

HUMPHRIES EXONERATED BY BOARD

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dismissal of some of the employees. Children Were Beaten.

When Ellis Greer, 11 years old, was picked up a runaway from the Idaho industrial training school and his body was found to be bruised and sore from a severe beating he had received, an investigation of the institution was ordered. It developed that the Greer boy was beaten with a heavy, thick tug, which was laid across his bare back. The boy ran away on account of the severe chastisement. Guard Stanley, who administered the beating, was arrested and recently sentenced to serve a term in the county jail.

Governor Hawley called for an immediate investigation and ordered an expert stenographer to take the evidence. The people of Fremont county became interested and Attorneys Holden and Hanson appeared in the case in their behalf. Before the members of the board evidence with regard to charges of inhuman treatment through beating of the children was given, covering a period of over two weeks at a cost to the state of about \$9000. Practically all of the children and the attendants at the school testified. The evidence was conflicting in many ways. Straps that had been used for beating the children were introduced as evidence and the claim made that the children were severely and unwarrantedly chastised.

Following the St. Anthony hearing the board met in Boise to reach a decision but could not, owing to the fact that several of its members had not been able to read all the evidence. Governor Hawley at that time declared his willingness to seal his verdict and file it with the board. Adjudgment in face of these circumstances was taken to Nov. 18. President Haga drafted a report which was presented and adopted by a majority of the members of the board. It exonerates Superintendent Humphries and through its adoption retains him in charge of the institution. This report is as follows:

Haga's Report.

"In this case, as in all school matters, the welfare of the children is the highest law. The law requires that the industrial school shall be maintained for the care, protection,

training and education of delinquent children, and there are now at the school approximately 200 inmates, who have been duly committed to the institution by the courts of the state for offenses of various kinds. Their ages range from 10 or 12 years to 21 years, with an average age of about 15 years. While no one can be committed to the institution who is over the age of 18 years, yet if committed under that age he must remain at the institution until he reaches the age of 21 years, unless sooner paroled or discharged because of his good behavior and good standing at the institution. It is also a well known fact that many young offenders against the law of the state, in order to escape commitment to the penitentiary, underestimate to the court their age so as to bring them within the age limit entitling them to commitment to this institution.

"The purpose of the state in maintaining this institution is to give to the young offenders such training and education as will check, if possible, criminal or downward tendencies and make out of the juvenile offender a useful citizen.

"Whether the money expended in maintaining the institution for the maximum results for the inmates is always a legitimate subject of inquiry. On that point practically no evidence has been submitted during the recent investigation, except to show that all supplies, excepting in minor matters, and then only in case of emergency, are purchased quarterly, and the contracts for furnishing the supplies are awarded to the lowest bidder on sealed bids filed with the board pursuant to advertising therefor, published in the newspapers of the state. An examination of the bids received and the prices paid for supplies will show that such supplies have been purchased as a rule at lower prices than what has been usually paid for such supplies by other large institutions, whether public or private, and in many cases considerably lower.

Must Be Disciplined.

"The charge has been mildly made that the food was insufficient. The evidence on this point is overwhelmingly to the contrary, and this charge has not been sustained in any respect.

"Most of the evidence that was introduced during the investigation was directed to the matter of discipline or punishment for disobedience. That there must be discipline and obedience to constituted authority will be con-

ceded by all. The first law that God gave to man was the law of obedience. It is the first law that the child receives from his mother, and there is no parent so neglectful of the welfare of his child that he does not seek to impress upon the child life, in some manner or other, the necessity for obedience to constituted authority. That there must be obedience to parental authority, to school authority and to other public and constituted authorities is conceded by all normal people. Obedience to higher authority is one of the fundamental principles of success in life, and every child should learn it, not simply in words, but in actual practice, and if he has not learned it before he enters the institution he should learn it there.

