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## Book Review

Joseph F. Maier

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## BOOK REVIEW

### MUNICIPAL LAW

By Charles S. Rhyne, Washington, D. C.: National Institute of Municipal Law Officers. 1957. One Volume. \$22.50. 980 pages.

City and Town Attorneys throughout the nation have probably been faced with more new and difficult problems in the past fifteen years than have any other group of attorneys. This has resulted in part from the concentrated growth of urban population at the expense of rural areas, and in part from the constantly increasing number of demands being made upon local government by its citizens. A further factor has been the increase in federal-city relations fostered by federal legislation providing federal aid for various types of local projects. Municipalities have increasingly availed themselves of the financial aid provided by the United States for the construction of airport facilities, sewage disposal plants, and, in the larger population centers, slum clearance and housing developments. Each of these, and allied projects, have created complex new legal problems, the solution of which has been required in order that local government might maintain its growth and progress.

Another complex area of legal controversy, involving local government, is in the field of taxation. Increased expenditures in every branch of government, local, state, and national, has kept constant the search for new areas of taxation. In the sometimes desperate attempt to increase revenues, one branch of government has attempted to tax yet other branches of government, opening up obvious fields of controversy between local governments and the state and federal government.

The material for research in these fields has been limited, to some extent, and in some fields almost non-existent. Of course, the fact that municipal law is in large part dictated by state statutes, charter provisions, and local ordinances, would in some measure account for the failure of legal writers to attempt a comprehensive work in this field. Also contributing to the paucity of material, at least in some of the special fields of municipal law, is the fact that the problems themselves have only recently developed. Still a further deterrent to writers in this field is the very wide scope of the subject matter to be found within the generic term of "Municipal Law." Municipal law, of necessity, includes a goodly portion of the basic law school courses such as contracts, torts, criminal law, real property, etc.; and in addition, knowledge is required of administrative law as well as of such newly developing fields of law as municipal airport operation, inter-governmental taxation, public housing and slum clearance, zoning and urban planning.

From what has been said above, it seems obvious that there has been a gap in the field of legal writing when considered from the viewpoint of the practicing municipal attorney. This gap, however, is being filled gradually. There are several worthwhile works on Municipal Law which have

been published since World War II, and particularly on specific fields of Municipal Law, including material furnished by the American Bar Association's Municipal Law Section, as well as several extensive volumes by individual authors.

The National Institute of Municipal Law Officers (NIMLO) has been of considerable value in this field, and Mr. Charles S. Rhyne, who has been NIMLO's general counsel for twenty-one years, has contributed a large part of NIMLO's output. He edits various NIMLO publications, including the excellent NIMLO *Model Ordinance Service*, and he has written various previous works on specific fields of Municipal Law. He is this year the president of the American Bar Association.

Mr. Rhyne's current volume, *Municipal Law*, is an attempt to comprehensively re-state the entire field of Municipal Law within the confines of one volume and, for some purposes at least, the attempt must be deemed successful. The author has sub-divided the material, by chapter, to cover all of the standard sub-topics usually listed by text writers on municipal law, and also has included separate chapters on topics not always separately covered in that field; i.e., there are separate chapters on *Federal-City Relations*, *City-State Relations*, *Parking and Parking Facilities*, *Airport*, and *Public Housing*, *Slum Clearance*, *Urban Redevelopment* and *Urban Renewal*.

The author has made no attempt to contribute anything new, or to state his own ideas in the field. The material presented in *Municipal Law* is almost entirely a re-statement of points obtained from the decisions, and is supported by exhaustive and accurate footnote citations of authority, giving testimony to the immense amount of research material available to Mr. Rhyne from the NIMLO library. It must also be observed by the reader that Mr. Rhyne has used extreme care in the selection and use of his material.

The volume contains a well constructed index, and has an excellent breakdown of the major topics within the chapters, with separate section headings, making the book easy to use and providing a quick reference guide for the busy municipal attorney in briefing the numerous day-to-day questions confronting him. The book would undoubtedly be of value to any lawyer serving as attorney for a city, town, or other unit of local government.

JOSEPH F. MAIER\*

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\*City Attorney, Torrington, Wyoming.