



## Spirit of wild land a timeline in words and pictures

- Catlin and the “nations park”
- Thoreau and a “word for nature”
- The “discovery” and photographing of Yosemite
- The grant of Yosemite and the Preliminary Report by Olmstead
- The Epping Forest Act
- A history of lost opportunity

Dr Mark Fisher January 2012

## George Catlin (1796 - 1872)



George Catlin, William Fisk, 1849

- lawyer and self-taught artist
- travelled extensively in the Great Plains of the West during the 1830's, painting and writing about the every day life of Native Americans and their natural landscape
- his travels led him to fear that the westward expansion of Euro-Americans was threatening Native American civilisation, but also the beauty of the wilderness of the west
- wrote many *Letters* during his travels, which were published in the New York papers from 1832 onwards
- in a Letter from that year, written as he journeyed the Dakotas, Catlin made a call for a *nation's park*, where both wild nature and the Native American way of life could be preserved (Letter-no. 31. Mouth of Teton River, Upper Missouri)



1832 Letter 31 Mouth of Teton River, Upper Missouri.



River Bluffs, 1320 Miles Above St. Louis, 1832



Brick Kilns, Clay Bluffs 1900 Miles above Saint Louis, 1832

Many are the rudenesses and wilds in Nature's works, which are destined to fall before the deadly axe and desolating hands of cultivating man; and so amongst her ranks of *living*, of beast and human, we often find noble stamps, or beautiful colours, to which our admiration clings..... Such of Nature's works are always worthy of our preservation and protection; and the further we become separated (and the face of the country) from that pristine wildness and beauty, the more pleasure does the mind of enlightened man feel in recurring to those scenes, when he can have them preserved for his eyes and his mind to dwell upon.

George Catlin (1844). *North American Indians: Being Letters and Notes on Their Manners, Customs, and Conditions, Written During Eight Years' Travel Amongst the Wildest Tribes of Indians in North America, 1832-1839*. Volume 1 pg 292



1832 Letter 31 Mouth of Teton River, Upper Missouri.



Crow Chief Bada-ah-chondu in Battle Dress, c. 1833



Sha-kó-ka, a Mandan girl, 1832

It is a melancholy contemplation too, when one (who has travelled these realms, and can duly appreciate them) imagines them as they *might* in future be seen, (by some great protecting policy of government) preserved in their pristine beauty and wildness, in a *magnificent park*, where the world could see for ages to come, the native Indian in his classic attire, galloping his wild horse, with sinewy bow, and shield and lance, amid the fleeting herds of elks and buffaloes. What a beautiful and thrilling specimen for America to preserve and hold up to the view of her refined citizens and the world, in future ages! *A nation's Park*, containing man and beast, in all the wild and freshness of their nature's beauty!

George Catlin (1844). *North American Indians: Being Letters and Notes on Their Manners, Customs, and Conditions, Written During Eight Years' Travel Amongst the Wildest Tribes of Indians in North America, 1832-1839*. Volume 1 pg 295

## 1851 Henry David Thoreau (1817-1862)



Henry David Thoreau, John Lautermilch 1997



Walden: July, 1845 – September, 1847



"I wish to **spea**k a word for Nature, for **absolute freedom** and **wildness**, as contrasted with a freedom and culture merely civil, --to regard **man as an inhabitant**, or a **part and parcel of Nature**, rather than a member of society.

I wish to make an **extreme statement**, if so I may make an **emphatic one**, for there are enough champions of civilization"

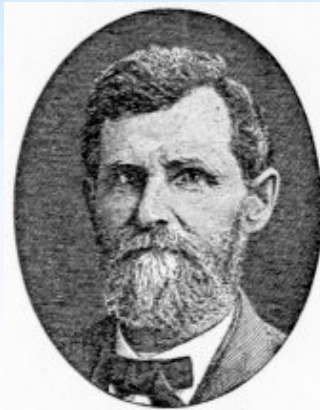
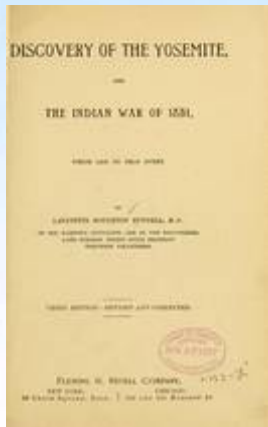
Thoreau first gave a talk on "walking" at the Concord Lyceum, Massachusetts, on 23 April 1851. After giving it a number of times in the 1850s, the talk evolved into an essay that he sent to the Atlantic Monthly, which published it a month after he died in 1862. "Walking," Atlantic Monthly 9 (June 1862): 657-74

