

This cherry rain hit at exactly the wrong time

One of the most painful events I've ever witnessed happened years ago, sitting with an orchardist under an awning on his back patio, looking out at his apple orchard as an intense summer hail storm bashed it to pieces. He sat, helpless, speechless, and stared as nature stole his year's income. It was gut-wrenching.

I got the same feeling Wednesday morning as the rain came down, and down and down. Enough rain and ripe cherries pop like overstuffed balloons. The storm Tuesday and Wednesday dropped half an inch of rain on local orchards just as their fruit was reaching its peak. The losses are reported to be severe, devastating in some cases.

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Growing cherries is risky. Growers will tell you they expect the weather to cost them badly at least two years out of five. But this storm could not have come at a worse time, horticulturally and economically. In recent years cherries have been about the only tree fruit crop capable of producing significant profit. The losses from the rain will be tough for many cherry growers to absorb, but it will be worse for growers hoping cherry profits will keep them in business. Some orchardists were counting on profit from their few cherries to counteract the losses from their far larger investment in apples. For some the storm may have wiped out that chance.

There will still be cherries this year, and good ones. Orchards at higher elevations, where the crop was not yet ripe, will still produce some good fruit, just as orchards harvested before the storm did. We cherry consumers will probably have enough to satisfy our summer cravings. But this storm is another economic blow for our region and its producers, and we've had too many. When it rains it pours.

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One of the most predictable decisions ever was released by the U.S. Court of Appeals Thursday, vacating a lower court ruling ordering the breakup of Microsoft. The court ruled 7-0 that Judge Thomas Penfield Jackson was guilty of "serious judicial misconduct" that makes invalid most of his decisions in the Justice Department's celebrated antitrust suit against Microsoft.

No surprises there. Judge Jackson made it clear he considered Microsoft a criminal company and its executives nefarious and arrogant. He not only did not hide the fact that his personal opinions were affecting the case, he made sure everyone knew about it.

The appeals court did uphold the ruling that Microsoft illegally maintained its monopoly in computer operating system software. Since Microsoft's software runs about 90 percent of personal computers, that's a questionable but relatively safe judgment. Other significant parts of the judgment were thrown out, not just because the judge erred, but because advances in technology have made them moot. Nobody uses the products they were arguing about. Technology moved faster than lawyers.

That should be motive enough to settle this case and allow the economy to move on. To break up a successful company simply because its bosses are arrogant and nasty is a poor abuse of the government's power. To have states piling on as plaintiffs, looking to suck up cash through litigation, is another trend that should stop here.

This ruling seems to have halted that dubious effort, and