

A CENTURY OF THE HOUSING PROBLEM

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The housing problem is an inevitable feature of our modern industrial civilization and does not tend to solve itself. Supply and demand do not reach it, because the cost of new housing and the distribution of income are such that approximately two thirds of the population cannot present an effective demand for new housing. And while some of the older housing is acceptable enough, a great deal is shockingly inadequate.

It is not as though a wholesome circulation were established. If the worst of the old housing were automatically destroyed when and as new housing is built, one could look forward with some equanimity to the gradual elimination of slums. But that is not what happens. When the solid citizen builds himself a new house, he either moves farther from the center of the community to un-built-on land in search of more space and amenities, or he chooses a good built-up residence district and tears down a perfectly serviceable house which he or his wife feels is outmoded. He certainly does not move into the slums in order to demolish a rookery. Slum districts stagnate with no new building undertaken and few repairs, while new residential districts are built up on the periphery, and ever-increasing rings of blight spread outward from the center. One of the commonest types of slum is the near-in formerly good residence district, invaded by business, but never wholly taken over, where large single-family homes are cut up either into make-shift apartments or make-shift offices, for neither of which they are adapted, and the one-time gardens are filled with temporary structures intended to pay for taxes till the district is absorbed by high-grade business. Meanwhile taxes are paid on high valuations, not because of present use, but because of hopes for the future in which owners and assessors agree.

Unfortunately, our business districts some years ago began expanding vertically instead of horizontally. Then immigration was ended, and with that, the period of rapid growth of population. The birth rate is down and still falling. The drift from farm to city has been turned back. And we all know, or should know, that

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we are arriving at a period of relatively stable population. The future growth of our cities must be qualitative, not quantitative. The word "must" is used advisedly. For if our communities do not face the task of clearing up the muss that has been heedlessly made and restoring to efficient use their areas of slum and their areas of blight, they are facing bankruptcy. No city of relatively stable population can go on giving city services of paving, street cleaning, sewer, water, lighting, police, fire, schools, and all the rest, to ever-widening new peripheral districts, while ever-increasing inner areas are maintained for their dwindling population at increasing loss.

A generation ago, Sir Ebenezer Howard and the English Garden City group began to preach the doctrine that existing cities and towns are too bad to be worth trying to save and that the road to salvation lies in drawing off population and industries together to new garden cities planned from the start for convenient and healthy living, the land on which they are built being held in trust for the benefit of the community. Letchworth and Welwyn were built as demonstrations of what life in such communities might be for families of all economic levels. The demonstration is convincing. Letchworth and Welwyn are charming towns. But the British are still trying to find ways to save London and Manchester and Liverpool and Birmingham and Glasgow and Edinburgh, and I suspect our American psychology will be found to work the same way.

There has always been bad housing, but the acute awareness of it, as well as the effort to do away with it, are modern phenomena. The stream of European immigration to this country after the Napoleonic wars caused great congestion in our seaports. The establishment of industries drew workers to various centers. Just a century ago, in 1834, Gerritt Forbes, city health inspector in New York, made the first American reference to the subject on record, in a report where he called attention to the connection between high death rates and bad housing conditions, and their relation to the spread of epidemics. His successor, Dr. Griscom, made more extensive and emphatic reports. The Association for Improving the Condition of the Poor (A. I. C. P.) was founded as a result and conducted a housing survey, which, in 1847, reported that the tenements of the poor were defective in size, arrangement, water supply, warmth and ventilation, and that rents were disproportionately high. An investigation by the state legislature was made in 1857. But it was not till 1867 that the New York legislature passed the first tenement house law¹ for New York City, which was also the first exercise of the police power in this country to regulate the use of private property as tenement houses, in the interest of the health, safety and morals of tenants. For the first time, it became illegal in one American city to build a tenement house covering 100 per cent of its lot. A ten-foot yard had to be left at the rear for light and air.² A wholly subterranean room could no longer be rented

¹N. Y. Laws 1867, c. 908.