"I went to the **woods** because I wished to **live deliberately**, to front only the **essential facts of life**, and see if I could not **learn what it had to teach**, and not, when I came to die, discover that I had not lived"

"Walden; or, life in the woods" Ticknor & Fields, Boston 1854

*moral idealism*

## "discovery" of Yosemite valley 1851



- Dr Lafayette Bunnell, Major James D. Savage and Capt. John Boling rode out with a detachment of mounted volunteers of the Mariposa Battalion in search of Native American tribal leaders involved in recent raids on American settlements

- they entered Yosemite Valley on 25 March, 1851.

## Carleton Watkins (1829 –1916)



*Carleton Watkins*, self-portrait made for his children 1883

- Watkins travelled to San Francisco in 1851, lured by the California goldrush
- worked as a photographer's assistant and became interested in landscape photography
- experimented with new photographic techniques and the use of large glass plate negatives, and a stereographic camera
- in the summer of 1861, he strapped a tonne of camera equipment on to mules and rode the long trail into Yosemite Valley



1861 Yosemite valley



The three brothers



Mirror Lake and Mount Watkins



The half dome



Grizzly Giant sequoia tree



The vernal fall



View down the valley from Union point

## 1864 Yo –Semite Valley grant

### ACT OF JUNE 30, 1864 (13 STAT., 325).

AN ACT authorizing a grant to the State of California of the "Yo-Semite Valley," and of the land embracing the "Mariposa Big Tree Grove."

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there shall be, and is hereby, granted to the State of California the "cleft" or "gorge" in the granite peak of the Sierra Nevada Mountains, situated in the county of Mariposa, in the State aforesaid, and the headwaters of the Merced River, and known as the Yo-Semite Valley, with its branches or spurs, in estimated length fifteen miles, and in average width one mile back from the main edge of the precipice, on each side of the valley, with the stipulation, nevertheless, that the said State shall accept this grant upon the express conditions that the premises shall be held for public use, resort, and recreation; shall be inalienable for all time; but leases not exceeding ten years may be granted for portions of said premises. All incomes derived from leases of privileges to be expended in the preservation and improvement of the property, or the roads leading thereto; the boundaries to be established at the cost of said State by the United States surveyor-general of California, whose official plat, when affirmed by the Commissioner of the General Land Office, shall constitute the evidence of the locus, extent, and limits of the said cleft or gorge; the premises to be managed by the governor of the State with eight other commissioners, to be appointed by the executive of California, and who shall receive no compensation for their services.*

*Sec. 2. And be it further enacted, That there shall likewise be, and there is hereby, granted to the said State of California the tracts embracing what is known as the "Mariposa Big Tree Grove," not to exceed the area of four sections, and to be taken in legal subdivisions of one quarter section each, with the like stipulation as expressed in the first section of this act as to the State's acceptance, with like conditions as in the first section of this act as to inalienability, yet with same lease privilege; the income to be expended in preservation, improvement, and protection of the property; the premises to be managed by commissioners as stipulated in the first section of this act, and to be taken in legal subdivisions as aforesaid; and the official plat of the United States surveyor-general, when affirmed by the Commissioner of the General Land Office, to be the evidence of the locus of the said Mariposa Big Tree Grove.*

- Watkin's photographs influenced Congress' decision to transfer the "the 'cleft' or 'gorge' in the granite peak of the Sierra Nevada Mountains" known as "Yo-Semite valley" to the State of California
- the Valley was granted "upon the express conditions that the premises shall be held for public use, resort, and recreation; and shall be inalienable for all time"
- The uniqueness of the legislative grant is that it provided for land to be reserved for non-utilitarian purposes
- the legislation required the State Governor with eight other appointed Commissioners to manage the grant of the Yosemite Valley



