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We are dedicated to the principle that history belongs to the entire community and that a better understanding of past events can improve public debate and decisions and enrich the lives of individuals.

Date of Award:
2021 Q1

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For more information, please read the attached report from HistoryLink.

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January 21, 2022

Marilyn Sheldon
Tulalip Tribes Charitable Fund
8802 27th Ave NE
Tulalip, WA 98271

Dear Marilyn,

HistoryLink's 2021 Tulalip Cares grant project is complete and we are thrilled to have added a new walking tour and several new articles to HistoryLink.org. We increased the project budget to add an additional in-kind article about Frank Shaffer, an Everett resident who was involved in a significant Espionage and Sedition Acts Supreme Court case. We are grateful to your funding and our Snohomish County writing team for making this year's project possible.

For 2021, the Tulalip Cares grant allowed us to add the following articles and tour:

Walking Tour

- Forest Park; HistoryLink.Tours File

Feature Articles and Timeline Entries

- Jetty Island (Everett); HistoryLink.org File 21336
- A fireworks malfunction sets part of Jetty Island ablaze on July 4, 1985.; HistoryLink.org File 21337

- Qwuloolt Estuary; HistoryLink.org File 21376
- North Ebey Slough levee at Marysville is breached, allowing tidal waters to flow into the Qwuloolt Estuary on August 28, 2015.; HistoryLink.org File 21379

In-Kind

Thanks to the generous contributions by several Snohomish County historians, we were also able to post the following to HistoryLink.org:

- "Baggy's Boys" -- How a team of tough kids from Everett won the mythical national championship of high school football; HistoryLink.org File 21180
- Shaffer, Frank (1877-1950?); HistoryLink.org File 21334

Your continued support has helped us strengthen our Snohomish County editorial team and continues to make HistoryLink better and we thank you again.

Sincerely,

Marie McCaffrey
Executive Director, HistoryLink

Margaret Riddle
HistoryLink Historian

Forest Park (Everett)

OVERVIEW

Forest Park is Everett's largest park and its second oldest, dating to 1894 when the city purchased two five-acre tracts, miles away from the town center. For years it was a place for picnicking, hunting and fishing in a forest setting close to home. Eighty more acres were purchased in 1909 and 20 more in 1916, extending park boundaries to Puget Sound via Pigeon Creek 1.

Forest Park was officially named in 1913, about the time that the Mukilteo Highway — now Mukilteo Blvd. — opened, dividing the park into upper and lower sections. The uphill portion, lying to the south of the boulevard, is what you will walk in this circular walking tour, which can be entered at any point.

The park's formative years revolved around a zoo (1914-1976) and a design transformation during the 1930s Great Depression. England-born parks superintendent Oden Hall (1883-1939) conducted one of Washington's largest Works Progress Administration (WPA) projects, employing hundreds of workers to clear land, build park structures, plant specimen and native trees and build cages for the zoo animals. They also constructed rock walls, some still in place, and built an extensive trail system, a playfield and Floral Hall, a community exhibition building which opened in 1940 and is now on the National Register of Historic Places. Hall served as parks superintendent from 1919 to 1939 but the Hall family leadership with Everett parks continued until 1972 under Oden's brother Walter and Walter's son John.

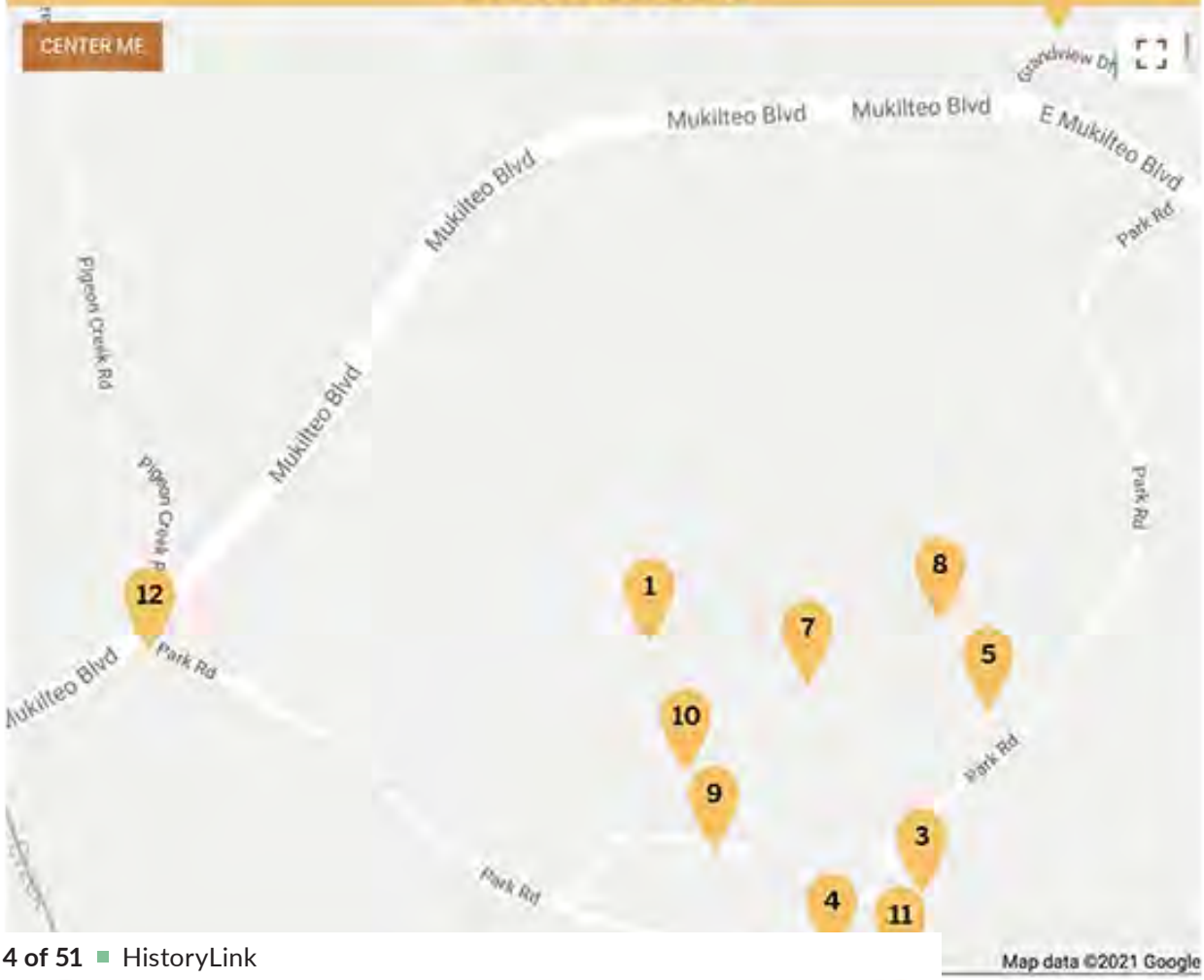
Over the years, Forest Park has hosted thousands of group events including annual workers picnics, Farm Labor Party gatherings in the early 1900s, flower and garden shows, arts, crafts and music events, an annual Rock and Gem Society show, the African-American Nubian Jam festival, historical displays and programs. For generations the park has been a place where families and friends can meet and play.
Parks maintenance is ongoing, with large renovation projects happening in the 1960s through the 1980s and presently. In 2014 the Washington Department of Natural Resources began a major park cleanup and restoration project, removing invasive English ivy and laurels and planting young trees along Mukilteo Blvd. Newer trees planted include sequoia, cedar, pine, and vine maple.

You are encouraged to check out Forest Park's easy and challenging trails, which are not part of this tour. A large sign with a trail map can be found at Point 6.

Transit riders should use the crosswalk with a traffic light on Mukilteo Blvd. to enter the park's east entrance at Point 1. Everett residents may want to cross the 1993 arch pedestrian bridge from Federal Avenue which exits on Elk Hill Drive, then hike a short trail into the park. Car and bike riders can climb the hill from the east or west entrances to the parking area and begin this circular tour at any point. The tour involves a steep climb and a steep descent but points 3 through 10 are on flat surfaced walkways and roads.

Follow this main road, past a mossy stairway, both leading to the park's upper area. On the east side of the road (on the left) is an interpretive sign explaining the importance of forest maintenance and the ongoing need for forest recovery programs.

TOUR STOPS



1 Bear Cage

Bear Cage (Forest Park)

The forest recovery sign roughly marks the location of Forest Park Zoo's bear cage, built when bears were added to the zoo in 1919. Housed in a small, caged area, the bears occasionally escaped. A 1922 news story recounts the...

VIEW TOUR STOP

2 Forest Park Zoo

Forest Park Zoo

Everett's Zoo is a large part of Forest Park history, lasting from 1914 to 1976. From a small start of three deer, two coyotes and two pelicans gifted to the city, the zoo grew to more than 200 animals at...

3 Floral Hall

Built in 1939-1940 with funds provided in part by the WPA, Floral Hall is a legacy of federal public works in the 1930s Great Depression. Concept for the building came from members of the Snohomish County Gladiolus Society who convinced...

VIEW TOUR STOP

4 Forest Park Swim Center

A proposed project of Everett City Councilman Carl Gipson (1924-2019), the Swim Center opened in 1975, on the site of the zoo's Monkey House. It was built first with a removable roof that was replaced in the 1980s with a...

5 Forest Park Recreation Center

Everett Junior College Vocational Carpentry students built this structure in 1961 to serve as a concession stand, following closure of the Forest Park Inn which sold snacks and gifts. The Recreation Department provides information to visitors, organizes and conducts recreational...

VIEW TOUR STOP

6 Picnic Shelter/Sports Area

The picnic shelter is another structure built by the Everett Junior College Vocational Carpentry class, this one completed in the 1960s. Here you will find tennis courts and horseshoe pits. Note a trail entrance east of the shelter. Follow the...

7 Rotary Centennial Playground

Everett Lions Club sponsored a project to build a children's wading pool which was dedicated on June 8, 1932. At 75 by 45 feet in size, the pool was considered one of the largest and best constructed playgrounds in the...

8 Picnic Area

The picnic area has a long and evolving history as a place for visitors to relax and meet with friends and family. But the area has also been used over the years for arts, music and other cultural events. Note...

9 Animal Farm

In 1970 Forest Park began a petting zoo, the Animal Farm, where visitors of all ages could have a closeup experience with rabbits, pigs, ducks, goats, chickens and ponies, with parks staff supervising and offering educational programs. The Animal Farm's...

VIEW TOUR STOP

10 Lion's Building/Spruce Hall/Fieldhouse

All three of these modest buildings serve as community meeting halls, available for renting, each with an interesting history. Lions Hall was a repurposed stadium that had once been part of the Deaconess Children's Home property, south of the park....

11 WPA Plantings, Forest Park

Plantings on the hillside south of Mukilteo Boulevard and below the ballfield have retained much of the park's 1930s design. Trees planted by WPA workers included cedar and pine, with the addition of deciduous specimen trees, laurel and English Ivy....

VIEW TOUR STOP

12 West Entrance, Forest Park

E Mukilteo Blvd & Forest Park Dr.

Here you can look across to lower Forest Park, which is no longer open to the public. During the WPA years, development in this lower park included shrub and brush cleanup, tree planting and weirs along Pigeon Creek 1. Head...

13

Historic Everett Fire Station No. 4

701 E Mukilteo Boulevard

Point 14 Historic Everett Fire Station #4 701 E Mukilteo Blvd. During World War II Everett's population grew rapidly with the arrival of military personnel at Paine Field and wartime workers at Everett Shipbuilding and Drydock Co., quickly stretching city...

