

CHARLES S. CUSHING, 1867–1946

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Charles S. Cushing, a life member of the Astronomical Society of the Pacific, its president in 1921, and a Fellow of the Royal Astronomical Society, died on January 7, 1946. He had been in poor health for a year or more before his death, but until then had been both strong and active. Early interested in astronomy, he had gone to Ukiah in northern California to see the total solar eclipse of January 1, 1889. Soon thereafter he joined the Astronomical Society of the Pacific, which was founded February 1, 1889 (and incorporated a few months later) by a group of astronomers and laymen, some or all of whom had been together at the eclipse. These included, among others, Holden, Schaeberle, and Burckhalter as well as William Alvord, president of the Bank of California, E. J. Molera, Dr. William Boericke, and Professor Frank Soule.

At that time Cushing was studying for the bar, but he developed his interest in law and in astronomy somewhat *pari passu*, in the one as his vocation, in the other as a layman's avocation. It is well said that "the law is a jealous mistress" and he never neglected her, yet he found time not only to indulge his general interest in astronomy, but also, as a director and a member of the Society's Finance Committee (for a long period as chairman of that important committee) to give a great deal of solicitous, wise attention to the enlargement, care, and investment of the Society's funds. Following a portion of his service in that capacity he was president of the Society for the year 1921, and then, after his term in that office, again served, for the rest of his life, as a member of the Board of Directors and of the Finance Committee. Finally, he projected his contribution to the Society well beyond his death; for in his will he left the Society a legacy of twenty-five hundred dollars.

He was born in San Francisco, December 28, 1867, of pioneer parents, his father, John M. Cushing, member of a well-known Massachusetts family, having come to California in the gold rush of 1849, and his mother, Anne M. Cushing (then



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Kennedy), having come to the new state some four years later, each possessed of the finer qualities of the pioneering spirit that leads into new fields. He received a part of his early education in San Francisco's North Cosmopolitan Grammar School, whose principal, a noted teacher, Kate Kennedy, was his mother's sister (these two women and three other sisters of theirs were women of remarkable character and ability). Later, his family moved to Oakland, where his interest in astronomy was stimulated by Burckhalter, who opened that city's Chabot Observatory in the year 1883. He graduated from the Oakland High School in December 1884, and went at once into business life as a clerk in the First National Bank of San Francisco. A banker relates that he made a brilliant record there as clearinghouse clerk. But the law was the career he wished to pursue, and, after studying for the bar in a San Francisco law office, he was admitted to practice by the Supreme Court, January 13, 1891, shortly after his twenty-third birthday. Two years later he became a member of the firm whose office he had entered. Three years after that, his brother, O. K. Cushing, admitted to practice in 1895, became associated with the firm, and the two brothers continued in practice together for the next fifty years, for most of that time as Cushing and Cushing, which became a respected and honored name at the San Francisco bar.

He was, like every good lawyer, always devoted to the interests of his clients, giving to the matters they entrusted to his care unremitting attention, but never allowing any supposed interest of a client to interfere with a like devotion to the highest ethical standards of his profession. Furthermore, he reserved time in which to give to the wider interests of his profession much thought and effort. He served the California Bar Association as its president for the year 1918-19, and the American Bar Association as a member of its general council for five terms from 1919 to 1924. He made important contributions to the improvement of the system of appellate courts in California and to legislation for the simplification of practice in the lower courts. By appointment of the Supreme Court of California he was for four years a member of the State Board of Bar Examiners, for most of those years its chairman.

He also saved time from his vocation for avocations, which included not only his interest in astronomy but interest in agriculture and history as well. His interest in agriculture, perhaps springing from his experience as a boy on the ranches of his father and an uncle in San Luis Obispo County, took practical form in the farming of his ranch of more than a hundred acres west of Gilroy, near the entrance to Hecker Pass. Here he spent his week ends and vacations for many years—one of his last sojourns there was one of several months in the last half-year of his life.

History was a field in which his remarkably good memory and his able judgment of men and their motives served him well for enjoyment and culture. It was this interest that took form not only in his membership in the California Historical Society, but especially in the work he did for the Society of California Pioneers in the shaping and enlivening of the Society's program of collecting and housing Californiana. Of the latter Society he was the sixty-first president (for two terms), the sixty-eighth president (for two terms), and a director for many years, giving to its business and legal affairs much time and attention. He remembered that Society, too, with a handsome legacy in his will. Next to the history of early California, it was American history that he found most interesting, though his reading in European history also was wide.

Such an interest is in itself an interest in men and their struggles; but in his case this was not a matter of mere reading. The struggles of men make politics, and he was keenly interested in the politics of his city, his state, and his nation, almost never as an office holder, but rather as a contributing, but independent, member of his party and a voting citizen. Another evidence of this interest was his membership in the Commonwealth Club of California and his participation in the work of its section on the administration of justice.

Charles Cushing's practical interest in his fellows and in his intercourse with them was, indeed, one of the controlling factors in his character. He had a wide acquaintance and many more than a few friends, but, to use Stevenson's phrase, he kept them "without capitulation." Contemptuous of pretense, hypocrisy,

dishonesty, or any lack of integrity, and with a cautious but healthy skepticism that led him to move from acquaintanceship to friendship not too fast, he took the greater enjoyment in the conversation and company of those who became his friends. Two of the groups where he found much of such enjoyment were the Bohemian Club and a smaller number who, beginning about 1901, still meet monthly as the Off-Night Club for dinner, good stories, the reading of a paper by a member, and consequent discussion. For many years it was his custom to give, in the late winter or early spring, a luncheon at the Bohemian Club to a large group of his friends and, much as they enjoyed these occasions, he enjoyed them even more.

If all this should seem to make up a picture of a man without time to be at home, such a picture would not accord with the facts of his life. He and his wife, Anne Sessions Cushing, were devoted throughout their long married life and full of affection, too, for their handsome home on the eastern slope of Russian Hill, a home which was embellished and enriched both by the beautiful furnishings she had collected with fine taste (particularly from the Chinese sources in which she was a gifted connoisseur) and by the many books of astronomy and history that he loved to peruse.

Here, then, was a man who lived a long, useful, honorable, and happy life. The Astronomical Society of the Pacific was the recipient of good fortune in his membership, his interest, and his services.