²Not until 1879 was it required that new tenements should be built with a window to the outer air in every room. More than 350,000 windowless rooms had been built in what is now New York

for human habitation. The ceiling must be at least one foot above curb level. City water must be somewhere on the premises, though a hydrant in the yard would do. It had taken thirty-three years of investigation and struggle to bring about this first step.

It took another third of a century of continued struggle to raise the standards of that first regulatory statute, by successive steps, to a comparatively adequate level, and to provide for its enforcement. The end of the period was marked by the report of the Tenement House Commission appointed by the Governor in 1900, the enactment of the New York Tenement House Law³ for first class cities in 1901, and the creation of the Tenement House Department to administer it in New York City, which began to function in 1902.⁴

Other cities, such as Boston, Philadelphia and Washington, less acutely suffering than New York, began to be housing conscious during this period and made some beginnings in regulation.

Parallel, but by no means keeping pace with these regulatory steps, were sporadic efforts by philanthropists to build model tenements, by employers to house their workers, and, toward the end, by limited dividend companies.

The last third of a century of housing consciousness was marked, first, by a spotty effort over the rest of the nation to catch up with or to surpass New York in restrictive housing legislation, on the model of the New York Tenement House Law. This was followed by a wave of zoning, which also started in New York, but became widely popular. Zoning also is an exercise of the police power, intended to regulate the growth of our communities in matters of use, height and bulk of buildings.⁵ It is preventive, not curative. We would have fewer blighted areas and less congestion on the land, had we started zoning sooner.

Meanwhile, we have witnessed the beginnings of a constructive approach to the housing problem, and with the opportunities now offered under the National Recovery Act as part of the Recovery Program, are, perhaps, standing on the threshold of a new era.

The more important American episodes along this newer constructive line may be listed as follows:

City before that date, and most of them are still in existence and in use, with no greater alleviation than a window cut in the partition to an adjoining room.

³N. Y. Laws 1901, c. 334, 555.

⁴Court decisions upholding tenement house acts have been numerous. A well known case was that of Katie Moeschel, owner of a tenement in New York, ordered to remove school sinks from the yard and install water closets in the house in 1903 under the act of 1901. The case was carried through the state courts to the Supreme Court of the United States, where the constitutionality of the Act was finally sustained. All decisions were unanimous. *Moeschen v. Tenement House Dept.*, 27 Sup. Ct. 781, 203 U. S. 583, 51 L. Ed. 328 (1906); *aff'g Tenement House Dept. v. Moeschel*, 179 N. Y. 325, 72 N. E. 231 (1904).

⁵Among the many court decisions concerned with zoning, the most fundamental, perhaps, was that rendered by Justice Sutherland of the United States Supreme Court in the *Village of Euclid (Ohio) case. Ambler Realty Co. v. Village of Euclid*, 47 Sup. Ct. 114, 272 U. S. 365 (1926).

