role of tribes. The best example came at the truce. On April 9, 1865, at Appomattox, Robert E. Lee raised a white linen towel and then sat in the shade of an apple tree to await a reply from Ulysses S. Grant. Within days, relic hunters had dismantled the fruiter to the last leaf. Hucksters followed by marketing bogus relics from the Surrender Tree. From these roots sprang the legend, depicted in many postbellum illustrations, that Lee surrendered to Grant in an orchard. Speaking of “the famous apple tree,” Grant remarked in his memoirs: “Like many other stories, it would be very good if it was only true.” However, he did recall a “stunted oak-tree” where he accepted John C. Pemberton’s surrender of Vicksburg. The tree was “made historical by the event,” wrote Grant. “It was but a short time before the last vestige of its body, root and limb had disappeared, the fragments taken as trophies.”³⁰

In the post-Civil War period, Americans sanctified other surrender trees, old and new. In the centennial year 1877, the Saratoga Monument Association of Schuylerville, New

²⁸ Jesse D. Mason, *History of Amador County, California, with Illustrations and Biographical Sketches of its Prominent Men and Pioneers* (Oakland, 1881), 171–72; L. E. Munson, “Montana as It Was, and as It Is,” *New Englander and Yale Review*, 15 (Aug. 1889), 96–117, esp. 114. On antebellum lynching, see Michael J. Pfeifer, *The Roots of Rough Justice: The Origins of Lynching in the United States* (Urbana, 2011).

²⁹ Albertus McCreary, “Gettysburg: A Boy’s Experience of the Battle,” *McClure’s Magazine*, 33 (July 1909), 243–55, esp. 253.

³⁰ Mary D. McFeely and William S. McFeely, eds., *Ulysses S. Grant: Memoirs and Selected Letters* (New York, 1990), 732, 735, 375. For context, see Megan Kate Nelson, *Ruin Nation: Destruction and the Civil War* (Athens, Ga., 2012), 103–59.

York, wrapped a properly monumental elm on Main Street with the red, white, and blue, and erected a sign on this living liberty pole: “Near the spot, Oct. 17th, 1777, American and British officers met and consummated the articles of capitulation.” The local group thus reified the painterly tree in *The Surrender of General Burgoyne* (1821), one of the four oils installed in the Capitol Rotunda in 1826 by John Trumbull (a protégé of Benjamin West). Meanwhile, in Texas—a state that celebrated a separate revolutionary past—guardians of state memory invented, post-facto, the Treaty Oak of San Jacinto. In 1886, on the battle’s fiftieth anniversary, the painter William Henry Huddle portrayed Antonio López de Santa Anna surrendering to Sam Houston in the shade of a moss-covered oak. The legislature purchased the canvas in 1891 and hung it in the South Foyer of the capitol.³¹

One military treaty tree was unique for being extracontinental and semiauthentic. In July 1898 Spanish general José Toral y Vázquez parlayed with his antagonist, Gen. William Rufus Shafter, in the shade of a silk-cotton tree (*Ceiba pentandra*) on a hill overlooking Santiago de Cuba. The actual capitulation papers—not to mention the treaty that ended the Spanish-American War—were signed elsewhere, but this detail mattered little to U.S. soldiers, white and black, familiar with the conventions of historic trees. As soon as negotiations ended, prideful Americans beat a path to the Surrender Tree (less commonly called the Tree of Peace), and began carving initials into it, and hacking away bits of bark for sale, or private display, or donation to museums. Military governor Leonard Wood responded to the excessive patriotism by erecting a barbed-wire fence around the ceiba and issuing an order: \$100 fine or 100 days’ imprisonment for vandalism or mutilation. Redefining liberty taking as freedom making, U.S. journalists helped consecrate the plant under which, they said, monarchy yielded to democracy. A typical author called the site doubly historic, marking the “birth of the Cuban republic” and the United States’ “beginning as a world power.” With funds from Congress, the Santiago Battlefield Commission dedicated a marker beneath the tree in 1906. The memorial site even appealed to Marcus Garvey, who, when visiting Cuba in 1920, made a pilgrimage. “As a Negro I thought it would have been a sin not to visit the spot where members of my race had made such a glorious past,” he reported. At San Juan Hill, Garvey had “pluck enough” to jump the fence and carve “U.N.I.A.” into the trunk of the “tree right beside the ‘Peace Tree.’”³²

Whereas the treaty-of-surrender tree implied heroic Americans bestriding wrongful foes, the massacre tree implied belligerent natives marauding wronged settlers. The prototype, Jane McCrea’s Tree, elevated a mythic victim; later specimens foregrounded a mythic villain. For example, Northfield, Massachusetts, invented King Philip’s Trees and Detroit acquired Pontiac’s Tree. The latter came to prominence in 1862, the half-century anniversary of the War of 1812, thanks to Lossing, who found a topographical symbol for the anti-Indian interpretation advanced by Francis Parkman in *History of the Conspiracy of Pontiac* (1851). The whitewood—or oak? elm? (subsequent authors could not agree)—was imagined as the only remaining witness of the rout of the British in 1763. Nineteenth-century Anglo-American authors typically described Pontiac’s Rebellion as a conspiracy to commit carnage, and, to emphasize the point, named the tree’s location

³¹ William L. Stone, *Memoir of the Centennial Celebration of Burgoyne’s Surrender, Held at Schuylerville, N.Y.* (Albany, 1878), 12. The painting by William Henry Huddle is called *The Surrender of Santa Anna* (1886).

³² The American Battle Monuments Commission officially named it Santiago Surrender Tree. Frank G. Carpenter, “San Juan Hill in 1905,” *Moderator-Topics*, Dec. 21, 1905, pp. 312–13; “Report of UNIA Meeting,” *Negro World*, May 1, 1920, reprinted in Robert A. Hill, ed., *The Marcus Garvey and Universal Negro Improvement Association Papers*, vol. XI: *The Caribbean Diaspora, 1902–1920* (Durham, N.C., 2011), 650.

