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Entered at Portland, Oregon, Postoffice Second-Class Matter.

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18 to 25 Pages.....1 cent

20 to 44 Pages.....2 cents

45 to 60 Pages.....3 cents

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PORTLAND, SUNDAY, JUNE 9, 1907.

THE LIQUOR TRADE ON SUNDAYS.

Prohibition of the sale of liquors on Sundays is now enforced in nearly all our cities. It is not done on the ground that Sunday is a holy or sacred day, more than any other day, but on grounds of police regulation, of securing quiet for the rest day of the week, and of general conservation of the public welfare. Portland has lagged behind most other cities in this respect. But from this time another course will be pursued.

There will be question, no doubt, whether the law of the state, on the statute book during many years, has not been superseded by a clause in the charter of the city, but even if it should be so adjudged Sunday closure of saloons will not long be deferred, since the people have it in their power to amend the charter at their will. No one can reasonably doubt that the demand for change of the charter to meet the requirement for Sunday closure would be pressed with speed and vigor; nor can any observer doubt what the result would be. No one expects to enforce prohibition in Portland. But rational regulation of the liquor traffic is to be enforced, and one measure to this end will be the mandate of the people that the sale of liquors shall not be permitted on Sundays.

Nor will it avail in the least to set up the retaliatory demand that if liquors are not to be sold on Sundays streetcars must be stopped, and every stable and boathouse, newspaper must not be printed or sold, and places of amusement must not be opened. The people regard the liquor trade in a class by itself, liable to grave abuses, and therefore to be kept under regulations not required in others pursuits. It will be found that the people want and will have the liquor trade closed on Sundays, but will not demand suspension of such activities or incidents thereof as may be necessary to their proper amusement, convenience, or instruction, on Sundays. It will be a mistake to assume that the people do not know how to discriminate between what is desirable or not desirable, for the public welfare.

In the great movement toward better social and moral conditions, which has recently been making unusual progress throughout the country, Portland can not permit herself to fall behind, as she will do if she allows conditions to continue in her municipal life which will cause her to be pointed at as a solitary, or almost solitary, exception to the cities that close their drinking places on Sunday. If amendment of the charter shall be necessary, as a means or measure toward this end, the Oregonian cannot doubt that it will be forthcoming. This is one of many subjects bearing on "moral sanitation," on which the people are aroused as never before.

COMMENCEMENT.

One of that great number of fortunate circumstances which make so many of us optimists is that college commencements come in the Spring. Suppose one had to graduate in Winter, to cut loose from the apron string of Alma Mater and sally forth into the battle of life amidst rain and snow; would it not take twice the courage that it does to begin among the roses?

Graduation is a beginning, but it is an ending also. It is a time of joyful enthusiasm, but not entirely without sadness; for, do our best to make our seasons gay, the close of every epoch in life is melancholy and parting tinged with grief. Commencement day closes an epoch and it is a time of parting. No other years are like the four spent in college. The graduate speaks in his oration of "passing from the college into life," as he had been living in some world of enchantment. And he speaks truly. That world of books, rules, professors and sports is an enchanted realm.

The time that passes there scarcely counts toward growing old and what is learned counts not at all among humdrum realities.

The learning of the colleges pertains to an ideal world. It cannot be called preparation for practical affairs because it resembles nothing that takes place in the family, in business or government. Its value is for itself, not for anything that it subserves. The ideal does not draw its worth from material ends. Perhaps the opposite is true and the material and tangible possessions that we vaunt so highly would seem little worth having but for the light of the ideal that tints them with alluring gold. College does not prepare for life any more than childhood prepares for youth. It is complete in itself and infinitely precious for its own intrinsic value.

FRENCH RESTAURANTS.

Mr. Ruef seems of have played the part of a guardian angel to the French restaurants in San Francisco. Probably most guardian angels, of the decent sort at least, would prefer to exercise their watchful care over something less nauseous than these resorts, but from all accounts Mr. Ruef was not particular so long as he received his "fee." He was careful always to take a "fee" instead of a bribe from the restaurant men, and the amount was large enough to neutralize a good deal of putridity.

These offensive resorts were able to pay Mr. Ruef handsomely for his paternal guardianship because the privileges which they afforded their patrons were of the sort that bring large returns. All the French restaurants have private apartments, and what went on in their inviolable seclusion was no concern of the proprietor, so long as his pay was forthcoming. Of course they were simply brothels, and it was the professional duty of Mr. Ruef to defend them from the police and keep their licenses intact.