1. 1917. Massachusetts Homestead Commission was authorized to spend \$50,000 in buying suburban land, building houses with gardens, and selling them on long-time payments to workers living in congested quarters.⁶ This was a state public authority to build and sell at cost. Result, twelve houses on the outskirts of Lowell, sold to workmen.
2. 1918. The federal government undertook war housing for war workers.⁷ Aside from temporary housing, the Emergency Fleet Corporation and the United States Housing Corporation of the Department of Labor completed about 16,000 family units, mostly single-family houses in neighborhood groups, or complete new communities, which were of excellent standard. Many times that number were planned or under way.
3. 1921-24. Milwaukee secured legislation permitting the city and county to subscribe to the shares of coöperative housing companies.⁸ One such company was formed and 105 houses built on a well-laid-out site.
4. 1921. California enacted the Veterans Farm and Home Purchase Act,⁹ and the Veterans Welfare Board was established to administer it and other matters. The purpose is to aid home ownership on the part of veterans of small means, without expense to the tax-payers. Homes of excellent quality have been acquired by over 11,600 veterans, who are paying for them over a twenty-year period. Serial bonds have been issued to an amount of fifty million dollars. The veterans, not the tax-payers, pay principal and interest. Some 10,000 more approved applications awaited, at last accounts, authorization of the issue of further bonds.
5. 1926. The New York State Housing Law¹⁰ was enacted and the State Board of Housing established to administer it. The bill, as originally presented, provided for a State Housing Bank to finance limited dividend housing projects under the supervision of the State Board. The bank feature was eliminated by opponents in the legislature. New York City is the only community which has operated under this act. To facilitate low-cost housing, it granted twenty years tax exemption to buildings in projects approved by the State Board. The result during the years 1927 to 1932 were the building and operation of eleven garden apartment projects, in various parts of New York City, housing just under 2000 families, with average rentals in the several projects varying from \$9.73 to \$12.50 per room per month (heat included). Certain of these projects are coöperative. All are of high standard. Several involved small-scale slum clearance.
6. July 1932. The Federal Home Loan Bank Act¹¹ and its developments, which have already put 299 federal savings and loan associations into localities previously weak in credit facilities, may prove to be of outstanding importance in financing the small home owner.
- 7 and 8. The big new opportunities born of the depression have been the offer of 4 per cent loans to limited dividend housing companies under the Reconstruction Finance Corporation¹² (July, 1932) and the offer of loans and grant (June, 1933) under the National Industrial Recovery Act.¹³ The only result of the first, beside preparing the way for the second, was the loan of some eight million dollars to the Fred F.

⁶ Mass. Acts 1917, c. 309.

⁷ 40 STAT. 595 (1918).

⁸ Wis. Laws 1921, §1771b, Wis. STAT. 1929, §180.04.

⁹ Cal. Stat. 1921, c. 519.

¹⁰ N. Y. Laws 1926, c. 823, N. Y. CONS. LAWS (Cahill, 1930) p. 2781.

¹¹ 47 STAT. 725 (1932), 12 U. S. C. A. (Supp.) c. 1421.

¹² 47 STAT. 5 (1932), 15 U. S. C. A. (Supp.) c. 14, §605 b (a) (2).

¹³ 48 STAT. 195 (1933), 15 U. S. C. A. (Supp.) §701.

French Company to demolish two slum blocks in the Lower East Side of New York and put up 1600 garden apartments for white collar tenants, renting at an average of \$12.50 per month per room. Only three families previously on the site have any hope of living there. This project also is under the State Board of Housing.

Under N. I. R. A., the possibilities open wider. Some \$48,570,000 have already been allotted in loans to twenty limited dividend housing projects scattered over the country from New York to San Francisco and from Boston to the Virgin Islands. Rents in continental United States will range from \$5 to \$11 per room per month. Slum clearance is involved in a number of cases. Several of the projects are for Negroes, who are under particular difficulties in seeking for better housing. Eighteen of these projects provide homes for just under 10,000 families. In addition, a hundred million dollars are reserved for housing. Whether this will be expended by the recently created Federal Emergency Housing Corporation, organized to speed up action, but frozen into at least temporary immobility by a ruling of the Comptroller General,¹⁴ or by the also recently created state, county and city Housing Authorities, is comparatively unimportant. In either case, it is expected to be used for slum clearance and low-rent housing. Public housing authorities are eligible for a 30 per cent grant of cost of labor and materials, as well as for a 4 per cent loan of the balance needed, and should, therefore, be able to offer substantially lower rentals than limited dividend companies. They will not be in competition, as they will cater to lower income groups.

It has been said that 20 to 25 million dollars out of the hundred are earmarked for use in New York City and 20 million for Chicago.

