

## **NINETY-SEVEN (97) ORCHARD STREET**

### **Lower East Side Tenement Museum Encyclopedia**

#### **Tenements**

The word "tenement" (from the Latin root tenere, "to hold") has had different meanings at different times, but today we use it to refer to housing built specifically for multiple, working-class families from the mid-nineteenth century until the Multiple Dwelling Law of 1929. Early tenements, such as 97 Orchard Street (built in 1863), represented some of the worst housing ever built in this country.

While both tenements and apartment buildings refer to multiple family dwellings, the origins of the word tenement and its association with overcrowding, poverty, and working-class life date to the early 19th century when large-scale residential tenancy began to develop in New York City. Apartments, on the other hand, did not become fashionable residences for the middle and upper classes until the 1870s. However, the term apartment does have French origins in making a class distinction between multiple-family dwellings for working-class/poor and for the middle/upper classes.

New York's first wave of tenement construction came in the 1850s as landlords realized that sizable profits could be made from building cheap housing for the poor. The high cost of Manhattan real estate encouraged landowners to house as many low-wage renters as possible on a single building lot. Until 1867, there were no federal, state, city laws requiring developers to provide their tenants with amenities like running water, gas, or adequate light and ventilation, so early tenements rarely possessed them. Unfortunately, New York had a severe shortage of cheap housing and the immigrants who flooded New York in successive waves beginning in the late 1840s had few alternatives to tenements.

Why was there such a shortage of cheap housing? Manhattan landowners wanted to increase the value of their land and the best way to do this was to construct valuable buildings on the land. Consequently, landowners discouraged the construction of cheap buildings on their property. While upper class neighborhoods were constructed on the northern edge of the city and new commercial buildings rose downtown near the port, the city's lower classes huddled into the old housing stock left behind by their wealthier neighbors. Only with the massive immigration beginning in the late 1840s was a substantial amount of new housing constructed for the working class.

Considerable debate surrounds the construction of the first purpose-built tenement in New York City. Some sources cite a tenement on Cherry Street built in 1838, while others point to an earlier example, dating from the 1820s—a seven-story tenement at 65 Mott Street. By mid-century, however, New York had begun to be transformed into a burgeoning industrial metropolis attracting hundreds of thousands of working-class immigrants and migrants. For the first time in the city's history, the

provision of working-class housing became a profitable proposition. The construction of 97 Orchard Street was part of a mid-century boom in which landlords and speculators put up thousands of such houses. By 1865 a total of 15,309 tenements existed in New York.

Why were there so few amenities? Builders sought to maximize their rents, so the tenements constructed in the mid-nineteenth century sometimes occupied as much as 90 percent of their lots and were five or six stories tall. When a number of such tenements were built next to each other, only the rooms facing the street and rear yard had satisfactory light and ventilation (usually one room in each apartment). The small rear yards where the privies were located, however, quickly became unsanitary pits of human waste.

Another way for builders to cut costs was not to install plumbing and/or gas. While most middle- and upper-class row houses at the time had these amenities, tenements generally did not. Ninety-seven Orchard Street remained without gas and running water long after gas and water pipes were laid in the neighborhood.

How could developers get away with building such deplorable housing? Until 1867 there were no laws regulating what a developer could build, except some municipal restrictions on the materials used. Vast numbers of tenements were built in the mid-nineteenth century demonstrating their profitability in the absence of government regulation. By 1864, approximately 500,000 of New York's 800,000 residents (more than 62 percent) lived in 15,500 city tenements. New York State's Tenement House Act of 1867 was the country's first comprehensive housing reform law. (See Appendix D for the requirements of various tenement reforms.) Among the more significant things the law required were fire escapes and at least one outhouse for every twenty inhabitants, connected to the city sewers if possible. Unfortunately, there were few provisions made for enforcement of the new law and so it had little effect.

The Tenement House Act of 1879, which followed the 1867 law, outlawed the construction of buildings like 97 Orchard Street that had interior rooms without windows. All rooms now had to open onto the street, the rear yard, or an air shaft. This led to the development of the "dumb-bell" tenement plan (see Appendix D for some common tenement plans), so called because the air shafts on the side of each building made the building's "footprint" look like a dumbbell. There are fewer dumbbell tenements on the Lower East Side than in some other parts of the city because so many tenements like 97 Orchard Street had already been built in the neighborhood by 1879.