Bloody Run. In 1886 the Michigan Stove Company, the owner of the property, cut the declining tree to a stump, on which they placed a mocking statue of Pontiac, cast in stove metal, “resplendent with the gaudy colors which the warlike son of the forest was wont to bedeck himself.”³³

The most famous massacre tree—the one that went by that name—was in Chicago. After the great fire of 1871, Chicagoans commemorated a prior foundational moment of disaster that presaged resurgence: the Fort Dearborn “massacre” of 1812. Based on old-timers’ memories, including certificates and testimonies, chroniclers identified a lone tree—the only survivor of a grove of eastern cottonwood (*Populus deltoides*)—as the site of the original fort. In settler-colonial thinking, it followed that the tree had witnessed the “Chicago massacre.” The cottonwood grew near the lake, in the middle of 18th Street, where carriages were forced to steer around the iron railing that guarded its trunk. When the tree died standing in the 1880s, local boosters proposed a monument to replace it. George Pullman took over the effort because he lived on the street, and because he could. In 1892 the magnate hired the Danish American artist Carl Rohl-Smith (already in town to sculpt Benjamin Franklin for the White City of the World’s Columbian Exposition) to create a memorial group in heroic size. Pullman even arranged for real-life models. At Fort Sheridan, north of Chicago, two high-profile “hostiles” from Pine Ridge—Kicking Bear and Short Bull—were sitting out the final days of their exile, having returned from Scotland, where they had performed in the Wild West with Buffalo Bill. By order of Gen. Nelson A. Miles, the Lakota pair sat for Rohl-Smith in studio. The absurdity of the scene pains the imagination: detainees from an indigenous group that had, months before, been the victim of a massacre (Wounded Knee, 1890), posing for a statue depicting a massacre by Indians.³⁴

Cast in bronze, the “massacre group” functioned as a western complement to Horatio Greenough’s vengeful *Rescue* sculpture group (1836–1853) at the U.S. Capitol. The unveiling of Pullman’s statue occurred in 1893, a month after the opening of the Columbian Exposition. The audience included former U.S. president Benjamin Harrison and Abraham Lincoln’s only surviving son. Technically a gift to the Chicago Historical Society, the Massacre Group depicted a friendly Potawatomi, Black Partridge, preventing a tribesman from hacking a white mother with a tomahawk, her child wailing on the ground, while a third Indian stabs a white doctor in the heart. A bas relief on the statue’s pedestal amplified the story with an inverted treaty tree scene: Black Partridge, standing beneath the cottonwood, dejectedly turns in his U.S. peace medal to settlers the day before the attack. The historical society director explicated the scene in a speech; he praised the native peacemaker while calling the Potawatomi force “the invader and the barbarian.” From Penn’s Philadelphia to Pullman’s Chicago, the eastern tree of friendship had become the western tree of conquest.³⁵

³³ On King Philip’s Trees (sometimes called the King Philip Group) in Northfield, see Eric B. Schultz and Michael Tougias, *King Philip’s War: The History and Legacy of America’s Forgotten Conflict* (Woodstock, 1999), 199. *Metal Worker*, 39 (Feb. 4, 1893), 68. “Pontiac’s Memorial Tree” also appeared in Benson J. Lossing, “American Historical Trees,” *Harper’s New Monthly Magazine*, 24 (May 1862), 721–40. Francis Parkman Jr., *History of the Conspiracy of Pontiac, and the War of the North American Tribes against the English Colonies after the Conquest of Canada* (Boston, 1851).

³⁴ Joseph Kirkland, *The Chicago Massacre of 1812: With Illustrations and Historical Documents* (Chicago, 1893), 207–12. On Kicking Bear and Short Bull, see John Moses, *History of Chicago, Illinois* (2 vols., Chicago, 1895), I, 62; and Sam A. Maddrá, *Hostiles? The Lakota Ghost Dance and Buffalo Bill’s Wild West* (Norman, 2006).

³⁵ Vivien Green Fryd, “Two Sculptures for the Capitol: Horatio Greenough’s ‘Rescue’ and Luigi Persico’s ‘Discovery of America,’” *American Art Journal*, 19 (Spring 1987), 16–39. *Ceremonies at the Unveiling of the Bronze Me-*

America's truest massacre trees stood in and around towns throughout the New South in the darkness following Reconstruction's end. Any specimen of any genus—poplar, pine, magnolia, oak—could in any season bear ripest fruit. Reviving the plantation practice of “whipping trees” and “justice pillars,” enforcers of Jim Crow turned trees into sites that denied the history and personhood of freedmen. They hanged innocents from branches until dead; chained citizens to boles and burned them alive; displayed murdered neighbors upon boughs, and riddled the bodies with bullets; and carved, posted, or painted additional threats on trunks of accessory trees. In a climate of terror, every stately bough, every sturdy stem, was a kind of property sign. In 1908 white residents of east Texas created, purchased, and mailed postcards documenting five local black men simultaneously hanged from the canopy of one flowering dogwood (*Cornus florida*), an emblematic southern species that would go on to inspire annual floral festivals across the region. The mailings included a doggerel that celebrated American nature and white manhood in relation to indigenous dispossession and black subjugation:

This is only the branch of the Dogwood tree;
 An emblem of WHITE SUPREMACY.
 A lesson once taught in the Pioneer's school,
 That this is a land of WHITE MAN'S RULE.
 The Red Man once in an early day,
 Was told by the Whites to mend his way.
 The negro, now, by eternal grace,
 Must learn to stay in the negro's place.
 In the Sunny South, the Land of the Free,
 Let the WHITE SUPREME forever be.
 Let this a warning to all negroes be,
 Or they'll suffer the fate of the DOGWOOD TREE.³⁶

Between 1877 and 1950, more than four thousand Americans died in “racial terror lynchings” in the former Confederate states. Researchers have yet to quantify what percentage of these killings culminated at trees (rather than bridges, utility poles, or elsewhere). Regardless, the modern colloquial understanding of “lynching”—racially motivated mob murder of innocent persons, principally black men in the South—became powerfully associated with trees long before the song “Strange Fruit.” Material objects reinforced this association. To the extent that spectacle lynching became ritualized, the script derived from sentimental habits of tree culture in addition to male codes of honor and frontier codes of violence. In their sylvan compositions, collectible postcards recalled picturesque images—not counting the bodies. Killers and spectators sometimes collected witness wood for display in pharmacies, dime museums, and homes. Whether this kind of collecting was typical, it appeared at several of the public torture killings made notorious by journalists. In 1919, for example, the National Association for the Advancement of Colored People reprinted a news report about the immolation of Sam Hose in Coweta County, Georgia, twenty years before: “even the tree upon which the wretch met his fate was torn up and disposed of as souvenirs.” In Marietta, Georgia, the 1915 lynching of

Memorial Group of the Chicago Massacre of 1812 (Chicago, 1893), esp. 7. See also Constance R. Buckley, “Searching for Fort Dearborn: Perception, Commemoration, and Celebration of an Urban Creation Memory” (Ph.D. diss., Loyola University Chicago, 2005).

³⁶ The postcard is reproduced in Karla FC Holloway, *Passed On: African American Mourning Stories: A Memorial* (Durham, N.C., 2002), 60.