"Proper discipline is necessary also in order to protect children who have been sent to the institution and who are themselves comparatively free of vicious habits and of criminal or downward tendencies against the influence of those who have such habits or tendencies strongly developed. It would, indeed, be an unpardonable crime to maintain at the institution a discipline that, because of its laxness, would permit the example of a boy with a defiant or rebellious temperament to drag down others susceptible to such influences, but who would, under proper environment, be well behaved.

"Proper discipline is also necessary to protect the property of the state at the institution against destruction. It is not an uncommon thing at institutions of this kind to have property of great value totally destroyed during some riot or mutiny led by a leader who has not been properly controlled.

Recognize Corporal Punishment.

"The evidence shows in this case that much of the punishment of which complaint has been made was administered for the very purpose of checking plots to escape, or attempts to destroy buildings or other property at the institution.

"During the last few months I have investigated the matter of discipline at other similar institutions in some 15 or 20 states, and the great preponderance of the opinions of the superintendents of such institutions is to the effect that they cannot be properly maintained and do their full duty to the state and to the inmates without some kind of physical punishment. In a few states corporal punishment has been prohibited by law, but they have in nearly every case substituted other methods of punishment much more barbarous, and in fact detrimental to the child's health. They have usually substituted confinement in cells for long periods, or drilling or standing for hours at a time so as to wear the child out physically. The best conducted institutions of this kind recognize the necessity for corporal punishment, as that term is usually understood.

"Dr. Charles Richmond Henderson, professor of sociology in the University of Chicago, has given this subject much study, and, in a recent article entitled 'Rational Justice,' he says: 'The worst enemy of real improvement is the sentimentalist; that is, the person who is swayed by emotion and is ignorant of remote consequences. There are two groups of sentimentalists—those who are moved by pity, and the others who are swept by revenge. Law cannot rest on either compassion or blood thirst, only on calm justice and reason. . . . The man who has violated law ought to be willing to suffer pain, since experience has shown that lawlessness cannot be prevented without the use of fear.'

What Experts Say.

"Arthur McDonald of Washington, D. C., author of 'Juvenile Crime and Reformation' and other works along this line, some of which have been published as public or official documents by the United States government, in a recent article on the reformation of children, says: 'In vicious and criminal children the cause of their degeneracy can often be traced to hereditary and accidents, yet in some cases careful but severe treatment will save them, where otherwise their bad instincts would lead them to destruction. If, however, such treatment through neglect of parents or others, be delayed until the child is somewhat grown, it will in most instances fail, for criminal taint has had opportunity to develop and permeate the character.'

"Many people, otherwise well balanced, seem to jump at conclusions in matters of this kind, and substitute sentiment for sense. They seem to forget that the children were in many cases committed here because they could not be controlled by normal means, or not at all by their own parents or by the authorities of the communities from which they were committed. I am convinced from an examination of the authorities on this subject, and from personal conferences with and reports from superintendents of other institutions of this character, and from persons who have devoted their life to the reformation of children, that the best thought of the day on this subject recognizes that the interest of the children confined in such institutions demands that corporal punishment be administered when the necessity therefore arises and when all other means have failed, and that when properly administered it has a good effect, and is frequently the only means by which a child can be saved from a criminal career, and from confinement in the penitentiary after he has left the industrial school or reformatory.

Punishment Not Excessive.

"The testimony of those who had been punished and who testified during the recent investigation is practically, without exception, to the effect that they were benefited by the punishment, that is to say, they were brought to their senses and had a higher regard for the law and the authorities who have to enforce it after they had been punished. With the exception of one or two cases, no one has claimed that his health was in any way injured or impaired by any punishment or treatment received

at the institution. In one case it was claimed that the punishment had brought on kidney trouble, but a fair consideration of all the evidence on that point, to my mind, conclusively disproves the charge. I think the evidence on the contrary shows that the boy left the institution in better physical condition than when he entered it. I am convinced that charges of permanent injuries are absolutely unfounded.

"About 600 have been committed to the institution since it was organized some seven or eight years ago. Out of this number a very small number testified either as to having received, or heard of others receiving, extremely severe and brutal punishment. The testimony of these witnesses, however, is so manifestly exaggerated that no fair-minded person would candidly say he believes it to be true and when we consider the testimony of the other witnesses who testified concerning these same cases, I am convinced that the cases of extremely severe punishment are very rare, and it is apparent that the offenses committed called for some punishment.

