

# PUBLIC LAND, PRIVATE SETTLERS, *and The Yosemite Valley Case of 1872*

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In a 2009 documentary film, Director Ken Burns and writer Dayton Duncan describe the National Parks as “America’s Best Idea.”<sup>1</sup> Although they may be right, the establishment of the national parks has not been without controversy. This article is about the creation of one of America’s first national parks, the Yosemite National Park in California. More specifically, it is about a controversy that arose when plans for the park came into conflict with claims of pioneers who had already settled in the Yosemite Valley. One of those settlers, James Mason Hutchings, persistently resisted California’s efforts to have him removed from the land he had claimed. Hutchings’s legal battle with the state eventually reached the United States Supreme Court in the 1872 case called *The Yosemite Valley Case*.<sup>2</sup>

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<sup>1</sup> Web page for the documentary is found at <http://www.pbs.org/nationalparks/history/>. All Web sites cited in this article were last accessed on October 1, 2009.

<sup>2</sup> *The Yosemite Valley Case*, 82 U.S. 77 (1872), also referred to as *Hutchings v. Low*.