

The “Lodger Evil” and the Transformation of Progressive Housing Reform, 1890–1930



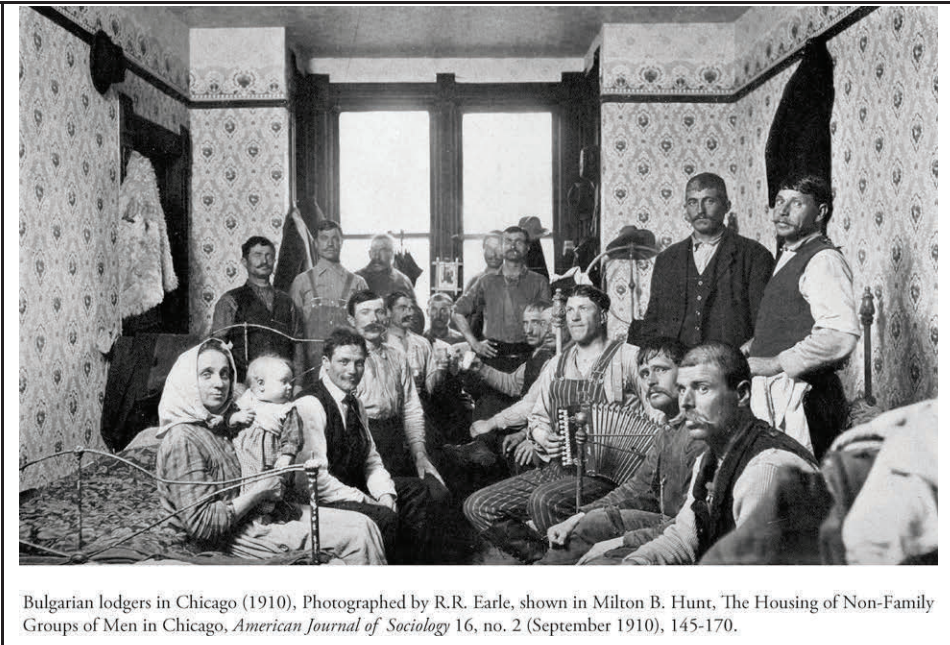
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Few crusades more completely stirred the passions of progressives than tenement reform. The movement achieved its first great success in New York City after the publication of Jacob Riis’s book *How the Other Half Lives: Studies among the Tenements of New York* in 1890. By the first decade of the twentieth century, it had taken root in Chicago, Philadelphia, Cincinnati, and other large cities in the Northeast and Midwest. Tenement reformers launched an all-out attack on an array of real and perceived housing ills. They called for cities and states to enact tougher building codes and establish new parks and recreation facilities in poor neighborhoods (Lubove 1962, 62–76, 107–81; Andracheck 1979, 139; Fairbanks 2000, 26–31). But tenement reform also had unintended consequences. Although the restrictions it imposed may have increased the quality of housing, the side effects were to reduce affordability and availability. The story of the progressive campaign to stamp out the “lodger evil” provides a clear illustration of these unintended consequences.¹

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1. For a provocative and persuasive study disputing the prevalent view that building codes increased housing quality during the Progressive Era and later, see Cobin 1997, 60–80.

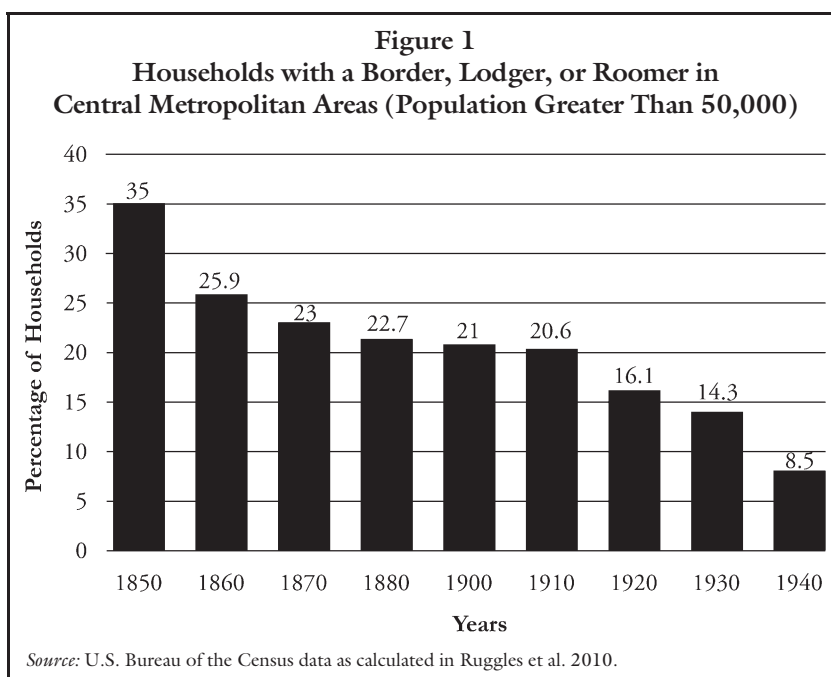
The Independent Review, v. 20, n. 4, Spring 2016, ISSN 1086–1653, Copyright © 2016, pp. 485–508.



The term *lodger evil* referred to the practice of many urban families, especially in the Northeast and Midwest, to double up through subletting. Their chief motivations were to save on rent and earn extra income. Most lodgers were unmarried males and came from the same ethnic group as the subletters. Many were relatives who planned only temporary sojourns in the United States, whereas others represented the advance guard of later immigrant families (Veiller 1911, 6–9; Abbott 1936, 341–48). To some extent, the spread of lodging in private homes and apartments replaced the more formalized reliance on boardinghouses during the nineteenth century (Peel 1986, 814–15; Gamer 2007, 169–70).

Viewed from the immigrant's perspective, this reliance on lodgers was not so much an "evil" as a strategy for coping with the challenges of American life and a means of upward mobility. Few arrangements better revealed the advantages of a relatively open and unregulated housing market for poor urban dwellers. Because building codes and other restrictions were often minimal or poorly enforced, people of modest means had considerably greater opportunities than those of later generations to improve their lot. The lodger evil was very much the trial-and-error creation of ordinary people and clashed head-on with the top-down approach of Progressive Era political elites.

