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**Toying with Corporate Narratives:
The Genesis of Mick(e)y Mouse**

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Abstract: *One of the most important functions of local legendry is explaining the significance of a place. In this essay I refer to this phenomenon as the “Horton Effect”—named after Dr. Seuss’ elephant who famously exclaimed “A person’s a person, no matter how small.” It is my contention that much of local legendry seeks to explain the importance of overlooked and underrepresented places. These local legends enable residents to performatively explain to themselves why their town is important, to attempt to make small voices heard, to ask for recognition and respect, and to prove significance happens outside of major metropolitan centers. In my case study, I look at small town Middletown, Pennsylvania. In Middletown, the legend of the Performo Toy Company, the proclaimed original inventor of Mickey Mouse, is ostensibly a legend about corporate treachery on the part of Walt Disney. But on closer inspection, the legend proves to function as a communal source of pride and as a valuable reminder of the vital contributions of the oft-overlooked.*

If a cartographer attempted to draw a map of the United States solely from its representation on television and in film, their rendering would convey a distorted landscape dominated by New York and Los Angeles, connected by Texas or Chicago, and spouting the strange appendages of Miami, Boston, or San Francisco. But the vast majority of Americans live outside of these few overrepresented areas. What is the importance of these towns and the individuals who inhabit them?

In 1985, Gary Alan Fine proposed the “Goliath Effect” to explain the phenomenon where contemporary legends attached themselves to the largest corporation in a given industry (Fine 1985, 65-66). In 2012, Carl Lindahl proposed a counterweight to the Goliath Effect, aptly named the “David Effect” (2012, 148-52). Lindahl invokes the David Effect to show how legends attach themselves to the most vulnerable and powerless groups (2012, 144). In this essay I propose a third

phenomenon specifically linked to local legendry: the “Horton Effect”¹—named after Dr. Seuss’ elephant who famously exclaimed “A person’s a person, no matter how small.” One of the important functions of local legendry is to explain why a town is important, no matter how small. In this essay, I look at an example of the Horton Effect as it exists in Middletown, Pennsylvania, where a legend ostensibly about corporate treachery serves to show the important contributions of the oft-overlooked.

Middletown, Pennsylvania is a small borough of 9,000 residents located nine miles southeast of Harrisburg, the state capital. One of the oldest in central Pennsylvania, the town is remarkable for how often it is overlooked. Middletown boasts features unheard of in most small towns. It is home to a Penn State campus, one of the largest in the state—Penn State *Harrisburg*. It has its own international airport—*Harrisburg* International Airport. Even its name is unremarkable. In 1929, when Robert and Helen Lynd sought a generic name for Muncie, Indiana, one that could represent any typical town, they chose Middletown, one of the most common town names in the United States at the time. Often, though, Middletown is not even Middletown. In the Harrisburg region, there are signs for Lancaster, Hershey, and York, but rarely for Middletown. The way to Middletown usually just reads “Airport.” Middletowners are aware of the slights and will put up with the occasional radioactive joke told ever since the 1979 Three Mile Island nuclear meltdown,² but they have a communal source of pride as well: the Performo Toy Company, the original inventor of Mickey Mouse. In Middletown, a legend ostensibly about corporate treachery serves instead as a valuable reminder of the vital contributions of the oft-overlooked.

The Performo Toy Company was the brainchild of two South Central Pennsylvanians: Torrence Dietz and Rene Grove. A lumber salesman from Harrisburg, Dietz usually had extra wood, and in 1925 he also had extra cash. Grove was an artist from Middletown with a talent for toy making, but little in the way of disposable income. He was particularly fond of action-oriented toys—moveable, poseable and stackable. Before partnering with Dietz, Grove had already invented

two toys: the popular “Joy Boy” (a poseable boy) and “Wadee-Nodee” (a duck on three wheels that wobbles when pulled).³

