THE AMERICAN CIRCUS AND
THE GREAT DEPRESSION: 1929-1939

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by
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Introduction

The circus in America is almost as old as the nation itself. The industry grew during the nineteenth century, adapting itself to the expanding geographical horizons of the nation. As a burgeoning railroad system linked city to town, and region to region, the circus adopted new transportation techniques, and rapidly achieved quick portability. Generating the excitement of the Fourth of July, or an election, the visit of a circus was an important event in the folk life of an earlier age. By the 1910's and 1920's, the circus had lost its paramount role as an entertainment medium as competition from newer amusement forms such as motion pictures and vaudeville led to its contraction. The industry, nevertheless, was still a healthy one. But the circus began to decline dramatically with the advent of the Great Depression as the problems of hard times almost destroyed it.

The circus began in America in the 1790's when an enterprising Englishman named John Bill Ricketts exhibited his equestrian show in seaport cities along the Atlantic coast. His circus played in indoor facilities, the typical form until a group of New York entrepreneurs revolutionized the business in 1828 by exhibiting in tents. It was now possible for a circus to play a town or village whose small population justified a stay of only a day or two. In the 1840's shows added menageries and street parades as owners formed large traveling units.

Before the 1850's horse power was the sole means of transporting circuses from town to town. During that decade a few innovative
operators used elaborate showboats to exhibit along the Ohio and Mississippi Rivers. Others experimented by utilizing the nation's nascent railroad system to make a few jumps. These new techniques were not fully developed as the Civil War temporarily curtailed the industry's growth by restricting the territory which shows could play.

The last twenty-five years of the nineteenth century were the apogee of the American circus. Shows purchased their own railroad cars to regularly reach swiftly growing urban centers. At the same time, the use of three rings became the standard mode of exhibition even for the smallest outfit. The Barnum and Bailey Circus' triumphant five year tour of Europe from 1898 to 1902 was symbolic of the industry's growth and popularity.¹

This period also witnessed the rise of the wild west show. Begun in 1883 by William F. Cody -- Buffalo Bill of dime novel and stage fame -- this form of amusement was patterned after circuses and differed only in the content of the performance. Cody had numerous imitators, and many circuses added wild west features to capitalize on the appeal of the genre.

The circus began to change by the 1920's as it confronted new technical problems. A central feature of the industry had been the street parade which attracted attention and stimulated the box office. Parades were no longer practical in larger cities, at least, because of increased traffic congestion, and municipal officer's reluctance to block it off for an hour on circus day. When the Ringling Bros. and Barnum & Bailey Circus discontinued its daily street parade after the 1920 season, many observers thought it marked the end of an era. More-
over, radio and the cinema competed with the circus for the public's entertainment dollar. The rise of these two industries marked a major challenge to the circus' place in the amusement world. Nevertheless the industry flourished during the decade as shows benefited from the wave of prosperity of the New Era, and reported profits throughout the period. In fact, the season of 1929, the year of the stock market crash, was one of the most successful in circus history. There were no indications that the next ten years would be the most difficult ones in the industry's history.²

For the circus, as for nearly every other industry in America, the 1930's were years of hard times, of failure and frustration, offset by only a handful of bright spots. The decade saw an unprecedented number of bankruptcies, closings, and near failures. So severe were the depression years that some commentators believed they were watching the death of the entire industry. Shows that enjoyed great success in the 1920's limped through the 1930's hoping to last out the season until October or November with enough cash to go out again the next spring.

Circus owners were well aware that unemployed people did not attend shows, and attempts were made throughout the depression to share the contracted market by ending destructive competition. Repeated efforts failed to sustain a self-regulating co-operative association to end what managers called "unfair competition." While somewhat successful in the early 1930's, plans for industry wide co-operation fell short in the long run, and circuses were still trying to bankrupt one another on the eve of World War II. The federal government's
attempt to regulate circuses through a National Recovery Administration Code came close to solving showmens' problems, but was scrapped while on the verge of approval.

Circuses fought against an amusement tax imposed in 1931 and retained throughout the decade, which further depleted already shrivelled revenues. They also coped with new bureaucratic and administrative problems caused by the passage of the Social Security Act, and new state taxes on amusements and motor vehicles.

Even more distressing to circus owners was the rise of organized labor unions late in the decade. The giant Ringling-Barnum Circus was shut down for most of the 1938 season after the workers and performers struck over a wage cut in mid-June. Old paternalistic relationships between show owners and employees were destroyed forever after the industry became unionized during the 1937 season.

The twenty to thirty car railroad circus ceased to be the backbone of the business, as many of the medium sized operators were unable to meet the challenge of the depression. The use of trucks to transport circuses became increasingly popular as the decade progressed, and was the standard modus operandi by the late 1930's.

The circus became, for the first time, an appendage to the mass culture. Movie cowboys such as Tom Mix, Buck Jones, and Tim McCoy were features on circuses, or in some cases were show owners themselves. This bright note was offset by the fact that more and more showmen curtailed the street parade until the country saw its last horse drawn procession in 1939.
The industry was part of the helter-skelter political world of the 1930's. The Federal Theater Project operated a circus in direct competition to private enterprise from 1935 to 1939, and the Townsend-like Ham and Eggs movement in California formed a circus to publicize its "30 dollars every Thursday" program.

The circus survived the decade and emerged in a new and much contracted form. The parade vanished and the railroad show almost died. The status of workingmen and truck circuses greatly increased, and movie cowboys saved more than one show from creditors. Attempts to organize the business fell victim to individual avarice and policy changes in Washington. Showmen grudgingly became adept at dealing with local, state, and federal governments over such matters as Social Security and amusement taxes. And first and foremost, the industry dealt with the problems of depression as the nation experienced the worst economic crisis in its history.

A study of the circus in the 1930's offers insights into many of the period's larger issues. In what ways did the industry respond to the economic conditions of the depression? How did management react to the newly formed labor unions? How did the depression encourage technological innovation? Who benefited, and who was harmed by the NRA codes? To what extent did the WPA alleviate unemployment? How did industry receive Social Security, and how did it affect certain segments of the population? This essay touches upon all these points, and will hopefully provide at least partial answers to these questions.
Footnotes


Chapter I
An Era Ends

The year 1929 was the last and also the best of a succession of profitable seasons since the end of the First World War. As the season began showmen had every confidence that the prosperity of the decade would continue. *Billboard*, the industry's most important trade journal, reflected this self-assurance. In a pre-season editorial, it predicted circuses would have a good year. Almost all industries were booming, paychecks were bigger, and the election, which distracted public attention away from circuses in late 1928, was over. "There is a general inclination," it wrote, "to celebrate the beginning of the Hoover regime."¹

As in past years, the two giants of the business, John Ringling's Ringling Bros. and Barnum & Bailey, and the American Circus Corporation's five shows were locked in battle for industry supremacy. In 1929 the ACC held the trump card in the person of Tom Mix, matinee idol, western star, and hero to millions of American boys. As a result of a happy confluence of events, a number of circuses featured silent movie cowboys from 1929 on. Silent screen heroes such as Tom Mix, Buck Jones, and Hoot Gibson found their services less in demand in Hollywood since the advent of talkies, and circuses, always looking for new stars, saw them as a new way to attract patrons to the ticket wagon.

With Mix as the "superfeature," as *Billboard* called him, the ACC's forty car Sells-Floto Circus enjoyed what was probably the most profitable season in American circus history. Mix was such a box office draw that the show was enlarged by ten cars early in the year to
accommodate the huge crowds that filled the tent twice or sometimes even three times daily. Remarkably, the aftershow, featuring Mix in a wild west performance, attracted on the average seventy per cent of the big show audience. Mix received the extraordinary salary of $10,000 a week plus a percentage of the receipts from the aftershow.²

While not experiencing the phenomenal success of the Sells-Floto Circus, most of the dozen other railroad shows had excellent seasons. So did the twenty or so smaller motorized outfits that played smaller cities and rural cross roads. But even in the best of times some circuses inevitably fail; the 1929 season was no exception. In mid-year the poorly-financed and poorly organized Buck Jones Wild West Show folded at Danville, Illinois, and the day before the stock market crashed the Gentry Bros. Circus went into receivership as a result of poor business caused by bad weather. Later in the year, the Silvan Drew Circus, a small motorized outfit, went bankrupt.³ These three failures were in no way omens for the future. Operating a circus successfully takes skills developed by years of experience in the business, and first year ventures such as the Buck Jones show rarely succeed. Bad weather, which bankrupted the Gentry and Silvan-Drew circuses, typically runs two or three showmen a year no matter what their manager's experience.

Much of circus history for the next decade was determined on September 6, 1929. On that day John Ringling, the last survivor of the five Wisconsin brothers who had dominated the industry since 1907, purchased the five circuses of his major competitor, the American Circus Corporation owned by two Peru, Indiana showmen, Jerry Mugivan and
Bert Bowers, for $2,000,000. He paid $450,000 cash, and secured two notes of $800,000 and $750,000 to cover the remainder. Included in the package was the immensely profitable Sells-Floto Circus. Ringling now controlled the largest circuses in the business, and was the unchallenged giant of the industry. Ironically, this move was to bring Ringling's downfall three years later.⁴

Observers were both stunned and elated at the startling news. Billboard noted:

Modern conditions lend themselves admirably to mergers in the circus world. In fact, the history of the business becomes replete with mergers as owners strove valiantly to live up to their billing of "bigger and better." These combinations spelled the death of the old cutthroat /sic/ methods of competition and gave the public finer entertainment than ever. They eliminated conflicts over territory and, in a large measure, reduced the tendency toward misrepresentation.