VIEW TOUR STOP

Jetty Island (Everett)

By Phil Dougherty
Posted 10/14/2021
HistoryLink.org Essay 21336

Jetty Island is a man-made island located in Everett Harbor (Snohomish County) approximately one-quarter mile from the mainland. First built in the mid-1890s, the island was originally a jetty that extended southwest from Smith Island to provide a barrier to protect the harbor. It soon became apparent that the jetty was creating a silting problem in both the harbor and along the shoreline, and a permanent gap was cut in it in 1915, making the jetty an island. Beginning in the 1960s the island became increasingly used for public recreation, and today (2021) Jetty Island attracts tens of thousands of visitors each year.

To Build a Jetty

Everett's early settlers recognized that nearby Port Gardner Bay had excellent potential to be developed into a harbor, and the man most responsible for making this dream a reality was Henry Hewitt (1840-1918), a wealthy Tacoma lumberman. Hewitt arrived in the spring of 1890 to explore the area for the Northern Pacific Railroad, which planned to build a rail line there. It didn't take long for him to realize that the site had a greater potential. When he learned that Charles Colby (1839-1896), an associate of wealthy industrialist John D. Rockefeller (1839-1937), was looking for a location for the western branch of the American Steel Barge Company, he met with Colby and convinced him Everett was the place.

With the financial aid of Colby and Rockefeller, Hewitt purchased the land holdings of local settlers, most notably brothers Wyatt (1857-1931) and Bethel Rucker (1862-1945). In November 1890, Hewitt, along with Colby and one of his partners, Colgate Hoyt (1849-1922), and others formed the Everett Land Company (Land Company) to acquire the additional property needed to develop the waterfront and build a harbor that aspired to rival anything on the West Coast. One of the earliest plans drawn up, in late 1890 or in 1891, envisioned a large harbor protected by a jetty that blocked the flow of the Snohomish River as it exited into the bay and channeled it into the harbor.

The Land Company first had to buy the remaining tidelands, which proved to be more difficult than anticipated. Litigation ensued, which was finally resolved in the Land Company's favor in early 1893,

only a few months before the financial Panic of 1893 kicked off a severe depression which lasted for much of the rest of the decade. Nevertheless, the Land Company moved forward with its plans to develop the harbor, and by the end of the year the company had received approval from the U.S. government to proceed at its own expense. But Hewitt needed federal funds for the job, and spent part of 1894 lobbying the federal government for funds to dredge the harbor and build a "training dike" in the bay in front of the harbor to protect it. By the time the federal government approved funding and provided plans and specifications for the harbor and jetty, it was the spring of 1895.

Construction Woes

The contract to dredge the harbor and build the jetty was awarded to the Rucker brothers, and construction began in the early summer of 1895. Between then and November almost 8,000 feet of the jetty was built, stretching southwest from Smith Island and in front of the mouth of the Snohomish River. A double row of piles was laid and filled in with brush, but the brush wasn't anchored and soon began blowing away whenever there was a breeze. Crews learned to put rocks on the brush to keep it in place. Work paused in November 1895 and resumed a year later, during which time excavated soil from nearby dredging work was used to build up the west side of the jetty. By late 1897, the jetty was 14,000 feet long.

Here, work paused again. Though the original plan would have created tidal gates in the harbor to help keep it free of silt, the government had instead opted for a less expensive option and eliminated the gates in the final plan. This proved to be a costly mistake. Because the jetty blocked the flow of the Snohomish River as it exited into the bay, silt and debris from the river began flowing into the harbor and depositing along the shoreline. Repeated dredging as the 1900s began proved costly and futile. By the 1910s, it was becoming obvious that it wasn't working.

The problem had first been addressed in 1902 when a large opening, subsequently named Steamboat Gap, was cut out of the jetty in front of the mouth of the river to allow silt and river debris to flow into the bay instead of into the harbor. It worked, but the gap was nevertheless closed again in 1910 as part of a misguided attempt to increase the river's velocity to force the silt through the harbor channel and into the bay. Instead, the silt built up in the harbor at a faster rate than it had the first time the gap had been closed. The gap was opened permanently in 1915, and in later years it was widened at least twice until it was more than 2,000 feet wide.

Birth of an Island

The jetty was now a narrow, two-mile-long island, though it would be another half-century before the name Jetty Island would come into vogue. During the 1910s and 1920s, material from dredging operations and other sources was added to the west side of the island and slowly built it up. In 1912 and 1931 the northern part of the island was rebuilt to an elevation of slightly more than 14 feet, where it

remains today (2021). The southern 3,250 feet of the island is considerably lower, and barely above sea level at high tide.

In 1928, Everett voters approved the Port of Everett's purchase of several tracts of land along the Everett waterfront. This included the island, which became known (at least to the port) as Tract Q. The port assumed ownership in 1929, but little changed on the island for the next 20 or so years, despite development on the waterfront during World War II (1941-1945 in the U.S.).

By the late 1940s it was becoming common to sink old barges off the island's northern end, near the north bank of the Snohomish River at its mouth, to provide a breakwater for the harbor. Boats were left on Jetty Island too, including a famous one, the *Equator*. The vessel was built in 1888, and the following year it hosted the famous writer Robert Louis Stevenson (1850-1894) on a voyage across the South Pacific. It later served as part of an Arctic whaling fleet and, during its final years, as a tugboat on Puget Sound. It was unceremoniously dumped on the island in 1956 and forgotten before being rediscovered and removed from the island in 1967 and later restored. As of 2021, it is on display at the Port of Everett Boat Dock.

Growing Popularity

The island began to attract more public notice in the 1960s. Part of it was from the attention generated by the efforts to save the *Equator*, but other factors played a role. In 1961 the port allocated a portion of the island to Everett's Park Board to be used for picnicking and swimming that summer, and from there recreation on the island slowly increased. Both the port and the park board developed small parts of the island for recreation, and the Everett Kiwanis Club built a shelter there. The port also sporadically offered foot-ferry service to the island during the 1960s, but this was abandoned late in the decade. By the 1970s the island was growing increasingly popular with the public, and it had acquired a new name: Jetty Island.

This very popularity changed the port's plans to develop the harbor during this decade. Since assuming ownership in 1929, the port had periodically considered closing Steamboat Gap between the island and the adjacent shoreline. In 1973, it received a permit to fill in a seven-acre tract beginning at Preston Point on the mainland immediately across the harbor from the northern end of the island. There was already public concern about the possibility of industrial development on the island, and many felt the permit was the first step in the process. It was challenged in an appeal to the Shoreline Hearings Board, a state agency that hears appeals of local shoreline permit decisions. In a 1974 ruling, the board vacated the permit.

This did not end the dispute, and in an effort to find a solution, the issue went to an informal mediation overseen by the University of Washington Office of Environmental Mediation. The mediation lasted nearly a year before an agreement was reached in the autumn of 1977 between the port and a group of

citizens representing the jetty, dubbed by some wags as the Jetty Set. Though the agreement did not completely prohibit industrial development on the island, the port agreed to emphasize development along the Everett waterfront first.

More than 40 years later, there still has been no industrial development on the island. However, there has been further physical development of the island itself. The Corps of Engineers deposited more than a quarter-million cubic yards of sediment dredged from the Snohomish River along the western side of the island in 1989, creating a distinctive peninsula with a half-mile-long berm on its western edge and a saltwater marsh between the peninsula and the rest of the island. Among other purposes, the land was added to help slow the erosion of the island and to create a spot for birds and small shore creatures.

In 1983, Everett's Evergreen Fourth of July Association began hosting an annual fireworks display on Jetty Island. Two years later, the show created a local sensation when a 24-inch, 150-pound shell -- dubbed "Thor" by promoters -- failed to launch and instead ignited on the ground, resulting in a dramatic explosion. Though there were no injuries, the flaming fizzle resulted in a fire that burned on the island for three days and burned a strip of grassland nearly half a mile long.

Jetty Island Today

It was also in 1985 that foot-ferry service resumed to the island, for a brief eight days that summer. A city questionnaire found that 4,000 people visited during just those eight days alone. This led to the creation of Jetty Island Days in 1986, when the Everett Parks and Recreation Department began offering free ferry rides to the island between July 5 and Labor Day. Sandcastle contests, "kite days," and other programs later followed on the island, but there also have been programs fitted to a unique, one-time occasion. For example, an osprey nest with chicks was found on the island in 2006, and a camera was set up near the nest with the feed relayed to a nearby "discovery hut" where visitors could watch the chicks. By the 2010s, the island was hosting 50,000 visitors a year.

The COVID-19 pandemic led to the cancellation of Jetty Island Days in 2020, but they resumed in the summer of 2021. For the first time, there was a fare to ride the ferry: $3 per person. This writer's trip to the island on an unusually cool, cloudy day late that summer was a three-minute, quarter-mile ride across the harbor to a small dock on the other side. (A seal put in a cameo appearance near the boat as it slipped into the dock.) Aside from a restroom on the dock, there were no services on the island. A quarter-mile walk west through trees and shrubs -- surprisingly dense in the island's middle -- led to the main beach. To the north lay the island's highest point and quiet grasslands, while to the south the island eventually tapered off to a narrow, rocky jetty more than half a mile long. There were a few trails, but it was easier to walk along the broad, brown beach on the island's western shore.

The 186-acre Jetty Island supports more than 45 bird species, including the marsh hawk, cormorants, eagles, and dunlin, a bird similar to a sandpiper. Other animals on the island include deer mice and

meadow voles. Deer and coyotes also visit the island, but they are not permanent residents there; deer will sometimes swim to the island during high tide, while coyotes prefer to sneak across the shallows between the mainland and the island during low tide. There's a sprinkling of cottonwood trees along the northern two-thirds of the island, along with dune ryegrass -- a tall grass with a complex root system which helps prevent erosion -- and the beach pea, a vine of sorts that sports bright purple flowers.

This essay made possible by:
Snohomish County Community Heritage Project

View of Jetty Island from the Everett Harbor shoreline, August 20, 2021

HistoryLink photo by Phil Dougherty

Western shore of Jetty Island looking north, August 20, 2021

HistoryLink photo by Phil Dougherty

Main beach on western shore of Jetty Island, August 20, 2021

HistoryLink photo by Phil Dougherty

Southwestern shore of Jetty Island and jetty, August 20, 2021

HistoryLink photo by Phil Dougherty

Looking south from the eastern shore of Jetty Island along Everett Harbor, August 20, 2021

HistoryLink photo by Susan Dougherty

Ferry departing Jetty Island for return to the mainland, August 20, 2021

HistoryLink photo by Phil Dougherty

Sources:
David Dilgard and Margaret Riddle, *Shoreline Historical Survey Report,* November 1973 (Everett: Shoreline Master Plan Committee for City of Everett, 1973), 12-18, 24-32, 49-53; "Jetty Beckons Picnickers," *The Everett Herald,* May 7, 1965, p. 5-B; Jim Haley, "At Finale, Fireworks Show Only Fizzles," *Ibid.,* July 5, 1985, p. 1-A; Robert T. Nelson, Jim Haley, "Jetty Island Fires Covers N. Everett With Smoke," *Ibid.,* July 6, 1985, p. 1-A; Joel Connelly, "Jetty Isle Issue," *Seattle Post Intelligencer,* September 1, 1973, p. A-3; Jerry Montgomery, "Industry Attacks Plans for Island in Everett Harbor," *The Seattle Times,* February 18, 1972, p. D-12; "Port of Everett Project Blocked," *Ibid.,* March 27, 1974, p. B-4; Bob Lane, "Port of Everett, Citizens, Sign Pact," *Ibid.,* November 24, 1977, p. A-19; Charles Aweeka, "Free Jetty Island Rides Start July 5," *Ibid.,* June 25, 1986, p. H-1; Ignacio Lobos, "Man-Made Marsh Planned for Jetty Island," *Ibid.,* January 18, 1989, p. H-1; "Dredging and Berm Done at Jetty Island," *Ibid.,* January 16, 1990, p. B-3; Brian Alexander, "Free Ferry to Resume July 5 to Everett's Jetty Island Beaches," *Ibid.,* June 21, 2006, p. H-17; "Jetty Island Ecology," *Ibid.,* August 8, 2007, p. H-15; *HistoryLink.org Online Encyclopedia of Washington State History,* "Everett -- Thumbnail History" (by Janet Oakley), https://www.historylink.org (accessed July 11, 2021); Everett Waterfront Historical Interpretive Program, "The Port of Everett Celebrates 100 Years!" Port of Everett website accessed July 6, 2021 (https://www.historiceverettwaterfront.com/100); Everett Waterfront Historical Interpretive Program, "The Equator," Port of Everett website accessed July 6, 2021 (http://www.historiceverettwaterfront.com/waterfront-special-features/the-equator); "Jetty Island," Visit Everett website accessed July 5, 2021 (https://www.visiteverett.com/1323/Your-Guide-to-Everetts-Jetty-Island); Author unknown,"History of Jetty Island," April, 1986, copy in possession of Everett Library.