The Tenement House Act of 1901 outlawed dumbbell tenements. Known as the "new law," it set minimum size requirements for the spaces (such as courtyards) onto which windows opened and mandated that one bathroom be installed inside the building for every two families. This finally brought plumbing into working-class housing. Most importantly, the 1901 law set up the Tenement House Department to inspect these buildings and enforce the new regulations. While enforcement was

still difficult due to the small size of the department, it was a step in the right direction. Tenements built after 1901 are called "new law" tenements while those built between 1879 and 1901 are called "old law." Since 97 Orchard Street was built before any housing reforms, it is known as a "pre-old law" tenement.

The 1901 Tenement House Act not only set new standards for what constituted acceptable housing, but also created the Tenement House Department as a mechanism for insuring the implementation of the law. Prior to the 1901 law, housing legislation was enforced by the Board of Health and the Department for Survey and Inspection of Buildings. An inspector with the Tenement House Department named Charles Bretzfelder surveyed 97 Orchard Street on July 10, 1902. He reported the presence of interior windows in each apartment, but also noted some problems, the worst of which was a lack of flush toilets and a continued reliance on school sinks in the rear yard.

All alterations required by the 1901 Tenement House Act were to be made within one year. However, most landlords did not undertake the changes required for toilet facilities and in 1903 the Tenement House Department brought legal action against Kate Moeschen, owner of a tenement at 332 East 39th Street, for failure to comply with the requirements of the 1901 Act. After a succession of appeals, in 1906 the United States Supreme Court upheld the 1901 Act.

### **Architectural History**

Ninety-seven Orchard Street and its neighbors on either side (nos. 95 and 99) were built in 1863-64. They were the first tenements on the block and replaced a Presbyterian Church, reflecting the changing ethnicity of the neighborhood – from American-born (largely of English, Scottish, and Protestant Irish descent) to German-born residents.

Ninety-seven Orchard is a five-story brick building decorated with "Italianate-style" architectural elements. The brownstone ornamentation is largely composed of stock elements which can be found on numerous other tenement buildings. Like many tenements of its time, its architect was never recorded. But the structure of the building is quite simple: two brick-masonry walls, spanned by wooden beams, twelve or sixteen inches thick, stand upon a foundation of stone, two feet thick.

When 97 Orchard Street was built, it had twenty apartments and two basement-level storefronts. Each floor had four three-room apartments, two in the front and two in the back of the building. When it was constructed, 97 Orchard Street had no indoor plumbing, no gas, and only one room in each apartment benefited from direct sunlight. Each apartment was, however, equipped with two fireplaces.

Few structural changes were made to the building during the nineteenth century. While sewer lines were dug under Orchard Street before the building was built, the landlord of 97 Orchard wasn't charged for connection to the system until 1899. The school sink (outhouses) located in the rear yard was probably connected to the sewers when 97 Orchard Street was built. Gas lines were brought into neighborhood

by the 1880s, but there were no housing laws requiring a landlord to install either indoor plumbing or gas before 1901. Therefore, it is unlikely they were installed in 97 Orchard before the twentieth century. Electricity wasn't available in the building until around 1924.

The first major alterations to the building probably came in the wake of the 1901 Housing Law. Otto Reissman, an architect, filed papers with the City to make most of the changes required by this new law to the building in 1905. A skylight was installed at the top of the stairway, an air shaft on one side of the building, two water-closets off the hallway on each floor (and ventilated by the air shaft), and sash windows in all of the interior walls. Sash windows were meant to bring light and air from the outer to inner rooms of the apartments.

At this time we believe the landlord also made some changes in the building that were not required by law. The landlord turned the front apartments on first floor into commercial spaces and added two new entrances to the building on the stoop. It is also possible that the ornamentation visible in the public hallways today was added at this time. The original front of the building probably looked as 99 Orchard Street does today.

Ninety-seven Orchard functioned as a tenement until 1935. At that time, the landlord closed the apartments rather than comply with the requirements of the latest housing laws. The upper floors were closed off and used for storage, while the four storefronts (two on the ground floor and two in on the stoop level) remained in use. In 1988, 97 Orchard Street became the home of the Lower East Side Tenement Museum.

## **Social History**

Ninety-seven Orchard Street was in many ways a classic Lower East Side tenement and its history mirrors the evolution of the neighborhood. Until 1925 few adult residents in the building who had been born in the United States. In 1870 most of the tenants were German-born. In 1900, more than half hailed from Russia. And after 1925, they came from a variety of eastern and southern European countries.