The circus ... is about the cleanest and most wholesome form of amusement there is. That the destiny of the business in this country should be at last largely in the hands of so conscientious a showman as John Ringling is extremely gratifying.⁵

Showmen were well aware that John Ringling would dominate the industry to an extent that no one had ever done before. Their reaction was mixed. On the one hand, they felt the status of the business would improve. "The consensus of sentiment," noted Billboard, "is that it /Ringling's purchase/ presses /sic/ a new era of prestige and prosperity for the circus." But on the other, they realized that Ringling had the power to destroy their operations. Soon after the deal, rumors floated around the circus world that the remaining independant showmen would merge in order to compete on a more equal footing with the huge Ringling interest. It was noted "that this will be the only way for
them to compete with the giant organization formed by Ringling." No consolidation took place, and John Ringling's concerted efforts to wipe out other shows was given a major boost by the depression the next season.  

The anti-trust division of the Justice Department also noticed the trend toward concentration in the circus industry and began an investigation early in 1930 of possible violations of the Sherman Anti-Trust Act by John Ringling. Rumors circulated throughout 1930 that a suit was imminent but no formal charges were ever filed.  

One prophetic voice was sounded when Charles Wirth, Billboard's astute circus editor, wondered: "In acquiring these shows one considers whether or not John Ringling has corralled for himself a flock of worries."  

As circus owners returned to winter quarters in the late fall of 1929 to prepare for the next season, they looked back on their success that summer, and expected similar triumphs in 1930. They had no inclination that they were to confront disaster the next year.
Footnotes


Chapter II
An Era Ends

In 1930 the layoffs began. Unemployment rose from 4,000,000 in March 1930 to 8,000,000 a year later to 12,000,000 at the time of Franklin Roosevelt's election. National income fell from $87.4 billion in 1929 to $41.7 billion in 1932.¹ Hard times had hit; the depression was in full swing.

The 1930 circus season began with no hint of the catastrophe ahead. "Robinson Circus starts smoothly", was a typical headline in the trade press. The major concern of outdoor showmen was the excessive license plate fees imposed by many states during the past year, and they began an unsuccessful effort to pass federal legislation to secure national standards for license plate fees. "No show objects to paying a reasonable license fee," wrote Charles Wirth, "but it does object to the 'hold-up' game that is played in many States /sic/."² This was a problem that might happen any year; everything seemed normal.

But then, slowly, showmen began to notice that it wasn't like other years. At first some saw an advantage in the business slump. Roland Butler, head of Ringling-Barnum's press department, proclaimed with Hooveresque authority, "... the circus world is in a healthier condition today than at any time since its inception."

At a period when industrial conditions are not at their best /Butler continued/ and many branches of entertainment are not holding their own, the faith and confidence of the public in circuses has been materially strengthened. At a time when amusement goers are spending their money more cautiously than ever, the circus has given them an unconditional guarantee of more than value received under the "white tops."
The show world soon learned the depression was no boon to business. "The spring of 1930 for outdoor amusement enterprises goes down in history as a most unusual one," wrote Billboard. Business was much different from past years when a full house at one stand almost always indicated another large crowd at the next. This year, however, shows had large audiences one day, then small ones the next three or four. The old rule of thumb no longer applied; good stands were purely spasmodic.4

In spite of the bad conditions in the spring, showmen remained optimistic that the summer and fall would bring better business. But by July it was clear that season was going to be a disaster. "Cannot understand the business," wrote Zack Terrell, manager of the Sells-Floto Circus.

the only solution I figure out of the problem is that the people have no money. The towns that we have been in the past thirty days had approximately 75% of the people unemployed -- with, of course, some few exceptions; and this condition is general throughout the country. The country is in a terrible shape -- you hear it every day, in every town from the business people and people that are in touch with the situation.5

Circuses began to adjust to the poor business. Expenses were trimmed, salaries were held back and cut, employees were laid off, and equipment was temporarily repaired rather than overhauled. Owners maintained a stoic attitude. "We made up our minds that we had a job to do," recalled Charles T. Hunt of the Hunt Bros. Motorized Circus, "and no matter how hard it was we were going to do it."6

Still some shows could not hold up against the double pinch of bad business and bad weather. The first to fall was George Christy's
Christy Bros. Circus. Business had been atrocious all season, even
ludicrous at times; daily grosses sunk as low as $200. Salaries had been
cut, then held back, and the train had cut ten cars to lower expenses
by the time the show closed on 7 July. "It took twelve weeks of bad
business," Billboard sadly noted, "to put out of business a circus man
who it was expected by some showmen would give John Ringling a run for
his money." 7

In early August the 101 Ranch Wild West and the Cole Bros. Circus
both folded as a result of the economic slump. The Cole show reported
that business was only a fifth or sixth of usual. Floyd King, co-owner
of the Cole Circus, later recalled that he and his brother Howard had
built up a find organization, but "the Depression hit and you couldn't
sell a 50¢ ticket for a dime." 8

Economic conditions and poor weather were important, but not the
only, reasons for the failures. John Ringling was trying to drive his
competitors out of business. His agents purchased exclusive leases on
billboards and barn sides along other circus' routes, denying them
places to display their advertising. When agents for other shows
attempted to buy on door advertising, they were stunned to find
Ringling had sole rights to the space. Often they could only exhibit
their posters in store windows. While the inability to advertise
sufficiently was certainly a factor in the demise of the Cole, Christy
and 101 Ranch shows, it is impossible to determine its extent. In any
case, Ringling's desire to eliminate competition was realized, and only
one independent railroad show finished the year. Even without compe-
tition during the last months of the season, John Ringling's six
circuses fared poorly. Most closed early, and only two showed a profit.⁹

Business was not as bad for motorized circuses, and the contrast between their relatively successful season and the disastrous year for railroad shows did much to raise their status and acceptability in the industry. The transporting of circuses by trucks began experimentally in the teens, and in the 1920's a few motorized shows enjoyed success, but it was not until the 1930's that they became the dominant mode of circus transportation. Able to play towns too small for the larger railroad organizations, more and more truck shows began operations as the decade progressed. A milestone of sorts was reached in 1936 when the Tom Mix Circus made a transcontinental tour by truck.

Truck show owners took every opportunity to proselytize the advantages of overland travel. One motorized show operator noted that he cut transportation charges, always a high fixed cost, sixty per cent with trucks; another that he saved $3900 a week traveling on highways instead of over rails. Nor were these savings the only benefits claimed for highway transport. Sam B. Dill, a railroad operator who switched to trucks in 1930, became the leading spokesman for motorized travel. In a long article he elaborated on its other benefits. He pointed out that his circus missed only one date because of rain, and one because of a long jump, both extraordinarily low figures. His trucks were involved in only five traffic accidents, as opposed to the more numerous difficulties trains encountered. His employees found motor vehicles a more pleasurable way to travel, and his circus was still able to give a daily street parade.¹⁰
Andrew Downie, another truck show manager, summed up the joys of owning a motorized show:

This motor-truck troupimg is the McCoy. I save $300 or more a day on railroad haul. We don't have to unload wagons in the railroad yards and horse pull all our stuff to the lot through the streets, for which the city fathers demand a special license. When we get to town, we just stop at the lot, unload, set-up, give a truck-pony-elephant parade, and welcome the towners.

Truck manufacturing firms advertised in the trade press encouraging railroad showmen to convert to trucks; they featured testimonials from motorized operators such as Dill. General Motors published a booklet entitled "Shaving the Nut" which further explained the advantages of switching to GMC trucks.  

About half the motorized circuses made a profit in 1930, a healthy figure compared to railroad shows but still business was significantly below the big returns of 1929. "The 1930 circus season wasn't anything to write home about, and many showmen did not regret its passing," Billboard summarized. Circus men were pathologically optimistic, and they tended to see the season as simply an off year. The trade journals were replete with predictions of business recovery, and they anticipated a quick return to prosperity. "Two great industrial leaders, a great labor leader have visions of improvement . . ." began a typical attempt to raise spirits. Showmen did not allow the belief that they were in for the long haul, afterall, "this has been just one of those off seasons."  

Showmens' actions in 1931 belied the optimistic rhetoric. Some owners cut admission prices in an effort to boost attendance; others routed their circuses into more prosperous areas in the hope of
attracting more affluent audiences. Charles Hunt explained his strategy:

I had laid out a route which would take me into the better class of suburban neighborhoods where the residents were middle class or higher bracket income individuals. I found out that if I could stay in that sort of territory I could keep my head above water... The show was also routed into the resort towns and /I/ found them a little better than the average for that season.14

"Shows this season are operating on a more economic basis than ever before, holding down the 'nut' /daily expense/ in conformity with the times," observed Billboard. Many circuses slashed salaries, sometimes driving star performers from the show with the low wages. The Ringling-owned Sparks Circus broke industry precedent in an effort to keep costs down by using recorded music instead of a live band.15

In spite of the austerity, two more railroad shows folded during the season. The employees of the re-organized 101 Ranch Wild West refused to work after not being paid for six weeks. The show was stranded in Washington, D.C. for eighteen days until it was finally shipped back to quarters. The Robbins Bros. Circus abruptly halted after weeks of poor business and headed back to quarters. Many workingmen were pushed off the moving show train on the return trip home in a gruesome attempt to reduce the payroll.16

The season's results were mixed. The Ringling-Barnum Circus had its earliest closing ever, and cash from the organization's other four shows, all of which showed a small profit, were sent to it to keep it afloat. All the major motorized circuses finished the season, and about half of them again made some money. An agreement limiting
competition was a factor in their success (see Chapter III). The trade journals, always cheerleaders to showmen, told them they should feel satisfaction in being able to employ so many people during the season. That defensive appraisal reflected the fact that, while not the disaster of 1930, it was not a good year.17

The depression worsened in 1932 as half the population lived below subsistence levels. Well dressed men applied for laboring jobs on circuses for the first time, a phenomenon that appalled showmen. A federal amusement tax on all tickets over 45¢ further encouraged circuses to lower their admission prices. A practice begun by a few shows in 1930 and 1931, the lower scale of 40¢ or even 25¢ was the industry norm in 1932. To make up for the lower revenues, shows depended upon increased sales of reserved seat, after-show and sideshow tickers, and a harder sell by concessionaires.18

Attempts to trim costs became more creative. As Stuart Thayer notes, on the Russell Bros.' Circus, a medium sized motorized show, a gas tank truck was carried ... so that gasoline could be purchased in bulk ... Every morning the tank truck filled up and made the rounds of the show. Between towns it stayed at the end of the column with the mechanic's truck. In case of a long haul the tank truck drove to a place midway between stands and as each truck came by it was refilled.