Reliance on lodgers was not a new phenomenon at the time, of course. Long before the turn of the twentieth century, urban dwellers had leaned on this source for extra income (Peel 1986, 815–18). In 1850, according to census rolls, a lodger or roomer or boarder was present in 35 percent of the households in the central cities of metropolitan areas with fifty thousand or more people (see figure 1). This percentage fell consistently after that. By 1900, it was down to 21 percent, ebbing slightly to



20.6 percent ten years later (Ruggles et al. 2010). Despite this decrease and the historical existence of lodgers, in the first two decades of the twentieth century major commentary on this trend began to appear. The most obvious dividing point came in 1903, when the term *lodger evil* first began to gain wide currency among reformers.²

Much of this enhanced anxiety was a response to the “new immigration.” More than 18 million immigrants entered U.S. ports between 1880 and 1920. Most were from eastern and southern Europe and were Catholic, Jewish, or Eastern Orthodox. They differed greatly from their predecessors, the mostly Protestant “old immigrants” from western and northern Europe. Never before had the United States experienced such a rapid infusion of ethnic and cultural diversity. By 1900, more than three out of ten people in New York City, Chicago, Cleveland, and Boston were foreign born (Gibson 2010).

Immigration and Urban Crowding

The surging immigrant population led to an intensity of crowding that was unprecedented in U.S. history. Urban dwellers faced population densities that had not characterized the typical immigrant experience of earlier generations. No place had more crowding than New York City. In 1894, parts of Manhattan recorded the highest population density in the world. The most congested wards in the Lower East Side

2. The earliest identifiable appearance of the term *lodger evil* was by C. A. Mohr in his chapter in the collected volume *The Tenement House Problem* (1903, 437). Nobody, however, did more to popularize the term than Veiller, a coeditor of that book.

had between 366 and 701 people per acre (Lubove 1962, 94). Although these highly cramped conditions were not the norm in the United States, other cities also experienced the same trend (Simon 1996, 32–36). Portions of Chicago’s Back of the Yards district had densities of three hundred or more people per acre. The Polish quarter in that city had more people per acre than the most congested areas of Tokyo or Calcutta (Hunter 1901, 52–55). All of this crowding took place before the advent of the skyscraper.

The writings of housing reformers featured sharply drawn personalized stories emphasizing sardinelike conditions. Embellished and often heart-wrenching depictions filled the pages of Riis’s book *How the Other Half Lives*, which became the bible of early housing reform. In one of many such vignettes, Riis described a tenement crammed with a family of nine: “husband, wife, an aged grandmother, and six children; honest, hard-working Germans, scrupulously neat, but poor. All nine lived in two rooms, one about ten feet square that served as parlor, bedroom, and eating-room, the other a small hall-room made into a kitchen” ([1890] 1996, 90–91). A study by Emily W. Dinwiddie for the Octavia Hill Association in Philadelphia similarly underscored the perils of overcrowding in that city. For the Italians, she stated, “more than one family in every four, almost one in three, had but one room for kitchen, dining-room and bedroom” (1904, 19). Not surprisingly, housing reformers highlighted the worst cases for maximum shock value.³

In the semiautobiographical work *The One Woman: The Story of Modern Utopia*, the ninth best-selling novel of 1903 (Best-Selling Books 1904, 151), Thomas Dixon Jr. highlighted the menace of crowding. Today better known for his novel *The Clansman*, a glorification of the Ku Klux Klan that inspired the D. W. Griffith film *Birth of a Nation* (1915), Dixon had pastored a New York church in the 1890s (Slide 2004, 123). In *The One Woman*, his hero, also a minister, informs parishioners that “[wi]thin a stone’s throw of this church are districts in which ten men and women sleep in one room twelve foot square. . . . In two houses were found the other day one hundred and thirty-six children” (1903, 118). In reality, cramped conditions of this type were unusual even in the poorest of neighborhoods, but individualized stories that Riis, Dixon, and others related were not pure fantasy. Many people in poor neighborhoods did indeed experience intense crowding.

Although reformers before the turn of the twentieth century had condemned heavy urban congestion, they did not usually single out the lodger as such. Instead, the usual approach was to depict crowding as a generic problem of which the lodger was only a part. The all-purpose reform solution was to enact antilot crowding laws, so-called because they tried to maximize open spaces by requiring builders to leave a certain amount of open yard space as well as to limit building heights. Almost all of these measures applied only to new dwellings. An underlying strategy was to reduce population density by changing building design (Reynolds 1893, 48–61;

3. Also see Hunter 1901, 90–94, and Norton 1913, 527, 535.

Hunter 1901, 164–66; Abbott 1936, 59–61). One of Riis's priorities in *How the Other Half Lives*, for example, was to do away with the highly congested dumb-bell tenement, which often left little room on each lot for yard space or light ([1890] 1996, 236–45).

The enactment of the landmark New York State Tenement Act of 1901 represented the first major victory of the antilot crowding campaign. Writing in 1936 from the perspective of a recent wave of New Deal legislation, James Ford, a widely acknowledged authority on urban planning, dubbed it "the most significant regulatory act in America's history of housing" (1936, 205). The act's main framer and its most tireless advocate was Lawrence Veiller. From 1901 on, Veiller's reputation was secure as the leading housing reformer in the United States (Lubove 1961, 671–74). A deeply felt animus toward urban "congestion" drove him forward throughout his career. The consequences of such crowding, he warned, were especially serious because those at the center of it were "alien to our life in every way," including American cultural and political institutions (Veiller 1905, 50).

Veiller's New York law required a fixed square footage of open area on each new tenement lot and put a cap on building heights. Other provisions, although not aimed at limited density per se, such as mandated water closets on each floor, had that limitation as a side effect (Lubove 1962, 134–36). Using this law as a model, other cities such as Chicago, Louisville, Cincinnati, Boston, and Philadelphia soon established similar legislation (Fairbanks 2000, 30–31). The end result was a wave of urban laws restricting density by such methods as limiting construction of row houses, lodging houses, and triple deckers (Louisville 1909, 3; Andrachek 1979, 140–49, 165–71; Husock 1990, 53–56).

By the end of the first decade of the twentieth century, fighting congestion became a priority of reformers and urban planners both in New York and in the nation as a whole. A defining moment came in 1907 when a group that included settlement house leaders Lillian D. Wald and Mary K. Simkovitch as well as Florence Kelley, the secretary of the National Consumers League, organized the Committee on Congestion in New York City. The secretary was experienced social worker Benjamin C. Marsh (Marsh 1953, 18–20). The committee gained immediate publicity by staging a photographic exhibit at the American Museum of Natural History on urban crowding, a condition described by the *New York Times* as "New York's greatest evil" ("Efforts to Remedy" 1908). As a means to limit congestion, it put forward a wide range of proposals, including a tax on land values, tougher building codes, and new limits on building heights ("Many Spots in New York" 1908).