Jewish resident Leo Frank ended similarly. The lucky owner of the “gallows tree”—the immediate subject of postcards—turned down \$250 from Georgians who wanted a piece of history. Until he could build a concrete wall to prevent “souvenir hunters from molesting it,” he wrapped the oak’s trunk with jute bags, and hired watchmen.³⁷

In response to lynchings at trees, local authorities more than occasionally hewed down plants, reminiscent of how the British dislodged liberty trees to discourage “savage times of liberty.” Speaking from the pulpit, ministers sometimes exhorted such uprooting. The most publicized removal happened in 1921, in Fort Worth, Texas. In consultation with law officers, a property owner near the county jail leveled her hackberry where two men—one white, one black—had recently been hanged. The *Brooklyn Daily Eagle* expressed approval with a poem that inverted George Pope Morris’s famous injunction (“Woodman, Spare That Tree”): “Woodman, hack that tree, / Chop off its every bough; / In Texas there should be / No deadly upas, now.” More sarcastically, a black newspaper in Chicago noted the “Texas experiment” to obliterate a murder tree *after* the crime. This would only succeed as a deterrent “if the Texans regard a tree as of more value than respect for law or a Negro’s life.” It would be “more logical,” the newspaper offered, to preemptively cut down *all* the trees in the South. A few years before, the *Crisis* reported that during the grisly lynching of Jesse Washington in Waco’s civic square, the mayor stood at his office window, “not concerned about what they were doing to the boy, but that the tree would be destroyed.”³⁸

On rare occasions, African Americans daringly took revenge on arboreal accessories. In November 1898 the all-black Sixth Virginia Volunteer Infantry arrived in Macon, Georgia, for training before deployment to Cuba. Macon, like so many southern towns, had a “hanging tree”—another kind of Confederate monument. The local drug store reportedly displayed in a bottle the testicles of the tree’s most recent victim. Incensed members of the infantry attacked the persimmon (*Diospyros virginiana*), shooting it with bullets, felling it, and chopping it into firewood. On this day of rebellious duty, they also uprooted a sign in the city park that banned “dogs and niggers.” The uniformed black men allegedly used branches from the downed tree to give the white park keeper a “good thrashing.” To prevent a retaliatory race riot, U.S. officials placed the entire regiment under house arrest. Although the Sixth Virginia volunteers never made it to Cuba to take a chip from the Surrender Tree, they returned home with other historic tree pieces in their pockets. Macon’s hanging tree had become an object of relic collecting—not because of the men killed upon it, but for the men who cut it down.³⁹

An American tree was certifiably historic in the long nineteenth century if the public collected souvenirs. This sentimental practice faded slowly, but not fast enough for a new

³⁷ Equal Justice Initiative, “Lynching in America: Confronting the Legacy of Racial Terror,” <https://eji.org/reports/lynching-in-america>; “Negro Burned at a Tree,” *New York Tribune*, April 24, 1899, p. 1, quoted in *Thirty Years of Lynching in the United States, 1889–1918* (New York, 1919), 13; “Know Some of Mob That Killed Frank,” *Washington Evening Star*, Aug. 22, 1915, p. 3. For lynching historiography, see Michael J. Pfeifer, “At the Hands of Parties Unknown? The State of the Field of Lynching Scholarship,” *Journal of American History*, 101 (Dec. 2014), 832–46; and William D. Carrigan, “The Strange Career of Judge Lynch: Why the Study of Lynching Needs to Be Refocused on the Mid-nineteenth Century,” *Journal of the Civil War Era*, 7 (June 2017), 293–312. “Owner Refuses \$200 for Lynching Tree; Will Preserve It,” *New York Evening World*, Aug. 20, 1915, p. 4.

³⁸ George Pope Morris’s poem was originally published as “The Oak,” *New York Mirror*, Jan. 17, 1837. “Upas Tree in Texas,” *Brooklyn Daily Eagle*, Dec. 18, 1921, p. 4B; “Flashlights from over the Country,” *Chicago Broad Ax*, Dec. 24, 1921, p. 2; “The Waco Horror,” supplement to *Crisis*, 12 (July 1916).

³⁹ Undated letter of C. W. Cordin, *Cleveland Gazette*, Dec. 17, 1898, in “Smoked Yankees” and the Struggle for Empire: Letters from Negro Soldiers, 1898–1902, ed. Willard B. Gatewood Jr. (Urbana, 1971), 157.

cohort of museum curators. Starting around 1900, they began labeling such mementoes as trivial and tacky. In an age of professionalization, museums reclassified relic collecting as the work of local—especially female—amateurs. Paul M. Rea, a biologist turned curator, earned plaudits, and the presidency of the American Association of Museums, for revamping the Charleston Museum in South Carolina. In 1910 Rea disparaged a once-treasured item in the collection, a piece of the tree under which Christopher Columbus supposedly said mass after discovering America. “To my mind as a scientist,” wrote Rea, this piece of wood “is of little value except as showing the distribution of a certain species of tree, or as indicating the religious practice of Columbus.” Speaking in 1923, Arthur C. Parker, an archaeologist with the New York State Museum, used stronger language. He castigated the “evil” of “unhistorical museums” that pandered to “vulgar taste.” Curators should, he advised, rebuff all donations of “chips from the Treaty Tree, bricks from the Bastille, pebbles from Mormon hill or Indian arrow heads glued on boards in fancy designs.”⁴⁰

Undeterred by this curatorial trend, the Daughters of the American Revolution (DAR)—and the Rotary Club, the Kiwanis, the Elks—commissioned, collected, and gifted objects made from dead and living historic trees. Gavels were the artifacts of choice in the early twentieth century, as canes had been a century before. The law-and-order symbolism of the gavel was most arresting when associated with rough justice. A pioneer society of California forty-niners cherished a gavel derived from the Hangtown Oak of Placerville; and the main DAR museum accessioned one from Virginia’s Lynch Law Tree. This kind of transmutation implied both Turnerian progress and Rooseveltian pride, for a gavel was not that different from a baton for the preservation of white liberties. The ruling townsfolk of York, South Carolina, made this point morbidly clear. After a mob hanged five black men from a white oak (*Quercus alba*) in 1887, a visitor from Massachusetts lopped off the accessory limbs, thinking he would “sell them at fabulous prices on account of their history.” Instead, he crafted them into billy clubs, and, on a return visit, presented one to the town marshal. Evidently, this Yankee initiated a southern tradition. When York’s civic tree blew down in 1921, newspapers noted that a number of police officers in the Carolinas carried truncheons derived from its branches.⁴¹

Even as memorializers took from trees, they added to them. The DAR, which had many chapters named after historic trees, unveiled plaque after plaque to mark where great white men had negotiated with Indian chiefs: the Harrison-Tecumseh Tree, the De Soto Oak, and various “treaty oaks” in the South and along western overland trails. Women’s clubs of the early twentieth century treated historic trees as outdoor museum objects to be inventoried and registered. The institutionalization of Arbor Day—a holiday that demanded school lesson plans on local trees—encouraged the process by which heritage sites became historic sites. The impulse to erect permanent markers could be defensive as well as prideful. For example, the DAR’s magazine in 1909 complained about “foreigners”

⁴⁰ On Paul Rea, see Teresa Barnett, *Sacred Relics: Pieces of the Past in Nineteenth-Century America* (Chicago, 2013), esp. 167, 174–76. Rea quoted in *Proceedings of the American Association of Museums: Records of the Fifth Annual Meeting Held at Buffalo, N.Y.* (Charleston, 1911), 69; Arthur C. Parker, “Unhistorical Museums or Museums of History,—Which?,” *Quarterly Journal of the New York State Historical Association*, 5 (July 1924), 256–63, esp. 260–61.