There was one semi-trailer that carried only groceries. Termed the "pantry truck" it was regularly stocked in case lots to save costs in food buying.

This attitude even prevailed in winter quarters. The show raised its own cane hay and oats and separated its own straw. Wood to heat the buildings was stacked on the property and manure from the barns went onto the fields. It was a rule that if you drove ... two miles with a truckload of manure, you came back with a truckload of wood.19
As daily grosses declined, salaries were again cut. For the first time circus advance agents, an elite corps who help select dates and make the local arrangements for the lot, had their wages cut. Men who had earned as much as $12,000 a year, now made between $50 and $150 a week plus a small percentage of the gate. Some owners did the advance work themselves to eliminate completely the cost of an agent. 20

The fall of John Ringling was the year's most striking development. Unable to meet payments on his 1929 load to buy the American Circus Corporation, he relinquished control of his empire under threat of foreclosure and bankruptcy. The meager profits of the past three seasons had convinced the Allied Owners, the investment group who took over the original load from the Prudence Bank, that Ringling was no longer capable of directing his circuses. Personal illness and the death of his wife had weakened the once dynamic impresario. Allied Owners selected Samuel Gumpertz, the successful manager of New York's Coney Island Amusement Park, to run the organization. Gumpertz came on the Ringling-Barnum show in late 1932, and was horrified by its condition. "It was run down frightfully; was in terrible shape," he noted.

The realignment made John Ringling the president of the newly formed Ringling Bros. and Barnum & Bailey Combined Shows, Inc., with a $5000 a year salary and no power. The experience left Ringling a frustrated, bitter man. He spent the last years before his death in 1936 secluded in his Sarasota, Florida, mansion paranoiacally ranting to anyone who would listen how his circuses had been stolen from him, and how the income tax would destroy American civilization. The only
joy in his Lear-like existence was his fabulous art collection.\textsuperscript{21}

Although no circuses failed during the year, business was again poor. With charming understatement, \textit{Billboard} summed up the season: "Generally speaking, the year 1932 must be marked down as something less than financially fruitful." Sam B. Dill's comments were more poignant, "The first part of my season was good /,/ the latter part very bad. I pointed both barrels at them but could not make any money."\textsuperscript{22}
Footnotes


12. The General Motors ad is on the back cover of *Billboard*, April 28, 1931.


20. "Long Island Gives Floto Straw House; Salaries Sliced 10%," Billboard, June 18, 1932, 3; "Hartmann's Weekly Broadcast," Ibid., February 27, 1932, 70.


Chapter III
Co-operation Fails

While often romanticized, a circus is first and foremost a money-making proposition. In the 1930's showmen went about solving their problems in much the same way as businessmen in other industries. Motorized operators organized an industry-wide association to deal with problems that affected all shows such as license plate fees and anti-billboard legislation, and to regulate competition through voluntary fair trade practices agreements. The agreements prohibiting certain business practices were almost supplanted by a NRA code which was scraped at the last minute. Like most other businessmen in 1933, circus owners welcomed government regulation, and actively participated in formulating the code.

Internecine competition between circuses can be as destructive as bad weather or poor business. The industry's history is studded with examples of shows that failed because of a battle with another show. It was not uncommon for circuses to exhibit in the same city on the same day, occasionally on adjacent lots. This practice increased advertising expenses and usually cut the receipts of both shows as one enterprise rarely emerged the clear-cut victor. Intra-industry competition intensified in the last quarter of the nineteenth century as railroad circuses fought for dates in lucrative urban centers. It was standard procedure for one show to cover the posters of another, or to put up advertising falsely stating the other organization had cancelled their stand or would exhibit on a different date.
Showmen dealt with this problem as early as 1903 when the Ringling brothers and James A. Bailey signed an agreement to limit their circus' territory to certain sections of the country. Similar agreements were made until Bailey's death in 1906. Attempts were made to end competition throughout the industry in the early 1900's, but the efforts failed because of lack of co-operation. Showmen preferred battering upon one another. ¹

The depression gave impetus to renewed efforts to end competition and create an industry-wide association, but the original impulse for co-operation came not from the showmen themselves but from a group of circus fans. In 1925 about one hundred wealthy industrialists and professionals who loved the circus formed the Circus Fans Association, a hobby club whose motto, "We fight anything that fights the circus," summed up its philosophy.

Usually assisting circuses on a local level, the organization began to act as an informal, unpaid lobby in Washington in the early 1930's with the formation of its Legislative Committee headed by Melvin D. Hildreth, a Washington lawyer and Democratic Party official. Hildreth, who somewhat sanctimoniously let the world know that he never received a cent for his circus work, spent a great amount of time testifying for and against legislation that affected showmen's interests.

His frequent correspondence with motorized circus owners during the 1930 season revealed that the economic situation had created intense competition, and with it a return to such practices as covering one another's lithographs. Acting on his belief that the entire industry would benefit from an end to such priorities, he called a conference
of all motorized show operators in early 1931 to make peace among themselves and to "generally eradicate evils that beset the field."²

In February, almost all the motorized circus owners gathered in Washington to discuss their problems. The result was a remarkable achievement. Forgetting the feuds of the past season, they adopted a fair trade practice agreement drafted by Hildreth with the assistance of the Federal Trade Commission. Between 1926 and 1933, the FTC encouraged and took an active hand in formulating "codes of fair competition" in about one hundred and fifth different industries.³

The agreement was divided into eleven sections. The first three declared the hiring away of another show's employees, the covering of a competitor's lithographs and date sheets, and the use of truck dating to mislead the public as unfair trade practices. The fourth and fifth sections prohibited the use of similar titles to capitalize on another circus' fame or reputation, and banned advertising that discredited another show. The sixth rule declared the practice of a renting a lot to prevent a competitor from playing a town was "opposed to the best interests of the circus world." The seventh stipulation damned the use of advertising that misinformed the public about the date and time another circus would exhibit. The eighth rule recommended that circuses limit advertising when playing within fifteen miles of each other. The ninth section condemned the insertion of misleading information in trade journals. The tenth regulation stated that shows should not exhibit in the same town within four weeks of each other. The final section created a committee on trade practices to determine if the regulations were observed, handle complaints over alleged violations, co-operate
with the FTC, and perform any other unspecified duties to implement the agreement's objectives.\textsuperscript{4}

The show world was ecstatic over the agreement. With characteristic exaggeration \textit{Billboard} commented:

Without doubt it was the most constructive piece of work in the history of the circus.
Forgetting all past differences . . . these show owners and agents laid their cards on the table and discussed in a friendly manner what was best for all, fully realizing that with the general business conditions none too good, it would be folly to continue to fight each by utilizing old opposition tactics.\textsuperscript{5}

The code was a major benefit to motorized showmen. Its effect was to lower owners' advertising costs and many of them used the money saved to hire better acts, and enlarge their circuses. Some added menageries. Hildreth, the secretary of the committee on trade practices, stated that he received only one report of an alleged violation, and that circuses were co-operating with the rules. The code was in large part responsible for the fact that about half the motorized shows made a profit in 1931.\textsuperscript{6}

The success in ending destructive business methods encouraged Hildreth to call a second conference of motorized operators in February 1932. Meeting again in Washington they formed the Motorized Circus Owners and Agents Association. Organized to fight legislative threats to the industry as well as serve as a governing body for the fair trade practices agreement, the MCOAA was a natural outgrowth of the previous year's gathering. Its president Charles T. Hunt pledged that the organization would fight a pending federal amusement tax, and a bill before the New York state legislature to outlaw billboard
advertising. He also proposed the creation of a central routing agency to cut showmen's costs?

Starting with Hunt's appearance in March 1932 before the New York state legislature to present the circus' case against the billboard law, the MCOAA began its work. In the four years of the organization's existence, its members testified before a number of state and federal bodies, mostly on tax and license plate fee matters. Its efforts were often complimented by the CFA's Legislative Committee, still headed by Hildreth, and the Ringling-Barnum organization's lawyer John M. Kelley.