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A fireworks malfunction sets part of Jetty Island ablaze on July 4, 1985.

By Phil Dougherty
Posted 10/14/2021
HistoryLink.org Essay 21337

On July 4, 1985, a giant fireworks shell misfires as it is launched at the conclusion of Everett's Fourth of July fireworks display on Jetty Island, located in Everett Harbor just off the city's waterfront. The 24-inch shell erupts in an enormous fountain of sparks along the ground, setting part of the island on fire. The stubborn blaze burns for three days, partly because low tides prevent firefighters from drawing sufficient water from Port Gardner Bay to fight the fire. No injuries are reported, but nearly a half-mile strip of the two-mile-long island is burned.

Thor Doesn't Soar

It was supposed to be a salute to Ivar Haglund (1905-1985), a well-known Seattle character and seafood restaurateur who had died earlier in the year. Haglund had sponsored Seattle's Fourth of July show for the preceding 20 years, so it seemed fitting for nearby Everett to dedicate the finale of its Fourth of July show to him. It would be the firing of a 24-inch, 150-pound shell, said to cost $3,000 ($7,500 in 2021 dollars). The giant firework was expected to rise more than half a mile and burst into a half-mile-wide flare resembling a chrysanthemum, visible for miles around. It even had an appropriately grand name: Thor.

A happy crowd watched the show from the Everett waterfront that evening. It went off without a hitch until it was time for Thor. The crowd waited expectantly for the launch, but something else followed: "The 24-inch shell, which was supposed to have been the largest ever launched on the West Coast, never left its mortar launcher," explained an (Everett) *Herald* reporter. "Instead of rising the anticipated 2,700 feet in the air before exploding, it ignited on the launching pad, immediately becoming the largest fountain ever ignited on the West Coast" ("Jetty Island Fires…").

Though nearly all the fireworks had been set off from the eastern end of the narrow island, facing the Everett shore, the pyrotechnician in charge of the show had moved the mortar for the big shell to the island's western end to get it as far away from spectators as possible. The fiery shower spewed into

tinder-dry grass and set it ablaze, and the flames spread briskly in the onshore breeze. Volunteers unsuccessfully fought the fire into the wee hours of the next morning. By then, it was continuing to slowly spread among the tall grass and driftwood in the center of the island.

Don't be a Thor-Head

Firefighting efforts the next morning got off to a poor start. A fire crew being taken to the island by a police boat was stranded when the boat grounded because of the low tide. When the crew finally landed at noon, they realized the portable pumps they had brought were too small to pump water from Port Gardner Bay during low tide. When they finally got water on the fire, the resulting smoke sent a pall over the Marina Village complex and the northern part of Everett, giving residents an unpleasant reminder of the city's infamous months-long "tire fire," which had been just been put out that spring. To add insult to injury, firefighters were also forced to battle a smaller brush fire south of the main fire, which had been accidently set by revelers on the island shooting off fireworks at about the same time that the main fire erupted.

The difficulties continued the following day. That morning two of the three pumps being used to fight the fire broke down, and the remaining pump was unable to get enough water on the fire because the tide was once again out. Strong winds made the fire harder to fight and continued to send smoke over Everett's northern neighborhoods. People complained. The adverse publicity so irked the pyrotechnician that he called the *Herald* to state his case. He assured the paper that fireworks were safe, pointing out that the rest of the 250-piece show had gone off without a hitch. The *Herald* aired his views in an article titled "Don't be a Thor-head -- give the guy a break."

By the time firefighters left the island that evening they were gaining the upper hand, and they got it largely put out by the end of the next day, July 7. There were no injuries from either the blast or the fire, and though it burned a nearly half-mile strip of grass in the center of the island, damage was minor. Except for a few seagull eggs, the island's bird population was similarly unaffected, partly because their nesting areas were on the northern part of the island and not impacted by the blaze.

Six weeks after the blast, city officials announced they believed they had determined the cause of the epic fail. Apparently, neither mortar nor shell had malfunctioned. Instead, the incoming tide had weakened the sand under the 10-foot launching tube, making the launch site unstable. When the device was ignited, the sand spread the force of the ignition along the ground, which caused the shell to explode in its launcher.

This essay made possible by:
Snohomish County Community Heritage Project

View of Jetty Island from the mainland dock, August 20, 2021

HistoryLink photo by Phil Dougherty

Main beach on western shore of Jetty Island, August 20, 2021

HistoryLink photo by Phil Dougherty

Jetty Island scene, August 20, 2021

HistoryLink photo by Susan Dougherty

Returning to the mainland aboard the ferry, August 20, 2021

HistoryLink photo by Phil Dougherty

Sources:
Rich Myhre, "Parades, Fireworks Mark Celebrations of Fourth of July," *The* (Everett) *Herald*, July 2, 1985, p. 3-B; Jim Haley, "At Finale, Fireworks Show Only Fizzles," *Ibid.*, July 5, 1985, p. 1-A; Robert T. Nelson and Jim Haley, "Jetty Island Fires Cover N. Everett With Smoke," *Ibid.*, July 6, 1985, p. A-1; Robert T. Nelson, "Don't be A Thor-Head -- Give the Guy A Break," *Ibid.*, July 7, 1985, p. 1-A; Allan May, "Frustrated Firefighters Spend Day Battling Stubborn Blazes on Jetty," *Ibid.*, July 7, 1985, p. 1-B; "Jetty Fires Pretty Well Doused," *Ibid.*, July 8, 1985, p. 2-B; Dennis Lebow, "Most Jetty Wildlife, Habitat Unharmed by Fires," *Ibid.*, July 12, 1985, p. 1-B; "Softened Jetty Sand Caused Rocket Fizzle," *Ibid.*, August 16, 1985, p. 1-B.

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Qwuloolt Estuary (Marysville)

By Lisa Labovitch
Posted 12/14/2021
HistoryLink.org Essay 21376

Located just East of Interstate 5 as one enters Marysville from the south, the Qwuloolt Estuary serves as a model for Tribal-led multigovernmental habitat restoration. From conception to completion, the project took a little over 20 years of careful community education and engagement to succeed. At a cost of $20.5 million, 315 acres of Snohomish River floodplain were returned to as close to their original state as possible. This process required multiple phases of land acquisition, clean up, stream restoration and even relocation, and levee construction before the eventual 2015 levee breach flooded the former agricultural land.

Native Stewardship

The land that is currently known as Marysville has been the ancestral land of Coast Salish peoples for thousands of years; these are the ancestors of the allied nations of the Tulalip Tribes, which include the Snohomish, Snoqualmie, Skagit, Suiattle, Samish, and Stillaguamish. The Qwuloolt Estuary is one restored portion of what was formerly a large estuarial landscape created where the Snohomish River met with smaller tributaries to flow into the Salish Sea. Vegetation was a mix of marsh plants, forest, and scrub-shrub wetlands created by a variety of elevations and the influence of brackish water introduced by tidal channels.

During the time of unencumbered tribal stewardship, this area was a vital habitat for multiple species of fishes, birds, and mammals. Coast Salish peoples utilized the natural resources of the estuary for multiple cultural and resource-gathering purposes including fishing, bird and mammal hunting, and the harvesting of plants for food, basketry, and medicine.

Non-Native Alterations

In the mid-nineteenth century the influx of non-Native settlers to the region began to rapidly alter natural ecosystems. The land that would later become the Qwuloolt Estuary was removed from Native stewardship with the signing of the 1855 Point Elliott Treaty and the creation of the Tulalip Reservation.

Over time the land was acquired by non-Native settlers to be used for westernized agricultural practices. The land was deforested and cleared of larger species of native vegetation. To convert the marshy tidelands to pasture, a levee with tide gates was constructed in order to prevent brackish water from saturating the soil. Over the subsequent decades of cattle and dairy farming usage, the soil dried out and organic matter within slowly decomposed. The soil shrank and subsided as it dried, losing the diversity in elevation that had resulted in different types of native vegetation.

Agricultural activities continued until the early 1960s, when after a brief period of disuse, the land was converted to a landfill. From 1964 through 1979 the Seattle Disposal Company deposited an estimated 4 million tons of industrial waste at what was referred to as the Tulalip Landfill. The waste was improperly stored, and the site began to leach toxins into the estuary and continued to do so long after the closure of the landfill. This contamination caused the loss of 147 acres of intertidal wetland habitat.

Restoration Planning

In 1994 the Natural Resource Trustee Council was formed with representatives from the Tulalip Tribes, the National Oceanic and Atmospheric Administration, the United States Fish and Wildlife Service, and the Washington State Department of Ecology. The aim of the council was to assess the damage caused to the Snohomish River Estuary by the landfill site and to develop a list of restoration options.

In 1995 the former Tulalip Landfill was declared a Superfund site, a designation that opened the door to pursue a wider variety of funding sources when planning restoration work. Following the Superfund designation, the landfill site was cleaned up and capped in a separate project in 2000. In order to offset the habitat loss to the Snohomish River estuary, the council put forward a plan to restore an adjacent area to its historic intertidal wetland state. The site was selected due to its proximity to the landfill site, and because key parcels were owned by the Tulalip Tribes and the City of Marysville. To reflect the Tulalip heritage and continued stewardship of the land, the Lushootseed word Qwuloolt, translated as "marsh," "salt marsh," or "great marsh," was chosen for the future estuary.

Years of careful planning, outreach, and negotiation followed. The proposal was initially met with resistance by local property owners who had concerns ranging from smell, to flooding, to an increase in rats and mosquitoes. The City of Marysville had concerns about potential flooding to its stormwater treatment facility. The conflicting views made it vital to emphasize relationship-building within the community, specifically with the property owners who were being asked to lose land to the estuary, some of whom were still actively farming. Numerous community and interagency events were held to educate stakeholders on the goals and benefits of the restoration and to hear concerns.

Throughout the process, the Tulalip Tribes took a leading role in this sensitive work. As a result of the 1974 Boldt Decision protecting the rights of tribal citizens to fish in their treaty reserved fishing areas, tribal governments were affirmed in their role as co-managers of all fisheries in Washington.

Recognizing these sovereign rights and the collective expertise of generations of Indigenous resource management practices was key to the planning and public education process.