In 1909, the Committee on Congestion directly spawned the influential National Conference on City Planning and the Problem of Congestion (its name was later shortened to the "National Conference on City Planning") (Marsh 1953, 27–28). Marsh, in stating the conference goals, described ending the "vicious circle in congestion" as an essential part of any program of urban planning (1910, 35). The

new group brought together some of the leading voices of reform and city planning. In addition to Veiller, Simkovitch, and Marsh, its officers included Jane Addams and renowned landscape architect Frederick Law Olmsted Jr., the son of the designer of Central Park (General Committee 1910, vi–vii; D. Freund 2007, 50–51).

Following this model, reformers and allied business interests persuaded the City of New York to create the Commission on Congestion of Population in 1911 to spearhead efforts to reduce crowding.

Marsh served as secretary (New York City Commission on Congestion 1911, 2–4; Marsh 1953, 19). The committee’s report that year warned that crowding had largely “nullified” the impact of the 1901 law. In a list of recommendations, it called for the state Department of Education to arrange talks for families on the “danger to children of occupying rooms with lodgers” and for the federal government to take steps both to reduce immigration and to discourage the “segregation” of particular immigrant groups in high-density areas (New York City Commission on Congestion 1911, 34–35, 85, 190–91).

By this time, however, reformers were increasingly shifting away from the antilot crowding panacea. The practical obstacles to such an approach were becoming undeniable (Veiller 1911, 27–31). Much to their chagrin, the sponsors of these laws had failed to solve the problem they were designed to cure: high urban-population density. Population densities remained high, especially in the urban core of cities such as New York and Chicago. The crux of the reform dilemma was that although antilot crowding laws often could successfully reshape the physical dimensions of new buildings, they did little to regulate behavior within the buildings’ walls. In city after city, resourceful landlords and subletters found inventive ways to squeeze in additional tenants (Abbott 1936, 100). Indeed, because many laws required new housing to cover a smaller percentage of the same-size lots, the degree of population density per square foot could be even greater after the laws were enacted (New York City Commission on Congestion 1911, 94–96).

Blaming the Lodger Evil for Crowding

Frustrated by the shortcomings of antilot crowding legislation, reformers across the country increasingly directed their fire against the lodger evil component of tenement crowding. Veiller considered it a problem “fraught with serious consequences to the welfare of the community as well as to the individual. Where this evil is entrenched, it must be fought resolutely; where it has just begun to show itself, it should be nipped in the bud” (1912, 64). The recommendation by Johanna Von Wagner of New York City, another regular participant in housing conferences, that lodgers “never be tolerated” because they were enemies of “family peace” was widely quoted. Works of fiction perpetuated these and other negative stereotypes (“Lodgers” 1916, 6–7). The description in the British novel *The Lodger* (1913) by Marie Belloc Lowndes echoed those common in the United States. At first, the landlady in the

story is happy to take the gentlemanly lodger in the title role. He seems a refreshing contrast to his predecessors, who "had belonged to that horrible underworld of men and women who, having, as the phrase goes, seen better days, now only keep their heads above water with the help of petty fraud" (28). Little does she suspect, however, that the lodger is a serial killer (based on Jack the Ripper). In 1927, Alfred Hitchcock immortalized Lowndes's story in what became his breakout film.

By the beginning of the second decade of the twentieth century, fighting the lodger evil was a priority for several key organizations concerned with tenement reform. A key player was the National Housing Association (NHA), which Veiller was instrumental in founding in 1911 to build nationally on his legislative success in New York. Many cities and states relied on his model housing law, which was distributed by the NHA. At the group's second annual conference in 1912, Veiller attributed the failure to stem crowding "largely to the fact that we have not recognized with sufficient clearness that the lodger evil is the root of our room overcrowding problem" (1912, 69).

Pronouncements against the lodger evil followed in the style pioneered by *How the Other Half Lives* by hammering home the most extreme examples that could be found. In *The Jungle* by Upton Sinclair, for example, the main character, Jurgis Rudkus, a Lithuanian immigrant, has to step "over a half dozen sleeping boarders" shivering in a cold room left unheated by the debt-laden owners ([1906] 2005, 219). Thomas Jordan, the chief inspector of the Boston Department of Health, described how cots "stowed away in closets are brought out; chairs are used for putting mattresses on; even the kitchen range is used. . . . [L]ast year we found three men sleeping on top of the piano on mattresses" ("Discussion" 1912, 171–72). A housing reformer in Newark, New Jersey, reported that "one enterprising gent had fifty-six men living in two rooms" ("Discussion" 1912, 181). Others focused on the alleged pervasiveness of the "Box and Cox" or "hot beds" arrangement under which lodgers slept in the same bed in alternating shifts (Veiller 1912, 59; Philpott 1978, 64).

The Agrarian Ideal, Sex, and Xenophobia

The horror stories about crowding often reflected a deep-seated ideological belief that urban congestion represented an offense against human nature. Riis proclaimed that "[m]an is not made to be born and to live all his life in a box, packed away with his fellows like so many herring in a barrel" (1902, 139). In his much-cited local survey *Neglected Neighbors*, Charles Frederick Weller relied on similar imagery when describing the dwellers in alley tenements of Washington, D.C.: he compared them to rotten fruit in a barrel likely to spoil the rest without corrective steps (1908, 69).

To some extent, views of this type reflected nostalgia for an older agrarian ideal. In Dixon's novel *The One Woman*, the main character wonders why so many continued to "turn their backs upon the open fields and crowd into this great foul, rattling, crawling, smoking, stinking, ghastly heap of fermenting brickwork, oozing poison

at every pore" (1903, 119). Almost wistfully, Riis hoped for a day when "the tide of the last century's drift to the cities" would be reversed (1902, 139). Veiller did not see the "slightest reason why the greater part of our tremendous foreign population, which has come from rural peasant life in Europe, should not continue in similar rural peasant life in this country" (1905, 63–64). The New York City Commission on Congestion of Population recommended that the city and state purchase land to allow immigrants to work as farm laborers, just as they had in the old country (1911, 191). But most of these musings were little more than wishful thinking. Dixon, Riis, and Veiller probably knew that this kind of agrarian dream was unrealistic, at least in its pristine form.