When faced with adverse legislation, the circus, unlike other industries, could not defend itself by claiming an essential or important role in the economy. Consequently, the MCOAA was an ineffective lobby. Aside from its successful effort to exempt circus trucks from an Interstate Commerce Commission regulation on motor vehicles, the organization never influenced a single piece of legislation.8

The association's and other groups' long fight against a federal amusement tax illustrates the industry's inability to prevent the passage of detrimental legislation. In December 1931, Treasury Secretary Andrew Mellon proposed that the ten per cent amusement tax be changed to include all admissions above a ten cents instead of the previous three dollars. The CFA's Legislative Committee was the first group to protest the lower minimum, stating that the measure would destroy the circus by cutting profits. Appearing before the House Ways and Means Committee, Hildreth stated that the circus couldn't pass along the tax to the public like other industries. Shortly thereafter, John M. Kelley, the Ringling-Barnum lawyer, filed a brief against the bill with
the chairman of the Senate Finance Committee arguing the same position. Other amusement interests such as burlesque, fair, carnival, opera, vaudeville, and most importantly the motion picture industry came to Washington to fight the legislation. Headed by former Republican National Chairman Will Hays, the motion picture industry succeeding in raising the minimum taxable admission to 45¢ in the resulting law. The circus had no part in determining the course of events.⁹

After passage of the law, the circus industry attempted to influence members of the House Ways and Means Committee to raise the minimum or eliminate the tax altogether. For example, Charles Hunt presented the motorized showmens' case to Chairman Collier of Mississippi who responded that he favored elimination because it brought in little revenue. Kelley and Hildreth showed legislators how much money the industry had lost as a result of the tax. Circus men found another ally in Representative Truax of Ohio who introduced a bill to eliminate the "most obnoxious of all nuisance amusement taxes."¹⁰

Their efforts were of no avail as the tax was retained in 1934. Attempts were made to end the tax throughout the decade, but without success. Each time it came up for renewal the circus interests testified against it, received sympathetic responses from Congressmen and pledges to drop or modify it only to have it passed intact.¹¹

The MCOAA's inability to influence legislation was one reason the organization expired in 1936. The other was its failure to stop destructive competition. Unlike many segments of the economy, it took a relatively small initial capital investment to organize a circus. This fact made it impossible to regulate competition because new owners were
constantly entering the business, and the temptation to drive a competitor out of the field was neither difficult nor costly. In the mid-1930's, new circuses, which had not signed the fair trade practices agreement, entered the industry and engaged in outlawed activities such as covering other shows' advertising. The MCOAA shows responded in kind and the co-operation of the early 1930's was destroyed.\textsuperscript{12}

The organization had no formal ending; it simply withered away with the renewal of old business methods. The MCOAA's failure was the result of a major flaw in the 1931 fair trade practices agreement. While showmen voluntarily accepted its restriction it worked fine, but when infractions occurred it had no power to stop them, nor did it have power to enforce its provisions or punish violators. When times were tough showmen accepted its regulations in order to survive, but when business improved in the middle 1930's, owners with more ease in their pockets reached for a larger share of the market by trying to crush other shows. The high hopes for the organization faded when relatively good times returned.

Half-hearted attempts were made in the late 1930's to restrict destructive practices. A clause in the contract between circuses and the bill posters' union stipulated a $100 fine for any biller caught covering another show's lithographs, but this did not deter the practice. Only a gentlemen's agreement between the Ringling-Barnum show and another railroad circus was effective.\textsuperscript{13}

In 1937 a few circus men proposed the creation of a new organization. "I am firmly of the conviction that all showmen could come together in a round-table discussion, seeking a solution to the problems
which beset us," wrote Tom Mix. Paul Lewis, owner of Lewis Bros. Circus, recommended the establishment of a new fair trade code to end the "vicious competition" he had encountered in 1936. Fearing government regulation, another showman, William Newton, Jr., called for one huge organization to govern all of outdoor show business including circuses, amusement parks, fairs and carnivals. A curious ignorance of recent history persuaded their calls for a new organization or code. "Surely an intelligent presentation of the problem of taxation as affecting the circus business," argued Mix, "would be sympathetically received by those having to do with the passage of such laws," forgetting that just such an appeal had had no effect whatsoever only five years before. Few other circus owners showed interest in their plans, and the industry remained unorganized.  

One other attempt to regulate the industry occurred in the 1930's as the circus came close to adopting a National Recovery Administration Code of Fair Competition. Although the circus code was ultimately abandoned as a result of NRA policy changes in Washington, its very consideration and showmen's enthusiasm for it, marked another important departure in the way they conducted their affairs. It was also an effort to impose the authority of the federal government behind the principles of the Motor Circus Owners and Agents Association.

The circus world responded favorably to the formation of the NRA in May 1933. Billboard predicted that the code would benefit the entire industry by bringing owners increased profits and performers and workers larger salaries. Charles Hunt suggested that the MCOAA fair trade agreement serve as a basis for the code, and saw the NRA as an
opportunity to raise admission prices:

I do not believe, and never have believed in the 10-cent circus. I believe in a circus charging an admission price which will enable it to carry on to the best advantage. I do not believe that the National Recovery Administration wants this to be a 10-cent country and our people 10-cent people. All of the industrial codes so far offered contain a provision against selling at or below cost, such cost to be determined by the industry's code administration board.

Hunt spoke for all showmen when he stated, "I am heartily in favor of anything which will put the circus upon a profitable basis." 15

The process of bringing the NRA to the circus began in August when Melvin Hildreth and John M. Kelley met with the deputy commissioner for amusements to plan strategy for adopting the code. Hildreth then published a telegraph in Billboard urging all motorized circus owners to write him their ideas on the code. "If such code is not prepared by circus men," he warned, "it will be prepared by government and they/circus owners/ will be compelled to adhere to it." At his behest, a number of motorized showmen and John Kelley, representing the railroad shows, met in Washington and drafted a code which incorporated the 1931 fair trade practices agreement and new provisions on wages and hours. 16

In December, the major carnival owners, a few circus men, and representatives of other branches of the outdoor amusement industry gathered in Chicago to form the Outdoor Showmen's Association of America. Its purpose was to draft a code that would cover all of outdoor show business. The NRA had not specified a code for the carnival industry, and by writing a code that covered all outdoor exhibitions,
carnival owners could regulate their business by creating a blanket code. The election of a circus owner as the organization's president gave it the illusion of representing the entire outdoor field, but in reality the overwhelming majority of members were carnival operators. Their draft code was essentially the same as the one written by the Hildreth-Kelley group.

Formal hearings on the circus code began January 20, 1934 in Washington. One by one circus owners, Kelley, Hildreth, and other representatives of the Circus Fan's Legislative Committee testified before NRA officials. Most of the code was accepted at this time, but NRA officials rejected the child labor and minimum wage provisions. A second hearing was scheduled for April.

At that hearing Hildreth asked for modification of the provisions banning child labor on two grounds. First, children should be allowed to carry water to the elephants. "That is not child labor --," Hildreth exclaimed, "that is an experience to which every boy is entitled." Second, child performers should be exempted. On this point, he appealed to nationalism. "To make it impossible for the children of the circus family to perform," he noted, "is going to gradually put an end to all American circus families to such an extent that the circus talent of the future must be secured from Europe."

William Newton, owner of the Walter L. Main Circus, argued for exemption from the minimum wage provisions. He asked that ten per cent of the performers receive eighty per cent of the minimum because if the exemption were not granted, circuses could not afford to hire marginal performers such as fill-in clowns and unemployment would
Hildreth and Newton were persuasive and the code appeared to be on the verge of approval. But then a policy change by the NRA in June swiftly killed it. At its inception the New Deal planned to regulate the entire economy through NRA, but soon concluded that it had over-extended itself. "NRA accumulated for itself a mass of multifarious administrative responsibilities," writes Arthur Schlesinger, Jr., "under which the organization eventually broke down." It was therefore decided to exempt inessential sectors of the economy, such as the circus, and concentrate energies on important industries. The official explanation was that the code for circuses was abandoned "due to activities peculiar to themselves, their seasonal character and the practical inability to function under fixed code of fair competition." Thus ended the decade's second attempt to impose some order on the circus business.

The circus code illustrates the conservative nature of the NRA. "In practice . . . the NRA showed a marked tendency not only to give businessmen what they wanted," concludes Ellis Hawley, "but also to justify these arrangements in formal policy pronouncements." Circus owners, or their representatives, completely dominated the writing of the code; performers and workers had very little input. In fact, showmen attempted to use the code to drive down workers' wages. Leonard Traube, Billboard's circus editor compared the industry's weekly average salary in four areas with the minimum allowed by the code and found the latter much lower:
<table>
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<th>1933 average</th>
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</tr>
<tr>
<td>Wardrobe crew</td>
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Trabue's appeal to showmen and NRA officials to raise minimum wages went unheeded. *Billboard* was quite correct when it stated, "if code had been adopted they would have been clearly from managers' point of view." When the Tom Mix Circus jumped the gun and painted a blue eagle and lettered "We Do Our Part" on one of its trucks, he was being more than patriotic.²⁴
Footnotes


Chapter IV

False Dawn

Although it never reached pre-depression levels, the economy gradually improved between 1933 and 1936. The Gross National Product climbed from fifty-six billion in 1933 to seventy-two billion dollars in 1935. Factory workers' weekly income rose twenty per cent, although real income was still thirteen per cent below 1929 figures. Industrial output doubled between 1933 and 1936, and the New York Times Weekly Business index hit one hundred in May 1936, for the first time in six years. Riding on the wave of recovery, circuses had relatively prosperous seasons during these years.¹

Like many Americans, circus owners looked to Franklin D. Roosevelt for solutions to the depression. They were hopeful that the New Deal's fast start in the "Hundred Days" would stimulate business. Billboard captured this optimism, exclaiming "fear is now on the run." Its editor saw the New Deal's actions leading to a rapid return to prosperity which augured well for circuses. As a result, showmen were "going ahead with their plans more courageously than probably in the last few years."²

The early season was profitable for most shows as owners steered their circuses into areas with high employment. The Ringling-Barnum Circus, managed for the first time by Sam Gumpertz, had excellent business in the spring and summer, topped by an astonishing crowd of over 17,000 in the Ringling brothers home town of Baraboo, Wisconsin.³

The Baraboo date turned out to be the season's high-point.
Business was poor in late summer and early fall. A long stand in
Chicago was a big loser. Joe McKennon writes:

The nine day engagement in Grant Park on Chicago's
Lake Front was a disaster. Set up a short distance from
the main gates of the Congress /Century/ of Progress,
the huge circus did not gross enough money to feed its
animals. Thinking that the main entrance to the circus
might be at the wrong end of the lot, the side, front
door and ticket wagons were torn down and moved to the
other end; but it made no difference; business re-
mained bad. People poured into the World's Fair gates
in droves, but they avoided the circus as if it were
plague infested.4