⁴¹ “California Pioneers Meet,” *San Francisco Chronicle*, Jan. 25, 1896; “Colonial Gifts Presented to D.A.R. Museum,” *Decatur (IL) Daily Review*, May 22, 1927. “Various and All About,” *Newberry (SC) Herald and News*, April 21, 1887; “Personal Mention,” *Yorkville (SC) Enquirer*, Feb. 1, 1888; “Famous ‘Lynching Tree’ Down,” *Pickens (SC) Keowee Courier*, March 16, 1921.

in Indiana who failed to appreciate that “to the lover of history these [treaty] trees are like the pyramids of Egypt,” for Tecumseh had inscribed upon them his oaths to William Henry Harrison. The same class of citizens who codified historic trees organized Americanization night schools, distributed cards with “The Americans’ Creed,” and sponsored free showings of *Birth of a Nation* (1915).⁴²

It required social capital as well as money to put bronze markers and granite boulders into place. Some sites were favored, others not. Charleston, South Carolina, had separate and unequal historic trees. The Sons of the Revolution dedicated a plaque in 1905 at the site of the city’s original liberty tree. Local African Americans had to get by with unofficial commemorations. They told legends about an unmarked street tree where another freedom movement, Denmark Vesey’s failed slave insurrection, had ended. Describing his winter vacation in 1931, W. E. B. Du Bois noted that he stopped in Charleston to pay respects at “the great tree where the companions of Vesey, the black Rebel, were hanged.” For many decades, local controversy surrounded this oak in the middle of Ashley Avenue; the city wanted to remove it, ostensibly for traffic safety.⁴³

Even as hundreds of historic trees gained permanent markers, hundreds died, especially in the East. Along with normal deterioration, there were new threats—oiled roads, buried pipes, overhead wires. For the most part, eastern trees do not live for centuries. “It is a pity,” wrote a syndicated editorialist in 1916, that these elms and oaks “were not all sequoias.” The author lamented the passing of a whole cohort of colonial and revolutionary trees under an all-purpose sub-headline: “Historians and Antiquarians Can Regret, While Entirely Unable to Prevent Their Loss.”⁴⁴

In response to proposed road improvements and urban developments, historic preservationists strategically invented traditions. In Austin, Texas, in 1925, when land along the Colorado River, including a giant specimen of southern live oak (*Quercus virginiana*), went up for sale, a group of local women worked to preserve the open space. They wrote letters and opinion pieces; they spoke to reporters, chambers of commerce, parent-teacher groups, women’s clubs, and Camp Fire Girls; and they wrote dozens of treacly poems about the “Treaty Oak,” alleged remnant of the “Council Oaks” of the “Tejas and Comanche.” The storytelling eventually bore fruit. The city purchased the land in 1937 and erected a plaque: “Stephen F. Austin is reputed to have signed the first boundary line agreement between Indians and whites under the canopy of its branches.” This prefabricated legend received an imprimatur from one of the most famous African Americans in Texas, Jeff Hamilton, a former child slave of Sam Houston. In *My Master*, a dictated memoir published in 1940, months before his death at age one hundred, Hamilton painted a scene worthy of Parson Weems or Washington Irving. Houston silently communes with the Indian “holy tree” and then calls over his houseboy to give him a lesson in Lone Star history.⁴⁵

⁴² “Report of Committee on Patriotic Education,” *American Monthly Magazine*, 35 (Sept. 1909), 872. On the Daughters of the American Revolution and trees, see the organization’s annual reports from the 1910s and 1920s; Viola Virginia M. Overman, “D.A.R. Chapters Named for Celebrated Trees,” *Daughters of the American Revolution Magazine*, 54 (Nov. 1920), 641–46; and Vylla Poe Wilson, “Tree Memorials and the Hall of Fame,” *ibid.*, 55 (May 1921), 267–73. The proliferation of historic trees inspired a parody. See Frances Warfield, “Complaint against Historic Trees,” *Life*, 102 (Feb. 1935), 13. *Birth of a Nation*, dir. D. W. Griffith (David W. Griffith Corp., 1915).

⁴³ W. E. B. Du Bois, “The Perfect Vacation,” *Crisis*, 40 (Aug. 1931), 279. On the Ashley Avenue tree, see “Oak Giveaway Is Popular,” *Charleston News and Courier*, Aug. 23, 1972, p. B1.

⁴⁴ “Historic Trees Pass Away,” *Kansas City Advocate*, Jan. 21, 1916, p. 4.

⁴⁵ Ethel Osborn Hill, “The Treaty Oak,” *Hondo (TX) Anvil Herald*, May 25, 1928; Estil Alexander Townsend, ed., *Treaty Oak Poems* (Howe, 1928); Jeff Hamilton, *My Master: The Inside Story of Sam Houston and His Times* (Dallas, 1940), 79–80.

Treaty trees of expedience did not always produce long-lasting results, as evidenced in Chicago, erstwhile home of the Massacre Tree. George Pullman's replacement statue, intended to "keep its place, unmoved, for a thousand years," was moved inside fewer than forty years later to make way for lakeside development. By the 1920s, the fast-growing city had sacrificed most of its old street trees to road straightening, widening, and surfacing. As a sentimental gesture, the *Chicago Tribune* and the Colonial Dames championed the right to life of an elm growing in the soon-to-be-paved roadway of Caldwell Avenue, on the city's northern outskirts. Because of the street's name, the tree could be imagined as the "most historic tree" in Chicago. Here at the Treaty Elm, in 1835, Billy Caldwell (aka Sauganash), that "sagacious" chief of Potawatomi and Irish extraction, had supposedly told his people to accept the U.S. government's offer to "move on." In 1928 the city council directed road workers to use all precautions necessary to protect the "Indian Peace Treaty Tree." The stay of execution was brief; the tree soon died, and crews cut down the traffic hazard in 1935. But pseudohistory had stirred up enough feeling that the Chicago Historical Society erected a plaque about the "Old Treaty Elm."⁴⁶