More modified variants of the agrarian ideal depicted lodgers as threats to democracy, social order, and private family life. Veiller considered it foolish "to expect a conservative point of view in the workingmen" who were living in crammed quarters (1911, 6). Any hope for privacy, reformers asserted, was impossible under such conditions. In 1908, the Civic League of St. Louis stressed the inevitable "friction that comes from living so close together. Everything is visible to every one else, men, women and children" (1908, 39). Scores of other housing investigations echoed this theme. According to Dinwiddie, there was "no home life and no privacy anywhere" lodgers were present, and she concluded that "to call such a habitation a home is but a mockery" (1904, 20). In his novel *The Root of Evil* (1911), Dixon describes how the main character "hated the sight and sound" of lodgers and regarded "their presence in the house an unpardonable intrusion" (book 2, 123). Speaking more generally on tenement rootlessness, Riis asked whether it was possible for an immigrant, "who hardly knows what a home means" to play a responsible role as a citizen (1902, 133).⁴

No critique of the lodger phenomenon was complete without sounding the alarm against the dangers of sexual immorality (Wright 1981, 127–28). This alarm usually took the form of citing specific instances where several adults or children of the opposite sex slept in the same room or even in the same bed. In their study of Chicago's Back of the Yards area, Sophonisba Breckinridge and Edith Abbott recoiled at finding that "men lodgers slept in the same room with the young daughters of the household," totally oblivious to any "improprieties" (1911b, 458). Veiller repeatedly underlined the moral hazards of lodging, attributing to lodgers "the breaking up of homes and families [as well as] the downfall and subsequent degraded career of young women" (1911, 33).⁵

Xenophobia often lurked in the background in commentary about urban crowding and sexual immorality, but in *The Jungle* it came out in the open. The main character witnesses "a howling throng" of "big buck Negroes" brought to Chicago as strike breakers from the South, stripped to the waist and cavorting in public with "young white girls from the country" while "rows of wooly heads peered down from

4. Along the same lines, see Franklin 1908, 1342.

5. Also see Civic League of St. Louis 1908, 44, and Hughes 1914, 308.

every window." Later in the scene, the narrator states that the meat-packing companies had arranged for these men and women to be lodged on the same floor, where "there began a saturnalia of debauchery-scenes such as never before had been witnessed in America" (Sinclair [1906] 2005, 295).

An "Evil" or a Benefit?

The carefully gathered statistics in the U.S. Immigration Commission's special report in 1911, titled *Immigrants in Cities*, provide a welcome corrective to anecdotal examples and the sometimes undiluted passions of novelists, social workers, and reformers. The commission queried more than ten thousand low-income households in congested areas of New York, Chicago, Philadelphia, Boston, Cleveland, Buffalo, and Milwaukee about household ethnicity, income, the numbers of lodgers, and the percentage of income earned from this source. *Immigrants in Cities* confirmed that the lodger phenomenon was indeed widespread. Twenty-five percent of the households in the seven cities had at least one lodger present. The actual percentage was probably higher because respondents had a tendency to conceal the facts, fearing, not without reason, that they could be reported to the authorities for prosecution.⁶ In the seven cities, the percentage of households with lodgers ranged from 16 percent in Milwaukee to 30 percent in Chicago. But the widest variation was between ethnic groups. The practice was most common among eastern and southern Europeans. Only 13 percent of native white households had lodgers compared to 27 percent among the foreign born. The highest percentages in the latter category were 70 percent for Lithuanians, 47 percent for Magyars (a people primarily native to Hungary), and 42 percent for northern Italians (U.S. Immigration Commission 1911, 80–83).

The stereotype of tenement walls bursting through with lodgers did not correspond to the lives of most of the urban poor, however. For all seven cities, the report found an average of 1.79 lodgers per household. Again, within this average, there was some wide variation. No ethnic group in any city averaged more than four lodgers per household, but several averaged between three and four, including the Slovenes and Magyars of Chicago and Cleveland as well as the Poles and southern Italians of Boston and Philadelphia. Although blacks inclined somewhat more than native whites to engage in the practice, they were far less likely to do so than most immigrant groups from eastern and southern Europe (U.S. Immigration Commission 1911, 91–93).

The report did not separately tabulate room-crowding data for households with lodgers, but it did provide overall statistics on room crowding for each ethnic group. Again, the tales of people sleeping on kitchen tables or shared beds were not typical. Only 12 percent of the households in all the cities used every room (including the

6. On the reluctance of families to report lodgers, also see Breckinridge and Abbott 1911b, 456.

kitchen and dining room) for sleeping purposes. Greeks and Syrians had the highest degree of congestion. Forty-two percent of their households used every room, including the kitchen, for sleeping purposes. No other group came even close to this degree of crowding. Third on the list were southern Italians, with 22 percent of their households using all rooms for sleeping. Even among the poorest nationalities, then, it was the norm to reserve at least the kitchen for nonsleeping purposes. For no group did the average number of people per room exceed 1.72 (U.S. Immigration Commission 1911, 48, 77–78).

Surprisingly, the report did not always find a one-to-one association between congestion in a home and lodgers. Greek and Syrian households were unusually crowded not primarily because they kept lodgers but rather because they rented smaller apartments. Southern Italians of New York City, another highly crowded group, presented a somewhat different story. Only 22 percent of their households in that city kept lodgers, but they more than compensated for this low percentage through a practice of joint occupancy under which two or three families shared a single apartment (U.S. Immigration Commission 1911, 81, 198–99).

Immigrants in Cities also estimated the percentage of household income contributed by lodgers for each city and ethnic group. Among the seven cities, this percentage varied from 4.3 percent in Milwaukee to 10.2 percent in Cleveland. It tended to be higher among the Russian Jews, the Poles, and the Slovaks. Standing out were the Magyars of Chicago, who earned 34 percent of their income from lodgers. The averages listed for all ethnic groups were deceptively small, however, because they were spread over all households, whether lodgers were present or not (U.S. Immigration Commission 1911, 319, 405, 485, 578, 660, 741). This percentage range was consistent with that found by Louise Bolard More in her study of two hundred wage-earning families in New York City in 1907. She reported that earnings from lodgers averaged 9.2 percent of family income for the entire sample and 12.2 percent for foreign families (85).