Motorized circuses found good business in late season and most of
them closed the year in the black. Many shows experienced turnaway
attendance, and added extra performances to accommodate the large
crowds. The Ringling-Barnum Circus showed its biggest profit since
1929, in spite of its poor finish. It was the industry's best year
since the depression began.5

The relative success of 1933 stirred show owners' confidence for
1934. "Not for some years has there been so much optimism in evidence
among circus owners as there is this season," wrote Billboard's editor;
... some showmen have gone so far as to say that they feel confused
the depression is over for the circus form of amusement."6

The Hagenbeck-Wallace Circus, featuring an excellent street parade,
enjoyed a phenomenal season. Its manager, Jess Adkins--already nick-
named Depression Jess for his ability to make a circus money in the
worst of times--was the reason for its success. A great believer in
the parade as an advertising medium, he convinced his superior in the
Ringling-Barnum organization, Sam Gumpertz, to add a parade to Hagenbeck-
Wallace in 1934. It proved a tremendous draw, and the show closed the
season with a $450,000 profit. 7

Other shows had big years. The Ringling-Barnum Circus reported attendance up a third over 1933. The Sam B. Dill Motorized Circus also had a prosperous year. The show's feature, Tom Mix, while not the gate-attraction of his Sells-Floto days, still made the Dill Circus' tour the most profitable among truck shows. The season's dearth of failures was another sign of success. 8

It was an even better year than 1933. White Tops noted that there had been more shows on tour, larger attendance, higher public interest, and most importantly bigger profits. Perhaps the best news was the rumor that a major new railroad circus would take the road the next year. 9

In 1935 the industry substantially expanded for the first time in the decade as three truck shows, and one large railroad show joined the ranks. After his triumph with the Ringling-Barnum controlled Hagenbeck-Wallace Circus in 1934, Jess Adkins left the organization and formed a partnership with Zack Terrell, who managed the Sells-Floto show in the Tom Mix era, to start the thirty car Cole Bros. Circus. Featuring Clyde Beatty's thrilling lion and tiger act, and a first-rate parade, it was one of the finest new shows ever to begin operation. Unfortunately, its maiden season was marked by heavy opposition from the Ringling-Barnum organization which had renewed its policy of trying to drive railroad competition out of business. Many breakdowns and delays caused by inadequate renovation of the rolling stock led to missed performances. The season's profit of $20,000 was small for the heavily capitalized circus. 10
The Cole show's year was typical for the industry. A cold, rainy spring, and an extremely hot summer cut down on all circuses' receipts. Many suffered from the poor strategy of playing rural areas before harvest time. A few, notably Ringling-Barnum, enjoyed fine seasons; most broke even or made a small profit; and a few motorized outfits went bankrupt or closed early. While business was down from the previous two years, it was still better than the horrible 1930-1932 seasons.

The industry rebounded in 1936. For the first time since 1930, the trade journals were more concerned with traditional problems such as the weather and unscrupulous showmen (the MCOAA agreement dissolved that year) than with economic news or business conditions. Nine new truck shows began tours, and veteran showmen spent more money modernizing and improving equipment than they had in many years.

While the season had its rough spots, it was still the industry's best year since the depression began. Rain and floods in the spring, and a Midwestern drought in the summer hurt many shows and closed a few, but those that survived the weather found extremely good business in the fall. The Ringling-Barnum Circus, encountering turnaway crowds at dozens of dates, had its best year of the decade. Historically, Presidential election years are not good ones for circuses as the public's source of amusement shifts to the campaign, but 1936 proved an exception to the rule. "We've had our best year since 1929," said Sam Gumpertz, the Ringling-Barnum manager, "and Presidential election years have long been the hardest seasons for the circus. But not this year... If that's a barometer I don't know what it gauged, but
it's been a good circus year."\textsuperscript{13}

These were the least traumatic years of the depression for the circus. Compared to the early years of economic hardship and the later ones of labor conflict, the seasons of 1933 through 1936 appear serene in retrospect. In fact the period's most distinctive episode was Washington's entry into the business with the formation of the Works Progress Administration Circus as part of the Federal Theater Project.

The industry's contraction in the early 1930's created a pool of unemployed performers, musicians and workers. Sympathetic to their plight, Melvin Hildreth and Harry A. Allen, both members of the Circus Fans Association, approached Civil Works Administration authorities in February 1934 with the request that they grant unemployed circus performers money equivalent to the sum allocated actors. While the CWA was primarily in the business of public works, building highways, schools, airports and the like, it also had about 4000 writers, artists and actors on its payroll. It was Hildreth's idea that a group of unemployed circus performers could be assembled into a unit giving free shows in various cities. The plan was never implemented as Roosevelt curtailed the CWA's activities before any action was taken.\textsuperscript{14}

In March 1935, Congress appropriated $27,000,000 to employ 12,000 actors over a six month period in the WPA's Federal Theater Project. Seeing another opportunity, Hildreth protested that circus performers were not included and demanded that they be part of the project. "The circus is a cultural institution," he noted, "and its people are artists in every sense of the word. They will need employment/\textit{in/} the next six months and the public will welcome their exhibition." In the late
part of September, Hildreth and Allen met with Federal Theater Project officials where they explained their 1934 plan. This time they succeeded and WPA Circus began exhibitions in October.\textsuperscript{15}

It was an immense success. Employing fifty performers and thirty-five musicians on relief rolls it played free of charge in New York City area arenas. Because top flight talent could still find work on private shows, the WPA performers were for the most part second raters, either old timers like Oscar Lowande, a rider who owned his own railroad circus at the turn of the century, or your newcomers such as the trapeze artist and future actor Burt Lancaster. This fact hardly diminished the enjoyment it brought to nearly 500,000 New Yorkers that winter, including thousands of children from settlement houses, orphanages, and hospitals. At one stand almost the entire audience of 14,000 was made up of children.\textsuperscript{16}

In February 1936, a small admission charge was added, and in June the circus began outdoor performances. When the show came under criticism for its lack of animal acts, officials explained that they intentionally excluded animals from the performance because "there are no elephants on relief." An elephant and other animals, however, were included later.\textsuperscript{17}

The show's unique nature attracted a great deal of favorable coverage in the New York area press. The \textit{Long Island Advocate} called it a "worthy institution giving employment to the unemployed of the grand old institution." In his column, Walter Winchell exclaimed, "The Circus is why I'm glad I pay income taxes."\textsuperscript{18}
The show continued its pattern of playing New York City in the winter and traveling around New York City, Long Island, and Northern New Jersey under canvas in the summer until July 1939 when the Federal Theater Project was discontinued. A group of performers, headed by Oscar Lowande, banded together to form a small circus which exhibited under the auspices of fraternal groups. Receiving no government stipend, the endeavor failed after three weeks. 19

The Federal Theater Project was a notable experiment in government aid to the arts. With the exception of a few members of regular shows who found the performance very poor, all observers praised the WPA Circus, and noted how it helped to end the industry's unemployment problem. Yet it probably employed less than 200 people during its five year existence, and many circus people seeking work were excluded because only those on New York state relief rolls were eligible for jobs. 20

The Federal Theater Project offered the public entertainment that was in direct competition with private enterprise. Professional dance and theater organizations protested that the government was hurting their industries, and Hollywood, fearing competition for movies, made a major effort to stop the Federal Theater Project from becoming law. Curiously, the circus industry saw no threat from the WPA Circus. The giant Ringling-Barnum show was the only one playing New York each year and the WPA Circus' small size made it insignificant competition. The show rarely exhibited in areas where it competed directly against the smaller truck circuses which were its equal. 21
Footnotes


2. "Good-By /sic/ Fear; Hello, Confidence!," Billboard, March 25, 1933, 24.


4. Joe McKennon, op. cit., 413.


Chapter V

Devastation

By the spring of 1937, it looked as if the country had finally pulled itself out of the depression. Factories were hiring and relief rolls were dwindling as industry as last topped 1929 levels of output. But then Roosevelt made a fatal blunder by cutting back WPA and FWA funds at the same time as new Social Security taxes took two billion dollars out of the economy. Disaster came in August; by December the New York Times Business Index fell from 110 to 85; steel production declined from 80% capacity to 19%. The specter of starvation again faced many Americans in early 1938.¹

Reflecting the economy, circus business was excellent in the spring and summer of 1937. With pardonable exaggeration, a Ringling-Barnum employee recalled an incredible week in late May:

What was undoubtedly the greatest week's business in the history of the American Circus took place last week. No one around the show could remember--and there are many memories that date back forty or more years--could recalled any such attendance in one week.²

In fact by August, observers predicted a great year for shows. "It looks like nothing will stop 1937 from being one of the big seasons for the circus business," Charles Wirth commented. But then the Rossevelt recession wiped out the large early and mid-season profits, and only a few shows closed the year in the black. Ringling-Barnum was one exception. It topped a good season with a record crowd of 18,000 in Houston in early October. Nevertheless, as circus writer John Grace concluded, "The season as a whole can be put down as a fair one."³
It was the first year owners had to cope with the bureaucratic snags of the Social Security Act. To help them adjust to the new law, *Billboard* ran a series of articles explaining its mysteries. Showmen reported that the added clerical work was less bothersome than the fact that they hired and fired dozens of workingmen in each city, and every new employee had to spend much of his first day registering at the local post office instead of working. To some members of the profession, the law evoked the horror that their true identity might be revealed. The circus has always been a refuge for law breakers, and others who have need to drop out of sight. Joe McKennon noted this situation on the Ringling-Barnum show:

...we have hundreds of men who have never used their right names on anybody's payroll. We are going to lose some of them too /because of the law/. What about these men out here like Canned Heat Mickey, Grease Ball George, Bean Belly Herman, Silent Waxey, Magazine Red, Hamburger Joe, Shorty the Wop, Wickey Wagon Bill, Tiger Bill ...? They all have some name or another on the payroll, but what about this birth date and birthplace business. Most of them wouldn't have come on a show if they didn't have a good reason for leaving those places.