The potential importance of these recent developments would be hard to exaggerate. One hundred and fifty million dollars,¹⁵ spread over the nation, can only produce demonstrations. But these demonstrations may have far-reaching results.

In looking back over our century of housing effort in the United States, it will be observed that approach to the problem has come from two directions, though one of them did not appear till quite recently. It was pointed out some years ago¹⁶ that all attacks on the housing problem are either restrictive or constructive. They either forbid something bad and set up minimum standards of building or maintenance, which must be observed under penalty of the law, or they seek to provide adequate housing on a public utility basis for sections of the population for whom private business enterprise does not find it profitable to build. Both forms of activity are necessary for a comprehensive solution. They supplement each other and are in no sense rivals. We cannot get on without requirements for running water, sewers, windows and fire-escapes. And it was real progress when zoning curbed individual freedom to put up a filling station or a chain store or a sky-scraper in a district of homes.

¹⁴ On March 6, 1934, an opinion of Attorney General Homer I. Cummings was issued upholding the legality of the Federal Emergency Housing Corporation and ruling that it could acquire and convey title to real estate and that its acquisitions were not subject to review by the Comptroller General.

¹⁵ In addition to this sum, \$25,000,000 is to be used for subsistence homesteads.

¹⁶ WOOD, *THE HOUSING OF THE UNSKILLED WAGE EARNER* (1919).

The value of restrictive measures depends on how high their standards are and how well they are enforced. But every additional requirement of larger yards or larger rooms, or more plumbing, or greater fire protection, adds to the cost of building, which is passed on to the purchaser or renter. Rising standards, therefore, necessarily mean higher costs and higher rentals and a decreasing proportion of the population able to live in new housing.

It must be remembered, too, that a standard which has been set for new building cannot be applied to already existing buildings—especially where there are a great many of them—if costly structural alterations would be involved. And yet such buildings may last for a great many years with continued injurious effect on the families living in them.¹⁷

In European countries, where their housing problems hit them earlier and harder than ours, they arrived many years ago at the realization that private enterprise was everywhere making a failure of housing the low-income groups, and, to some extent, the middle groups. Earlier than we, they were convinced that for its own sake, every child was entitled to grow up in physically wholesome surroundings, and that the state had a very real interest in seeing that he did so. The line of reasoning was much the same as that applied to free education or to social insurance. It was as often advocated by conservatives as by radicals, though usually with a different emphasis. Conservatives, for instance, have been strong for the encouragement of home ownership by government loans at low interest rate, long period of amortization, and small down payment. Radicals have generally preferred municipal housing. In other places, long-time loans to coöperative housing societies have been emphasized. For a generation or more, European housing of the working classes has tended to be handled as a public utility, on a self-supporting basis as far as possible, at the partial expense of the tax-payers where necessary.

It will be profitable to have a quick look back at the experience of Great Britain. The industrial revolution, which substituted steam power for hand power and factories for cottage work shops, drew the rural workers by tens and hundreds of thousands to the large towns in search of work. No housing was ready for them. No restrictive laws were in existence. Housing sprang up, mushroom-like, wretched in quality, jerry built, back-to-back cottages, crowded together, flat on the ground with no damp courses, lacking sewers, lacking water, with rents so high that the overcrowding was fearful. Some of that housing remains to this day, and forms the material for clearance schemes.

Harry Barnes, the historian of British Slum Clearance,¹⁸ dates the first stage from 1830. The situation was already recognized as acute. Dickens and Ruskin used their talents to arouse public indignation. In 1830 Edwin Chadwick launched his first report on the sanitary conditions of the laboring classes in the metropolis.

¹⁷ For an example, see note 2, *supra*. The windows ordered cut in the partitions of existing dark rooms by the tenement house law of 1901 were realized to be wholly inadequate, but were all that was obtainable.

¹⁸ BARNES, *THE SLUM, ITS STORY AND SOLUTION* (1931).