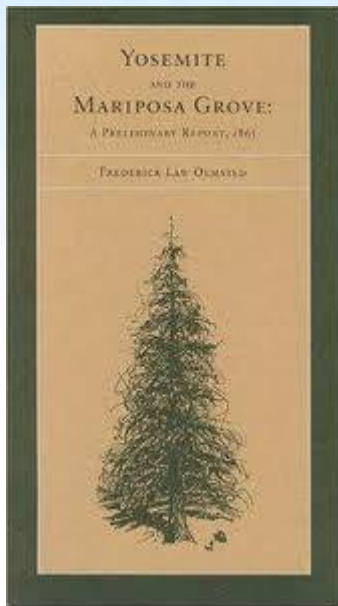
## 1865 Frederick Law Olmsted (1822 –1903)



*Frederick Law Olmsted*, John Singer Sargent 1895

- wins competition in 1858 for the design of New York City's Central Park with Calvert Vaux
- became manager of the Rancho Las Mariposas-Mariposa mining estate in the Sierra Nevada mountains in California in 1863
- serves as one of the first Commissioners appointed to manage the grant of the Yosemite Valley
- writes a Preliminary Report on Yosemite in 1865 that has a systematic exposition of the **geomorphology**, **hydrology** and **biophysical qualities** of the valley, as well as:
  - the importance of **contact with wilderness** for **human well-being**
  - the effect of beautiful scenery on human perception
  - the moral responsibility of democratic governments to preserve regions of extraordinary natural beauty for the benefit of the whole people
  - suggestions for managing the valley for **human access with minimal harm to the natural environment**

1865 a democratisation of wild nature

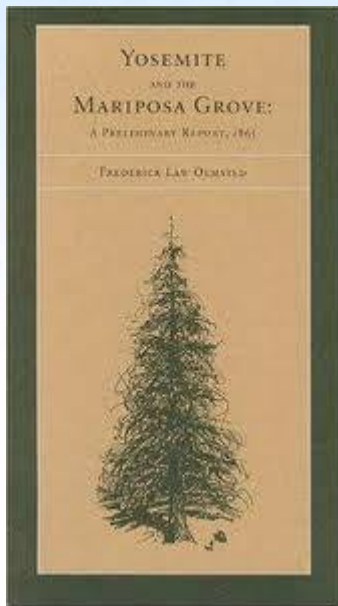


Yosemite and the  
Mariposa Grove: A  
Preliminary Report, 1865  
Frederick Olmsted Law

Olmsted realised how easily a few men could destroy such a place for their own material gain. He argued that “portions of natural scenery be properly guarded and cared for by the government”, that “laws to prevent an unjust use by individuals of that which is not individual but public property, must be made and rigidly enforced” and that there should be a duty to make it widely accessible through it being “held, guarded and managed for the free use of the whole body of the people forever”

***that which is not individual but public property***

1865 a spiritual need for wild land



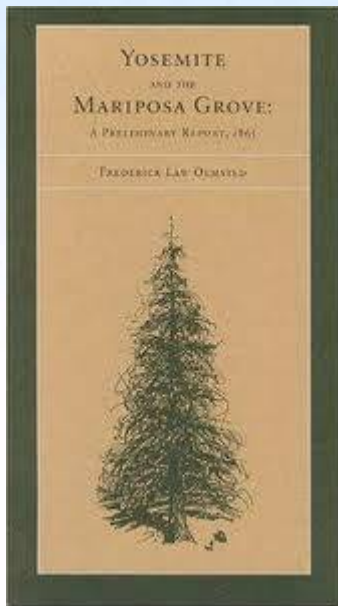
Yosemite and the  
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“It is a scientific fact that the occasional **contemplation of natural scenes** of an impressive character, particularly if this contemplation occurs in connection with **relief from ordinary cares**, change of air and change of habits, is **favorable to the health and vigor** of men and especially to the health and vigor of their intellect beyond any other conditions which can be offered them, that it not only **gives pleasure** for the time being but increases the subsequent **capacity for happiness** and the means of securing happiness”

*Attention Restoration Theory, Kaplan & Kaplan 1989*



## 1865 a European connection to the Swiss Alps



Yosemite and the Mariposa Grove: A Preliminary Report, 1865  
Frederick Olmsted Law