The year's most important event was the move to unionize the industry. It began on May 29 when the Ringling-Barnum Circus signed a five year closed shop agreement with the American Federation of Actors covering all 1,400 performers and workingmen on the show. The contract raised some performers salaries slightly, but doubled the workingmen's minimum wage to $60 a month plus room and board. A slightly lower scale prevailed in winter quarters and the indoor dates at Madison Square Garden and the Boston Gardens. It was the first time circus performers and workingmen had been covered by a union contract.
The AFA was the outgrowth of the Actors' Betterment Association, a fraternal organization of vaudeville performers. In March 1934, it was granted a charter under the name American Federation of Actors by the AFL with jurisdiction over all vaudeville and outdoor performers. Its guiding force was Ralph Whitehead, a former vaudeville and circus performer who became its executive secretary. The AFA quickly organized the handful of vaudeville artists, and in 1935 made tentative plans to unionize the circus industry, but it was not until 1937 that moves were made. The union's strategy was to first organize the industry's giant Ringling-Barnum, then the other railroad shows, and finally the smaller indoor and truck circuses.6

The Ringling-Barnum show offered no resistance to the union. "Ralph is a fine intelligent man," said manager Sam Gumpertz soon before the agreement was signed, "and I am sure we will be able to work out conditions that will be favorable to both of us." Ringling-Barnum and other circuses for years had amicably dealt with the International Alliance of Billposters and Billers, representing billposters, and the American Federation of Musicians, covering band members, and Gumpertz expected the same relationship with the AFA. "No trouble has arisen with them /the IAEB and the AFM/," he noted, "and there is no reason to believe the AFA will be any different." Subsequent events were to belie this confidence.7

Other shows were not unionized so peacefully. Guy Magely, an AFA organizer, was assaulted on the Cole Bros. Circus lot in Everett and Seattle, Washington, while trying to sign workingmen on with the AFA. Whitehead announced that the Cole show would be reprimanded for roughing
up his men, and directed local labor unions along the circus' route to
picket the show, pass out literature at parades, and post "unfair" signs
on all Cole lithographs. He also sent all newspapers on the Cole
itinerary details of the Everett and Seattle incidents. "We plan . . .
to make Messrs. Adkins and Terrell regret what happened on their lot
last week as much as possible," Whitehead threatened. The pressure
tactics worked and the next week the Cole Bros. Circus signed a closed
shop agreement with the AFA providing a $40 a month minimum salary for
workingmen.  

The industry's other railroad show, the Hagenbeck-Wallace Circus,
used a different and more successful strategy to prevent the AFA from
organizing its workers. With management's encouragement, the employees
formed their own independent union. The Amalgamated Order of Circus
Workers of America. While its members emphasized that it was not a
company union, it was clearly formed to head off the AFA which
continued unsuccessfully to organize the show throughout the season.  

The circus union drive in 1937 was not a rank-and-file movement,
but was rather organization imposed from the top down. Circus performers
considered themselves artists and unions were anathema to them for the
most part. The workingmen were most drifters with an average employ-
ment term in the 1930's of nine days, although some men stayed on a
show for years. Henry Ringling North aptly characterized the Ringling-
Barnum work force:

They ... /are/ mostly men who lacked either the
capacity or the desire to hold permanent jobs. Rootless,
reckless and feckless, owing no loyalty to us—why
should they?—nor, in most cases, to families or
communities, they were a tough anonymous lot—a sort of
Foreign Legion of the Labor Army.\textsuperscript{10}

Circus unionization was the result of the AFL's attempt to extend its jurisdiction in reaction to the CIO's aggressive organizing campaign. As Billboard notes, "had it not been for the CIO needle, the AFL would still be surveying the scene with bleary eyes."\textsuperscript{11}

As the 1938 season began, the industry optimistically looked forward to a good season. The Cole Bros. Circus expanded and put a second railroad unit on tour, and the formation of the Tim McCoy Wild West Show made it the second new rail organization to take the road during the decade. Showmen erroneously placed little significance on the business turnabout in late 1937, nor did rail operators anticipate any difficulties with their newly unionized work forces.\textsuperscript{12}

Particularly encouraging was the change in ownership of the Ringling-Barnum Circus. For years, John Ringling's ambitious nephews John and Henry Ringling North had attempted to gain control of the show, and in late 1937 John Ringling North finally secured a loan of $950,000 to pay off the 1929 note on the circus. He replaced Sam Gumpertz as manager and named his brother assistant. They brought back wild animal acts, had new costumes designed, and made a gorilla named Gargantua the show's feature. Having no managerial experience, they were acknowledged the new boy wonders of the circus world by the trade press.\textsuperscript{13}

For the North brothers and the Ringling-Barnum Circus, the year was a nightmare. The trouble began when the workingmen went on strike at the Madison Square Garden opening. A few hours before the first performance, Ralph Whitehead came to John North and demanded full pay
for the workingmen instead of the lesser rate stipulated in the union agreement. North replied that the union contract called for a lower scale during indoor engagements, and that he would not pay the full wage. Whitehead then called the strike. The Norths had no alternative but to try to put on the show without the workingmen. The result was one of the strangest circus performances ever given. Immediately before the show, John North explained to the audience what had happened, and announced that the exhibition would go on anyhow. The mostly upper middle class crowd responded with a loud ovation. Performers walked the opening spectacle as no horses could be used. Executives, performers, and sideshow freaks were assisted by volunteers from the audience in handling the workingmens' duties. The sight of New York society dirtying its hands brought the show much favorable publicity.\(^4\)

The strike was settled the next day by the New York State Mediation Board which helped re-negotiate the contract for $45 instead of $30 a month during indoor dates. John North bitterly charged that Whitehead could have prevented the strike by presenting his demands earlier. North claimed the circus had asked Whitehead or his representative to come to Sarasota before the show left on its tour to work out any discrepancies in the contract, but that Whitehead had not realized until just before the opening. For their part, the North brothers had alienated the workers. Alva Johnson, a ticket seller on the show in 1938, recalled that the workingmen resented their ostentatious lifestyle. "While Adkins and Terrell and other circus owners ate and worked with their people," he noted, "the Norths stayed aloof, driving a wedge between themselves and the workers."\(^5\)
The strike marked the end of an epoch in the circus' employer-employee relations. The show for years had coped with the annual strike by its teamsters at the first under-canvas stand in Brooklyn, but the owners never considered it a real strike. It was rather "an annual spring ritual of the long-string drivers--a try at recognition by practitioners of a dying art." The teamsters aside, no circus had ever been struck before. The New York Times caught the strike's significance: "But come what may at Madison Square Garden a new era greets the circus. Collectivism has laid hand on the most individualistic and irresponsible of all professions." Billboard's Roger Littleford, Jr. saw and end of the industry's innocence. "It will awake operators to the cold fact that, after all, these glamorous traveling shows are essentially business enterprises," he wrote, "and as such are subject to the same social changes that affect a bakery shop, a shoe factory or a chain of cafeterias."  

The show experienced no further labor problems after the first two days in Madison Square Garden, but at the opening canvas stand in Brooklyn the teamsters staged their yearly strike. Whitehead used the incident to charge that the show had not met its contract obligation to collect union dues, and demanded $3500 before the horseman would load the show train. The circus paid Whitehead and left Brooklyn. Already, performers were becoming disenchanted with the union. "We don't see why we should pay dues to an organization that spends it on unnecessary strikes against the show that pays, feeds and keeps us throughout the season," one asked, illustrating the industry's traditional paternalism.
Business under canvas was poor, and John North reported that the show was losing $40,000 a week. He stated a wage cut would be necessary if business did not improve, and threatened to close the circus if the union did not accept the cut. Whitehead responded that he would accept a salary reduction if the union members voted for it. For the moment it looked as if co-operation were possible between management and the union. North's threat to return to quarters stirred Billboard to publish a rare editorial:

Something must be done—and AT ONCE. They /show owners/ must have full co-operation from their performers and employees. They must not have what we might call the last drops of blood taken from them by having them forced to do something which is utterly impossible. War is hell and that's what the majority if not all have been having since opening. They are a sick lot, yet optimists, and if given deserving consideration they'll "pull thru /sic/." 18

Trouble cropped up again in Toledo in mid-June when the teamster again went on strike demanding higher wages. Some sabotage took place as a number of air hoses on the train brakes were cut causing the show to arrive late for its next performance in Erie, Pennsylvania. The Norths had anticipated the walk-out, and had a group of tractors ready to replace them. Henry North recalled, "... the strike had done us a favor by forcing mechanization upon us." This move further alienated the workingmen. 19

On June 6, in Pittsburgh, John North formally asked for a twenty-five per cent wage cut. He claimed that business was off thirty per cent from the previous year, with increased expenses. He told the workers that he received no satisfaction in asking them to take the reduction. "I am, I hope, assuring you of work with a fair living wage
for the remainder of the season," he continued, "and if I receive your co-operation I believe this season will be as long as usual." All evidence indicates that North was honest in his appraisal of poor business conditions, and in retrospect the request for a wage cut, which would have left the average workingman with an income still half again larger than the previous year's, seems justified.

The performers accepted the salary reduction but were out-voted by the workingmen who rejected it, furthering the cleavage between the two groups. In spite of the overall rejection of the cut, North put the lower rates into effect on June 17. "Without a wage reduction the show cannot go on," he declared. Whitehead allegedly replied, "We've got a contract covering a minimum wage, and you'll pay it or else." He advised the workingmen to strike when they received their first smaller pay check the next week.21

The showdown came on June 22 in Scranton, Pennsylvania, when the workingmen struck after receiving their pay envelopes with the reduced wages. The Norths, Whitehead, and counsel for both sides immediately attempted to negotiate a settlement. The Norths offered to open their books to prove their claim that the show had to cut salaries in order to continue, but Whitehead rejected the proposal. He was quoted as saying, "To hell with your balance sheets and your profit and loss statements. That's your headache. It's up to you to get the money."22 Neither side would budge.

