TENEMENT HOUSE REFORM: ANOTHER EPISODE IN KENTUCKY PROGRESSIVISM

By William E. Ellis*

At the turn of the century, Louisville appeared to be a bustling and growing commercial center. Strategically located at the Falls of the Ohio, the "Derby City" occupied the top position in southern manufacturing and held the thirty-seventh spot in the nation. With over 200,000 citizens, Louisville had the second largest population of any southern city and ranked eighteenth in the nation. Leadership in tobacco, hardware, liquor, and paint production gave Louisville control of trade in the upper south and a good share of the midwestern market. In addition, B. F. Avery and Son maintained the largest steel plow factory in the world, and the city contained the central offices and repair shops of the Louisville and Nashville Railroad.[1]

However, for all its industrial and commercial strength, Louisville experienced problems similar to those of other large American cities. First, growth seemed to stand still in the opening decade of the twentieth century. By 1910 Louisville dropped to twenty-fourth in population. An even more ominous survey indicated a decline in the industrial work force. Yet such statistics only measured the surface tension. "Old Louisville" changed character as streetcars permitted the middle class to settle in outlying areas. The inner city began to show signs of age and decay as upper and middle class homes became multiple-dwelling "tenement" houses. The political climate also seemed tainted to many citizens because a political machine controlled city politics, corrupted the police and fire departments, and mismanaged municipal affairs.[2]

Persons generally labelled progressives took notice of increasing urban problems and actively sought solutions. While Kentucky and Louisville did not share in the larger part of the progressive movement, some citizens of the Commonwealth tried to reform urban and state government.[3] Their record is impressive if one considers the general economic backwardness and unique political nature of

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*William E. Ellis, Ph.D., teaches history at Eastern Kentucky University.

1 George H. Yater, *Two Hundred Years at the Falls of the Ohio: A History of Louisville and Jefferson County* (Louisville: The Heritage Corporation of Louisville and Jefferson County, 1979), pp. 143-49; *Louisville Board of Trade Journal*, VII (August, 1922), 4; *Louisville Today, 1912* (Louisville: Commercial Club, 1912), n.p.

2 Yater, *Two Hundred Years*, p. 149; *Statistical Atlas of the United States*, 1900, 1910, 1920.

3 David M. Kennedy, "Overview: The Progressive Era," *The Historian*, 37 (May, 1975), 453-68. Kennedy offers a needed review of progressive historiography and reasserts the viability of progressivism as a legitimate reform movement.

Kentucky. In the so-called Progressive Era, the Kentucky General Assembly passed reform legislation that provided for: a uniform system of accounting, compulsory school attendance, child labor regulations, pooling of farm commodities, primary elections, woman suffrage in school board elections, labor inspection, livestock inspection, mine inspection, regulation of the sale of alcohol, opium, and tobacco, hotel and restaurant inspection, a workman's compensation board, and tenement house reform. These laws embodied the progressive desire to regulate business, protect women and children from the worst abuses of industrialism, safeguard the consumer, and initiate some control over government institutions.[4]

Much of the legislation failed to fulfill its promise. Lack of state funds limited enforcement. Most importantly, conservative political forces conspired to weaken progressvism. The race horse gambling and liquor interests, the "bi-partisan combine," often intervened in state-wide races to elect friendly governors. Kentucky progressives also demonstrated one of the failures of their brethren in other states; they appeared more concerned about securing legislation than in the administration of the laws. Therefore, they often lost their reformist zeal once legislation had been passed.[5]

Louisville progressives shared certain general characteristics. College-trained professionals and businessmen dominated progressive leadership. The Protestant denominations were well-represented with laymen and ministers from the Southern Baptist, Disciples of Christ, Presbyterian, and Episcopal churches in the front lines. Many were Masons. In politics they often preferred to be known as "Independent Democrats"; a few were Republicans. Most belonged to the prestigious organizations of Louisville such as the Conversation Club, a discussion group, or the Pendennis Club, an elite social club. Memberships in country clubs and literary societies abounded. They also demonstrated the progressive's organizational inclination by supporting Associated Charities, a philanthropic co-ordinating group. The female progressives came from well-to-do families with a genteel tradition and were often the wives of professionals and businessmen. Louisville progressives, if not elitist, at least considered themselves the "better element" in society with an obligation of leadership.[6]

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4 *Supplement to 1909 Kentucky Statutes* (Cincinnati: W. H. Anderson Company, 1915), pp. 1259, 1265, 1272, 1276, 1285, 1293, 1297, 1298, 1308, 1318, 1325-26, 1332.