Grove had a talent for innovative toys; Dietz had a knack for taking a product from one market and selling it in another. While Performo sold locally, the primary distributor was in New York. Dietz’s business acumen soon led to a contract to produce wooden toys of Felix the Cat—the most popular cartoon character at the time and a guaranteed moneymaker. Requiring larger factory space and additional staff, Performo expanded but never left little Middletown.⁴

During the same era, Walt Disney returned from World War I to Kansas City, hoping to begin a career as an artist. At Pesmen-Rubin Art Studio, Disney found a temporary job and, more importantly, a permanent friend, Ub Iwerks. When their temporary jobs expired, Disney and Iwerks decided to start a company of their own, the short-lived Iwerks-Disney Commercial Artists. When this failed, Walt Disney moved to the Kansas City Film Ad Company, where he took an interest in animated cartoons. He began showing animated shorts in a local theater and started a second company, Laugh-O-Grams Studio. He hired solid talent and his cartoons proved popular, but Disney managed money poorly; the company went bankrupt.⁵

Never one to give up, Disney started a third animation studio, this time in Hollywood. Walt and Roy Disney began Disney Brother’s Cartoon Studio, first located in an uncle’s garage, then behind a real estate office, and eventually in its own building. They found some success through Alice Comedies, shorts that combined live action and animation. New York distributor Margaret Winkler liked the sample Walt sent her and agreed to a deal for a whole series. But Winkler would soon marry Charles Mintz, who took control of the company. Disney had his greatest success to date in 1927 and early 1928. Oswald the Lucky Rabbit, created by Disney and Iwerks, was a hit. Flushed with success, Disney headed to New York in February 1928, hoping to squeeze out a few more dollars per Oswald short. In New York, Winkler’s husband, Mintz, crushed Disney’s dreams. First, he told Disney he would be reducing his pay per short rather than raising it; second, Mintz pointed out that he, not Disney, owned the rights to Oswald the Lucky Rabbit; and third, Mintz

informed Disney that his services would soon not be needed at all, as Mintz had hired away all of Disney's animators as part of a plan to start his own animation studio. For Walt Disney, it was literally back to the drawing board.⁶

Back in Middletown, Rene Grove had made improvements on his popular "Joy Boy" design. He patented the anthropomorphic, fully poseable mouse on August 17, 1926. The black-and-white mouse had bendable arms, legs, and tail. The Performo Toy Company had dozens of toys for sale by this time—poseable, wheelable and stackable, but the incredible demand for the poseable mouse caused a halt in production of all other toys.

In an interoffice contest, all staff members submitted a name for the mouse. Rene Grove's brother Lawrence submitted "Micky" to harmonize with "mouse." He won. The company named the toy "Micky" (just "Micky"; no "Mouse") and added a name sticker to Micky's chest. Working with distributor George Borgfeldt and Company, Micky sold in New York's toy stores and department stores and exhibited at the Toy Fair, a massive convention held every February in New York. Times were never better for the Performo Toy Company.⁷

In March 1928, Disney took the long train ride home from New York to Los Angeles, unavoidably passing through Middletown along the way. He lacked the new contract he desired, most of his old staff, and his most successful character, Oswald the Lucky Rabbit. According to the Middletown legend, it is at this time—either before leaving New York or while passing through Middletown—that Disney stumbles across Performo Micky. Within a month of returning to Los Angeles, Disney was working on "Plane Crazy," starring his new character, Mickey Mouse. "Plane Crazy" was the first Mickey Mouse cartoon completed but not the first released to the general public. As a silent cartoon, test groups despised it. They also hated Disney's second cartoon, "The Gallopin' Goucho." Although he never lacked for confidence, Disney knew that his cartoons were missing something. At a screening of *The Jazz Singer*, the first feature-length film to employ synchronized sound segments, Disney had his epiphany: Mickey needed synchronized sound—music, sound effects, and voices. Playing before the feature-length and now-forgotten film