Bitterness broke out between the performers and the union as the moribund circus awaited the results of the bargaining sessions. On 24 June in a symbolic gesture, the performers and concessionaires
overwhelmingly voted not to join the strike. They also circulated petitions of loyalty to the show which were signed by 250 people. Charging that the petitions were illegal, union officials destroyed some and put others in Whitehead's safe. Whitehead held a meeting with a group of seventy-five performers where he defended his actions. "And just remember," he concluded, "it's the /North and Ringling/ family, not the union that has done this to you." Almost the entire contingent jumped to its feet to denounce the statement. One screamed, "You're a liar," and another yelled, "You did it." Victor Pratt, head steward of the popcorn and peanut vendors, voiced the performers' sentiment toward the AFA, "All it has done for us is to cost our jobs."23

The show lot itself had an eerie quality about it. A *New York Times* reporter captured its mood:

> Out on the circus lot on Portland Avenue, the scene was as foreboding as the huge piles of waste coal from the nearby mines which surrounded it. It was almost a deserted village, only a skeleton crew of menagerie head, who remained at work to feed the animals, showing signs of activity.

> The elephants—non unionized—did not object to pushing around a few bales of hay, and the other animals paced contentedly in their cages and enclosures, apparently indifferent to union difficulties as long as they were properly fed. Peanut vendors, their wagon whistles piping cheerily, did a thriving business with the large crowd of curious Scrantonites who came for a look at the dead show.24

After five days of talks produced no compromise, the Norths terminated the negotiations and made plans to send the circus back to winter quarters in Sarasota, Florida. The union consented to move the show only if the Norths paid full wages for the work, and agreed to pay $12,000 in strike costs. Showmen to the end, the North brothers
alerted the press on the time Whitehead was to receive the check covering the strike costs, and the transaction was made amid popping flash bulbs. The photographs were run across the country above captions such as "Whitehead Getting His Pound of Flesh."25

Each side blamed the other for the debacle. Performers and management claimed the union's unyielding attitude was at fault. For his part, Whitehead placed the blame on John North:

Mr. North and the circus management felt they had already licked the cream of the business in the big cities and were unwilling to take the usual business risk of continuing their scheduled tour of the smaller towns, even tho /sic/ they are forcing 1600 circus employees out of their jobs.26

Editorial opinion almost universally condemned the APA and Whitehead. To the New York Herald Tribune, it seemed "obvious that if our economy is to survive there must be a realization by labor, that it, too, has a direct stake in the success of industry, that it, too, must shape its course in accord with the financial realities." The liberal Progressive was particularly harsh:

The fiasco which closed the Ringling Bros.' circus was undoubtedly one of the most stupid and unpopular blunders that has been committed in the name of organized labor in many years. It was a prize bone in labor strategy--one that demonstrates how quickly labor can lose prestige through dumb and irresponsible leadership. . . . It was a piece of folly that will long continue of plague the labor leaders of the country who are honestly trying to advance the cause of labor through fair dealing and honesty.

The Washington Post published a poem on the strike entitled "The Victory":

The big show won't be here this year
The clowns will skip their call
Take down the posters full of cheer
That cover barn and wall!
The pachyderms you will not see
Before no cage you'll pause . . .
But it's a famous victory
For the union labor's cause!27

Much of the press was simply saddened by the closing, and some feared the entire industry was on the verge of collapsing. "What a pity!" the New York Times exclaimed. The Grand Rapids Press noted, "There will be fewer laughs for thousands of children because the clowns won't perform." "The mirth of a nation is at stake," the Christian Science Monitor concluded, "Human rights of millions of boys— and their fathers, grandfathers and uncles—are in jeopardy. They might get along without bread, but not without circuses." The St. Louis Post-Dispatch believed it was viewing the industry's end: "It can't be true. The Circus can't really be on its last legs. . . ." The nation's circus fans, it continued, were "unwilling to believe that this famous institution is at an end."28

Within the circus world, Billboard squarely placed the closing's blame on the union, concluding that the AFA's tactics had no place in the circus business. In another editorial, it stated that if the union had used "real common sense," the strike could have been avoided. The AFA had made a grave mistake by not accepting the salary reduction.

A clown on the Ringling-Barnum show voiced the common opinion of circus performers. "A wonderful labor victory you gave us," Billie Denaro wrote in an open letter to Whitehead. "You put us all out of work. You must feel gloried for this feat, quite happy in your knowledge that you have destroyed the livelihood of some 1400 people. . . . Your name is a hated one and grows more so each day."29
Members of the Circus Fans Association were outraged. "You will recall that the President in his address the other evening spoke of unwise labor leadership," noted their president Melvin Hildreth. "Here is a striking example of that sort of leadership, which, strange to the circus and its world, nevertheless has destroyed an American institution." Others were less restrained. One described Whitehead in satanic terms: "Agitation, strife and hate follow in his wake. He is a non-producer with his longing eyes on the worker's pay check--the true exploiter of labor."30

The day after the show returned to Sarasota, Hildreth sent a letter to all CFA vice-presidents and directors asking their suggestions on what the organization could do to help put the circus back on tour. The result was the "Save the Circus" movement. Its goal was to gather 500,000 children's signatures on a petition to be sent to President Roosevelt deploiring "the fact that we are deprived of the chance to see . . . the world's largest circus." Although the strike was settled before the petitions were sent, thousand of children across the country signed them.31

Hildreth and a delegation from the CFA conferred with AFL president William Green on August 25 to acquaint him with the details of the closing and ask his help in resolving the dispute. At the meeting they pointed out the special circumstances of circus labor where the average period of employment for a workingman was nine days, and argued that any circus union should be governed by circus people themselves instead of outsiders. Green was sympathetic with their views, and pledged his support of the "Save the Circus" movement. He later had a part in
settling the conflict, but the impact of the meeting with the CFA can not be accessed. 32

Through the Reporter, the American Federation of Actors’ journal, the much maligned Ralph Whitehead responded to his critics. He charged that John North was an "economic royalist," and that his actions violated the Wagner Act. The closing was caused by a lockout after the employees refused to take an illegal pay cut. (When Whitehead made the same charge at the Scranton negotiations, both North and his lawyer jumped to their feet in astonishment.) He further stated that the Norths refused to show the AFA their business records to establish whether a wage reduction was necessary. 33 The evidence indicates that there was no lock-out, and that the North brothers did offer to open their books to the AFA, but it refused the opportunity.

Whitehead published an endorsement of the union from Sam Gumpertz, who had signed the original contract in 1937. "Let me say that the conditions on our show were much better than they had ever been before /unionization/," he wrote, "and everything went along peacefully and quietly and our equipment was well taken care of." He also reprinted a letter from the mayor of Scranton, who participated in the negotiations, stating that the union chief had made every effort to settle the strike, but was unsuccessful because John Ringling North would not compromise. 34

Meanwhile, John North unilaterally terminated the union contract, stating that in the future the circus would give hiring preference to world war veterans. "We will not employ en-American radicals, agitators and others easily incited by the oratory of unprincipled leaders outside our ranks," he announced. 35
On July 11, North sent most of the Ringling-Barnum Circus' best acts to Redfield, South Dakota, to augment his other circus A. G. Barnes-Sells-Floto. Some performers not joining the Barnes-Floto show organized a small motorized circus that toured Florida unsuccessfully for two months. Others tried to get jobs with the WPA Circus.  

The Barnes-Floto Circus was strongly anti-union, and had resisted organizing efforts by the AFA in 1937. When 551 of its 574 employees signed an agreement to take a twenty-five per cent pay cut in Moscow, Idaho on June 15, the AFA directed the local unions to picket the show declaring it unfair to organized labor. After the Ringling-Barnum acts were added, the AFA stepped up its pressure by beginning a nation-wide boycott of the show, and picketing at each performance.  

The circus countered with pro-union statements in newspapers along its route:

Attention: Members and friends of organized labor. Al G. Barnes-Sells-Floto Combined Circus presenting Ringling Bros. and Barnum & Bailey stupendous new features is most friendly to organized labor and exclusively employees union bill posters, treasurers, ticket sellers, agents and press representatives—all of whom are fully paid up members of the American Federation of Labor and in good standing. Spend your union dollars at home—Today at the big show.  

