

### Father of Rush School Student Sues Teacher in 1903

I remember Dad telling his children, "If you get in trouble at school, you're going to be in twice as much trouble when you get home." Dad was strict and we knew that he meant what he said, so we obeyed the teacher and did what we were told. Most students who I attended school with also stayed on the straight and narrow most of the time. The incident that I am sharing here happened at Rush School, which was located on the southwest corner of West River and Lincicum Roads in Cadiz Township. This incident was not very typical of parenting or discipline in 1903.

E. C. Thorpe, the 20-year-old teacher from Winslow, was teaching his third term at Rush School. He was brought before Justice John Luchsinger on February 4 on the charge of assault and battery. John Kuhl, whose son Edward, 14, was one of Thorpe's students was the accuser. Edward was said to be "the terror of the school." Mr. Thorpe had tried various kinds of punishment to correct the boy's ways, but had no success. Thorpe then warned the boy a week or two before the incident that "if he did not behave he would get a good thrashing."

The school teacher "went about the task in the old fashioned way. He provided himself with a switch, directed the boy to remove his coat and he whipped the boy until the switch was broken. The teacher says he was deliberate and acted upon his best judgement. He admits that the boy got quite a severe lashing [sic] but says that in his opinion the boy did not get what he deserved."

As one would expect, the boy ran home and showed his father the marks on his body. "The father was indignant over the way the boy was treated and thought that the teacher was too rough with him. He considered the matter several days and came to town and swore out a warrant for the teacher's arrest." J. C. Penn, Green County superintendent of rural schools, said that Thorpe had an excellent standing as a teacher. The hearing was continued until March 4.



This photo of the front of the Rush School in Cadiz township would have been taken a few years after the incident described here.

A short article in the Monroe Evening Times on March 4 stated that the trial was progressing that afternoon. Attorney J. D. Dunwiddie was representing the defendant; attorneys McGrath and Thomas Luchsinger represented the plaintiff. The jurors were W. W. Chadwick, R. D. Gorham, Henry Ludlow, J. W. Edelman, E. C. Copeland, and William Hawthorn.

The Times reported the next day that the trial took all afternoon before it went to the jury at 6:15. Young Kohl, his parents, three of the pupils of Rush School, J. L. Sherron, and Superintendent Penn were witnesses called by the state. It was proved that the boy was whipped with a hazel switch four feet long, the butt end of which measured an inch in circumference and that the whip was broken into three pieces." The thrashing happened on Thursday, but the father did nothing until Sunday after the mother discovered the black and blue bruises on the back and arms. That the bruises were caused by the whipping at school was only a conjecture as "it was proven that the parents were in the habit of whipping the boy, but denied whipping him because he was whipped at school."

The father knew that the boy was going to be whipped for his misbehavior, but still made him go to school. It was also brought out in the trial that the boy had previously been whipped at school previous to Mr. Thorpe being the teacher. The mother had also whipped him for not behaving at school.

After the incident of school whipping, young Kuhl went home and joined his brother in breaking some colts. In passing the school afterwards, he waved his arms in a defying way, "which was presented to the jury to show that he was not badly hurt."

The state had a strong case, but was not able to show that the punishment was excessive by reason of malice. The defense relied on the testimony of Superintendent Penn, who showed that Mr. Thorpe was a good teacher who "had good government over his school."

The jury deliberated only 15 minutes before acquitting Mr. Thorpe of assault and battery. There was no evidence that the black and blue marks were caused by the whipping that he received at school.

Was this young man just headstrong and not going to let anyone dictate what he must do even after all of the beatings? Or did he have some special needs that were not able to be addressed in the one-room school of the time? He might have benefited from some positive reinforcement or some other form of discipline. It was definitely a sad situation.

I always like to find out "the rest of the story" when I am able. Using the 1900 census, I did find that Edward was living with his parents, Ernest and Wilhelmina, who had immigrated from Germany in 1883. With them were an older brother (born in Germany), another older brother and two younger sisters, all born in Wisconsin. The 1902 plat book shows that Mr. Kuhl owned a 130-acre farm near the school. Most of the family is buried in the Saucerman Cemetery in Cadiz township.

By 1930 Edward Kuhl was living on School Street in Montrose township in Dane County with his wife, three children, and a brother-in-law, Clarence Bartlet. Edward was working as a section foreman on the Illinois Central Railroad and Clarence was a laborer for the railroad. By 1950 Edward, 60, and Lydia were living in Belleville where he was working as a laborer for the village. He passed away in 1958 and is buried with his wife in the Belleville Cemetery.