Gang War, the animated short “Steamboat Willie” was a huge hit, and Mickey Mouse became an overnight sensation.⁸

So where did Mickey Mouse come from? Although defenders of Disney will often decry Performo Toy Company’s legend as “folklore,” official Disney accounts are no less folkloric, as their origin story has “multiple existences” that both repeat and vary from source to source (Dundes 1978). The most well known of Mickey’s creation stories comes from Walt Disney himself. Depressed and down on his luck after his disastrous trip to New York, Disney took the train back to Los Angeles. Sketching on the train, a stroke of genius led to the creation of Mortimer Mouse. Sitting at his side, Mrs. Disney loved the mouse but hated the name. Heeding her warning that no child would take to a Mortimer, “Mickey” Mouse was born. This is the most romantic of the creation legends: a pioneering animator heading west across the continent, down on his luck, develops an enduring character out of a solo stroke of genius.⁹

This version is seconded by Disney’s 1930 Mickey Mouse patent, which lists him as the sole creator. In the Disney Archives version, the creation of Mickey Mouse was a joint effort between Disney and longtime collaborator Ub Iwerks. One legend states that Iwerks reworked an old sketch of a pet mouse that Disney had keep in the studio; another notes that Iwerks got the idea from an old Hugh Hafner drawing: a sketch of Disney surrounded by mice.¹⁰

Back in Middletown, the earliest documentation of the legend is found in 1931 in the *Old Home Week Souvenir*. It states simply and briefly:

In 1926 the Performo Toy Company created the original “Micky Mouse” which is known to many millions of people throughout the world. At one time, their factory of 7500 square feet of floor space was working to capacity almost day and night and still could not keep up to the demands for Micky. The toy Mouse is still being made along with 40 other toys including character toys seen in the comic strips of the Sunday and Daily Papers.¹¹

This version of the legend includes the essential motifs but leaves out many of the details that latter-day legend tellers embellish, once Performo Toy Company is bankrupt while Disney remains a household name. There are two ways the Middletown legend is most often performed. In its briefest version, the legend is purely visual, juxtaposing a Performo Micky toy or patent with an early Disney Mickey drawing. Performo's Micky is dated 1926; Disney's is usually between 1928 and 1930. This version's power is based on the similarity of the images, the similarity of the names, and the indisputability of the patent dates. It is the version most often found on the Internet and discussed by non-Middletowners.

The second version is the full narrative. This is the version longtime Middletowners tell. Although full of variation, it includes the following three-part structure. 1) Walt Disney crosses paths with Performo's Micky, sometimes while in New York meeting with Mintz and sometimes while passing through Middletown on the train ride home. Performo employee Larry Grove's version claims that Disney saw Micky "on display in a store" while "on a business and pleasure trip to New York with his bride." Robert Watts places the meeting at a February 1928 Toy Fair, held for people in the toy industry. Elnor Overdeer claims that her aunt, a Performo Toy Company secretary, told her "Disney admitted his idea came from seeing Performo Toy Company's Micky at the Middletown train station."¹² 2) The second part of the legend is constant: Disney turns the Performo Toy Company's Micky into Mickey Mouse. 3) The third and final part explains the litigation or threat of litigation, which also varies quite a bit. Take for example Larry Groves's rendition of the legend:

Walt Disney was reported to have made a business and pleasure trip to New York with his bride. While there, he took the idea back home. He placed an "e" in the name. A lawsuit was filed, but the little company was no match for the big corporation. Performo Toy folded. At least we can be thankful...to the Disney corporation for making animated movies of the mouse for entertainment for all nationalities around the world.¹³

Frequently found in other mercantile legends such as “The Mouse in the Coke Bottle,” the litigation motif is central to the Performo Toy Company legend (Fine 1979). The regular occurrence of the theme is also notable considering that it is highly doubtful that there ever was any litigation. The *History Detectives* performed a nationwide search and found nothing.¹⁴ The Disney Archives claims that it has no records of litigation for or against the Performo Toy Company, and Metzger Wickersham Kraus, Performo’s legal counsel, destroyed all of its records in the 1950s.¹⁵ So why is this part always included in the legend? It seems to refer to the inevitable defeat of the little guy at the hands of the moneyed corporation, a worldview that fits well in little Middletown and supports Gary Alan Fine’s contention that “one of the most prevalent folk ideas in twentieth century American life is suspicion of big business” (Fine 1985, 63).