In the Far West, the most important genre of historic tree—the hangman's tree—was quite compatible with automobile roads. A knotted rope hanging from a branch became a familiar sight in tourist zones. Boosters in Denver, Colorado, advertised a new scenic highway system with a guidebook that included directions to the "Vigilantes' Hanging Tree" that had "witnessed the snapping short of the lives of many Western desperadoes." Postcards from Dodge, Kansas, showed a dead tree with three nooses and a sign: "Authentic Hangman's Tree from Horsethief Canyon! Hear the story from the porch." Virtually the same tree existed in Tombstone, Arizona. The greatest number of specimens—authentic and fake—occurred in California. Many towns boasted of theirs, and exaggerated or invented mortalities. In interwar Los Angeles, a developer who advertised properties in proximity to the "Hollywood hangman's tree" scored Dolores del Río as a buyer.⁴⁷

Current events in the Golden State sometimes disturbed the notion that vigilantism was safely confined to the "Old West." In 1920, after a mob in Santa Rosa used a black locust (*Robinia pseudoacacia*) in the cemetery to string up three alleged gangsters—two white, one Latino—the town split over interpreting the site as a prideful "hanging tree" or a shameful "lynching tree." The Ladies of the Grand Army of the Republic favored tree removal, and they prevailed. In 1922 newspapers across the country ran headlines such as "Lynching Tree Lynched." After this uprooting and a similar episode in San José in 1933, Californians reverted to maintaining acceptable landmarks of violence. In the 1930s, state-employed arborists stabilized the dead but still beloved Hangman's Tree along the main access road to Yosemite National Park. In 1942 someone pinned to this massive oak's trunk the U.S. military's relocation order for all persons of Japanese ancestry.⁴⁸

⁴⁶ Kirkland, *Chicago Massacre of 1812*, 212; James O'Donnell Bennett, "Ax Threatens Chicago's Most Historic Tree," *Chicago Tribune*, May 6, 1928, p. 4. On the later history of the tree, see "Relic of Treaty Elm to Figure in Indian Ceremony," *Chicago Tribune*, Sept. 22, 1935, p. 10.

⁴⁷ Chauncey Thomas, "Editorial," *Trail*, 9 (Sept. 1916), 27; postcard, [ca. 1950s] (in Jared Farmer's possession). See also Harry C. Peterson, "Famous Hang Trees of California Gold Days," *Oakland Tribune*, April 8, 1923. On Dolores del Río buying the property, see Leo Braudy, *The Hollywood Sign: Fantasy and Reality of an American Icon* (New Haven, 2011), 89–90.

⁴⁸ See, for example, "Lynching Tree Lynched," *Athens (OH) Messenger*, Oct. 19, 1922, p. 1. On the 1933 episode, see Harry Farrell, *Swift Justice: Murder and Vengeance in a California Town* (New York, 1992). Jared Farmer, "Witness to a Hanging: California's Haunted Trees," *Boom: A Journal of California*, 3 (Spring 2013), 70–79, esp. 78.

The popularization of the hangman's tree in the West converged and then diverged from the vilification of the lynching tree in the South. Initially, Jim Crow redeemers took cover under the halo of western vigilantism, as the gold-rush-era San Francisco's Committee of Vigilance had been canonized as the American model of popular justice. Frederick Douglass bemoaned that this California example had "been made the excuse for other uprisings of the people where there was no such justification." White southerners, especially Texans, borrowed the term *hangman tree*, which they used interchangeably with *hanging tree* and *gallows tree*. The pejorative *lynching tree* entered American English in the 1890s and gradually became the journalistic norm as the antilynching campaign advanced in the court of public opinion (if not the U.S. Senate). Thanks to African American activists—including cartoonists for the *Crisis*, the poet Paul Dunbar, and the singer Billie Holiday—felonious trees became classified as endemically southern. More and more Americans accepted the distinction made in Owen Wister's novel *The Virginian* (1902), when Molly Wood asks Judge Henry if he thinks well of rough justice. He replies: "Of burning Southern negroes in public, no. Of hanging Wyoming cattle-thieves in private, yes." Whereas the southern "lynching tree" connoted illegitimate nationalism and backward regionalism, the western "hangman's tree" connoted regional progress out of frontier lawlessness, Mexican backwardness, and Indian barbarism.⁴⁹

The Commonwealth of Virginia tried to create its own arboreal legitimacy by differentiating its historic "Lynch Law Tree" from the generic southern lynching tree. Starting in the 1880s, a series of Old Dominion lawyers and professors penned apologetic essays on "Lynch's Law," including appreciations of the picturesque and nut-bearing walnut—unexplainably no longer an oak—where the practice supposedly began. "No ghastly body ever dangled from its branches," asserted Howell Featherston, a member of the bar in Lynchburg, writing for a national magazine for lawyers. Unbeknownst to readers, Featherston wrote "coon lyrics" on the side and took some of his historical details from a Confederate historian who alleged that the genealogy of the Ku Klux Klan went back to the Revolution, when Charles Lynch forced Loyalist conspirators to shout, "Liberty forever!" while administering stripes on bare backs. The patrician effort to restore honor to the Lynch Law Tree bore fruit in 1928: Virginia's general assembly passed the South's first antilynching bill, and the state highway commission immediately responded by erecting a historical marker, "Origin of Lynch Law," at the roadside tree. In 1939 the state chamber of commerce publicized arborists' work to save the landmark plant through surgery. In a regionally syndicated item, "Lynch Law Tree Survives," the chamber offered its "defense of the reputation of the ancient black walnut." According to the press release, Colonel Lynch had gallantly used the tree to punish—not kill—the saboteurs, thieves, and Tories who had "terrorized" the region. The law-and-order story appeared beneath an illustration of two white children, citizens in training, gazing upward at the organic monument

⁴⁹ Frederick Douglass, "Lynch Law in the South," *North American Review*, 155 (July 1892), 17–24, esp. 18. Amy Helene Kirschke, *Art in Crisis: W. E. B. Du Bois and the Struggle for African American Identity and Memory* (Bloomington, 2007). Paul Laurence Dunbar, "The Haunted Oak," in *Lyrics of Love and Laughter* (New York, 1903), 153. Margolick, *Strange Fruit*. Owen Wister, *The Virginian: A Horseman of the Plains* (New York, 1902), 433. On the regional differentiation of mob violence, see Lisa Arelleno, *Vigilantes and Lynch Mobs: Narratives of Community and Nation* (Philadelphia, 2012); and Christopher Waldrep, *The Many Faces of Judge Lynch: Extralegal Violence and Punishment in America* (New York, 2002).



This doctored photograph, which portrays two children studying Virginia's Lynch Law Tree, ran with a piece that defended the tree's reputation by asserting that Col. Charles Lynch only used the tree for flogging Tories, never for killing. Reprinted from "Lynch Law Tree Survives in Virginia," *Newport News* (VA) *Daily Press*, Sept. 24, 1939.

as if it were a history teacher—or a liberty tree. Inscribed upon the trunk was a tellingly misdated lesson: "Lynch Law 1776."⁵⁰

By the 1940s, the treescape of American memory had transformed. World War I had inspired thousands of local tree-planting ceremonies in memory of fallen soldiers, and the prevailing mood of nativist patriotism revived arbonationalism, including historic trees.

