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BOOK REVIEW

STARE DECISIS—Some Trends in British and American Application of the Doctrine by Russell F. Moore—Simmons—Boardman Books, 1958, 46 pp. Price: \$3.00.

The avowed purpose of the author of *Stare Decisis* is to point out some discernible trends in the "functioning of this doctrine in the United States and in England and Scotland". In a very general sense Mr. Moore achieves his purpose, for he illustrates and concludes that: the trend in England is toward rigid application; in Scotland, application remains flexible; while in the United States the byword is "liberal".

Although its forty-six tiny pages are well documented and liberally laced with quotations, this book is relatively basic as a study of the doctrine of *stare decisis*. This may be attributable to the fact that it was written with the lay reader in mind. But if this is so, that portion of the book which attempts to "sketch, very briefly" the Scottish judicial system should have been omitted, for it seems complex enough for even the most astute legal scholar.

With the single exception noted, the text is well suited to the lay reader seeking a simple explanation and concise history of the doctrine. Its value to the legal practitioner or scholar lies only in the footnotes which constitute a veritable bibliography of books, notes and cases on the subject of *stare decisis*.

JOHN W. PELINO.