While on the surface this litigation motif seems to be about corporate treachery, I believe it is actually a persuasive device confirming the rest of the legend. Whether Performo sued Disney, Disney sued Performo, or Performo merely drowned under mounting litigation costs, the real purpose is in confirming the value of Performo’s Micky, and thus, the legend. If Performo’s Micky was the real deal, it seems to say, a lawsuit would be required, even if defeat at the hands of a wealthy corporation was inevitable.

Rene Grove, Torrence Dietz, and the other Performo Toy Company investors never seemed as interested in Walt Disney as the latter-day legend-tellers are, and perhaps for good reason. Walt Disney today is an American icon, synonymous with both happy childhood memories and corporate America. Almost all of the legends about Performo Toy Company reflect that particular Walt Disney—a Disney who differs greatly from the Walt Disney of 1928. The Disney whom Rene Grove and Torrence Dietz saw was a young man in his mid-twenties, only recently out of his uncle’s garage, and always on the brink of bankruptcy. Performo Toy Company was a successful business as well, and no one could have predicted how long-lasting Mickey’s popularity would be. Felix the Cat and Oswald the Lucky Rabbit had faded quickly. Who would have thought that Mickey Mouse and that Walt Disney kid

would not do the same? The legend became more appealing later when the Walt Disney at the pinnacle of his career could be conflated with the 1928 caper, and Mickey Mouse could truly be seen as a great heist. It was in the 1930s, when Performo had folded and Walt Disney was winning Academy Awards every year that the legend became worth telling in Middletown. The continued success of the Disney Company encourages the continued telling of the legend and the maintenance of its underlying meaning.

And what is that meaning? In this instance, it is not a message of corporate treachery or “The Evil Corporation” (Fine 1985, 64). In Middletown houses, Performo’s Micky stands on the shelf next to Disney’s Mickey, while Middletown children sit entranced by the *Little Mermaid* or *The Wonderful World of Disney’s* Saturday morning cartoons. The meaning, rather, is a reminder of the valuable contributions of the oft-overlooked. No one claims that Rene Grove and Torrence Dietz, left to their own devices, could have made Mickey Mouse the star that Disney did. Rene Grove created Mick(e)y Mouse; Disney made him a star.

At its heart, this legend is a confirmation of value. Good things come in small packages. Big ideas can come from little places. Middletown may not have its name on the road signs, the airports, or the universities, just as Performo Toy Company will never have its name in the official annals of Disney history. Nonetheless, Middletowners know their town matters, no matter how small. Through the Performo Toy Company legend, Middletowners show themselves how their little town contributed to one of the greatest pieces of popular culture of the twentieth century.

The Horton Effect is a pattern in local legendry throughout the United States. Perhaps the best-known national legend that has local variants and follows the pattern is the “George Washington Slept Here” legend sprinkled across the east. Related and equally brief are the myriad “native son” legends, traditional narratives about a well-known person from a given hometown. In Frederick (Maryland’s second largest incorporated city, but often forgotten behind nearby Baltimore and Washington), residents tell of Francis Scott Key, the author of “The Star Spangled

Banner,” a nationally known figure both born and buried in Frederick County. Overshadowed as a seaside resort by the Hamptons, Martha’s Vineyard, or Laguna Beach, Cape May, New Jersey sports a rumor that Tom Cruise has moved into a quirky, gothic beachfront mansion, bolstering the town’s reputation in the eyes of its residents. Stories such as these mark small towns across the United States.