5 Interview with Barry Bingham, Sr., January 6, 1978.

6 In developing this profile of Louisville progressives, the author identified persons from their participation in Louisville politics and charitable work. Biographical information came from *Who's Who in Louisville, 1912* (Louisville: Louisville Press Club, 1912), *Who's Who*

Of course, exceptions existed to these stereotypes. Louisville progressives and their conservative opponents generally came from the same social milieu. They attended the same churches, belonged to the same law firms, and were business associates. Catholics were not as active in this decade as later, but here too, the picture remained uncertain. The influential editors of the *Kentucky Irish American,* an ethnic newspaper which viewed all events "through an Irish prism," did not support the progressives except on such bread-and-butter issues as child labor and factory inspection. Moreover, the *KIA* adamantly supported the Democratic party machine, the antithesis of progressivism in Louisville.[7]

Louisville progressives did not agree on all issues because progressivism continued to be a shifting coalition of various interests; civil religion provided the key line between them. Their sense of duty and morality, acceptance of the Protestant Ethic, and a belief in certain basic, allegedly American, values united them in a general reformist movement.[8]

Political turmoil from 1900 to 1910 provided one example of this urban progressivism at work and laid the basis for tenement house reform. In this decade Louisville politics contained all the ingredients of a classic confrontation between a political machine and reformers. Throughout the 1890's, the Whallen brothers, archtypal Irish-American saloon keepers, controlled the Louisville Democracy with successful ward-heeling techniques and used their allies on the police force to manipulate elections. When Charles F. Grainger temporarily broke the Whallen's stronghold in the 1901 mayoral election, the citizens of Louisville only exchanged one boss for another.[9]

In the 1905 mayoral race, Republicans and Independent Democrats united in a Fusion ticket against the Whallen machine's candidate. On election day the Fusionists claimed that numerous frauds, deceptions, and acts of violence allowed the machine candidate to win. They challenged the results before the state's highest court with briefs written by progressive Helm Bruce. The justices overturned the election, forcing the mayor's resignation. Governor

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in Louisville, 1926 (Louisville: The Standard Printing Company, 1926), and *Louisville Blue Book* (Louisville: Caron Directory Company, 1902).

7 *Ibid.*; William E. Ellis, "Patrick Henry Callahan: The Fight for Religious Toleration," in David J. Alvarez, ed., *An American Church: Essays on the Americanization of the Catholic Church* (Moraga, California: St. Mary's College of California, 1979), 87-98. See Stanley Ousley, "The Kentucky Irish American," *The Filson Club History Quarterly,* 53 (April, 1979), 178-95.

8 Kennedy, "Overview: The Progressive Era," 466.

9 Yater, *Two Hundred Years,* pp. 131, 149-51.

J. C. W. Beckham appointed young lawyer Robert Worth Bingham to fill the post until an interim election could be held. In the short run, Bingham eliminated the most glaring abuses of the "old system," especially the pro-machine political activities of the Louisville Police Department. But this reformist spirit failed to carry the 1907 interim mayoral election, and control of city hall soon returned to the Democratic machine.[10]

During the same era some Louisvillians pushed for tenement house reform demonstrating further evidence of progressivism. William Watkins Davies, a transplanted North Carolinian and law partner of Bingham, spearheaded this crusade. Both joined the reform element soon after coming to Louisville in the late 1890's. During Bingham's brief tenure as mayor, Davies served as chairman of the Board of Public Safety and helped clean up the police department.[11]

Davies began his drive for improved tenement conditions during the short term of Mayor James F. Grinstead, the Republican elected in the 1907 special election. In speeches before the Louisville Woman's Club and other civic and religious groups, Davies emphasized the deplorable living conditions that existed for the poor. He won support for an organized study of tenement conditions from the Woman's Club and from Associated Charities, a group in which he served as chairman of the extension committee.[12]

In early 1909 the reform movement gained momentum. The Woman's Club invited Emily Dinwiddie, Secretary of the Tenement House Commission of the New York Charity Organization Society, to lecture on the problem of tenements and visit some of Louisville's worst housing districts. Lawrence Veiller, the New York reformer and Secretary of the National Housing Association, offered advice to Davies on mounting a reform campaign.[13]

Davies convinced Mayor Grinstead of the need for an organized effort to improve housing for Louisville's poorer citizens. On February 16, 1909 the Louisville General Council passed an ordinance providing for a Tenement House Commission, appointed by the mayor, with the charge of "investigating and reporting upon tenement conditions." Grinstead named Davies as chairman, with other

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10 *Ibid.*; Thomas D. Clark, *Helm Bruce, Public Defender: Breaking Louisville's Gothic Political Ring, 1905* (Louisville: The Filson Club, 1973), pp. 20-44.

11 *The National Cyclopedia of American Biography* (New York: James T. White Company, 1948), XXXIV, 261.

12 Yater, *Two Hundred Years*, pp. 153-55; Davies to Hoyt Gamble, June 22, 1909, Robert Worth Bingham Papers, The Filson Club, File 366 (hereafter cited as Bingham Papers).