Initial Phases

Due to successful efforts to gain the approval of key stakeholders, the project was able to proceed. Before the final stage of levee breach could be attempted, project managers needed to acquire properties in the project area and secure permits and funding from multiple agencies at the tribal, county, state, and federal levels. An initial 200 acres of farmland were purchased by the Tulalip Tribes in 1998, and additional land was acquired over the years. Through a combination of purchasing with restoration funding, easements, and land swaps, the total acreage of the project reached 315. The process was complex and involved years of difficult negotiations, which in the end took nearly 20 years and $20.5 million to complete.

As the land acquisition, permitting, and funding pieces fell into place, the physical work of restoration was able to commence. From 2008 to 2015 workers engaged in preparing the estuary site by removing garbage and structures, restoring the streams and natural range in topography, and planting native vegetation. A setback levee was constructed by the U.S. Army Corps of Engineers in order to protect the City of Marysville's stormwater filtration facility adjacent to the estuary site. At the recommendation of consultants hired for the project, Alan Creek was rerouted so that its outlet was farther upstream; another measure designed to protect the stormwater facility. Aside from this alteration, Alan and Jones creeks were restored as close to their historic states as possible.

Restoration Progress and Outcomes

The work of restoring the Qwuloolt Estuary did not end with the breaching of the levee, which took place on August 28, 2015, though the period of human intervention had largely ended. In the years following, change has come from the repetition of natural processes. Tides bringing in salt water repeatedly flood fields still containing invasive species, slowly killing off plants that are no longer suited for the new environment. Decomposing dead plants return organic matter to the slowly changing soils. Incoming tides also bring sediment that continues to alter the topography and carve channels and streambeds as they recede.

Human interaction with the estuary has not ceased altogether. The focus has shifted from active restoration work to monitoring the site as natural forces continue to effect change. In the years since the breach, several monitoring stations have been installed to analyze sedimentation and hydrology. The Northwest Fisheries Science Center began monitoring pre-breach fish populations in 2009 in collaboration with the Tulalip Tribes. Before the breach, studies showed that 90 percent of fishes observed were invasive species; these populations have dwindled because they were ill-suited for survival in a brackish environment.

Monitoring, particularly of salmon populations, has continued in the years following the breach, receiving funding from the Pacific Coast Salmon Recovery Funds, the Environmental Protection Agency National Estuary Program, and the Tulalip Tribes. Within two months of the breach, marine species such as smelt and coho were observed in the recovering habitat. The variety and abundance of fishes has increased over time, but progress is still dependent on continued habitat maturation. Those observing the salmon populations have noted that the temperatures in the estuary warm sooner than in other established habitats because there is still a lack of appropriate vegetation to provide shade. Fishes observed will use the site, but for shorter periods than at other sites where the temperature was better regulated from extremes. Despite the somewhat challenging conditions, approximately 1,000 fish per hectare are estimated to be in the channels during peak season. Sampled Chinook DNA shows that individuals visit from as far as the Skagit and Stillaguamish rivers; Snohomish River Chinook seem to follow a reverse pattern by visiting estuaries in those locations.

Habitat usage by other wildlife continues to grow, as native vegetation matures and outcompetes the invasive species that remain. At the time of this essay [2021] it was estimated that 30 to 40 percent of the site was vegetated. Much of the land is currently mudflats, though that will change as sediment and organic materials continue to accumulate and restore the topography. Over 350 species of birds have been observed using the estuary for foraging, nesting, roosting, and hunting. Mammals present include harbor seals, sea lions, beavers, otter, mink, muskrat, raccoons, deer, coyotes, porcupines, and various small rodents. Despite the initial fears of the neighboring property owners, the site does not appear to have attracted more rats; the dominant rodent species at the site seems to be voles.

Aside from the benefits to local wildlife, the Qwuloolt Estuary has become a destination for people who enjoy outdoor recreation. The City of Marysville created 1.8 miles of new trail to explore the estuary and connect with the Ebey Waterfront Park on the west side of the estuary. Trails leading from Harborview Park on the east side of the estuary provides a more forested approach to the site and connect a residential neighborhood with the habitat. Both trailheads have become popular with wildlife enthusiasts, birdwatchers, and those who just want a quiet, scenic place to recreate.

The continued success of the Qwuloolt Estuary restoration remains dependent on regional and global factors. The Snohomish River watershed produces 25-50 percent of the coho salmon in the Puget Sound region but currently retains only about 17 percent of its historic estuaries. Other areas of the Snohomish River Estuary have been involved in either active or passive restoration efforts, including Ebey, Spencer, and Smith islands, as well as Union Slough. Global climate change brings new challenges to salmon habitat preservation in the form of rising sea levels and water temperatures. Increased urbanization along the Sound threatens habitat in other locations. In the years to come, the Qwuloolt Estuary will serve as a model for how to engage residents and governments in a way that all stakeholders see the value of the vital work being done.

This essay made possible by:
Snohomish County Community Heritage Project

Crew opening Ebey Slough levee, Qwuloolt Estuary, August 28, 2015, 12:15 p.m.

Courtesy Tulalip Tribes

Flooded Qwuloolt Estuary, August 28, 2015, 2 p.m.

Courtesy Tulalip Tribes

Levee regrowth, Qwuloolt Estuary, July 6, 2019

Courtesy Tulalip Tribes

Qwuloolt Estuary from Harborview Park trails, October 31, 2021

Photo by Lisa Labovitch

Sources:

"People," Qwuloolt Estuary website accessed October 29, 2021 (https://www.qwuloolt.org/AboutUs/People); Todd Zackey, et al., "Snohomish River Estuary System-Wide and Qwuloolt Monitoring Ecosystem Response to Restoration and Climate Change in the Snohomish River Estuary: Field Operations and Data Summary," draft dated October 31, 2021, Environmental Department, Tulalip Tribes Natural Resources; Patrick Christie, et al., "Policy Pivot in the Puget Sound: Lessons Learned from Marine Protected Areas and Tribally-Led Estuarine Restoration," *Ocean & Coastal Management*, September 1, 2018, 72-81;Lisa Labovitch interview with Kurt Nelson, Environmental Department Manager, Tulalip Tribes, November 30, 2021, interviewer notes in possession of the Northwest Room at the Everett Public Library; Kim Kalliber, "Resurrecting an Estuary: The Qwuloolt Restoration Project," *Tulalip News syəcəb*, August 14, 2013 (https://www.tulalipnews.com/wp/2013/08/14/resurrecting-an-estuary-the-qwuloolt-restoration-project/); Kim Kalliber, "Bringing Life Back to the Qwuloolt Estuary," *Tulalip News syəcəb*, September 9, 2015 (https://www.tulalipnews.com/wp/2015/09/09/bringing-life-back-to-the-qwuloolt-estuary/); Scott Morris, "Tribe Floats Plan to Restore Marsh," *Everett Daily Herald*, May 10, 2006, accessed via *Shared Strategy Archival Site* November 30, 2021 (https://www.psp.wa.gov/shared-salmon-strategy/e-bulletin/2006-06/restore-marsh.htm); Qwuloolt Estuary Restoration, webcam footage, August 28, 2015, accessed November 24, 2021 (http://video-monitoring.com/timelapse/tulalip/slideshow.htm); "Integrated Restoration," Qwuloolt Estuary website accessed October 29, 2021 (https://www.qwuloolt.org/RestorationPlan/IntegratedRestoration); Chris Winters, "Qwuloolt Estuary Project's Goal: Return of the Wild Salmon," *Everett Daily Herald*, August 22, 2015 (https://www.heraldnet.com/news/qwuloolt-estuary-projects-goal-return-of-the-wild-salmon/);Chris Winters, "After Levee Breach, Marine Life Returns to Qwuloolt Estuary," *Everett Daily Herald*, November 2, 2015 (https://www.heraldnet.com/news/after-levee-breach-marine-life-returns-to-qwuloolt-estuary/); "Wildlife" Qwuloolt Estuary website accessed October 29, 2021 (https://www.qwuloolt.org/QwulooltEstuary/Wildlife); "Restoration Plan," Qwuloolt Estuary website accessed October 29, 2021 (https://www.qwuloolt.org/RestorationPlan/SnohomishEstuary)

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North Ebey Slough levee at Marysville is breached, allowing tidal waters to flow into the Qwuloolt Estuary on August 28, 2015.

By Lisa Labovitch
Posted 12/14/2021
HistoryLink.org Essay 21379

On August 28, 2015, the North Ebey Slough levee at Marysville, Snohomish County, is breached by construction workers, allowing tidal waters to flow freely into the newly named Qwuloolt Estuary for the first time in more than a century. The breach culminates more than 20 years of collaborative outreach, planning, and work led by the Tulalip Tribes to restore vital habitat for native salmon and other wildlife on the Snohomish River.

Reclaiming a Wasteland

The land that would become the Qwuloolt Estuary was removed from Native American stewardship in 1855 with the signing of the Point Elliott Treaty and the creation of the Tulalip Reservation adjacent to Marysville. Over time the land was acquired by non-Native settlers to be used for agriculture, and then deforested and cleared of all larger species of native vegetation. To convert the marshy tidelands to pasture, a levee with tide gates was constructed to prevent brackish water from saturating the soil.

Agricultural activities continued until the early 1960s, when, after a brief period of disuse, the land was converted to a landfill. From 1964 through 1979 the Seattle Disposal Company deposited an estimated 4 million tons of industrial waste in what was referred to as the Tulalip Landfill. The waste was improperly stored, and the site began to leach toxins into the Snohomish River Estuary and continued to do so long after the closure of the landfill. This contamination caused the loss of 147 acres of intertidal wetland habitat.

In 1994, a coalition called the Natural Resource Trustee Council was formed to assess the damaged caused by the landfill and to develop a list of restoration options. A year later the landfull was declared a federal Superfund site, allowing access to additional funding. A site adjacent to the former landfill was then selected for restoration. The Lushootseed word Qwuloolt -- meaning "marsh," "salt marsh," or "great

marsh" -- was chosen for the future estuary.

In 1998, the Tulalip Tribes purchased 200 acres of farmland for the project. Eventually, another 115 acres were added through purchases, easements, and land swaps, bringing the total to 315 acres. From 2008 to 2015, workers prepared the estuary site by removing garbage and structures, restoring streams and topography, and planting native vegetation. Total cost for the project was $20.5 million.

The Levee is Breached

Construction crews were at the levee at sunrise on August 28, 2015, ready to move their excavation equipment onto the breach location. As boats cruised by, the workers chipped away at the saltwater side of the structure, finally reaching the water level around noon. Just before 1 p.m., the freshwater side of the levee was breached, and the two water sources were finally able to intermingle. Crews completed the excavation work around 2:30 p.m. as the tidal waters slowly began to flood the newly-reconnected Qwuloolt Estuary.

By 2021, marine species had returned to the recovering habitat; 30 to 40 percent of the site was vegetated; more than 350 species of birds had been observed; and mammals present included harbor seals, sea lions, bevers, otter, mink, muskrat, raccoons, deer, coyotes, and porcupines. In addition, the Qwuloolt Estuary had become a retreat for humans after the City of Marysville built 1.8 miles of new trails through the site for exploration and to connect with the Ebey Waterfront Park on the west side of the estuary.

This essay made possible by:
Snohomish County Community Heritage Project

Crew opening Ebey Slough levee, Qwuloolt Estuary, August 28, 2015, 12:15 p.m.

