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## Lawyer Presents

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## THE LAWYER PRESENTS—

*Mr. Justice Brennan and His Legal Philosophy* by Francis P. McQuade and Alexander T. Kardos is the second article published by the *Lawyer* on the most recent appointees to the Supreme Court during the Eisenhower administration. In the March issue of the *Lawyer* Marlin M. Volz, Dean of the University of Kansas City School of Law, contributed an illuminating article on Justice Whitaker. After portraying the early life of Justice Brennan, the authors attempt to outline his legal characteristics and jurisprudential leanings by turning to his public speeches and addresses; his decisions in the New Jersey courts; and his decisions as an Associate Justice of the Supreme Court. While this case-by-case study is most helpful in gleaning Justice Brennan's views on both substantive and adjective rights, it is the authors' conclusion that it is now premature absolutely to categorize his juristic philosophy.

Dr. Anton-Hermann Chroust, Professor of Law, Notre Dame Law School, continues his study of the legal profession in Colonial America by sketching the progress of the bench and bar in the early colonies of New York, New Jersey, Pennsylvania, Delaware, and Maryland. The preceding part of Dr. Chroust's study of the legal profession in Colonial America appears in 33 *NOTRE DAME LAW*. 51 (1957); the completion of this phase of his work will be presented in the December issue of the *Lawyer*.

Today, private industry is the recipient of numerous government contracts totaling millions of dollars in public funds. The subject matter of these contracts varies from small personal items for mili-

tary personnel to large naval ships or aircraft; whatever their nature, all are subject to countless regulations of the government in their execution and performance. One such regulation prohibits the advancement of public monies for goods or services not delivered or furnished at the time the funds are paid. However, C. S. McClelland, in *The Illegality of Progress Payments As A Means of Financing Government Contractors*, states that government agencies have seemingly ignored this manifest prohibition and are making "progress payments" as a matter of course to government contractors. He critically analyzes the authorities relied upon by the government in making "progress payments"; it is his conclusion that these authorities are inapplicable for the making of such payments.

Realizing the need for an informed and current appraisal of the many problems of Church-State relations in the United States, the *Lawyer* is pleased to present *Religious Institutions and Values: A Legal Survey 1955-57*. This Note, the combined efforts of three writers, inaugurates a biennial presentation of the *Lawyer* which we hope will afford a comprehensive view of legal developments affecting the Church as an institution and as the custodian of the moral values of the community. As such, the survey represents an extension of the Church-State problem beyond the familiar first amendment area to legal directives affecting the moral disposition of the individual in society. The selection of topics has been governed mainly by the recent dispositions and enactments of courts and legislatures in the area, rather than by any formal analysis of the Church-State problem.