⁵⁰ Howell Colston Featherston, "The Origin and History of Lynch Law," *Green Bag*, 12 (March 1900), 150–58, esp. 158, 156; *Lasting Lyrics by Lynchburgers* (Lynchburg, 1923), 8–11; N. J. Floyd, *Thorns in the Flesh: A Romance of the War and Ku-Klux Periods* (Philadelphia, 1884), 130–32; "Lynch Law Tree Survives in Virginia," *Newport News* (VA) *Daily Press*, Sept. 24, 1939. J. Douglas Smith, *Managing White Supremacy: Race, Politics, and Citizenship in Jim Crow Virginia* (Chapel Hill, 2002).

On the eve of World War II, though, Americans were forgetting how to “speak Tree” as “sylvan literacy” fell out of the curriculum. More to the point, historic events in the subsequent “American century” and “Space Age” did not take place in pastoral and sylvan environments. In 1945 no trees witnessed the signing of Japan’s surrender aboard the USS *Missouri*. Cameras did. The postwar nation’s greatest “outdoor” moment—the Apollo 11 landing—would be televised from the moon. Even in leafy suburbs, trees provided amenities more than memories. Adapting to the times, tree enthusiasts advanced legalistic categories such as “champion tree,” “heritage tree,” and “old-growth tree,” defined by quantifiable size or age rather than specific historical association. Unlike the National Trust in the United Kingdom, the U.S. National Register of Historic Places (established in 1966) did not prioritize organic sites. The Soviet Union–born poet and essayist Joseph Brodsky, whose exile in the United States began in 1972, could almost be forgiven for comparing European trees, historical witnesses that rustled with allusions, with American trees, primal organisms that bore no references.⁵¹

Tree culture experienced dieback but not death. Its most conspicuous postwar re-growth may be “Tree City USA,” a certification program begun in the bicentennial year 1976. As administered by the Arbor Day Foundation, the program recognizes municipalities—overwhelmingly rich, predominantly white—that keep up tree departments, tree ordinances, and tree celebrations. Another nonprofit organization, American Forests, compiled a bicentennial list of “famous and historic trees” and later partnered with the Historic Tree Nursery to offer mail-order scions of pedigreed plants from the homes and haunts of dead celebrities. In the 1990s the United States witnessed a general renewal of sentimentalism—“memorial mania”—including prominent uses of trees. At battlefields such as Gettysburg, the National Park Service began interpreting Civil War “witness trees.” Most significantly, in reaction to urban terrorism, the U.S. state hallowed two new historic trees at two new national memorials. A commemorative tradition long marked by localism became a federal and corporate concern.⁵²

In Oklahoma City one large tree in a parking lot managed to survive the 1995 bombing of the Alfred P. Murrah Federal Building. Two years later, when jurors read the verdict against Timothy McVeigh, that tree became a gathering place for victims’ families. They stuck mementoes into the bark, tied ribbons to the trunk, left flowers and candles beneath it, and poured water on its roots to symbolize their grief. During the memorial planning process, family members insisted on a landscape design that incorporated and set apart the Survivor Tree. The tree also appears in the national memorial’s trademarked logo. Appropriately, perhaps, the plant is an American elm, the same species as the original Liberty Tree. The symbolic connection between Boston and Oklahoma City goes deeper and darker. During the criminal trial, the public learned that McVeigh, on the day of his arrest, wore a T-shirt (now on display in the memorial museum) with an image of a tree, dripping blood, superimposed with Jefferson’s dictum: “The Tree of Liberty must be refreshed from time to time with the blood of patriots and tyrants.”⁵³

⁵¹ I borrow the phrases “speaking Tree” and “sylvan literacy” from Miller, “Reading Tree in Nature’s Nation.” Joseph Brodsky, *On Grief and Reason: Essays* (New York, 1995), 225.

⁵² Cohen, *Planting Nature*; Charles Edgar Randall and Henry Clepper, *Famous and Historic Trees* (Washington, 1976); Jeffrey G. Meyer, *America’s Famous and Historic Trees: From George Washington’s Tulip Poplar to Elvis Presley’s Pin Oak* (Boston, 2001); Erika Doss, *Memorial Mania: Public Feeling in America* (Chicago, 2010).

⁵³ See Edward T. Linenthal, *The Unfinished Bombing: Oklahoma City in American Memory* (Oxford, 2001), 164–74.

After the next major act of terrorism on U.S. soil—the coordinated attacks of September 11, 2001—memorialists drew inspiration from Oklahoma City. At “ground zero,” one of the few living things found in the scorching rubble was a modest-sized Callery pear (*Pyrus calleryana*), knocked down and defoliated, but sprouting new shoots. Employees of the New York City Department of Parks and Recreation removed the mutilated plant, restored it to health in a Bronx nursery, and ceremonially replanted it as the Survivor Tree in 2010. The National September 11 Memorial sells Survivor Tree merchandise, and its Web site features a video-poem in the voice of the tree, narrated by Whoopi Goldberg. Unlike so many prior U.S. historic trees, race does not restrict its community of memory. However, the manufactured controversy about the “Ground Zero mosque” exposed the religious limits of pluralism in proximity to the memorial in lower Manhattan. New York’s Survivor Tree, a metaphorical cutting from the massacre tree, is exclusionary in a nineteenth-century mode. Here the nation has invited “the people”—survivors and victims’ families, first responders and other “patriots,” and every keeper of the “homeland”—to affirm the founding deception of U.S. settler colonialism, the myth of innocence: *The enemies of freedom attacked first*. Barack Obama wordlessly, perhaps nesciently, affirmed this script in May 2011. Immediately after U.S. special forces assassinated Osama bin Laden in Pakistan, President Obama pilgrimaged to Ground Zero, where he laid a red-white-and-blue wreath at the trunk of the pear tree.⁵⁴

During the George W. Bush–Obama years, when “postracial” America failed to appear, the vigilance tree returned to public consciousness. A crucial development occurred in 2000 with the controversial traveling exhibit (and Web site and companion book) *Without Sanctuary: Lynching Photography in America*. The resulting debate over the moral and educational value of this imagery revived the black tradition of antipastoral art. For example, the Oscar-winning *12 Years a Slave* (2013) includes an excruciatingly long depiction of the near-asphyxiation of the protagonist at a resplendent moss-covered oak (identified as an ordinary peach tree in Solomon Northup’s original memoir). While on location in Louisiana, the film’s director, Steve McQueen, made a still photograph of a historic lynching tree for a gallery show. The reflex to deracinate trees of trauma—evidenced in Mobile, Alabama, in 1981, after the murder of Michael Donald by Ku Klux Klan members—may be giving way to something more creative and reconciliatory. In 2015 the Equal Justice Initiative, the project of black southern civil rights lawyer Bryan Stevenson, announced its ambition to mark, with local cooperation, thousands of lynchings. The National Memorial for Peace and Justice (2018) is privately controlled, regionally focused, and located, symbolically, in Montgomery, Alabama. In the American West, activists, artists, and historians still struggle to convince the public to re-remember frontier vigilantism as lynch law and hangman trees as sites of native and Latino trauma.⁵⁵

⁵⁴ Jonnes, *Urban Forests*, 240–51, 326–34.

