



EX ANTE

OUR MISFORTUNE

We've had no word in recent weeks about defects in our publications, but we have suffered another kind of publication misfortune, which we now disclose: we should have taken better snapshots sooner.

It involves the 2020 *Green Bag Almanac & Reader*. When it is – eventually – in print, it will feature facsimiles of notes written by U.S. Supreme Court Justices, dating from 1887 to 1997. Each will be accompanied by scholarly commentary and a transcription (some Justices having bad handwriting).

The originals of many of the notes are held by the Manuscript Division of the Library of Congress. When we were collecting many, many interesting notes and attempting to enlist appropriate scholars to write about them, we quickly took useable (but not publishable-quality) snapshots of each note. There were a lot of them, and we did not know which ones would eventually be paired with scholars who would deliver good papers about them.

The idea was to provide those useable images to scholars, and return to the Library later to invest the time and effort to make fine, publishable-quality scans of just the notes – those happy few – that would in fact appear in the *Almanac & Reader*. But then, just as we were getting set to head back to the Library, it closed, quite reasonably but inconveniently.

So, the *Almanac & Reader*, mostly ready to go, waits in the starting gate, ready to gallop to the printer after we make one visit to the Library – soon, we hope, and safely, we expect – for those good images of notes. Until then, and with apologies for the delay, we'll be sharing an occasional outtake, starting with the note on the next page, which proves the *Green Bag* is not alone in being overtaken and slowed by unexpected and intractable events.

1721 RHODE ISLAND AVENUE,
CITY OF WASHINGTON.

Oct 17/87

Dear G.

I had an uncomfortable
bowel attack last night,
and am to have the doctor
presently. If he should
advise keeping still today,
is there anything important
coming on in court, which
I ought not to miss?

M. G.

Wm. H. Gray

Note from Justice Horace Gray to Chief Justice Morrison Waite (Oct. 17, 1887)
(transcription on page 266 below).