One of the greatest financial savings generated by lodgers and, for that matter, by other forms of crowding was lower rent per person. The report revealed a common trade-off between high rents per apartment and lower rents per person. For example, the average monthly rent per apartment for all cities was \$10 (about \$237 in 2015 dollars), whereas the average rent per person was only \$2 (\$47.20 in 2015 dollars). The correlation between low rents per person and the number of lodgers was not exact, but a relationship clearly existed. Five groups—the Slovenes, Poles, Slovaks, Lithuanians, and Magyars—had very low rents per person, less than \$1.65 per month (\$39.12 in 2015 dollars). Each of these groups was far more likely to have lodgers than the average household. The per person rent for less-crowded native whites, by contrast, was substantially higher, at \$2.60 per month (\$61.64 in 2015 dollars). The Immigration Commission framed the matter succinctly: “Rent per person is more directly under the control of the household than either rent per apartment or rent per room. A frequent method of meeting the expense of rent is by taking in boarders

or lodgers or by sharing the apartment with two or more families, thus reducing the rent per person" (1911, 109, 118, 391).

The study had little to say about the kinds of people who became lodgers. It made some broad and commonsense generalizations but did not back them up with statistical data. It characterized the great majority as unmarried men who were often "forerunners of families." When employment became scarce, they would often return "temporarily to the home country, where they can live at small cost while awaiting reports of better times in the United States" (U.S. Immigration Commission 1911, 17, 30).

In addition to using lodgers to push down the rent per person, many immigrants relied on them to accumulate savings. In 1909, Robert Coit Chapin explored this issue in a survey of the household budgets of more than three hundred working-class families in New York City. Overcrowded families (defined as having at least one and a half persons per room) represented 48 percent of the sample. Chapin was not very precise in his definition of a room, but he seemed to include dining rooms and kitchens. Although he did not examine the precise relationship between lodgers and savings, he found that overcrowded families, regardless of income, were more likely to have budget surpluses at year's end (1909, 81–83, 232). Thus, for many families, crowding was a successful means not only to get by but also to get ahead.

A Short-Term Strategy for Home Ownership and Upward Mobility

Housing reformers and other commentators during the period in question readily acknowledged that urban dwellers used income from lodgers for purposes of upward mobility, but this acknowledgment does not mean that they approved. They overwhelmingly stressed the downside. Veiller noted that many immigrants took in lodgers because of necessity, but he had no doubt that "the evil is caused far more by greed than [by] need" (1912, 60). In many cases, "the parsimonious habits of the people lead them to adopt this way of adding dollar to dollar" (1911, 33). Breckinridge and Abbott blamed the presence of lodgers for burdening the wife and mother to such an extent that they created an excuse not to keep the house clean. In their view, lodgers caused higher rents because they gave landlords a pretext for charging more (1911b, 458). At the NHA's conference in 1912, Frank W. Wright, the health officer of New Haven, Connecticut, left no doubts where he stood, opining that the main goal of immigrant overcrowding was to do anything to "get a financial start in life" even if the result was to undermine the "morals, health, and happiness of their wives and children in their worship of the almighty dollar" ("Discussion" 1912, 177).

Prominent American novelist Winston Churchill (no relation to his British namesake) also stressed the added burdens. In one of the best-selling novels of

1917 (“Best-Sellers” 1918, 101), *The Dwelling-Place of Light*, he includes a sympathetic depiction of Mr. Siddons, a housing reformer in the tradition of Riis and Veiller. In a conversation with a factory owner in the fictional town of Hampton, Siddons deplors that the wives of mill workers had “to look out for the children and work for the lodgers, and even with lodgers they get into debt, and the woman has to go into the mills to earn money for winter clothing.” When the industrialist points out that some of these workers have put aside enough money to open substantial savings accounts, Siddons does not completely disagree but reemphasizes the deprivations caused by the presence of lodgers: “I’ve seen enough instances of this kind to offset the savings bank argument. And even then, when you have a family where the wife and older children work, where the babies are put out to board, where there are three and four lodgers in a room, why do you suppose they live that way? Isn’t it in the hope of freeing themselves ultimately from these very conditions? And aren’t these conditions a disgrace to Hampton and America?” (157).

Although it was true that the presence of lodgers often brought great inconvenience to immigrant families, the critics rarely asked an important question: Were lodgers in the home a permanent state of affairs or just a short-term trade-off? Put another way, were these families still keeping lodgers five, ten, or twenty years down the road, or was this practice cast aside once it had served its purpose?

The best evidence in the historical literature is that keeping lodgers was a temporary phenomenon in most cases. Two of the most thorough studies dealing with these issues are by Olivier Zunz for Detroit and Roger Simon for Milwaukee. Both historians find that the home-buying strategies of immigrants included intense use of lodgers and other forms of doubling up. Just as significantly, they describe how doubling up served to give unskilled workers a leg up in their struggle to become homeowners. This practice in great part explained why 35 percent of unskilled workers in Detroit owned homes in 1900. In heavily immigrant wards of Milwaukee at the time, more than half the workers in that category were homeowners. Surprisingly, unskilled workers were as likely as their skilled counterparts to own homes unencumbered by debt. The usual pattern, once achieving the goal of homeownership, was to pay off the mortgage and gradually phase out doubling up (Zunz 1982, 152–158; Simon 1996, 69–71, 82, 93–94, 97).

A revealing finding for Milwaukee was that age, rather than class, was the primary determinant of whether a person owned a home. For example, more than three-fourths of the households with family heads younger than thirty rented as compared to nearly three-fourths of households with family heads in their fifties who owned their own homes. Simon portrays doubling up as part of an incremental and ultimately temporary home-buying strategy, pointing out that it “was common practice for the new homeowner, with a heavy mortgage, to rent out part of his dwelling” to meet house payments and then take over the entire building for living purposes (1996, 68–72, 82, 119).

Contemporary evidence mirrors many of the conclusions Zunz and Simon arrive at concerning the temporary nature of the lodger evil. *Immigrants in Cities* revealed that immigrants were generally twice as likely as native whites to own their own homes. The highly crowded Poles, Irish, Slovenes, and northern Italians consistently achieved much higher than average ownership rates (1911, 103–8). By the 1930s and probably much earlier, foreign-born individuals owned a majority of the homes in New York City. “[H]ere is a striking picture of what labor and sacrifice and self-denial can accomplish,” marveled James Ford on citing this fact, “in those who meet the tests of character necessary in acquiring a home” (1936, 305–6). The story was similar for Chicago (Abbott 1936, 367–68).