⁵⁵ *Without Sanctuary: Lynching Photography in America*, <https://withoutsanctuary.org/>; James Allen et al., *Without Sanctuary: Lynching Photography in America* (Santa Fe, 2000). On the resulting debate over this exhibition, Web site, and book, see Leigh Raiford, *Imprisoned in a Luminous Glare: Photography and the African American Freedom Struggle* (Chapel Hill, 2001), 209–38. *12 Years a Slave*, dir. Steve McQueen (Regency Enterprises, River Road Entertainment, Plan B Entertainment, and New Regency Pictures, 2013). The murderers hanged Michael Donald’s dead body from a tree. Determined to take down the offending tree, Jessie Jackson led a march in Mobile. B. J. Hollars, *Thirteen Loops: Race, Violence, and the Last Lynching in America* (Tuscaloosa, 2011), 94. On the Equal Justice Initiative, see Jeffrey Tobin, “The Legacy of Lynching on Death Row,” *New Yorker*, Aug. 22, 2016; and Campbell Robertson, “Lynching Memorial Is Opening: The Country Has Never Seen Anything Like It,” *New York Times*, April 25, 2018. On the U.S. West, see Ken Gonzales-Day, *Lynching in the West, 1850–1935* (Durham,

The comparatively low profile of the liberty tree in popular culture is curious. This founding tree type has been reduced, appropriately or not, to a minor icon of Tea Partiers and white nationalists. A different outcome might have transpired had Boston's Freedom Trail (created in 1951) included the site of the original elm, but the red-brick line steered clear of Chinatown and the red-light district. When a hurricane in 1999 felled the last living colonial-era specimen of a liberty tree, in Annapolis, barely anyone outside Maryland noticed. Of the still-living liberty trees, liberally defined, the one with greatest cultural potential is the Emancipation Oak at Hampton University in Virginia. Here, ostensibly, escaped slaves heard the Emancipation Proclamation read aloud; and here, ostensibly, the African American educator Mary Peake taught freedmen how to read. Kept alive mnemonically by generations of black students—and kept alive biologically by campus wardens—this majestic southern live oak grew in symbolic stature in the post-1976 era of Black History Month programs and lesson plans. Scions of this tree exist, too. In 1935 the Tuskegee Institute received one; and in 2010, White House gardeners planted another—a gift to President Obama. In one of his final acts as president, a January 2017 proclamation creating Reconstruction Era National Monument, Obama gave praise to this witness tree.⁵⁶

Antiracist memory projects, large and small, face grievous resistance, as evidenced by the recent defense of Confederate monuments by white supremacists and President Trump. For the “Make America Great Again!” preinauguration concert on January 19, 2017, broadcast live from the Lincoln Memorial, the country singer Toby Keith performed his greatest hits, including a post-9/11 song that glorifies hanging “bad boys” from a tall oak tree in Texas. Previously, Keith insisted: “It’s about the old West and horses and sheriffs . . . It’s not a racist thing or about lynching.” Many Americans accept such avowals at face value. It seems credible that the white teenagers who in 2006 hung nooses on “their” schoolyard oak in Jena, Mississippi—a small-town prank that became a national scandal—were, as they claimed, “only” referencing the hanging scene in the TV western *Lonesome Dove*. Even so, the willful ignorance of white Americans about the history of racism does have limits. When a hater hung a noose from a tree on the National Mall in postinaugural 2017, no one in the media mistook the act as a western homage.⁵⁷

Compared to lynching trees, treaty trees are more unseen by contemporary Americans. This is ironic, considering the public art still on display, and all the florid acts of past me-

N.C., 2006); William D. Carrigan and Clive Webb, *Forgotten Dead: Mob Violence against Mexicans in the United States, 1848–1928* (Oxford, 2013); and John Mack Faragher, *Eternity Street: Violence and Justice in Frontier Los Angeles* (New York, 2016).

⁵⁶ Alfred P. Young, “Revolution in Boston? Eight Propositions for Public History on the Freedom Trail,” *Public Historian*, 25 (May 2003), 17–41. Cheryl Lu-Lien Tan, “The Last Hurrah for Md.’s Liberty Tree? Storm May Have Done What British Couldn’t,” *Baltimore Sun*, Sept. 23, 1999; Andrea F. Siegel, “Historic Wood to Go on Sale; Man Says He Salvaged Parts of Liberty Tree from Two Landfills,” *ibid.*, Nov. 27, 1999. Jackie Calmes, “Be Role Models, President Tells Black Graduates,” *New York Times*, May 10, 2010, p. A10. “Establishment of the Reconstruction Era National Monument,” 82 *Fed. Reg.* 6167 (Jan. 19, 2017).

⁵⁷ “Toby Keith Hits Back at Accusation Song Is Pro-lynching,” Aug. 8, 2008, *FoxNews.com*, <https://www.foxnews.com/story/toby-keith-hits-back-at-accusation-song-is-pro-lynching>. Toby Keith and Scotty Emerick, “Beer for My Horses,” performed by Toby Keith, *Unleashed* (compact disc; DreamWorks Records; 2002). Jack Shuler, *The Thirteenth Turn: A History of the Noose* (New York, 2014), 1–4. Richard G. Jones, “In Louisiana, a Tree, a Fight and a Question of Justice,” *New York Times*, Sept. 19, 2007, p. A14; Craig Franklin, “Media Myths about the Jena 6,” *Christian Science Monitor*, Oct. 24, 2007. *Lonesome Dove*, prod. Suzanne De Passe and William D. Witliff (4 parts; CBS, Feb. 5–8, 1989). John Woodrow Cox, “Noose Found Hanging from Tree outside Hirshhorn Museum,” *Washington Post*, May 27, 2017; Clarence Williams and Peggy McGlone, “Noose Found at Exhibit in African American Smithsonian Museum,” *ibid.*, June 1, 2017.

morialization, all the averring that William Penn had, by elmwood witness, pledged amity “as long as the Creeks and Rivers run, and while the Sun, Moon, and Stars endure.” The most famous surviving treaty tree is one of the fakest—the Treaty Oak of Austin. In 1989 this plant received new fame after a mentally ill man dumped gallons of herbicide onto its roots. The expensive multiyear rehabilitation work of arborists, supplemented by shamans and crystal healers, captivated Austinians. Others scorned. “What a waste of money while we Indians are at the bottom of the heap,” remarked the president of the San Antonio Council of Native Americans. “They’re being so protective of this treaty tree and most don’t know what it is—just folklore,” echoed an Apache resident of Dallas.⁵⁸