Courtesy Tulalip Tribes

Levee regrowth, Qwuloolt Estuary, July 6, 2019

Courtesy Tulalip Tribes

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"People," Qwuloolt Estuary website accessed October 29, 2021 (https://www.qwuloolt.org/AboutUs/People); Todd Zackey, et al., "Snohomish River Estuary System-Wide and Qwuloolt Monitoring Ecosystem Response to Restoration and Climate Change in the Snohomish River Estuary: Field Operations and Data Summary," draft dated October 31, 2021, Environmental Department, Tulalip Tribes Natural Resources; Patrick Christie, et al., "Policy Pivot in the Puget Sound: Lessons Learned from Marine Protected Areas and Tribally-Led Estuarine Restoration," *Ocean & Coastal Management*, September 1, 2018, 72-81;Lisa Labovitch interview with Kurt Nelson, Environmental Department Manager, Tulalip Tribes, November 30, 2021, interviewer notes in possession of the Northwest Room at the Everett Public Library; Kim Kalliber, "Resurrecting an Estuary: The Qwuloolt Restoration Project," *Tulalip News syəcəb*, August 14, 2013 (https://www.tulalipnews.com/wp/2013/08/14/resurrecting-an-estuary-the-qwuloolt-restoration-project/); Kim Kalliber, "Bringing Life Back to the Qwuloolt Estuary," *Tulalip News syəcəb*, September 9, 2015 (https://www.tulalipnews.com/wp/2015/09/09/bringing-life-back-to-the-qwuloolt-estuary/); Scott Morris, "Tribe Floats Plan to Restore Marsh," *Everett Daily Herald*, May 10, 2006, accessed via *Shared Strategy Archival Site* November 30, 2021 (https://www.psp.wa.gov/shared-salmon-strategy/e-bulletin/2006-06/restore-marsh.htm); Qwuloolt Estuary Restoration, webcam footage, August 28, 2015, accessed November 24, 2021 (http://video-monitoring.com/timelapse/tulalip/slideshow.htm); "Integrated Restoration," Qwuloolt Estuary website accessed October 29, 2021 (https://www.qwuloolt.org/RestorationPlan/IntegratedRestoration); Chris Winters, "Qwuloolt Estuary Project's Goal: Return of the Wild Salmon," *Everett Daily Herald*, August 22, 2015 (https://www.heraldnet.com/news/qwuloolt-estuary-projects-goal-return-of-the-wild-salmon/);Chris Winters, "After Levee Breach, Marine Life Returns to Qwuloolt Estuary," *Everett Daily Herald*, November 2, 2015 (https://www.heraldnet.com/news/after-levee-breach-marine-life-returns-to-qwuloolt-estuary/); "Wildlife" Qwuloolt Estuary website accessed October 29, 2021 (https://www.qwuloolt.org/QwulooltEstuary/Wildlife); "Restoration Plan," Qwuloolt Estuary website accessed October 29, 2021 (https://www.qwuloolt.org/RestorationPlan/SnohomishEstuary)

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"Baggy's Boys" — How a team of tough kids from Everett won the mythical national championship of high school football

By Steve K. Bertrand
Posted 6/22/2021
HistoryLink.org Essay 21180

Everett High School captured the mythical national championship of high school football for 1920, claiming the title with a 16-7 victory over East Technical High School of Cleveland, Ohio, on January 1, 1921. In this original essay, Steve K. Bertrand -- an award-winning poet, historian, photographer, and longtime teacher and coach in the Everett School District -- writes about Everett's championship season, legendary coach Enoch Bagshaw, and the boys who made their mill town proud.

Tough Kids in Cleats

They were the sons of fishermen, pastors, saloon owners, merchants, businessmen, mill workers and mill owners, the boys who played football at Everett High School under Coach Enoch "Baggy" Bagshaw in the fall of 1920. They weren't big, but the boys from "The School of Champions" were disciplined and really, really tough. They were also well coached. They had tied Scott High School of Toledo, Ohio, 7-7, the previous year to finish the season unbeaten and with a partial claim to the mythical U.S. high school football national championship. Now, they wanted to win a national title outright.

Some 35 boys gathered on Athletic Field for practice the first week of September 1920. Athletic Field was located in the Riverside Neighborhood of Everett, at 24th Street and Rainier Avenue, the site of the old North Junior High School, now North Middle School. It had been a portion of the old fairgrounds. For four months the boys climbed into their football togs and trotted up and down Athletic Field every afternoon following school for football practice.

Coach Bagshaw had told them the same thing he told every team he coached on the first day of practice — "If you wanna play football, you gotta bring your own practice gear!" And so, the boys' mothers went to work making practice gear for their sons. They stitched together leather helmets to protect the boys'

heads. They sewed together sturdy practice jerseys and pants. They bought lace-up, leather walking boots, and had the local cobbler add spikes. There weren't any face guards. No pads. Yes, you had to be tough to play football in those days.

Coach "Baggy"

Enoch Williams "Baggy" Bagshaw was born on January 31, 1884, in Flint, Wales. He moved to Washington in 1892. His family settled on Seattle's Capitol Hill. He graduated from Broadway High School (known as Seattle High School) in 1903. Interested in becoming a mining engineer, Bagshaw enrolled in the University of Washington. He financed his education by delivering newspapers and milking cows. During his days at Washington, Bagshaw played football, just as he had done at Broadway High School. Short and 130 pounds, Bagshaw was a versatile player. A five-year starter and letterman, he played end, halfback and quarterback. He was also team captain. He graduated from the University of Washington in 1907. During this era, eligibility rules weren't quite so rigid. Bagshaw was the first of only two five-year lettermen in Huskies history. Of notable interest, Bagshaw is credited with throwing the first forward pass in school history during a game on October 10, 1906.

Following college, Bagshaw worked for a year as a Snohomish County engineer surveying roads. Then, he became a science teacher at Everett High School in 1909. Bagshaw was also given the duties of head football coach. Bagshaw served as a First Lieutenant with the 43rd Engineer Battalion of the United States Army during World War 1. Thus, he did not coach football in 1918. Following the war, he returned to Everett High School and resumed his duties as a teacher and coach.

His greatest gift was his ability to coach football. Bagshaw was dedicated. He lived the game. And, he expected his players to be the same way. A disciplinarian and perfectionist, Bagshaw often barked at his players. Neighbors had taken to closing their doors and windows during football practice to avoid hearing Bagshaw's tirades. He'd often push his players beyond what they thought they could do, shouting "Pick it up, kid!" "No slouching!" "Keep your rear down!" "You got this!" or "Take a lap!" His style of rough, tough football was well-suited to mill town. Bagshaw instilled a spirit in his players people noticed and liked. As a result, folks loved him. They called him "Baggy." But, on the football field, it was strictly business. It was "Coach Bagshaw." He didn't carry a clipboard, nor did he blow a whistle. But when Bagshaw spoke, people listened.

The Talk of the Town

Everett was still a relatively young town. It had been incorporated in 1893, the same year as the Panic of 1893. Also known as the "Silver Panic," the financial crisis closed shops, factories and banks. People left town. Still, it was Everett's toughness that helped it prevail. A theatre was built. The *Everett Herald* started. Houses sprung up. Saloons and churches were built. Everett's streets were named after wealthy investors such as Henry Hewitt, Charles Colby (the town is named after his son, Everett), John D.

Rockefeller and Colgate Hoyt, who helped put Everett on the map. Another plus was the arrival of James J. Hill's Great Northern Railway in 1893. And, as the population quickly grew, mills sprung up along the bayside and riverside. People called Everett the "Pittsburgh of the West." Folks bragged it was the lumber capital of the world.

A raw town, Everett was often at odds with itself. Mill owners and mill workers didn't always see eye to eye. There were frequent strikes. These rising tensions would lead to "Bloody Sunday," or "The Everett Massacre," which took place on Sunday, November 5, 1916. The battle between local authorities and the Industrial Workers of the World (called "Wobblies") left seven dead on Everett's City Dock. In 1920, The Everett Massacre, like the Spanish flu, lingered in the streets of Everett. Still, Bagshaw had a way about him. A healer and inspirer, he brought the community together around football. Yes, people could definitely agree on one thing: Everett had a darn good football team. Rich or poor, Baggy and his boys were the talk of the town.

Baggy's boys practiced until dark, passing, punting, kicking, blocking, tackling, and running. They did lots of pushups too. Sometimes, if practice didn't go quite to Bagshaw's liking, the boys ran the hill from Athletic Field to the high school. Rainier to Colby. Back and forth. Again and again. No rest. The clatter of cleats and labored breathing under the street lights after dark before heading home to dinner. Coach Bagshaw worked the boys hard. He wanted them ready for the strenuous season ahead. Over the next couple of weeks, he whipped the boys into shape.

Bagshaw knew he had a promising team with veteran lettermen from the 1919 squad including Les Sherman (captain/fullback), Carl "Mickey" Michel (halfback), Glenn "Scoop" Carlson (quarterback), Ed Manning (halfback), George "Windy" Wilson (halfback), Chalmer "Brute" Walters (center), Ray "YMCA" Witham (guard), Fred Westrom (end), Merle "Pete" Dixon (end), Roy "Peroxy" Sievers (end), Harold "Tubby" Britt (tackle), and Clarence "Clibbets" Torgeson (tackle). Plus, there were new players like Art Ingham (guard), Walt Morgan (halfback), and George Guttormson (substitute quarterback).

As summer waned, the day of the first game approached. And, with its approach, the Everett High School football team of 1920 set out on its pursuit to win the high school championship of the United States. A national championship. "We'll take it one game at a time, boys," said Coach Bagshaw.

Into the Season

The 1921 Everett High School yearbook, the *Nesika*, chronicles well the events of that glorious 2020 season. The first game was held on Monday, September 13. It was a preparatory game against the Everett High Alumni team made up of some of the best players who ever played football for Everett. Two of the boys had been stars on the 1919 co-champions. The two teams battled to a 13-13 tie. But, it was obvious to everyone gathered at Athletic Field that Coach Bagshaw had himself another championship-caliber team.

The next game was scheduled for Saturday, September 25, against Stanwood High School. But at the last minute, Stanwood backed out, so Sedro-Woolley agreed to come down and play Everett. For the first half, Bagshaw played his second team. But, during the second two quarters, he played his regular squad. In the end, Everett stomped Sedro-Woolley 68-0. The game drew a fair-sized crowd to Athletic Field. Interestingly, Sedro-Woolley would be the only Washington high school team Everett played in 1920.

In those days, Everett took on anyone who chose to challenge them in a football game. This included prep, college and military teams. And so, on Saturday, October 2, the Bremerton Navy Yard team traveled to Everett to play Baggy's boys. Bremerton was confident they could beat Everett. After all, Bremerton outweighed Everett seven pounds a man. They were also all over 21, as some of them had fought for Uncle Sam in World War 1. What chance did these teenagers have against grown men? The Naval commanding officer told his players not to play too rough against the boys. Therefore, it was quite a surprise to Bremerton when they got beat 27-0.

The following Saturday, October 9, another Naval team journeyed to Everett to take on Baggy's boys. They were the Bremerton Naval Base Hospital. They had recently beaten Bremerton Navy Yard by a score comparable to Everett. It looked to be a good matchup. However, with several second team men in the lineup, Everett sailed right through them. In the end, they notched a win over Naval Base Hospital by a score of 84-0. Baggy's boys even managed to score four touchdowns in the final six minutes of the game. Everett was running up such big scores, other teams didn't want to play them. Folks still spoke of the 170-0 drubbing Baggy's team had given Bellingham in 1913. In 1920, Chehalis cancelled its game against Everett.

Consequently, there was no game on Saturday, October 16, so the team traveled to Seattle to watch the University of Washington play the University of Montana. Prior to the game, Everett watched the University of Washington's freshmen squad play St. Martin's College. Everett had an interest in this game as it was scheduled to play both teams over the next two weeks.