The immigrants’ dogged determination to purchase both homes and tenements sometimes made an impression on progressive reformers. Jane Addams noted that the Czechs near Chicago’s Hull House at the turn of the century “had been so stirred by the opportunity to own real estate, an appeal perhaps to the Slavic land hunger” (1912, 235). Reformers, however, generally tempered any praise for this practice of purchasing homes by stressing its negative aspects, including the resort to lodgers. In her landmark study of the mill workers of Homestead, Pennsylvania, social worker Margaret Byington acknowledged that “[w]hen income permits, most families [with lodgers] secure room enough to make a genuine home life possible,” but then she went on to emphasize the adverse psychological and economic effects of having lodgers (1910, 53, 142–44). Veiller warned that Americans were doing a disservice to the workers by recommending that they buy homes and that it was time to “clearly realize that for the \$15 a week man, home-owning is not a possibility” (1916, 46). Of course, as already seen, it *was* a possibility for such a man, albeit one often achieved at great sacrifice.

Battling the Lodger Evil Through Legislation

Complaining about the lodger evil was one thing, but doing something about it was another. On the face of it, the first tenement laws had effectively ruled it out by limiting the number of people who could live in a given amount of cubic air space, but attempts at enforcement met with near universal failure (Wood 1919, 67–68; Abbott 1936, 253). At first, officials relied on a system of surprise night visits under which inspectors knocked on tenement-room doors, usually at random, to check for violations. The favored theory was that the best time to do these inspections was after midnight, when tenant and lodgers were in bed and most vulnerable to detection (Riis 1902, 99–100; Breckinridge and Abbott 1911a, 20–21).

Night inspection frequently did not work out as planned, however. The tenement dwellers’ creative evasion efforts became the stuff of comedy. Even reformers showed some grudging admiration for the immigrants’ ingenuity. Jacob Riis recalled that it “used to be the joke of Elizabeth Street that when the midnight police came, the tenants would keep them waiting outside, pretending to search for

the key, until the surplus population of men had time to climb down the fire-escape.” Once the coast was clear, the lodgers climbed back up the fire escape and returned to their slumber (1902, 101–2). Veiller told delegates at the NHA annual conference in 1912 that resourceful lodgers eventually “learned ‘to do the trick’ without getting off the fire-escapes at all.” Even when law breakers could be caught, it often proved almost impossible to prosecute them successfully. Veiller lamented that nearly every defendant who appeared in court claimed to be a poor widow with “all of her own children, and—some borrowed from the neighbors for the occasion.” Shedding tears, she would explain “that all of the men found in her rooms were ‘cousins,’ or friends of the family who were just there for a night or two” (1912, 66). Needless to say, sympathetic judges invariably threw out these cases.

At the NHA’s next annual conference, the banquet speaker, who was none other than former president William Howard Taft, weighed into the discussion. Taft used his speech to retell and embellish Veiller’s comic tales of trying to catch lodgers, widows and all. Ever the legalist, Taft drew the moral lesson that the proper thing for the judge to do in such a case was to punish the “offending woman, whether she be a widow with ten improvised children or not.” The delegates reacted with laughter and applause (1913, 298). Although Veiller probably joined in, he knew better than to follow Taft’s advice. Bitter experience had convinced him that night inspections, at least as currently used, were not only impractical but also subject to a thicket of legal challenges.

Veiller’s increasingly favored solution was to combine a legal prohibition of lodgers, allowing some exceptions for rare hardship cases, with a shift in the responsibility for enforcement. He called for the enactment of legislation to require the building owner to obtain consent from the local health department before taking in lodgers. The owner, not the subletter, would be held legally responsible for any lodgers caught during periodic city inspections (1912, 72–75).⁷

In contrast to Veiller, who rejected night inspection for pragmatic reasons, Ernst Freund was the rare example of an influential progressive who condemned it as wrong because it overstepped the bounds of individual liberty. Freund, a professor of constitutional law at the University of Chicago and the author of the leading treatise on police power, very much stood in the minority at the NHA’s annual conference in 1915. He charged that crusaders against the lodger evil had gone too far. In part, his objections reflected a long-term skepticism of excessive bureaucratic discretion, but they went beyond that. Turning his opponents’ standard argument on its head, he pointed to a contradiction: “We deprecate overcrowding as a violation of privacy, and yet it is urged that it is necessary to overcome our prejudice to the entrance of

7. Ten years later, however, Veiller was advocating night inspections, at least for the purposes of “study.” A plank in his proposed plan to deal with the “housing problem” in Harrisburg, Pennsylvania, called for “frequent night inspections made under the authority of the Health Department and Police Department, the taking of photographs of conditions discovered, the measuring of rooms, and the counting of people in them” (“Veiller Outlines His Suggestions” 1925).

inspectors at night." Freund asked his critics to look at the issue from the immigrants' perspective. If they did, they would find "nothing necessarily shocking or indecent in the sharing of the same rooms by different members of the family or by lodgers," adding that "every sense of dignity or independence must be lost if a private dwelling is raided at night" as if it were "a gambling den or a place of prostitution" (1915, 30–31).

Equally troubling to Freund was the suggested solution of mandating that landlords get special permission from the health department before taking in lodgers. Such a requirement, he charged, was "an intolerable interference with a practice that in many cases is harmless." Health regulations, according to Freund, must be narrowly tailored to issues of health strictly defined. Furthermore, the "maintenance of the formal safeguards of individual rights is in its own way as worthy of consideration as health, decency and comfort" (1915, 31).⁸

Freund's comments ran completely counter to the dominant view. For just about everyone else, at least those with progressive credentials, proposals to deal with the issue centered on issues of practicality, not constitutionality. They never questioned whether the lodger evil as such was worth combating.