- Olmstead refers to the works of Swiss painter Calame while describing the impressive character of the Sierra Nevada mountains
- the paintings were noted for their **precision and high realism** of known locations
- the themes of many were the **fast-moving water** (torrents) within **forests and rocks** depicting the Aare River in the uninhabited uplands of the Bernese Oberland

“It is not, however, in its grandeur or in its **forest beauty** that the attraction of this intermediate region consists, so much as in the more secluded charms of some of its glens formed by **mountain torrents** fed from the snow banks of the higher Sierras. These have worn deep and picturesque channels in the **granite rocks**, and in the moist shadows of their recesses grow tender plants of rare and peculiar loveliness. The broad parachute-like leaves of the peltate saxifrage, delicate ferns, soft mosses, and the most brilliant lichens abound, and in following up the **ravines, cabinet pictures** open at every turn, which, while composed of materials mainly new to the artist, constantly recall the most valued sketches of **Calame in the Alps and Apennines**”



Mountain Torrent before a Storm (The Aare River, Haslital) (1850)



Torrent in the Alps (1849)

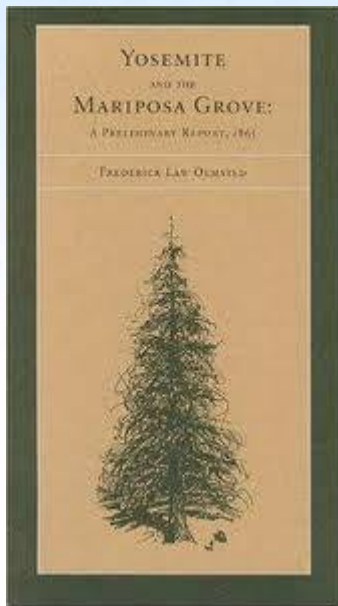


Mountain Torrent (1850-60)

Forests, rocks , torrents  
– Alexandre Calame (1810-1864)

From the collection of Asbjørn Lunde

1865 an unflattering connection to Britain



Yosemite and the Mariposa Grove: A Preliminary Report, 1865  
Frederick Olmsted Law

Olmsted knew from his travels in Europe that the rich were able to provide places of recreation for themselves, such as the “large and as luxurious” rural retreats of the “aristocracy of Europe”. He was unflattering about Britain:

“There are in the islands of Great Britain and Ireland more than one thousand private parks and notable grounds devoted to luxury and recreation..... The enjoyment of the choicest natural scenes in the country and the means of recreation connected with them is thus a monopoly, in a very peculiar manner, of a very few very rich people. The great mass of society, including those to whom it would be of the greatest benefit, is excluded from it. In the nature of the case private parks can never be used by the mass of the people in any country nor by any considerable number even of the rich, except by the favor of a few, and in dependence on them”



1855 John William Inchbold (1830 - 1888)



Cuillin Ridge, Skye, from Sligachan (1856)

- born in Leeds, trained at Royal Academy, a leading Pre-Raphaelite landscape painter
- the view looks southwards over the Sligachan Burn in the foreground towards the Cuillin Hills, painted on a visit to Skye in the autumn of 1855
- praised by Ruskin for its fidelity as the “exquisite painting of withered heather and rock”
- snow on the Cullin Hills, sheep grazing in the middle ground, no trees in this landscape

- **simplified ecology** of a typical moorland, woodland elements removed and natural processes lost
- woodland loss on Skye started 5,000 years ago
- sustained overgrazing by sheep over last 200 years led to the complete loss of woodland habitat in many areas



## A brief history of *common lands*

1235 Ancient Statute of Merton - lord of the manor had to provide land for commoners' rights. The owner could 'inclose' or 'approve' it, removing rights of common, when there was an excess of land beyond the grazing needs of the commoners. Act for each inclosure passed by parliament

Land in or close to communities, usually the waste land of the manor, became used by the inhabitants of the community for the purposes of recreation, sports and fairs. Long-standing use was recognised in law as a town or village green with protection from interference

1836 Inclosure Act allowed landowners to enclose land without reference to parliament

1845 Inclosure and Improvement of Commons Act set up Inclosure Commissioners to supervise and remedy incomplete actions taken under previous inclosure acts and the many private acts

1865 Commons Preservation Society founded to protect open spaces in London - widened to campaigning for access to common land throughout England (now the Open Spaces Society)