Since this was a service performed for his clients, professional ethics seem to have interposed no objections. It is not recorded that Mr. Ruef lost caste among his loyal brethren by receiving fees for protecting brothels against the law. For all that they ever would have done to bring him to justice, he would still be nourishing like the green bay tree.

LIVESTOCK SHOW IN PORTLAND.

Frequently this paper has pointed out the merits of the livestock-show plan, which has been much discussed since the livestock exhibition of the Lewis and Clark Fair, two years ago.

The many advantages of a great yearly display, both to the livestock industry, other activities and this city, have been cited so often that they hardly need repetition here.

But it may be repeated that the breeding and feeding and care of horses, cattle, sheep, goats, swine and poultry are promoted immeasurably by displays of fine stock, the meeting of their breeders and the exchange of information. This exchange brings out the best adaptations of Northwest regions to particular breeds and makes the knowledge gained by a few discoverers and inventors the common property of all breeders. This process continues year after year, will make the Northwest the most famous breeding ground in the world. Hood River apple and strawberry-growers, by following this method, have made their district famed the world over.

A livestock show, recurring annually, would stimulate the public interest in livestock and nothing else can do. No exhibit at the Lewis and Clark Fair attracted greater interest than the livestock show. The recent horse sale in Portland drew immense crowds and people came hundreds of miles to it. The meets of the Hunt Club always are attended by great throngs. Poultry and dog shows also get large attention.

The evidences are plain that the people of this city and of the whole country take tremendous interest in livestock. So many kinds of people take interest in different ways that all together they are a large body. Never before has livestock presented such favorable opportunities for production of wealth as now, and never has there been such heavy demand for good horses and mules, superior dairy and beef cattle, and high-bred swine, sheep and goats. Livestock is at the basis of all prosperity and all the people feel that good game of it we cannot even guess.

In fact, as Mr. Frederick Trevor Hill clearly points out in his article on "Legal Defects of the Law" in the June number of Putnam's Monthly, for the most part no good at all comes of it, but rather evil. For that failure of justice which is so common in modern lawsuits Mr. Hill blames the lawyers who defend the parties. He states his case with the skill of a practiced advocate and fortifies it with instances of trickery so glaringly iniquitous that there seems to be little worth saying on the other side. He tells how they lay snare for the trial judge and set traps for him unawares in order to prepare the way for a reversal on appeal; how they use the statute of limitations to defeat just claims and employ vain technicalities to set red-handed murderers free. And all that he says is true. The lawyers do these things to their everlasting shame and they justify them with arguments which are as hollow as their pleas in court. Perhaps the worst of all the accusations which Mr. Hill makes against his own profession is their way of bringing the law into contempt by entitling the courts to declare statutes void. This abuse has been carried to such lengths that nobody thinks of allowing full validity to a legislative act until "the courts have passed upon it." The judicial veto power has come to be much more important than that of the executive and the result has been to relax the sanction of law itself.

The plan for a great annual Western show in Portland is full of merit. It should have the approval of the people of Portland and they should make possible its consummation. Promoters of the Country Club and Livestock Association give assurance that the plan is about to be carried out, by the raising of \$100,000. There is opportunity to establish in Portland the greatest exhibition in the West.

A THEORETICAL LOSS.

The New York Sun prints an imposing array of figures which show the value of exports from this country for the past forty-six years to be more than \$86,000,000 of which only about \$13,000,000 has been carried in American ships. The reason for presentation of these figures, according to the Sun, is to "give a partial idea of the many hundreds of millions of dollars we have lost in the transportation of American exports in foreign instead of American ships." As usual, it is difficult for the hard-headed business man who never believes in paying \$2 for a service or a commodity which he can secure for \$1 to understand where we have actually "lost" any millions by turning over to other people a business which would not return profits sufficiently alluring to induce the withdrawal of money from industries where it was earning good dividends to engage in the shipping business.