13 "To the Honorable Mayor and General Council of the City of Louisville," preface to *Report of the Tenement House Commission*, text by Janet E. Kemp (Louisville, 1909), pp. 1-4.

members coming from Associated Charities and the Woman's Club. More importantly, the city fathers appropriated fifteen hundred dollars for expenses.[14]

After a preliminary study by Charles B. Ball, Chief Sanitary Inspector of Chicago, the Tenement House Commission hired an investigator to make a meticulous house-by-house inspection and write a report. In April 1909, Janet E. Kemp, a professional social worker from Boston, took up the task. She employed methods that had been used in studies of housing problems in several large eastern cities. These techniques involved making a card file for all tenement areas, identifying occupants, and noting the conditions of habitation.[15]

In a few weeks Kemp completed most of her research and began writing the report. By the middle of July the official *Report of the Tenement House Commission* had been approved by the Commission members and presented to the General Council. This document contained seventy-eight pages of narrative, pictures, and data about tenement house conditions in Louisville. It showed that unlike larger eastern cities most of Louisville's tenements had not been constructed for such purposes. The average Louisville tenement had at one time been the home of a single middle class family which came to house several poor families. Only a few structures had been built as tenements.[16]

However, the living conditions of Louisville's tenements ranked with the worst in the nation. For example, in one house twenty white families shared twenty-one rooms, a single "water closet," and one outdoor water faucet. Blacks lived under even more lamentable conditions with "privy vaults" for their sanitation facilities. In the infamous "Tin House," a black tenement with no through ventilation, sixty-five people lived in thirty-three rooms with only four privy compartments and one water hydrant over one hundred feet from the building. Moreover, the most dehumanizing environment existed in isolated cellar apartments with stagnant water standing on earthen floors and no windows for adequate ventilation. Kemp's study emphasized these conditions as obvious violations of acceptable living standards.[17]

The Commission's report contained a quantitative analysis of tenement areas and inhabitants. Six key zones included: Bug Alley,

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14 *Ibid.*; Davies to Grinstead, March 3, 1909, Bingham Papers, File 357.

15 Davies to Kemp, April 21, 1909, Bingham Papers, File 360; Pay Order to City Treasurer from Davies, June 15, 1909, Bingham Papers, File 366.

16 *Report of the Tenement House Commission*, pp. 19, 30.

17 *Report of the Tenement House Commission*, pp. 8, 16-19, 50-51.

Coke Alley, Twenty-One Row, and parts of Walnut, Jefferson, and Brook streets. More Negroes lived in tenements than any other group, but Kemp stressed that "American families" (by which she meant white native Americans) made up thirty-two percent of the total. Indeed, she held these people in the greatest contempt for their "listless, apathetic indifference." A bit of genteel Victorian racism crept into the other parts of the report. Commenting on the reactions of groups to defective housing, Kemp declared that "the negroes [*sic*] take such conditions with a sort of come-day-go-day, happy-go-lucky philosophy, and make merry of their own discomforts." The foreign born element, she concluded, accepted their lot as only a temporary "denial" in their Americanization.[18]

Kemp also offered remedies for Louisville's housing dilemma based on Veiller's studies. These suggestions included: adequate windows and ventilation, sanitary toilet facilities rather than dependence on privy vaults, piped water supplies rather than cisterns, minimum lot size requirements to end house crowding and protect yard space, proper garbage disposal, and regulations for construction and repair.[19]

After the 1909 mayoral election, the tenement house reform movement received support from an unexpected source. William O. Head, the Democratic machine candidate and victor in one of the most racist campaigns in Kentucky history, gave his full support to tenement house reform. In a speech before the Woman's Club, Head vowed to do his best to give equal opportunities to all of Louisville's citizens.[20]

Owing to the unique nature of Kentucky's constitution, Davies understood that any lasting reform and regulation of Louisville tenements needed sanction by the state legislature. With the publication of the Kemp study, he immediately set about the task of guiding enabling legislation through the 1910 session of the Kentucky General Assembly, utilizing Veiller's "Model Tenement House Law."[21]

Tenement house agitation did not cause nearly as much stir in the local press as had the previous progressive crusade in 1905-1907. The *Courier-Journal* and the *Louisville Times*, the papers that opposed the reformers in the 1905 and 1907 elections, sup-

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18 *Report of the Tenement House Commission*, pp. 77-78.

19 *Report of the Tenement House Commission*, pp. 19, 30-36, 38-48, 63.