Years of great activity followed, marked by paving of unpaved streets, removal of refuse, installation of sewers, drains and water supply. In 1848 the first National Public Health Act¹⁹ was passed. A series followed, ending in the consolidation of 1875. In these acts, and in the local by-laws made under them, we have the British equivalent of our much-later tenement house acts and building codes—the whole realm of regulation by statute. The fact that such regulation, under the British system, could be by national act, instead of requiring state laws of limited local application, insured more rapid and uniform compliance with the standards adopted.

Even more striking was their earlier recognition of the obligation of communities to supply housing themselves, if not otherwise satisfactorily provided, and to demolish slums if and where necessary.

The first principle was embodied in an Act of Parliament in 1851,²⁰ regarded by the Earl of Shaftesbury as the capstone of his series of Factory Acts for the protection of workers. For, he argued, of what avail are good work conditions and shorter hours, or protection of women and children in the factory, if the worker and his family are at the mercy of the landlord in their home? So he authorized local authorities, in any community where working-class housing was inadequate, to build and rent working-class homes themselves. The idea was so far in advance of public opinion that for more than a generation the act remained a dead letter. Only one town, Huddersfield, built a few inconsequential cottages under it. During the eighties, however, while a Royal Commission on Housing was in session, the aged author of the Act convinced the Commission that it contained the principles necessary for the solution of the problem. It was accordingly embodied as Part III of the resulting Housing of the Working Classes Act of 1890,²¹ which is still the foundation of British housing law.

During the nineties British cities began to build working class houses on undeveloped land in considerable quantities. In 1909, such action became obligatory, and the pace was speeding up when the World War intervened and building stopped.

Meanwhile, another line of activity had been developing—slum clearance. This was where the humanitarian impulse was strongest. Slums contained the worst housing and ought therefore to be dealt with first. Liverpool tore down some slums under a local act in the middle sixties.

A series of Acts of Parliament, the Torrens Acts (1868-1882)²² empowered a local authority to require owners to demolish single insanitary houses or small groups of houses at their own expense. This was useful, but too much like a confiscation of property to be used in a large way. The Cross Acts (1875 to 1882)²³ on the other

¹⁹ 11 & 12 Vict. c. 63 (1848).

²⁰ 14 & 15 Vict. c. 34 (1851).

²¹ 53 & 54 Vict. c. 70 (1890).

²² 31 & 32 Vict. c. 130 (1868); 42 & 43 Vict. c. 64 (1879); 43 Vict. c. 8 (1879); 45 & 46 Vict. c. 54 (1882).

²³ 38 & 39 Vict. c. 49 (1875); 42 & 43 Vict. c. 63 (1879); 43 Vict. c. 2 (1880); 45 & 46 Vict. c. 54 (1882).

hand, permitted the compulsory taking of unhealthy areas by the authorities (after representations by the health officer and public hearings), with compensation, however, to the owners, accommodation at similar rentals to be provided for as many families as were displaced. Sometimes this led to rebuilding by the local authorities, sometimes by philanthropic societies, which put up model tenements. The Cross Acts became Part I of the 1890 Act, and the Torrens Acts, Part II. They also are still part of the basic law, though many times revised.

The expense involved to the tax-payers by condemnation awards always prevented any really large-scale application of Part I. In 1930, however, the Labor government then in power thought the time had come for putting all the force of the National Government behind slum clearance, and enacted a law²⁴ for that purpose, making it compulsory on all communities of 20,000 inhabitants and over to make surveys of their housing, showing all insanitary areas, and to submit plans to the Ministry of Health for their improvement or clearance within a reasonable time. Since then, the government has changed, and although lip-service to slum clearance continues to be paid, no real energy is being shown. At this distance, it would seem that brakes are being applied rather than accelerators.