Attempting to differentiate local legend from localized contemporary legend, Jan Brunvand defines a local legend as one “closely associated with specific places, either with their names, their geographic features, or their histories” and “presumably...unique regional creations” (1998, 219). Although many local legends serve alternative functions (haunted houses, geographic formations, etc.), perhaps the “Horton Effect” explains one of the most important features of legends found in small towns across the United States. Although they are a rare find for an outsider, these local legends enable residents to performatively explain to themselves why their town is special. Like Dr. Seuss’ “Whos,” these local legends in the Who-villes of the United States attempt to make small voices heard, to ask for recognition and respect, and to prove significance happens outside of major metropolitan centers, because a town is a town, no matter how small.

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Notes

¹ I take the term “Horton” from Dr. Seuss’ 1954 “Horton Hears a Who!” In the story, Horton hears a person calling to him from a small speck of dust. Realizing that the sound comes from a creature so small that he cannot be seen, Horton decides to save him because “A person’s a person, no matter how small.” Unfortunately, the rest of the creatures in the jungle think Horton has lost his mind, as there’s never been a person so small. Although he can’t see them, Horton knows there’s at least one person, and perhaps even a family on the speck of dust. He promises to protect their little world, which he places on a clover for safekeeping. As he protects the speck of dust, he learns more and more about the town that makes that speck of

dust their home. They have buildings, a mayor, and even a name: they are the Whos of Who-ville, and their town is “friendly and clean.” But as they are too small to be seen, and the rest of the jungle insists Who-ville is a figment of Horton’s imagination. To save the Whos from boiling in Beezle-Nut oil, Horton encourages the Whos to make themselves heard. When all Whos join their voices together, the Whos prove their existence, and Horton concludes, “They’ve proved they ARE persons, no matter how small.”

² See Blank (2013, 26-34).

³ For insights into the early life of Rene Grove, see Grove (1985, 1-28). For the early life of Dietz, see Andrews (2002, 1-66).

⁴ Dietz and Grove’s partnership is covered in Andrews (2002, 29-44).

⁵ For information on Disney’s early career, see Barnes (2008, 9-67), Susanin (2011), and Watts (1997, 25-29).

⁶ For Disney’s pivotal confrontation with Mintz, see Watts (1997, 29-30) and Miller (1957, 100-1).

⁷ The best account of the creation of Micky is found in Andrews, “A New Toy Mouse,” (2002, 77-94).

⁸ Walt Disney’s “official” account can be found many places, but perhaps none better than Miller (1957, 100-2), which is based on the eight-part series of interviews about Disney’s life, conducted by his daughter, Diane Disney Miller. Heide et al. (2003) is also an “officially” sanctioned version of the life of Mickey Mouse.

⁹ For a basic outline of the events surrounding the creation of Mickey Mouse, see Watts (1997), “Young Man Disney and Mickey Mouse” or Barrier (2008, 68-99). Perri (2002) is also an invaluable compilation of interviews of artists and their memories of Walt Disney and The Walt Disney Corporation.

¹⁰ All of these versions circle widely and freely in oral tradition and on the Internet. For just one example of one version of one of these legends, see http://www.thankyouwaltdisney.org/?page_id=8, where the author begins his “Disney in Kansas City” commentary with “The creation of the world’s most well-known fictional character, Mickey Mouse, was inspired by a flesh and blood mouse Walt Disney kept as a pet in his Laugh-O-gram Studio building.”

¹¹ A facsimile of the *Old Home Week Souvenir* clipping can be found in Andrews (2002, 181-82).

¹² Andrews (2002, 184).

¹³ Andrews (2002, 185).

¹⁴ See *History Detectives*, Season 3, Episode 2 (2005), "Mouse Toy."

¹⁵ Craig L. Andrews made the unfortunate discovery about the Metzger Wickersham Kraus legal documents.

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