The Lodger Evil and the Rise of Zoning

The mania among reformers regarding the lodger evil finally started to ebb around the end of World War I, but the reasons for the change had little to do with objections raised by their opponents, such as Freund. Obvious factors were the cutoff of much of the immigration from eastern and southern Europe because of the war and the institution of federal immigration quotas in the 1920s. A lack of new arrivals squeezed off the life blood of the lodger phenomenon (Ford 1936, 338; Grebler 1952, 48–50, 107–10). "The housing problem of the present day," wrote Edith Abbott in 1936, "is much less complicated by the problem of lodgers than in the days when every industrial neighborhood was crowded with immigrants who had only just arrived and who were temporarily staying with Landsleute" (1936, 479). A third factor in the slowdown in reform mania was the dispersal of population into the suburbs after World War I. Transportation improvements and rising incomes left fewer Americans working in the urban core, where lodgers had always been so prominent. By 1930, only 14.3 percent of households in the central cities of metropolitan areas of more than fifty thousand people had lodgers, compared to 16.1 percent in 1920. Despite continued Depression-era double-digit unemployment (when the necessity of doubling up was seemingly high), this number plummeted to 8.5 percent by 1940. This level was a far cry from the 20.6 percent of 1910 (Modell and Hareven 1973, 469; Ruggles et al. 2010).⁹

8. On Ernst Freund's progressivism and concerns about administrative discretion, see Kraines 1964, 5–6, 140–43, and Ernst 2009, 29–30.

9. On dispersal to the suburbs during this period, see Jackson 1985, 172–89.

The spread of the alternative forms of home financing during the 1920s, from such diverse sources as commercial banks, insurance companies, and building-and-loan associations, may also have reduced the need for lodgers. Until the early twentieth century, it was common for individuals to purchase homes outright without resort to outside financing. Even in 1920, only 40 percent of nonfarm homes were mortgaged. In such an environment, especially for many families of modest means, revenue from lodgers was essential for financing. As repayment terms became more generous throughout the decade, however, the families in this income bracket no longer had the same need to turn to other sources. From 1920 to 1930, the volume of nonfarm residential debt tripled (Snowden 2010, 2014, 18–20).

Another explanation for the shift in concerns had more to do with political factors than with demographics or economics. Continued fixation on the lodger issue was increasingly out of place in a housing reform movement that was transforming and actually broadening its reach. Hence, for Veiller and others, zoning was the best means to advance older goals, such as limiting density. The revised edition of his voluminous work *Model Housing Law* concluded that any truly effective housing movement should give equal attention to both tenements and private homes (1920, 14).¹⁰

Veiller was present at the creation of both historical phases of housing reform. The advent of zoning owed much to the precedents he had established in the New York State Tenement Act of 1901, including height restrictions and the regulation of the number of buildings to lots. During the second decade of the twentieth century, Veiller also promoted zoning as a member of the Executive Committee of the National Conference on City Planning. In 1916, he helped to draft New York's pioneering zoning law and promoted the idea nationally in the revised version of his model housing law (Veiller 1920, 375–81). In the coming decade, he worked closely with Edward M. Bassett, the chair of the Drafting Committee for New York law, who was to develop a national reputation as an authority on the subject (New York City Heights of Buildings Commission 1913, ii; Power 1989, 3–9; D. Freund 2007, 60–63).

During the 1920s, both Veiller and Bassett took part in the Advisory Committee on Zoning in the U.S. Department of Commerce under its energetic head, Herbert Hoover. In this effort, they increasingly found allies in national real-estate interests. Because of the Advisory Committee's key role in encouraging cities to adopt zoning, David Freund calls it "the beginning of the federal government's extensive intervention in private markets for residence" (2007, 73). Bassett made clear his debt to the original New York State Tenement Act of 1901 (New York City Board of Estimate 1916, 25–26). He was not alone. In 1936, James Ford credited the New York law for uniting "two hitherto diverse fields of study and effort, restrictive housing

10. This discussion owes much to Robert Fairbanks's insightful description of the links between tenement reform and zoning (2000, 36–39).

legislation and city planning." More ambitiously, Ford lauded zoning as "the application of the former principle to a new field, and at the same time the entering wedge for city planning" (222).

Zoning expressed many of the same motivations that had animated the earlier housing reform movement, notably a desire to keep residences limited to all but the immediate family. Bassett approvingly pointed out that the restrictions on the number of families first used in the New York Tenement Reform Law were common features in later legislation. To Bassett, as to Veiller, a key advantage of zoning over the earlier laws was that it expanded the reach of regulation to a much broader geographical area. He recommended that this expansion be carried even farther if possible so that zoning would "cover the entire terrain of each state within the Region" (1924, 11, 17).¹¹

The U.S. Supreme Court's landmark opinion in *Village of Euclid v. Ambler Realty Co.* (272 U.S. 365 [1926]) illustrated this continuity between the first and second phases of housing reform. In sustaining a zoning law in the suburban Cleveland area, the Court used phraseology reminiscent of that once directed against the lodger. It praised the law at issue for reducing "confusion in residential sections," decreasing "noise and other conditions which produce or intensify nervous disorders," and preserving "a more favorable environment in which to rear children." In another parallel to tenement reform rhetoric, it called a high-density apartment in an established single-family neighborhood a "parasite." As the Court's opinion indicated, the movement for zoning, like earlier tenement reform, often showed a deep anxiety about the consequence of ethnic heterogeneity. By the late 1920s, this animus was increasingly directed toward blacks. Even Ernst Freund, a long-time skeptic of this type of legislation, was having second thoughts for this reason. He particularly expressed concern about "the coming of the colored people" into "border property," such as the South Side of Chicago, where he lived. Freund found such prejudice to be "regrettable" and noted that the Supreme Court had invalidated explicit racial zoning in *Buchanan v. Warley* (245 U.S. 60 [1917]). At the same time, however, he made plain that he was not unsympathetic to these fears and recommended zoning as the only means to protect residents from "unfair non-conformity" (1929, 94–95).¹²

After two decades of antidensity legislation, reformers were starting to notice that builders were losing interest in the low-income rental market. In 1922, for example, the Better Housing League of Cincinnati commented with some alarm on a mounting housing shortage caused by a lack of new "construction for the people of

11. For more on this issue, see Lawrence Veiller to Nathan Miller, March 21, 1922, Catalogues Correspondence, S-Veiller, Box 10, Lawrence Veiller Papers, Rare Book and Manuscript Library, Columbia University, New York.