The game against the University of Washington freshmen was played on Saturday, October 23. Again, they were playing a team with players much older than Baggy's boys. Furthermore, the UW freshmen were eager to play Everett. They wanted revenge. They had tied Everett 7-7 the previous year. It looked like Everett had finally met its match. But Coach Bagshaw had his boys ready. And, through the fight on Athletic Field, Everett prevailed 20-0. The local paper said, "The crack University team returned to Seattle a sadder but wiser eleven."

On Sunday, October 31, Everett faced St. Martin's College in a game that promised to be an exciting 60 minutes of football. Incidentally, Bagshaw insisted his boys play 15-minute collegiate quarters, instead of 12-minute high school quarters. Previously, St. Martin's had played the UW freshmen to a standstill. Everett had beaten the UW freshmen. St. Martin's College wanted to prove it was better than the UW frosh. The game was a tussle from beginning to end. There were several injuries. The Athletic Field was

quite muddy. Roy Sievers, who played left end for Everett, had a brilliant game. However, he had to be taken out during the second half with a broken ankle. In the end, Everett sacked St. Martin's 19-0.

Because there was no game scheduled for Saturday, November 6, Everett again traveled to Seattle, this time to watch the Washington-Stanford game.

Then, on Saturday, November 13, The Dalles (Oregon) High School team traveled to Everett to try their luck against Baggy's boys. They were the reigning champions of Oregon. Newspapers were calling the game the "Interstate Championship." But luck was not with The Dalles team on Athletic Field that day. They made the long trip home after suffering a 90-7 dredging by Everett. Not counting the Alumni game, The Dalles was the first team to score a touchdown against Everett. With first-string quarterback Glenn Carlson on the sidelines, and second-string quarterback George Guttormson sitting out as well, 115-pound Chuck Drysdale substituted as quarterback. The crowd that autumn afternoon went home thinking there was no beating Baggy's boys. The newspapers praised Everett's powerful play, stunning attacks, and brilliant victories. A powerful team offensively and defensively, Everett had established itself as the strongest prep school eleven in the Northwest. Folks referred to them reverently as "the pride of Washington."

Conquering the Western States

After The Dalles victory, Everett was hungry to face teams from other states. But Bagshaw wasn't about to let his players get big heads. In order to get a better idea of his competition, he scheduled a game with East High School of Salt Lake City, Utah, for Thursday, November 25. He even gave the Salt Lake City team $2,500 to help with expenses. East High School was a formidable foe in this Thanksgiving Day game. For the past three years, they had claimed the state championship in Utah. But of all the East High School teams, rumor had it this was their best. They were known as a "speedy eleven." They simply ran right through opponents. The Utah team played hard. But Baggy's boys played harder. When the 60-minute whistle blew at Athletic Field, Everett had upended the East High team by a score of 67-0.

Next came a challenge from Long Beach, California. They were feared throughout Southern California. Long Beach had defeated opponents by similar lopsided scores as Baggy's boys. It promised to be a hard-fought battle. The game was played in California on Friday, December 17. Faculty manager John Corbally worked out the details for the trip. After a big sendoff from the hometown fans at the Great Northern Train Depot down on Bond Street, Everett headed south with just 12 players. They arrived in Los Angeles a few days early. This gave them time to prepare for the game. Because Bagshaw didn't trust the quality of water in California, Everett brought along its own barrels of water. Team managers Reynolds "Tuffy" Durand and Anders Anderson rolled the wooden barrels of water off the train.

Long Beach declared the day of the game a half holiday. This drew a crowd of 15,000 strong to the game. The game was played on the Long Beach campus, where new stadium grandstands had been

constructed. Long Beach players watched the Everett players warming up in their shoddy uniforms before the game and laughed. But it was Baggy's boys who got the last laugh. Calling no timeouts, they lumbered over Long Beach by a score of 28-0. The Long Beach Jackrabbits couldn't do much against Everett's aggressive defense. Actually, they were outplayed in every aspect of the game. Leslie Sherman and George Wilson led the Everett team offensively. Glenn "Scoop" Carlson had a great passing game at quarterback. Merle Dixon, Carl Michel, and Fred Westrom caught most of the flying pigskins. Sherman and Wilson intercepted Long Beach passes. Coach Bagshaw, not happy with penalties against his team, did his share of crabbing at officials. Many mill town fans made the long trip to California to watch Baggy's boys. Those not in attendance gathered in the Everett High School auditorium and Rose Theatre awaiting the score. When the telegraphic report from the "City of Angels" came over the wire that Baggy's boys had won the Western United States Championship, they cheered loudly. Yes, if the angels were smiling on anyone that day, it was Everett's football team!

A Challenger From the East

Visitors had been stunned by Everett's powerful play throughout the fall, as it racked up victory upon victory. Even schools in the Midwest and on the East Coast had heard of Everett. They were eager for a game. East Technical High School of Cleveland, Ohio, offered the challenge. When Coach Bagshaw heard of East Technical's challenge, he simply said, "Bring em on." Local historian Larry O'Donnell stated, "Ohio was a hotbed of high school football from 1912 to 1937. The national championship was won or tied 10 times by teams from Ohio. Scott High School of Toledo, which tied with Everett 7 to 7 on January 1, 1920, either won or shared the national title four times during that era. One reason Everett wanted to play East Technical on January 1, 1921, is that East Tech had closed their 1920 season with a victory over Scott."

And so, with an undefeated record, Baggy's boys headed into a game for the mythical championship of the United States. The game was held at Athletic Field in Everett at noon on Saturday, January 1, 1921. Many of the 30,000 residents of mill town were gathered at Athletic Field that crisp New Year's Day. It was said 10,000 attended. The game had sold out quickly. The wooden grandstands on the east side of the field were packed. Spectators crowded around the football field. They had come by foot, trolley and Model T.

East Tech coach Sam Willaman and his squad of 20 strong were known for their strong line, speedy backfield, and great teamwork. It was an interesting matchup. The Cleveland team proved dangerous with the forward pass; while "the Everett team specialized in straight football without the trimmings," stated the 1921 Everett *Nesika*.

Larry O'Donnell researched one of the East Technical players. He noted: "Jack Trice was a tackle for East Technical. An exceptional player, he was the only African-American player on either team. Following high school, Trice followed his coach to Ames, Iowa, where Willaman had been named the head football

coach at Iowa State College (now University). In 1997, the football stadium at Iowa State University was formally dedicated Jack Trice Stadium. It became the first Division 1 school to name its football stadium after an African-American athlete."

Playing halfback for Everett, Carl Michel had a great game picking holes and returning punts. Though Everett's play at times was rather ragged, they finally got down to business and plowed holes through the Cleveland line for critical gains. Cleveland made frequent substitutions during the game. Everett played its starting eleven. It was a see-saw battle. A game of gridiron grit. The crowd cheered loudly. A large, gray gull circled over Athletic Field. Actually, this was the fourth game at which a gull had put in an appearance. The *Daily Herald*'s Zac Hereth noted, "Everett's victory was the result of a gritty style of football that would be hardly recognizable today. With quarterback Glenn Carlson, fullback Lester Sherman and running backs George Wilson and Carl Michel leading the offense, Everett churned out 365 rushing yards on a whopping 76 carries, largely on runs between the tackles. Just eight passes were thrown." And, in the end, Everett won; it had beaten Cleveland by a score of 16-7. Baggy's boys had done it -- they had won the national championship!

When the game ended, Everett fans cheered, hugged one another, tossed hats into the air, and then rushed onto the field to congratulate Coach Bagshaw and his boys. Throughout mill town, church bells rang, mill whistles blew, and tugboats tooted their horns. Drinks were on the house in local saloons. Winning was a proud moment for everyone.

Now, following the game, people spoke of the seagull that had been spotted circling over Athletic Field. It had hovered overhead throughout the game. As mentioned, a gull had been noticed at three previous games. Folks believed it was an omen of good luck. Word spread throughout town. Seagulls became a symbol of victory. The student body of Everett High School mounted a large, stuffed gull in the school's trophy case as an emblem of victory. It was nicknamed "Old Faithful." Shortly thereafter, Everett High School adopted the seagull as its mascot. From that day forward, the "School of Champions" has been known as the Everett Seagulls.

Epilogue

From 1911 to 1920, known as the "Bagshaw Years," Everett lost only one game, and that was by a single point, a 13-12 loss to Hoquiam in 1915. Hoquiam was good. Still, Everett got revenge the next year beating Hoquiam 32-0. During the Bagshaw years, Everett outscored its opponents 3,001-375. Bagshaw's 1919 and 1920 teams claimed national championships. But the foundation for these teams was built upon the success of his earlier squads. Football historian Tim Hudak rates Everett the sixth best high school football program in the country during the twentieth century.

Furthermore, Larry O'Donnell notes, "Under Coach Bagshaw, football became a 'civic unifier' in Everett, a rough, tough mill town where lumber management and workers were frequently at war with each

other." Whether you were a member of the haves or have-nots, football was well-suited to blue collar Everett. The success of Bagshaw led to him being hired as head football coach at the University of Washington. And, like Everett High School, Bagshaw turned the University of Washington football program into a powerhouse. In nine seasons, the Huskies compiled a record of 63-22-6. Bagshaw took teams to the Rose Bowl in 1924 (tied Navy 14-14) and 1926 (lost to Alabama 20-19).

Bagshaw was the first former UW player to be hired as the program's head coach. Nine of his Everett players followed him to the UW, including the likes of George Wilson (All-American), Abe Wilson, Fred Westrom, George Guttormson, Roy Sievers, Leslie Sherman (All-American), and Chalmer Walters. George Wilson would be rated the greatest player in the first 50 years of UW football history. It was said he could run 100 yards in 10.3 seconds wearing tennis shoes.

Bagshaw announced his retirement as UW coach on October 23, 1929, to be effective at the season's end. It had been a challenging season on and off the field. Folks respected Bagshaw, but didn't necessarily love him. He wasn't unemployed very long. Governor Roland Hartley, an Everett lumber baron, appointed him Supervisor of Transportation in the State Department of Public Works, on March 24, 1930. Bagshaw collapsed and died of a heart attack at the "Old Capitol Building" in Olympia on October 3, 1930. He was 46. Stanford coach Pop Warner said, "I was shocked and grieved to learn of my friend Bagshaw's untimely death. He was a square shooter, loyal friend, and a real sportsman."

Everett's Athletic Field was renamed Bagshaw Field at halftime of a game on November 26, 1931. The placard located in the northeast corner of Bagshaw Field was dedicated on November 8, 1985. Bagshaw's son, Bob, and daughter, Margaret, unveiled the monument. Chalmer Walters and Roy Sievers, players from the 1920 championship team, were speakers, as was longtime Everett coach and athletic director Jim Ennis. Bagshaw was inducted into the Husky Hall of Fame in 1980. He is buried in Seattle's Lake View Cemetery.

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Enoch W. Bagshaw, University of Washington football player, Seattle, ca. 1906

Courtesy UW Special Collections (CUR138)

Enoch Bagshaw-coached Everett High School team in action, Everett Athletic Field, 1914

Courtesy Everett Public Library

Everett High School football team, 1920, top row (left to right): coach Enoch Bagshaw, Glenn "Scoop" Carlson, Carl "Mickey" Michel, Les Sherman, George Wilson, Roy Sievers, student manager Reynolds "Tuffy" Durand, middle row (left to right): Merle "Pete" Dixon, Clarence Torgeson, Ray "YMCA" Witham, Chalmer "Brute" Walters, Art Ingham, Harold "Tubber" Britt, George Guttormson, front row (left to right): unidentified student manager, Walter Morgan, Ed Manning, unidentified student manager.