Still, there is another side to the case. Mr. Hill's article, convincing as it is at a first reading, is in reality only another specimen of the same sort of ingenuity which it seems to condemn. It is apparently impossible for a lawyer even when confessing his sins to get at the real point of the matter. If cases in court are made to turn upon technicalities rather than merit, who is to blame for it? Mr. Hill says emphatically "the lawyers," but this is a superficial reply. Lawyers make their living by winning cases and they are only partially to be condemned for doing so in an easy rather than a difficult way. The stress of competition would speedily drive out of practice one who failed to take advantage of the statute of limitations and similar encouragements to fraud. But it must be remembered that no lawyer can profitably play any tricks except such as the higher courts sanction.

By exactly the same kind of reasoning the Sun has "lost" vast sums of money in the past forty-six years by permitting the foreigners to carry our freight, unless it is also shown that the charges exacted were more than the service was worth? Any "loss" would be impossible if they performed the service for less money than we could do it for ourselves. On the contrary, it would be highly profitable for them to permit them to do the work.

It is publication of such ridiculous statements by papers of the standing and reputation of the Sun that is responsible for much of the misunderstanding.

standing that exists regarding the exact status of the ocean carrying trade. Our people have been led to believe that our foreign commerce is suffering because there is an insufficient number of American ships with which to handle it. Only recently a hugerious wall arose over withdrawal from the Oriental route out of Puget Sound of three American carriers, the ostensible reason for withdrawal being failure of Congress to pass a subsidy bill. The actual reason for withdrawal of these ships was that the Japanese, having purchased a large fleet of second-hand British steamers (Americans are prohibited from buying foreign ships no matter how cheap they can be secured), cut freight rates out of Portland and Puget Sound ports from \$5 per ton to \$3.25 and \$3.00 per ton. As the producer of the freight saved the difference between the high rate and the low rate, it is not clear where this country was a loser by the change. As to the steamers which were withdrawn last week and was paid \$3 per ton for carrying cargo 600 miles to San Francisco, compared with \$5 which she formerly received for carrying it 4000 miles to Hongkong. The others found even more profitable business in carrying freight to Alaska. It will require something more than the idle statement of a subsidy-seeker to convince the American business man that we are "losing" money by permitting foreign steamers to carry our freight across the Pacific at \$3.25 per ton instead of paying \$5 per ton to an American vessel.

FOR trifling defects of form it is the superior courts that do it, not the lawyers. They ask for the pernicious favor but it is the judges who grant it. The truth is that the courts of appeal could reform the practice of the law almost instantly were they so inclined and destroy the labyrinth of technicalities in which justice now wanders helplessly by simply declining to recognize their fictitious importance. Lawyers are, of course, to blame for not rising superior to the exigencies of competition. So are all the rest of us. But judges are exempt from competition. They do not make their living by winning cases. They are under no economic compulsion to exalt technicalities and degrade justice. Moreover, the power to end the wretched farce of our modern legal procedure is theirs. Why do they not exercise it? We hear a great deal about the courage of judges and no doubt they are as brave as other men; but in this essential matter of bringing justice to the front and banishing form and precedent to the rear, while some of them talk much they do very little. In discussing the defeats of justice it is only fair to place the responsibility where it belongs to the people.

THE LAND OF TOMORROW.

Any statement that appears in connection with the name of John Barrett, director of the International Bureau of the American Republics, commands attention in this community, the obvious reason being that Portland is the home of John Barrett, hence an article bearing his name as author in the current number of "The Land of Tomorrow," will find—no doubt, some of us—opportunity for something more than a "partial ideal" by printing an estimate of how much it would have cost us to ship that \$66,000,000 worth of freight in American vessels instead of with the foreigners?

A PLEA FOR LAWYERS.

It is very well to scold the lawyers for taking advantage of technicalities and evasions in order to win their cases. They deserve all the scolding they get and a great deal more. Their reputation for trying to make black and white look white and substituting the worse for the better reason is at least as old as the Greek sophists and it has always been richly merited. The law of the Orient gives a "partial ideal" of what we have lost. Why not afford us opportunity for something more than a "partial ideal" by printing an estimate of how much it would have cost us to ship that \$66,000,000 worth of freight in American vessels instead of with the foreigners?

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It is scarcely necessary to speak of the ignorance that is generally prevalent throughout the United States in regard to this vast Southern continent. Mr. Barrett characterizes this ignorance as appalling, a characterization that is just when we consider its density and its commercial consequences. This being a commercial age, it is natural that the latter phase of the question should attract instant attention.

The story of the development of industry and trade in the South American republics, and of the stage to which this development has attained, has the fascination of