

To the Bag:

In *Changing of the Chiefs* (9 GREEN BAG 2D 175 (2006)), I wrote that President Kennedy nominated Judge McGowan to his seat on the U.S. Court of Appeals for the D.C. Circuit, and that President Johnson renominated him. President Johnson did not renominate Judge McGowan, who was confirmed by the Senate before President Kennedy was assassinated. I regret the error.

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### The Reason Why Scalia

To the Bag:

Regarding your review of the second edition of *The Oxford Companion to the Supreme Court of the United States* (see 9 GREEN BAG 2D 103 (2006)), the reason for my less than neutral treatment of Justice Scalia as compared with what I wrote for the original (1992) edition results from the editors' allowing me three times as many words to do him justice as they originally provided. Hence, the opportunity to display the flesh which the skeleton of a rather meatless biographical sketch omitted. As for Scalia's offending my sensibilities, not true. I adhere to an empirical line that allows the chips to fall where they may.

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### A Ghostly Reply

To the Bag:

Professor Richard Epstein declares that I am mistaken in my decision prohibiting the use of public funds to build privately-owned railroads in Michigan. See *The Public Use, Public Trust & Public Benefit*, 9 GREEN BAG 2D 125 (2006). Perhaps his general position might be defensible with respect to corporate