British municipal housing before the War, except where slum clearance was involved, was on what was called an economic basis. That means what our RFC and PWA call self-liquidating. The rents paid interest and repaid the principal of borrowed money. They also paid for management, repairs, insurance and local taxes (rates). This could not be the case in slum clearance, because the acquisition of the slum property, with compensation to the owner, always cost more than rents could cover, if the same economic grade of tenant was retained. It was considered quite an advance when a provision was adopted that the owner was not entitled to compensation for any income due to overcrowding his tenants. In 1925 and 1930, more drastic steps were taken, denying the owner's right to compensation for a house declared insanitary by the health officer. He was entitled to compensation for the land only, and if re-housing was to take place on it, he could recover only its fair value as a site for working-class housing. Whether any instances exist of these provisions being fully carried out, I do not know, but they have undoubtedly influenced the size of awards.

Before the World War, the London County Council had built some 10,000 flats and cottages, while all other local authorities had built between 20,000 and 30,000. Only a small fraction involved slum clearance. But public opinion had been growing in force. A decent home for every family, had come to be accepted as a national requirement. The British system of volunteer recruiting during the war had led to wide-spread promises that the soldiers would have homes "fit for heroes" when they got back. It was not just a bonus offered to spur enlistment. It was a sincere expression of intention to right a great social wrong. The whole nation was behind the promise.

²⁴ 20 & 21 Geo. V, c. 39 (1930).

The task of fulfilling the promise was made unexpectedly difficult by the greatly increased cost of building at the close of the war. This was the reason for the use of subsidy in the 1919 Addison Acts.²⁵

The housing shortage was estimated as around a million family units. There was no question, for the moment, of slum clearance, but only of building the greatest possible number of new houses of high standard, as rapidly as possible, to be let at rents working people and low-income white-collar families could pay. The 1800 local authorities, urban and rural, in England and Wales, put up 176,000 cottages in garden suburbs, 8 and 12 to the acre, 5 or 6 rooms and bath. The houses were substantially built of brick or concrete, with slate or tile roof. Rents ran from \$3 to \$5 per week, including the local rates, or taxes, which in Great Britain are paid by the tenant.

The national subsidy was high. An economy wave and a Conservative government called a halt to further building under the Addison Act in 1922. The next year, however, insistent public opinion forced the Conservative ministry to enact a housing law of its own (Chamberlain Act),²⁶ providing a new, though decreased, subsidy to local authorities and a lump-sum subsidy to private builders who would put up small houses to sell. This second provision produced over 400,000 houses disposed of to lower middle class purchasers, including a few artisans. In 1924 a Labor ministry succeeded the Conservatives, and the Wheatley Act²⁷ was passed providing a more liberal subsidy to Local Authorities. A fifteen year program was adopted to build two and a half million working-class houses. Altogether, about 723,000 houses have been built by local authorities in England and Wales since the War, and about 130,000 in Scotland. Adding the houses built for sale under the 1923 act, it will be seen that about one and a quarter million homes have been built with government assistance. Building costs dropped to the point where houses could be let at \$2 to \$3 a week. In 1930, as already stated, a Labor ministry decided that the housing shortage had been sufficiently caught up with to permit the undertaking of slum clearance on a large scale.²⁸ Something like 100,000 houses a year for 10 years was contemplated, and building under the Wheatley Act was to continue also.

Unfortunately for the continuity of the program, the present Conservative Minister of Health, Sir Hilton Young, under pressure of economy again, has brought about the repeal of the Wheatley Act,²⁹ and talks of clearing slums at the rate of 12,000 homes a year instead of 100,000, and having it finished in five years. It all depends on the definition of a slum. He is endeavoring to stimulate the building of working-class houses by private enterprise through government guarantees of mortgages held by building societies, the British equivalent of Building and Loan Associations.

²⁵ 9 & 10 Geo. V, c. 35 (1919).

²⁶ 13 & 14 Geo. V, c. 24 (1923).

²⁷ *Supra*, note 23.

²⁸ 15 Geo. V, c. 14 (1925).

²⁹ *Supra*, note 27.