About half the people living in 97 Orchard street between 1870 and 1890 were Jewish, a higher portion than for the neighborhood as a whole. Between 1890 and the 1920 virtually all the tenants were Jewish. But while the earlier tenants had been German Jews, those after 1890 were mostly from Eastern Europe. This reflected changes in ethnic composition of the Lower East Side as a whole.

The number of tenants living in 97 Orchard Street increased steadily over time – from 77 when it was built to 111 in 1901. With the conversion of the first floor from residential to commercial use in 1905 (2 less apartments), the tenant population dropped a bit, though the population density of the building remained the same. This steady increase in density suggests the building gradually deteriorated over time. This was reflected in changing occupations of the residents: from artisans and petit bourgeois in 1870 to industrial workers by the turn of the century. The

occupations of the residents at the turn of the century also reflected the prominence of the garment industry in the neighborhood at this time.

### **RENT, WAGES, & THE COST OF LIVING : 1870s**

A tenement apartment like those in 97 Orchard Street (three-rooms) probably rented for about \$8 to \$15 per month in the 1870s. Of course there were tenements which rented rooms for much less – particularly the dreaded rear tenements and rookeries (single family homes converted into multi-family dwellings) – and some that were a bit more expensive. That may sound cheap today, but considering that after the Panic of 1873 unskilled laborers (street workers, for example) only earned about \$1.75 for a ten-hour day, and only when they found work, rent was quite expensive in New York City in the 1870s.

Much of the 1870s was a time of severe unemployment, so any generalizations about wages can be somewhat misleading. Nevertheless, they can also be helpful. Tailors, the most common occupation among German New Yorkers, earned about \$2.26 for a day's work in 1874. But their wages continued to drop as the depression wore on, so that the family wage of some tailors had dropped to \$8-\$9 for a six-day, 60 hour week by the early 1880s. Shoemakers, the second most common occupation in Little Germany, earned about \$2.36 a day in 1874, but their wages also dropped over the decade. Some of the best paid members of the working class were probably the foreman working for the parks department. They earned about 4:50 for an eight-hour day, short for the time. Skilled worker in the building trades also received higher-than-average working-class wages.

These day rates don't tell the whole story, however. The decrease in wages during the 1873-79 depression was alleviated somewhat by the drop in prices caused by deflation. Nevertheless, employment was precarious for most of the nineteenth century and there was no publicly sponsored unemployment compensation to fall back on. Most work remained seasonal until the twentieth century. Tailors, masons, and unskilled laborers usually could only count on about five to seven months of work. The winter shut down most of the building trades from November to March. Even garment production was slack between June and September, and again from December to April. Furthermore, day laborers could not count on daily work even in season.

Families could supplement their income by taking in boarders, or the women and children could take in homework. A boarder could bring in \$3-\$4 additional income a week with relatively little extra effort or expense. Homework could add to this, but the labor-intensive nature of housekeeping in tenements set limits on just how much more work a family could do.

In addition to rent, a family had to pay for food, fuel, and other household items, and perhaps some amusement or entertainment. The table below gives an example of what a family might have paid for various items in 1874. The family consists of two adults and one child. Expenses were weekly, though some weekly figures are based

on annual costs. This family is not meant to be “average.” Rather the table demonstrates how much it cost to have an adequate diet and at least a bit of entertainment, education, etc. Depending on their skills, a working-class family might achieve this lifestyle with a reasonable work-week and still have surplus cash for savings and other expenses. But many working families would have had to work 10-14 hour days, 6-7 days a week, just to survive. The table does not, it should be noted, include the cost of furniture and other household items or and medical expenses which might have been necessary.

Expenditures of a Working Family in New York City, 1874

Flour & Bread = .84  
Meats = \$2.82  
Butter = .50  
Lard = .08  
Cheese = .22  
Sugar & Molasses = .34  
Milk = .49  
Coffee = .19  
Tea = .25  
Fish = .15  
Soap, starch, salt, pepper, vinegar = .40  
Eggs = .25  
Vegetables = \$1.00  
Fruits = .28  
Fuel = \$1.00  
Oil & other light sources = .06  
Beer & tobacco = .50  
Rent = \$3.60  
Educational & religious material = .15  
Clothing = \$1.79  
TOTAL \$14.91