Courtesy Everett Public Library

Everett High School vs. Toledo, Ohio, scrapbook photos, January 1, 1920

Courtesy Everett Public Library

GEORGE WILSON

George Wilson, ("Wooly"), half-back. His weight and his punting and passing ability made him a valuable member of last season's team. He played guard on the 1918 championship eleven, and has starred up this fall both on the line and in the backfield. He has played in all the big games and will be back again next season to uphold Everett's reputation.

George Wilson (1901-1963), Everett High School yearbook, *Nesika*, 1921, pg. 95

Courtesy Everett Public Library

"BOOB"
GLENN CARLSON
QUARTERBACK

Believe me, I'm some player. For general aggressiveness and football ability I can come in first every time. Did you ever see me block a punt? Sure was good wasn't it? My baseball-like pass was responsible for more than one touch-down. I know you wish I could be here next fall but everyone has his time.

Scrap was a good player. He gave excellent interference and if any blocking was needed, could always be depended upon. He had plenty of nerve and ran the team with excellent generalship. He has played three years on Everett's teams and graduates this year.

Glenn Carlson, Everett High School yearbook, *Nesika*, 1922

Courtesy Everett Public Library

U.S. Champs illustration, Everett High School yearbook, *Nesika*, 1921, pg. 107

Courtesy Everett Public Library

University of Washington men's athletics coaches, 1922, (left to right): Enoch Bagshaw, Ray Eckmann, Anthony Savage, Newman "Zeke" Clark, Tubby Graves, Clarence "Hec" Edmundson, Roscoe "Torchy" Torrance

Courtesy UW Special Collections (UWC0659)

UW halfback George Wilson, ca. 1923

Courtesy UW Special Collections (UWC3714)

UW coach Enoch Bagshaw with football player Louis Tesreau, ca. 1923-1926

Courtesy UW Special Collections (UWC3677)

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Shaffer, Frank (1877-1950?)

By Denise Ohio
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Washington resident Frank Shaffer was a storekeeper, postmaster, farmer, inventor, and member of the International Bible Students Association in Everett. He was also involved in two important court cases. He lost both, paying $1,000 in damages in the state civil case, *Gates v. Shaffer* (1913), and spending about two weeks in McNeil Island Federal Penitentiary in the federal criminal case, *Shaffer v. United States* (1919). *Shaffer v. United States* introduced the legal concept of *bad tendency,* which was used to convict thousands of citizens charged under the Espionage and Sedition Acts during World War I.

A Gradual Move West

Frank Shaffer, born in Canton, Ohio, on June 28, 1877, was the third of four children born to Henry D. and Adeline Ritz Shaffer. Henry served in the Union Army during the Civil War and, after his discharge in 1865, moved to Canton. In 1867, he married Addie Ritz. He was postmaster of Canton for eight years, a position he lost amid charges and countercharges of bribery and corruption in the civil service.

Soon after Frank was born, the family moved to an 880-acre sheep ranch in Big Creek, Kansas, three miles southeast of Hays City, and Henry was elected clerk of the district court in the fall of 1878.

In 1893, the *Hays City Sentinel* reported that 15-year-old Frank had gone to the world's fair in St. Louis, Missouri, alone. In 1895, Frank graduated from Hays City High School and headed west. It appears he was in San Francisco in 1896, and in 1899 was running a sawmill with his brother Harry in Granite Falls. In 1901, he married Millie Chowning (1882–1938), the second of five children of John Doroty Chowning (1857–1930) and Ellen Carpenter (1861–1889), born in Howell, Missouri. Her family left Howell for Renton soon after.

Frank was working as a shingle weaver when Millie gave birth to their first child, Melvin (1903–1950), in Everett. The Shaffer family then moved to Vancouver, British Columbia, where Adeline (1903?–1985) was born, and then southwest to Moclips in what's now Grays Harbor County, where Frank was a

merchant and postmaster. He and Millie also owned a cannery.

Shocking Arrest

In 1908, Millie gave birth to their youngest child, Maxine. And in November of that year, Frank was arrested for statutory rape.

Frank's arrest shocked Moclips. Oma Gates, 17, said Frank seduced her and she got pregnant. Frank denied it, claiming he was the victim of a blackmail plot: her father owed him money and demanded he forgive the debt plus pay an additional $50 or else. Birth records show that a baby boy was born on February 27, 1909, in Tacoma, and list Oma Gates and Frank Shaffer as his parents.

The rape case never went to trial. According to the *Aberdeen Herald* there was "a change in officers of the county and for some reason the case was never taken into the court" ("Sued For $10,000 ...").

In 1910, Frank filed Patent US1011378A, granted on December 12, 1911, for a machine for cleaning clams and fish. Also in 1910, the Shaffer family moved to Everett. In 1912, Frank and Millie sold the Moclips cannery to Pacific Fisheries Packing Company.

That same year, Oma sued Frank for $10,000; her attorney had told her that she couldn't sue until she turned 21. Frank's attorneys successfully argued in district court that since Oma hadn't filed within the three-year statute of limitations, she had missed her chance. The judge agreed, but in *Gates v. Shaffer,* the appellate court reversed, establishing that "only females over twenty-one years of age may maintain an action for their own seduction, the right of action for seduction while a minor accrues to her when she becomes twenty-one, and not at the age of majority, eighteen" (*Gates v. Shaffer*). Oma was awarded $1,000.

Into World War I

On November 30, 1915, Frank was awarded Patent US1162520A for a food-canning process. On February 13, 1917, Frank was granted Patent US1215724A for a new type of metal can. Both patents were assigned to the American Can Company in New Jersey.

On April 6, 1917, the United States declared war on Germany.

On April 13, 1917, the Wilson administration created the Committee on Public Information (CPI) to mobilize public opinion on behalf of the war, actively encouraging vigilante justice and citizens' groups to turn in people suspected of harboring disloyal thoughts. Dissent was basically impossible, though many citizens were opposed to U.S. involvement in the European conflict. There had been antiwar protests that continued after the U.S. entered the conflict, and more than 300,000 men attempted to evade the draft.

To deal with dissent, Congress passed the Espionage Act of 1917 on June 15. Debate about the bill was often heated. Senator William Edgar Borah (1865–1940) of Idaho said that the legislation "has all the ear marks of a dictatorship. It suppresses free speech and does it all in the name of war and patriotism" (Borah letter, quoted in Stone, "Judge Learned Hand ...", 348).

Section 3 of Title 1 of the Espionage Act targeted free speech. This section made it a crime for any person willfully to "make or convey false reports or false statements with intent to interfere" with the military success of the United States or "to promote the success of its enemies"; willfully to "cause or attempt to cause insubordination, disloyalty, mutiny, or refusal of duty, in the military or naval forces of the United States"; or willfully to "obstruct the recruiting or enlistment service of the United States" when the nation is at war ("Act of June 15, 1917 ..."). Violations were punishable by fine up to $10,000 and prison sentences of up to 20 years.

The act also authorized the postmaster general to exclude from the mails any writing or publication that is "in violation of any of the provisions of this act" or that contains "any matter advocating or urging treason, insurrection or forcible resistance to any law of the United States" ("Act of June 15, 1917 ..."). Postmaster General Albert Sidney Burleson took it upon himself to advance a level of censorship when, on the day after the Espionage Act was passed, he directed local postmasters to forward to Washington, D.C., any material that would "interfere with the success of any Federal loan … or cause insubordination, disloyalty, mutiny, or refusal of duty in the military or naval service, or to obstruct the recruiting, draft, or enlistment services … or otherwise to embarrass or hamper the Government in conducting the War" ("Burleson To Postmasters ..."). Within months, the Post Office Department had excluded from the mails the issues of more than 15 major publications, most of them Socialist and/or pacifist.

In November 1917, Attorney General Thomas Watt Gregory, referring to war dissenters, declared, "May God have mercy on them, for they need expect none from an outraged people and an avenging government" ("All Disloyal Men ..."). In his Third Annual Message to Congress, President Woodrow Wilson said, "Such creatures of passion, disloyalty, and anarchy must be crushed out. They are not many, but they are infinitely malignant, and the hand of our power should close over them at once" (Woodrow Wilson, December 15, 1915, National Archives).

First Espionage, Then Sedition

The Wilson administration pushed Congress to enact a set of amendments, and the Espionage Act of 1918, commonly known as the Sedition Act, passed on May 16, 1918. The Sedition Act declared it criminal for any person to say anything with intent to obstruct the sale of war bonds; to utter, print, write, or publish any disloyal, profane, scurrilous, or abusive language intended to cause contempt or scorn for the form of government of the United States, the Constitution, the flag, or the uniform of the army or navy; to urge the curtailment of production of war materials with the intent to hinder the war effort; or to utter any words supporting the cause of any country at war with the United States or

opposing the cause of the United States.

Consequences after the passage of the Espionage and Sedition Acts were predictable. Vigilantes ransacked the homes of German Americans, sauerkraut was called liberty cabbage, German measles became liberty measles, hamburgers were called liberty sandwiches, and dachshunds were renamed liberty dogs. The American Red Cross barred individuals with German last names from joining, and orchestras replaced selections from the German Wagner with those of the French Berlioz. In Van Houten, New Mexico, an angry mob accused an immigrant miner of supporting Germany and forced him to kneel, kiss the flag, and shout "To hell with the Kaiser." In Collinsville, Illinois, a mob forced Robert Prager (1888–1918), a German immigrant miner, to walk Main Street barefoot while wrapped in an American flag and, after they failed to tar and feather him, hanged him.

Those not of German descent were also targeted, particularly Socialists and antiwar and labor activists. In Texas, six farmers were horsewhipped because they declined to contribute to the American Red Cross. Rose Pastor Stokes (1879–1933), editor of the Socialist *Jewish Daily News,* was sentenced to 10 years for saying, "I am *for* the people, while the government is for the profiteers." Film producer Robert Goldstein (1883–?), a son of German Jewish immigrants, was fined $5,000 (later remitted) and sentenced to 10 years (later commuted to three years) for producing the silent film *The Spirit of '76.* The federal government charged that he had willfully attempted to cause insubordination among United States military forces by inciting hatred of now-ally Britain and its soldiers through the depiction of British forces during the American Revolution.

The Department of Justice (DOJ) also went after certain religious groups. According to *The New York Times,* "Disloyalty fostered by certain religious sects has been growing in the United States ... according to DOJ officials ... [The government] regards the preaching of opposition to the aims of this particular war as of seditious nature" ("Warn Seditious Pastors ..."). Special Assistant Attorney General and head of the War Emergency Division of the DOJ John Lord O'Brian declared that "the most dangerous type of propaganda is religious pacifism, i.e., opposition to the war on the ground that it is opposed to the word of God" ("Some More Law").

One focus of suppression was on a book called *The Finished Mystery,* published in 1917 by the Watch Tower Bible and Tract Society, run by the International Bible Students Association. This book contained statements that government officials claimed were "treasonable, disloyal, and seditious utterances" (*Shaffer v. U.S.*, transcript). One passage in the book quoted a sermon given before the Espionage Act was passed by social activist Reverend John Haynes Holmes (1879–1964) of New York's Church of the Messiah. In *A Statement to My People on the Eve of War,* Holmes said, "The war itself is wrong. Its prosecution will be a crime. There is not a question raised, an issue involved, a cause at stake, which is worth the life of one blue-jacket on the sea or one khaki-coat in the trenches."

(*A Statement to My People on the Eve of War* was still on sale in the United States at the time. While

Holmes continued to preach and write against war and in favor of pacifism around the country, he was never charged under the Espionage Act.)