12. For more on *Buchanan v. Warley*, see Klarman 2004, 79–84, and Bernstein 2011, 74–86. For a convincing exposition of zoning as a tool to foster racial segregation during this era, see D. Freund 2007, 81–86.

the tenement classes even indirectly” (qtd. in Fairbanks 1988, 58). More than a decade later, Langdon Post, a noted housing official at both the local level and the federal level, observed that the New York State Tenement Act had made “it impossible to build houses, particularly multi-family dwellings, which could be rented profitably to the poor,” and that “not one single apartment has been built by private enterprise to rent at a figure which those forced to live in the slums could pay” (1938, 239). In Chicago, Edith Abbott, who had done so much to advance restrictions there, was coming to similar conclusions. She asked rhetorically if, given the “significant fact that in certain areas thirty-seven out of every hundred sleeping-rooms are illegally occupied, . . . the minimum set in the tenement-house code is too high” (1936, 269). In 1930, the lowest-income group in that city paid a stunning 36 percent of average income in rent, a level hard to imagine even by the earlier tenement reformers (Radford 1996, 25).¹³

Reformers and urban planners, despite some qualms about the possibility that restrictions they had often championed were worsening the housing shortage, never seriously considered the alternative of deregulation. It was almost second nature for them to dismiss such a policy as leading to substandard and unsightly residential conditions. More than ever, they pressed for government to fill the breach through either subsidies or direct provision. A partial exception was Lawrence Veiller, who, although he favored tighter regulation and the extensive use of eminent domain for slum clearance, continued to resist public housing as “repugnant to American institutions and American methods of thought” (1929, 237, 255; see also Fairbanks 1988, 73).¹⁴

If reformers eventually became largely silent on the lodger evil, it was primarily because they were moving on to grander concerns. In the decade before the New Deal, nearly all were embracing more government involvement as the solution to all problems, whether by direct provision or by subsidy or by a combination of both. Meanwhile, low-income urban Americans were coping with sparser options in the private market. Whatever the vices or inconveniences of pre-reform housing, including the need to take in lodgers, it had been flexible and rife with experimentation by residents, owners, and builders. At the turn of the century, reformers such as Riis and Veiller had rarely claimed that private enterprise was neglecting the housing market for the poor. To the contrary, their main complaint was that private enterprise exploited the market ruthlessly by renting out every inch.

In contrast, by the 1920s builders in these cities had largely abandoned the low-income housing market. A combination of ever more onerous building codes, zoning, and other density restrictions had sawed off the bottom rungs of the housing ladder. This constricted regulatory environment left little place for the freewheeling

13. On the shortage of housing and higher rents for the poor during the 1920s and 1930s, see Ford 1936, 301; Brown 1984, 126–28; Fairbanks 1988, 58–69; and Radford 1996, 11–27.

14. According to Roy Lubove, “Veiller never really examined or resolved this difficult question of how one applied the benefits of rising minimum standards in housing to those unable to afford them” (1962, 181).

market experimentation exemplified by the misnamed “lodger evil.” It also opened the door to a new phase of federal housing legislation in later decades that featured a growing reliance on governmental subsidies and public housing.

Modern Variants of the Lodger Evil

Despite the eventual dissolution of the campaign against lodger evil, the fear of it never completely died. In the present day, it continues to be a live issue in American cities. The main difference is that college students rather than immigrants are more often the targets of legislation. Laws (some of which date from the early twentieth century) limit the number of unrelated individuals per dwelling. Although proponents stress the need to do something about boisterous youthful drinkers and their parties, they also rely on arguments similar to those extended by Progressive Era reformers many years earlier. In defending a restrictive law in Bellevue, Washington, for example, Mayor Claudia Balducci warns that those bent on “renting out eight rooms at several hundred dollars a room” are taking advantage of a lack of affordable housing to make “obscene” profits at the expense of boarders (qtd. in Capps 2015). Sounding much like a modern Ernst Freund, a critic of the legal restrictions retorts that “we talk about student loan debt down here and how much college costs for students, and then we turn around and limit their housing options because they’re not related to each other” (qtd. in Capps 2015). During the past two decades, advocates of group homes for individuals ranging from substance abusers to senior citizens have run afoul of these restrictions (Prevost 2013, 97–100; Ross 2013; Hirst 2015; Wilkins 2015).

Following in the tradition of *Euclid v. Ambler*, the courts have generally sustained these limits, most notably in *Village of Belle Terre v. Boraas* (16 U.S. 1 [1974]). In that case, the U.S. Supreme Court upheld a law that restricted dwellings to a single family only. In 1977, the Court opened a small loophole in *Moore v. City of East Cleveland* (431 U.S. 494), which may widen as the conception of the family continues to broaden. It struck down a similar local law in East Cleveland because the law narrowly defined the family in its traditional nuclear form. A recent example of complete pushback against these laws came in 2015 when the Iowa House approved a measure to prohibit local communities from restricting the number of unrelated people per dwelling (Pateras and Vujicic 2015).

In contrast to reformers of the 1910s, those hoping to suppress these modern variants of the lodger evil may be out of step with long-term demographic trends. More Americans than ever live in households with people unrelated by blood or marriage ties. The old zoning regime centered on single-family housing is increasingly vulnerable to challenges from housing entrepreneurs (Badger 2015). One such challenge is the rise of “apodments,” microefficiency apartment units where tenants share a kitchen (Dolan 2012). The apodment is a modern version of the old lodging house. It notably flourishes in Seattle in part because the individual unit meets the definition

of “an existing dwelling” under the city’s building code. Although the residents of apodments are often more upscale than the lodgers of old, many of the objections they face recall those of the past. “Anyone who can scrape up enough money for month-to-month rent can live there,” complains one critic, “I don’t think most people want to live next to a boarding house with itinerant people living in it” (qtd. in Thompson 2012). Even so, modern urban planners, many of whom embraced the high-density goals of the New Urbanism, are much less hostile.

The mislabeled “lodger evil” illustrates markets’ ability to find ways, both legal and extralegal, to provide affordable housing for people of modest means. In the Progressive Era, lodging was merely one item on a menu of market options, which included triple deckers, rear tenements, and homework (decentralized manufacture of goods in homes and apartments by residents who were compensated for piecework) (Boris and Daniels 1989). Taken together, these strategies made it possible for those at the bottom of the ladder not only to survive but to advance. Reliance on lodgers, as in these arrangements, arose primarily from the ingenuity of ordinary people. Despite government’s suppressive efforts, it offered an important tool for these people to incrementally improve their condition.

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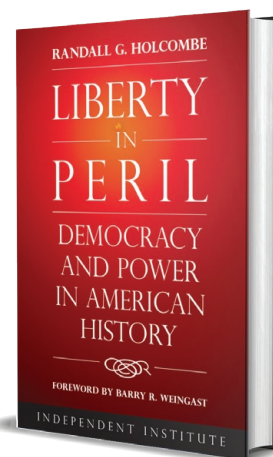
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