This is not, of course, the end of British housing history, but it is the point reached at the present moment.

The legal obligation still rests on every local authority, urban or rural, to supply, itself, any deficit that may exist in adequate housing for the working classes, and to demolish and rebuild areas which endanger health. Liberal and labor groups are pressing to speed up work again. They claim that four million houses ought to be replaced in the next thirty years, of which at least a million are urgent, and that about a million additional houses should be built at the same time to overcome the excess of families over houses.³⁰

On the continent of Europe, there had been considerable housing activity before the War. There has been more since. Nearly every country has had some form of subsidized housing, some form of housing by public authorities. Nearly all has been building on new land. Slum clearance, though much talked about, has been practised very little. Germany has built about one and a third million working-class apartments since the war, but has not been clearing slums. This is true also of the 60,000 family units built by the City of Vienna.³¹ It is true of the work in Norway, Sweden and Denmark, in France, Italy and Belgium. It is true of the bulk of the work in Holland. But Holland and Great Britain are the two nations which have systematically attacked the problem of slum clearance. In proportion to population, Holland has done more post-war housing than any other country, having built for about one fifth of her people. Her favorite method is by 50-year loans, at the interest-rate of government bonds, to coöperative housing societies of working men or clerks, who are going to live in the houses when finished. She also has municipal housing for still lower paid workers, but regards it as residual. When her new building caught up with the post-war shortage, in 1926, she began a systematic destruction of insanitary houses and groups of houses. As in Great Britain, there are alternate waves of housing energy and of economy. In both countries a well developed public opinion insists on a wholesome environment for every child and therefore for every family, and enough has already been done to put the goal within reach of the generation now living.

In summing up this European experience, it may be said to prove that it is possible for public authorities to produce large quantities of good-standard housing on low-cost land to rent to fairly low-income groups at the expenditure of a moderate subsidy. Where slum clearance is involved, the case is different. Slum clearance has been demonstrated up to a few thousand houses. It has never been carried out on a really large scale. It has been planned on a large scale in Great Britain only. The difficulties involved are very great. The much-quoted provisions of British law governing compensation for slum property do not seem to have overcome them.

For weal or woe, it appears to be at this most difficult and relatively untried point, that we in the United States have elected to begin our constructive activities. If

³⁰ SIMON, *THE ANTI-SLUM CAMPAIGN* (1933).

³¹ Some of the finest of these have been battered to pieces by artillery in the recent disorders.

we succeed, great will be our reward.³² But the chances of non-success are undoubtedly multiplied.

So far, the State of Ohio³³ has passed a law permitting county housing authorities, and the counties which include Cleveland, Cincinnati and Toledo have organized under it. Michigan³⁴ has enacted a law which has given Detroit a municipal housing authority. Maryland³⁵ and New Jersey³⁶ have state housing authorities. Milwaukee is able under former legislation to carry on municipal housing.³⁷ New York State has passed an enabling act,³⁸ and the City of New York has just created a housing authority under it. All these and a number of others on the way³⁹ expect to do slum clearance and re-housing with funds supplied from Washington. The next thing, as the High Command is understood to have put it, is to make the dirt fly.

³² The fundamental question of whether the taking of slum property for clearance by eminent domain is a public purpose is still to be tested in court. Where bad health or delinquency conditions can be shown to be involved, it seems reasonable to expect a favorable decision.

³³ Ohio Laws 1933, H. B. 19.

³⁷ Md. Laws 1933, c. 32, at 152.

³⁴ Mich. Pub. Acts 1933, no. 94, at 118.

³⁶ N. J. Laws 1933, c. 444.

³¹ Wis. Laws 1921, §1771b, Wis. STAT. (1929) §180.04 (8).

³⁸ N. Y. Laws 1934, c. 4, p. 185.

³⁹ Housing authority bills are pending in Delaware, Illinois, Massachusetts, South Carolina and West Virginia.