20 Yater, *Two Hundred Years*, p. 153.

21 Roy Lubove, *The Progressives and the Slums: Tenement House Reform in New York City, 1890-1917* (Pittsburgh: University of Pittsburgh Press, 1962), pp. 142, 145; Davies to Arthur P. Kellogg, April 8, 1910, Bingham Papers, File 381.

ported tenement house legislation on a non-partisan basis. The Republican paper, the *Louisville Herald,* also gave complete support, maintaining that "it is no unreasonable invasion of the right of property to forbid the incubators for physical and moral evil." Ironically, the newspapers most outspoken in the earlier progressive campaign remained mute on the subject of tenement house legislation. The Louisville *Evening Post,* edited by progressive Richard W. Knott, preferred to attack the Head administration. The *Kentucky Irish American,* a paper that often crusaded for the poor of Louisville, ignored the tenement house issue, but gave unstinting support to Mayor Head.[22]

Louisville Representative Samuel L. Robertson introduced House Bill 398 on February 2, 1910. W. M. F. "Billy" Klair, Democratic political boss from central Kentucky, guided the bill through the House. With only a few harmless amendments added, it passed on March 3.[23] The tenement house bill's journey through the Kentucky State Senate became a bit more difficult. Jefferson County Senator Nathaniel C. Cureton presented the bill. When it appeared that the bill might run into some opposition, Davies traveled to Frankfort to lobby for passage. He later informed Veiller about some unorthodox maneuvers. For example, Davies and Senator George L. Sehon "devoted most of our time in keeping the Legislature from finding out what was in the Bill," persuaded one "country" member that he should not waste his time reading the bill, and encouraged another potentially powerful opponent to "stay away" from the Senate chambers on the day of the vote.[24] Using such unusual tactics, Davies and his associates guaranteed passage of Kentucky's tenement house law, one of the first five such statutes in the nation. Republican Governor Augustus E. Willson offered no opposition, and the bill became law on June 15, 1910.[25]

The "Law of the Tenement" contained seven articles and eighty-four sections. This statute defined a tenement as any residence with three or more families. It permitted some of the old abuses to remain, but strictly forbade "hereafter" continuation of substan-

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22 Louisville *Courier-Journal,* October 4, 1909, February 25, 1910; *Louisville Times,* February 3, 1910; *Louisville Herald,* February 4, 1910; Louisville *Evening Post,* March 3, 1910; The *KIA,* a weekly newspaper, appeared more concerned about Irish Home Rule, defending Mayor Head, and celebrating St. Patrick's Day than anything else. *Kentucky Irish American,* February 19, 1910.

23 *Journal of the Regular Session of the House of Representatives of the Commonwealth of Kentucky* (Louisville: Continental Printing Company, 1910), pp. 575, 884-917, 916-18; Davies to Klair, February 3, 1910, Bingham Papers, File 379.

24 Davies to Veiller, March 23, April 2, 1910, Bingham Papers, Files 380 and 381; *Journal of the Regular Session of the Senate of the Commonwealth of Kentucky* (Louisville: Continental Printing Company, 1910), pp. 1036, 1178, 1582, 1695.

25 Lubove, *The Progressives and the Slums,* p. 145.

dard facilities in new construction. The most important provisions concerned sanitary maintenance. No longer, for example, would cellar apartments, privy vaults, and cisterns be permitted. Responsibility for enforcement rested jointly with the Department of Health and the Department of Buildings.[26]

The latter provision doomed tenement house regulation to the whims of the patronage system and control of the machine. Mayor Head did not keep his earlier promise of reform. Yet it would be wrong to claim that the law had no impact because the statute remedied the most glaring faults of the tenement house system, and Louisville housing improved somewhat in the next decade. The city of Louisville adopted another housing ordinance in 1923 which gave promise of more effective reform. However, even in the late 1930's, a Works Progress Administration study found forty percent of Louisville housing to be substandard with the same old problems of inadequate sanitation, lighting, and ventilation.[27]

This study of tenement house reform focused on only one aspect of Kentucky progressivism. Many questions remain unanswered. For example, did other Kentucky cities have problems similar to Louisville? Who opposed and who supported the progressive bills that came before the General Assembly? How did Kentucky compare with other states? A quantitative study of Kentucky progressives is needed. The presidential election of 1912 and the Louisville mayoral campaign of 1913 also deserve serious attention. In fact, the entire period from 1910 to 1920 must be thoroughly analyzed. This work will lead to re-interpretation of early twentieth century Kentucky history. Tenement house reform is only one brief chapter; numerous other chapters remain to be written.

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26 *Law of the Tenement, City of Louisville* (Louisville: Louisville Anzeiger Company, 1910), pp. 1-32.

27 Yater, *Two Hundred Years*, pp. 154-55; "Housing Ordinance for the City of Louisville, April 4, 1923, Prepared by the Building Code Committee," pamphlet, The Filson Club, Louisville, Kentucky; *Real Property Survey and Low Income Housing Area Survey of Louisville, Kentucky, 1938-39* (Washington, D.C.: Works Progress Administration, 1939), p. 68.