Never Complained to Humphries.

"There is not the slightest evidence worthy of credence that the superintendent was ever informed, until about the time this investigation was commenced, of any case of severe punishment, and it is worthy of note that substantially all the inmates regarded Mr. and Mrs. Humphries as among their best friends and seemed certain that if they complained to Mr. Humphries of any wrong or undesired punishment he would correct it; yet none of those whom it is claimed were unduly punished ever complained to Mr. Humphries. From the testimony of the inmates themselves as to the high regard and love entertained for Mr. and Mrs. Humphries, I am convinced that should the board dismiss these officers, it would administer to the inmates worse punishment and do them a greater injury than was ever inflicted on them by any officer of the institution.

"Former inmates who were unable to testify at the investigation have expressed themselves in letters to the board as to the treatment and training received at the institution. This also appears from the correspondence between the superintendent and former inmates. Their feeling toward the institution is aptly expressed in the following letter received from a young lady who was for several years an inmate of the school, but who is now honorably employed in Louisville, Ky.:

Letter Shows Respect.

"Louisville, Ky., Oct. 5, 1912.—O. O. Haga, Boise, Idaho. My Dear Sir: Having been an inmate of the Idaho Industrial Training school for a little more than four years, I feel that I should write to you, stating what I know about the school, the pupils, officers, its work and purpose.

"First, I am an orphan and the school was my only real home. It was there I learned the fundamental truths of life, the laws of health and my duty to God and man. For the officers I have the greatest respect, especially the ladies I worked with, Miss Edith Johnson, Miss H. B. Anderson, Miss M. A. Anderson and Mrs. Lundgren. Mr. and Mrs. Humphries mean more to me than any other two people in the world, for I came to regard them as I would a father and mother, they were so good and kind to me always; what they did for me was always to my best interests. I found that good work, good behavior were always well repaid, and that if I wished to have the advantage of learning all that the school offered and that I was talented to learn I must do only my very best work at all times, also that if I wanted privileges I must deserve them.

"Living with the girls like I did I learned to care for them; but most of them had to leave and we lost track of each other, still I correspond with several of our girls and boys now.

"The news of the trouble at the school was a shock to me, as when I left the school everything was running along so nicely.

"In closing let me say that if there is anything that I can do by writing to other members of the board or other state officials, I shall gladly do it.

"Trusting that all will soon be well at our school, I wish to remain,

"Very truly yours,"

"It cannot be said that this young lady feels in the slightest danger of being brought back to the institution should she say anything derogatory to it, and I entertain no doubt but what the sentiments expressed in the letter are those which the young lady truthfully entertains toward the institution and its officers.

Eulogize Superintendent.

"Since this investigation commenced many persons from different parts of the United States have written the board of the high estimation which they have of Mr. Humphries and his work. These letters come from officers of similar institutions and from men who have been co-workers of Mr. Humphries in other places; they come from judges of courts, professional men, bankers and business men, and they all agree that Mr. Humphries is of the highest type of Christian character, that he has the unusual faculty under the most trying circumstances of being the same cool, calm, courteous, kind and considerate man that the members of the board knew him to be from their association with him during their connection with the institution. I fully concur in their estimation of Mr. Humphries. I believe him to be a man among men, and by temperament and training peculiarly fitted for the management of an institution of this kind. The results which he has obtained in the saving of children fully justify the high opinion which those who know him have expressed of him and his work. In his character, integrity, ability and fitness for the position which he occupies, I have absolute confidence.

Would Modify Rules.

"I recommend that the rules of the board permitting corporal punishment as a last resort be amended so as to authorize it to be administered only by the superintendent, or by his assistant, or by family managers, but always in the presence of a witness other than an inmate of the institution, and that a report thereof should be filed in the superintendent's office, stating the offense for which the inmate was pun-

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