After tracts from the Industrial Workers of the World (IWW), *The Finished Mystery* may have been the antiwar item most often singled out for condemnation. On February 12, 1918, the book was banned in Canada. On February 27, 1918, the United States Army Intelligence Bureau raided the Watch Tower Bible and Tract Society's offices and seized copies of the book and other literature. Public condemnation also continued. The *Abilene Weekly Reflector* of Abilene, Kansas, quoted a local official as saying, "It is rank Prussian propaganda, and should not be read by any red-blooded American citizen, much less those who are more or less inclined to lean towards the Kaiser" ("Clean Out 'Finished Mystery' for Kansas"). In Oklahoma, a newspaper from the Choctaw nation reported, "And this is the kind of stuff, German propaganda, that has been distributed all over the country and right here in Durant" ("Books Under Gov't Ban ...").

Warrants were issued on May 7, 1918, for the arrest of Watch Tower officials for violating the Espionage Act, seven of whom were tried, convicted, and sentenced to 20 years in federal prison. (After the war had ended, the seven would be released on bail after an appeals court found that they had been wrongly convicted, and in May 1920 the government announced that all charges had been dropped.)

The International Bible Students accused other clergy of targeting them and *The Finished Mystery*. They distributed thousands of copies of a one-page newsletter called "Kingdom News," in which they shared their perspective, until those handing it out it were arrested. Other Bible Students were arrested for continuing to distribute the book. In Wynnewood, Oklahoma, Claude Watson was tarred and feathered by draftees for distributing *The Finished Mystery*, and in Freewater, Oregon, Clyde W. Metz was threatened with lynching.

The Watch Tower Bible and Tract Society revised the book by removing pages containing the seditious material in the second edition and, in 1918, alerted its supporters that they could protect themselves from arrest by removing the offending pages before selling this second edition. But that didn't satisfy the Wilson administration, which notified district attorneys that further distribution would be a violation of the Espionage Act. Though the Society directed its members to suspend public distribution of the book, on March 14, 1918, *The Finished Mystery* was banned.

Here Come the Feds

On March 29, 1918, Special Agent R. E. L. Johnston from the Bureau of Investigation of the DOJ, accompanied by Snohomish County deputy sheriffs Claude Wetherby and N. S. Berridge and Everett city police officer David Daniels, went to the Shaffer home. Frank and Millie Shaffer were now living on their farm about three and a half miles from Everett. For four years they had been members of the International Bible Students Association; Frank was even treasurer of the Everett Class of International

Bible Students. The police officials showed up without a search warrant to look for one of the Shaffer's fellow bible students, George Martinich, and copies of *The Finished Mystery*.

Austrian-born George Martinich emigrated from Croatia to Canada on August 2, 1915, and became a naturalized citizen, then moved to Bellingham. He moved to Everett and opened a barber shop at 1207 Hewitt Avenue. Someone reported that he had refused to allow War Savings posters exhibited in his barbershop window. State authorities had learned that Martinich had just received a shipment of *The Finished Mystery* that Frank and Millie were hiding. At the Shaffer home, the officers discovered five copies, four of which were packed for mailing. As Officer David Daniels testified:

"Shaffer again spoke up and said, 'You have no right in my place,' and Johnston had to state to him again that he was a Government officer and wanted his books. After that Shaffer subsided somewhat, but Martinich was inclined to be wrathy, and I took and led the man outside" (*Shaffer v. U.S.*, transcript).

George Martinich, like thousands of other noncitizens with "un-American views," was arrested and soon deported to Canada. The Alien Property Custodian Report valued his property at $216.41.

Officers returned the next day with a warrant and found another 124 copies of *The Finished Mystery* that Frank and George had hidden in the barn. At about this time, Special Agent Johnston told Frank that *The Finished Mystery* was a banned book. Johnston testified:

"Mr. Shaffer said he didn't know the book was banned, only about what he read in the paper. I said, 'I am a Government man, Mr. Shaffer. I am telling you that this book is banned.' 'Well,' he said, 'we have not been advised of that. I am not taking any orders from you. I take mine from the Watch Tower Bible and Tract Society.' I said, 'You will keep talking and get into trouble. If I were you I would be quiet.' His wife said, 'Frank, you keep still now'" (*Shaffer v. U.S.*, transcript).

Arrested and Indicted

On April 24, 1918, Frank Shaffer was arrested. In May 1918, he was indicted on three separate counts of violating the Espionage Act.

Count I accused Frank of, through the distribution of *The Finished Mystery,* attempting to incite, persuade, and induce males between the ages of 21 and 45 and fit for military service to commit acts of insubordination, disloyalty, and refusal of duty of the military and naval forces of the United States.

In Count II, Frank was accused of making statements designed to interfere with the war effort by saying to Snohomish County resident Dottie Florance,

- "There is no use in your crocheting or doing any other work for the Red Cross, as you are wasting your time, as the United States can never win this war against Germany."

- "If the people of the United States bought all of the Liberty Bonds and Thrift Stamps that they could, they would lose their money in the treasury at the end of the war to pay people back."
- "It would be more to the credit of the American boys if they would stay at home and refuse to go and fight for the government in this war" (*Shaffer v. U.S.*, transcript).

And in Count III, Frank was accused of using the United States Postal Service to mail *The Finished Mystery.*

Frank came before Judge Jeremiah Neterer (1862–1943) on June 25, 1918. During his trial, Millie testified that she sold about 100 copies of the book and that Frank sold about 25, between October 31, 1917, and March 12, 1918. She was also present at a meeting on March 12, when a letter was received from headquarters directing that no more books be distributed. Neither she nor Frank circulated any more of the books.

Frank as well as Millie testified that he had never said what Dottie Florance claimed. But Frank also said that he was not helping the United States in any way, shape, form, or manner to win the present war and he had helped to hide the books that were found in the barn. Frank's beliefs, coupled with prosecution questions about subscriptions to the Red Cross and Liberty Bonds, explains why Frank was prosecuted. Most federal judges during the First World War were "intent upon meting out quick justice and severe punishment to the 'disloyal,'" and no details of legislative interpretation or appeals to the First Amendment were likely "to stand in the way" (Lawrence, *Eclipse of Liberty* ..., 70).

On June 28, 1918, Frank was convicted by a federal jury on one of the three counts, that of using the United States Postal Service to distribute materials that violated the Espionage Act. He appealed his conviction and was out on $5,000 bond while his case made its way through the courts. Surety was provided by P. and Ida Crittendon and C. R. and Blanche Schweitzer of Everett.

The U.S. Circuit Court of Appeals for the Ninth Circuit affirmed Frank's conviction in February 1919, reasoning that the natural tendency of speech condemning war was to cause men to refuse induction -- someone who had been persuaded that war is immoral is more likely to refuse to fight in it.

"It is true that disapproval of war and the advocacy of peace are not crimes under the Espionage Act; but the question here … is whether the natural and probable tendency and effect of the words … are such as are calculated to produce the result condemned by the statute" (*Shaffer v. U.S.* Opinion).

The federal courts combined the legal concepts of *bad tendency* and *constructive intent* to uphold convictions like Frank's, an approach embraced by almost every federal court that interpreted the Espionage Act during the war.

The courts' bad tendency test is now seen as a misinterpretation of both the First Amendment and the Espionage Act. This distortion of well-established principles of criminal law went even further in failing

to protect free speech than the standard advocated by the DOJ at the time.

While waiting to hear whether the Supreme Court of the United States would grant Frank a writ of certiorari, on March 3, 1919, President Wilson commuted Frank's sentence from two-and-a-half years to one year. Then the Supreme Court denied cert in November 1919.

Imprisoned on McNeil Island

On January 6, 1920, Frank left his and Millie's home at 7025 6th Avenue NW in Seattle to serve his 12-month sentence at McNeil Island. While some reports say that Frank served 18 months, his prison records indicate that he was received at the prison on January 6, 1920, pardoned by President Wilson on January 22, 1920, and released soon after. On March 12, 1920, his youngest daughter, Maxine, died of tuberculosis.

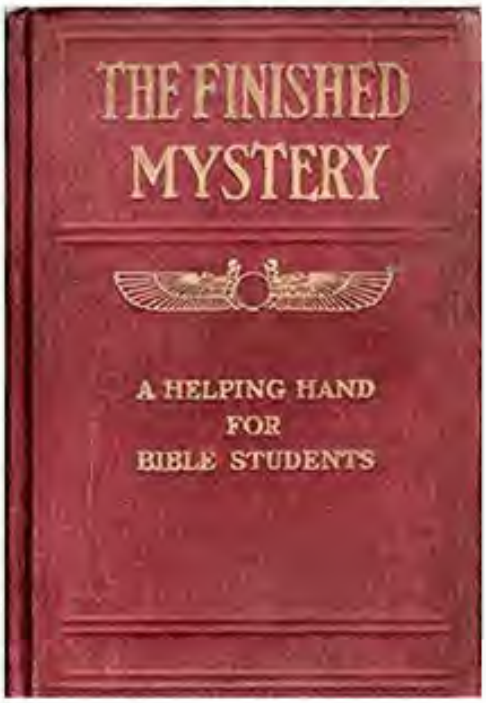
Millie Shaffer died August 25, 1938, in Ellensburg, but it is unclear when Frank Shaffer died. In the 1930 census, Millie is listed as the head-of-household, living with her father, daughter, and granddaughter in Portland. The census also lists her as widowed. But according to the January 16, 1950, *Spokesman-Review* obituary for Frank and Millie's son Melvin, Frank was still alive in 1950. However, when Melvin's wife, Etta, died in 1957, Frank was not listed among the survivors.

More than 2,000 dissenters were prosecuted under the Espionage Act and the Sedition Act. "If you believed our going into this war was a mistake," *The Nation* wrote in a postwar editorial, "if you held, as President Wilson did early in 1917, that the ideal outcome would be 'peace without victory,' you were a traitor." Even members of the Wilson administration realized after the war they had made mistakes. John Lord O'Brian observed soon after the war that "immense pressure [was] brought to bear throughout the war on the DOJ in all parts of the country for indiscriminate prosecution, wholesale repression, and restraint of public opinion … [and laws] affecting 'free speech' received the severest test thus far placed upon them in our history" (quoted in Stone, 337).

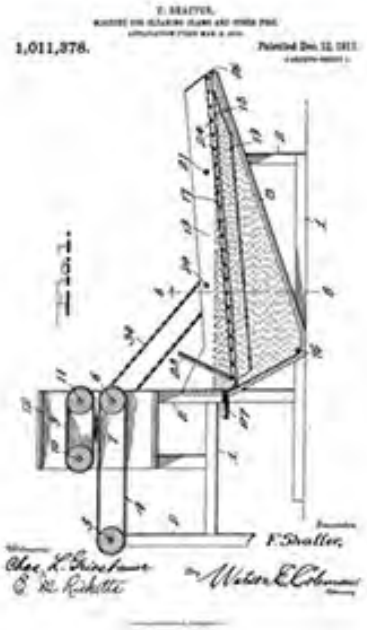
While the Sedition Act was repealed in 1921, the Espionage Act of 1917 remains in force.

Frank Shaffer prisoner photo, McNeil Island Penitentiary, 1920

Courtesy U.S. National Archives



The Finished Mystery: A Helping Hand for Bible Students **(Brooklyn: International Bible Students Association, 1918), by Charles Taze Russell**



Machine for cleaning clams and other fish by Frank Shaffer, U.S. Patent 1,011,378 issued December 12, 1911

Courtesy U.S. Patent and Trademark Office

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