1866 Metropolitan Commons Act prevented the enclosure of any common within the Metropolitan Police District

1876 Commons Act secured "free access .... to any particular points of view" but continued to allow enclosure

***Commons Acts were primarily about protection of traditional use-rights***

## 1878 Epping Forest Act

- Commons Preservation Society instrumental in arguing against the enclosure of Epping Forest
- Epping Forest Act placed the forest in “public” ownership with the City of London Corporation

"It gives me the greatest satisfaction to dedicate this beautiful forest to the use and enjoyment of my people for all time" Queen Victoria, on a visit to Chingford, 1882



Epping Forest, Sir Jacob Epstein c.1945

Section 7: Preservation of Open Space  
(1) Subject to the provisions of this Act, the Conservators shall at all times keep Epping Forest **uninclosed** and **unbuilt on**, as and **open space for the recreation and enjoyment of the public**; and they shall by all lawful means **prevent, resist, and abate all future inclosures**, encroachments, and buildings, and all attempts to inclose, encroach, or build on any part thereof, or to **appropriate or use** the same, or **the soil, timber**, or road thereof, or any part thereof, for any purpose **inconsistent with the objects of this Act**



## 1878 Epping Forest Act - public benefits?



An Act for the Disafforestation of Epping Forest and the preservation and management of the uninclosed parts thereof as an Open Space for the recreation and enjoyment of the public; **and for other purposes**

- were the “other purposes” the driver for the Act?
- Commoners’ rights of grazing were threatened by enclosure, especially the right of inter-commonage, i.e. their cattle could wander freely grazing any part of the Forest, irrespective of which Forest parish their owner resided
- rights to commonage accrued to those who owned or occupied 0.5acre in any of the parishes
- some members of the public ENJOYED MORE RIGHTS THAN OTHERS under the Act

Section 5. All rights of common pasture and of common of mast or pannage for swine on or over Epping Forest, as they exist at the passing of this Act, shall continue, without prejudice, nevertheless, to the provisions of this Act (which rights are in this Act comprised under rights of common)

*Why can't we have natural spaces that are ours to freely walk and where we can get away from farming?*

## A history of lost opportunities – Dove Dale



*Dovedale by Moonlight*, Joseph Wright 1784



Agri-environment  
and England  
Woodland Grant  
Scheme funding on  
Dove Dale

- Frederick Holmes, Buxton, hears landowner felling a large number of trees in Hall Dale, side valley of Dove Dale in 1916.
- Concerned the area was about to be destroyed forever, he started a campaign to protect it for future generations, and by 1924 was arguing for all of Dove Dale to become Britain's first national park.
- A 1931 government inquiry recommended the creation of a 'National Park Authority' to select areas for designation as national parks. Dove Dale was one of the areas proposed. No action was taken.
- In 1934, and with the financial help of Manchester businessman Robert McDougal, Holmes managed to secure the sale of the first parts of Dove Dale, Hurts Wood and Hall Dale, to the National Trust.
- Successive properties in the valley were added between then and 1938, and Wolfscote Dale was bought in 1948
- National Trust manage as an ESTATE

## A history of lost opportunities – Glen Coe



*Glencoe*, Horatio McCulloch(1805-1867) in 1864

- Percy Unna, President of the Scottish Mountaineering Club in the mid-1930s, was the driving force behind the fund raising from mountaineering clubs across Britain, to purchase much of the Glencoe Estate of Lord Strathcona
- started with Clachaig, Achtriochtan and Strone in 1936, and followed by a part of Dalness in 1937, which included the whole of the south side of Glencoe east to the mountains of Buachaille Etive Beag and Buachaille Etive Mor.
- he contributed generously (and anonymously) to the purchases from his own funds
- the properties were presented to the National Trust for Scotland

Unna set down principles in a letter in 1937 to the NTS for the running of mountainous property, the overarching principle was that there should be **unrestricted access at all times and that the land be maintained in its primitive condition for all time**. In promoting the preservation of this "*primitive*" quality the mountains should not be made more easily accessible, or easier to climb, and there should be no building of facilities for lodging, shelter or food accommodation, or the construction of new footpaths, and that there should be no directional or other signs, paint marks or cairns introduced