Not every “Indian treaty tree” is irredeemable, just like not everything about Penn’s Elm is folkloric. In 2010, on the two-hundredth anniversary of the original Treaty Tree’s death, members of the Nanticoke Lenni-Lenape tribal nation participated in a ceremonial replanting of a scion by the Delaware River. This event was emblematic. In the late twentieth and early twenty-first centuries, as part of widespread assertions of tribal sovereignties, native communities have commemorated historic trees on their own terms. On the Idaho-Utah border, Northwestern Shoshone families leave offerings at a “prayer tree” in memory of victims of the 1863 Bear River massacre. In Oklahoma, the Muscogee Nation has elevated the Creek Council Oak of Tulsa—the symbolic terminus of its Trail of Tears—onto the National Register of Historic Places; a painting of the sacred landmark now hangs in the state capitol. Similarly, the Seminole tribe of Florida has successfully nominated its Council Tree—site of constitutional deliberations in the 1950s—for the National Register. In Texas, the Oklahoma-based Comanche nation has authenticated six bent trees as Comanche Marker Trees and issued tribal proclamations about them that assert historical and moral claims to lands outside Comanche legal ownership.⁵⁹

Even more strikingly, at least three DAR settler-colonial trees have been appropriated by indigenous communities. The best instance of this circularity comes from Washington State, at the edge of the tidal basin where the Nisqually River meets Puget Sound. Here, in 1854, beneath an isolated group of Douglas fir (*Pseudotsuga menziesii*), territorial governor Isaac Stevens managed to obtain sixty-two “X” marks on a paper that extinguished native title to some 2.5 million acres. When the event was commemorated on Flag Day in 1922, only one tall tree from the grove remained. Local pioneer societies and the Sacajawea Chapter of the DAR feted the “treaty tree.” After a picnic luncheon, the smartly dressed women, men, and children gathered under the garlanded fir, saluted the Stars and Stripes, sang “America,” and unveiled a bronze marker, which they screwed into the bark: “Site of the Medicine Creek Treaty between Governor Isaac I. Stevens and the Indians of the Puget Sound basin, 1854.” The celebration of Stevens, Washington State’s answer to Penn, continued with an elderly surviving daughter reading from a patrifilial biography; and concluded with a glowing tribute from the secretary of the state historical society.⁶⁰

⁵⁸ John F. Watson, “The Indian Treaty, for the Lands Now the Site of Philadelphia and the Adjacent Country,” *Memoirs of the Historical Society of Pennsylvania*, 3, (part 2, 1836), 139. David Maraniss, “Texas Mourns Imminent Death of 500-Year-Old Treaty Oak,” *Washington Post*, June 27, 1989; Elaine Shelly, “Indians Blast Efforts to Save Treaty Oak,” *Austin American Statesman*, Aug. 7, 1989. See also Jeremy Schwartz, “Piece of City History in New City Hall; 1989 Poisoning of the Treaty Oak Gripped Austin,” *Austin American-Statesman*, Jan. 10, 2005, p. A1.

⁵⁹ Elisa Lala, “Penn’s Treaty Elm Replanted from Original’s Descendant,” *Philadelphia Inquirer*, May 8, 2010, p. B3. Steve Houser, Linda Pelon, and Jimmy W. Arterberry, *Comanche Marker Trees of Texas* (College Station, 2016).

⁶⁰ “Treaty with the Nisqualli, Puyallup, Etc., 1854,” in *Indian Affairs*, ed. Kappler, II, 661–64. “Work of the Chapters,” *Daughters of the American Revolution Magazine*, 56 (Oct. 1922), 615–16.

Over time, the tree lost romance yet acquired new significance. Heritage societies went gray; the construction of Interstate 5 disrupted the scene; and the DAR plaque went missing. Then, in the 1960s, the three federally recognized tribes descended from the native signatories—the Nisqually, Puyallup, and Squaxin Island peoples—reclaimed the landmark. Nisqually activist William “Billy” Frank Jr., organized fish-ins to demonstrate for the treaty right to take salmon at “all usual and accustomed grounds and stations.” When this red power movement was validated in federal court by the 1974 Boldt decision, the Treaty of Medicine Creek (1854) transformed from a document of disempowerment to an instrument of sovereignty. Accompanying this shift, the fir overlooking the tidal zone became a symbol of native resilience. Although the tree died in 1979, the snag remained erect and only gained power as a sun-bleached survivor. When it finally collapsed in the winter of 2007, an offspring was planted beside a historical marker erected in 1998 by the affiliated tribes. The marker did not mention Isaac Stevens; instead, it admonished that the Treaty Tree stands in “testimony to the ongoing responsibilities agreed to among the signatories.” Billy Frank passed away in 2014 and posthumously received a Presidential Medal of Freedom. Obituaries featured photographs of him at the freshly fallen Treaty Tree, his weathered hand touching its shattered trunk. “People love this tree, not only the Indian people, but the people who know the history,” he told reporters that day. “This old-timer, his day has passed. But as long as the grass grows and the rivers flow and the sun rises in the east and sets in the west, that treaty is alive.”⁶¹

From the Delaware to Puget Sound, the decolonization of the memorial landscape involves many efforts across many jurisdictions. Currently, the main loci are museums, statuary, and place-names. In the absence of a “national conversation” about trees—which long ago shed much of their nationalist load—the arboreal domain of whiteness may seem immaterial. The burden of this essay, an argument by accretion, has been to show otherwise. Across the formative eras of the twice-born U.S. republic, trees served as landmarks of belonging and ostracizing. There was something appealingly democratic and modest about the observance of organic monuments. At the same time, there was something imperious about settlers claiming—forcefully, even fatally—native flora as their real and cultural property, another exclusion of American Indians and African Americans from nature’s nation. To address injured and injurious landscapes, “we, the people,” have options: sustain the old plantings in the garden of memory, or abandon them, or deracinate them, or transplant them, or graft on to them—or tend new growth, with or without a garden book. As fertilizer, facts matter less than feelings. If there is any such thing as an all-American tradition, it may be taking liberties with the past.

⁶¹ Lynda V. Mapes, “After 153 Years, Treaty Tree Lost to Winter Storm,” *Seattle Times*, Feb. 12, 2007, p. A1. *United States v. Washington*, 384 F. Supp. 312 (W.D. Wash. 1974). William Yardley, “Billy Frank Jr., 85, Defiant Fighter for Native Fishing Rights,” *New York Times*, May 12, 2014, p. D10.