The re-organized show ran quickly into trouble in Wisconsin. The union pressured the pro-labor state government to enforce a rarely used law which made out-of-state corporations register in Madison before doing business in Wisconsin. Through the help of a CWA member, Sverre Braathan of Madison, the circus obtained a permit. At Janesville, pickets formed a revolving circle at the main gate in an
attempt to prevent patrons from attending the show. The show marched its elephants through the pickets, injuring a few and further exacerbating the situation. Fearing violence, Madison's pro-labor mayor tried to keep the circus from exhibiting in the state capital, but Braathen persuaded him to conduct an investigation before making a final decision. The inquiry, headed by a conservation labor leader, concluded that the show could play Madison without violence. Braathen also extracted a promise from the head of the local CIO that the show would not be picketed. The mayor allowed the circus to play Madison, and no labor trouble resulted. The show used favorable statements from Wisconsin labor leaders in its press campaign.39

The Norths were clearly aware that they needed to mend fences with organized labor. The newspaper ads and labor endorsements were the start, but later in the season the strategy was to remake John Ringling North into a friend of organized labor. The show participated in the Wichita, Kansas Labor Day parade, where the circus band rode on a wagon carrying a banner that proclaimed they were members of the American Federation of Musicians. Labor's new champion told the press, "It afforded me deep pleasure to show in this small way my esteem for organized labor in Wichita and for the American Federation of Labor everywhere." In mid-September the show played Oklahoma City under the auspices of the Central Trades and Labor Council.40

After the season ended, the Norths held a series of conferences with William Green and the AFL's conservative vice-president Matthew Woll, a family friend, to settle the strike. In mid-December Whitehead, Woll, and the Norths met in New York City to work out a new contract. Because
the transcripts of the negotiation are not yet available to researchers, historians have only Henry Ringling North's version of the meeting. According to North, Whitehead announced at the beginning of the talks that the 1938 minimum wage of $60 per month would be the basis of a new contract, which led the Norths, believing it was an unrealistic demand, to walk out. Woll pressured Whitehead to back off on the demand, and called the Norths back. A compromise of $45 a month was agreed upon, and a new closed shop pact was signed, ending the Ringling-Barnum Circus' labor troubles. 41

The union dissolved during the 1939 season. Both workingmen and performers were hesitant to join it because of Whitehead's reputation as the man who had thrown 1,400 people out of work. Because the AFA concentrated on unionizing the carnival industry that year, little effort was made to prop up the dying union in the circus field. The union was further weakened in July when William Green revoked its charter. In 1940, Whitehead attempted to organize circuses with an independent union, but as Joe McKennon noted, because his "name was poison in the outdoor amusement field" the effort failed. No successful effort has been made to organize the industry since 1938. 42

The Hagenbeck-Wallace Circus also experienced labor difficulties in 1938. The unorganized show was picketed through the early season by local unions alleging it violated the Wagner Act. In Pittsburgh, the AFA filed a $100,000 damage suit against Howard Y. Bary, the shows owner, charging him with kidnaping three pickets. The move was a tactic to force union recognition. The AFA also planted rumors that the show had closed in an effort to hurt attendance along the route. Bary
countered with a libel suit against the union, claiming it had circulated "unfair propaganda intended to paralyze, collapse and ruin our business," and took ads in the trade press stating that the circus had no plans to close.

Picketing continued after the Pittsburgh incident; a union organizer vowed "to keep after that outfit until we force them to meet our demands. . . . We'll tail them to winter quarters if necessary." Bary unctuously stated that he was not against unionization, but that he could not meet the union's wage demands. Aware that the APA had closed the Ringling-Barnum Circus, employees did not sign with the union for fear they too might be thrown out of work. Horrible attendance in late June forced Bary to withhold paychecks until business improved, to which the performers and workmen consented. When creditors finally closed the show in September, some employees had not been paid for three months. Picketed until the end, the show was never organized, and the suits were dropped. 43

Economic conditions and not unions killed the Hagenbeck-Wallace Circus. This was the case with other shows. An early casualty was the Tim McCoy Wild West which closed on May 4, after two and a half weeks of poor attendance. "A check of the grosses showed the total first four days take was equal to what should have been a good matinee," the show's historian writes. 44

A curious phenomenon appeared during the season. Showmen noticed that uncommonly large crowds turned out to see railroad circuses unload only to have poor attendance at the performance later in the day. Watching the circus unpack its exotic paraphernalia had become the ex-
tent of many unemployed and underemployed families' circus going that year. Soon before the close of the McCoy show, Arthur Hopper, a Ringling-Barnum agent, wrote of the industry's devastated condition:

... all the reports reaching us say--Tom Mix Circus is starving--don't know how long we can last, bank roll almost gone--reports from Tim McCoy--advertising/ brigade men waiting in Washington for money and have no money to eat--last week it was their advertising car men who was /sic/ out of eating money in Baltimore--reports from Downie Bros. Circus--business terrible, can't last if this keeps up--reports from Cole Sisters /Bros./ in Chicago--light business. ...

Today the Agent of Honest Bill Newton came and asked for a job, sais /sic/ he was supposed to get $25.00 per week for himself and wife but couldn't get any money from the show and was hungry /sic/--I FED THEM--So you can see how it is--seems all shows are starving.

Another agent accurately summed up the situation. "The circus business has sure gone to hell ...," Bob Hickey wrote. 45

The Cole Bros. Circus closed on August 6, after reporting business at every exhibition down from a third to a half of previous years.

"Never had to experience such continual bad business and weather during the 35 years I have been in the circus business," co-owner Zack Terrell said. Terrell and his partner Jess Adkins sent some of the Cole equipment and its better acts to its second unit, which was one of the few shows to finish the season with a profit. 46

Only two of the five railroad circuses were able to complete their tours. Motorized shows experienced a similarly dismal season. Of fourteen large and medium sized truck circuses, five closed before October. The Seils-Sterling Circus folded in July, paying off the personnel forth per cent short. The Russell Bros. show paid no salaries during the second half of the season, but was able to keep
employees by providing gasoline, and the privilege of eating in the circus' cook house. 47

Billboard, which usually sweetened bad news with strings of euphemisms, minced no words in summarizing the catastrophe. "The season of 1938," it concluded, "was one of the worse experienced by the big tops for several years. Shows that came in winner were few and far between." 48

Part of the problem was that show owners misread the economic signs and instead of retrenching, many actually expanded their operations. Hugh capital expenditures by many circuses, most notably Ringling-Barnum and Cole, added worries over creditors to all the other headaches. It was one more reason why 1938 is regarded as one of the worst, if not the worst season in the industry's history. 49
Footnotes

1. Leuchtenburg, op. cit., 2440-249.


34. "Gumpertz Says AFA Benefited Ringling Show," Ibid., 2; "Mayor of Scranton Blames North for Closing of Show," Ibid., 1.


42. "Status of AFA Workers In Outdoor Fields Unclarified," White Tops, August-September, 1939, 6; McKennon, op. cit., 465-466; Chindahl, op. cit., 227.


44. Fred D. Pfening, Jr., Tim McCoy Wild West (Columbus, Ohio: Pfening & Synder Publishers, 1955), 42.


Chapter VI
Decade's End

The 1939 season was another poor one for most shows. Although the economy was in slightly better shape than in 1938, circus patronage was again small as wide-spread unemployment and underemployment continued. Nor was the weather co-operative. Heavy spring rains across the country hurt business. The start of the European War in the fall further cut into receipts as people stayed home to follow the course of events. (A similiar phenomenon occurred in 1914.) In fact, the Cole Bros. Circus attributed its early closing to the nation's jitters over the war.¹

Ringling-Barnum's excellent year was atypical. Increased mechanization cut the payroll as the show added more tractors, and a mechanical stake driver. Despite the large capital expenditures, the circus reportedly made a $400,000 profit on the year. The enervated AFA did not protest the replacement of union men by machine, and the show experienced no labor problems.²

The Ham and Eggs Circus also had a successful season. It was organized to spread the views of California's Retirement Life Payments Association, a Townsend-like organization, which attempted to add an amendment to the state constitution guaranteeing $30 a week in script to any retired person over fifty. With a third of a million members, the organization came close to passing the amendment in a 1938 referendum, and the circus was a gimmick to make people aware of its plan for "30 Dollars every Thursday." The proposal was explained before each performance, and circus goers left the show loaded down with literature.
With the support of local Ham and Eggs groups which stimulated interest, the small motorized circus attracted large crowds. The arrangement proved a financial bonanza for the show's owner who received a weekly $1000 salary from the organization, plus the profits from the sideshow and concessions. Playing mostly in Southern California, the circus disbanded soon before the November election. The promotion was a failure as the amendment was defeated by almost a million votes.3

In late 1939, Al Butler, an agent, published an article in Billboard entitled "Circus Menaces," which in many ways marked the beginning of a new era for shows. Instead of tabbing a failing economy or militant unions as the industry's main problem, he pointed to urban zoning ordinances as the major threat to circuses. New laws prevented them from exhibiting on traditional show grounds, and he feared circuses would be unable to play areas "where women and children can go at night, where a parked auto will be safe."4 The article illustrates showmen's shifting concerns, and is indicative of new problems not connected with the depression. Zoning, along with labor shortages and transportation problems continued to vex circus owners into the 1940's. As the economy improved as a result of World War II, so did circuses' business.

The 1930's were a decade of both innovation and decline for the circus. Interaction with all levels of government increased as shows grappled with state license plate fees, and federal amusement and Social Security taxes. The industry mechanized as tractors and automatic stake drivers replaced workingmen on larger shows. Cowboy stars for the first time became star attractions as circuses profited from their inability to transfer their acting skills to sound movies. Truck shows
reached maturity during the period, and by decade's end were the major means of transportation. All of these innovations became permanent parts of the industry. Others, such as the Motorized Owners and Agents Association, and the American Federation of Actors were destined to become unsuccessful experiments. The ease with which a person could enter the business, and its high labor turn-over prevented them from lasting more than a few years.

Many of the great titles faded from public consciousness after the decade's end as the depression killed off such famous railroad shows as Sells-Flot, John Robinson, Al G. Barnes, and Hagenbeck-Wallace. Their closings reflected the general trend away from large railroad shows. In 1929, thirteen rail outfits took the road; in 1939, only two remained. The horse drawn street parade was also a casualty of hard times. An American institution for almost a hundred years, the Cole Bros' procession in 1939 marked the end of an era.

In a 1934 editorial the *New York Times* wrote:

> Of all existing institutions the one which seemingly has most reason to face the future with equanimity is the circus. The tides of political and social change do not threaten the trained elephants or the clown in his broad bottomed breeches.5

Nothing could have more wrongly characterized the circus in the 1930's as the economy twice devastated the industry, and unionization toppled its leader. The depression was one of the big tops' most trying periods. Other forces, most notably television in the 1950's and 1960's, led to further decline, and today the circus is only a remnant of what it was in 1900.
Footnotes


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Ringling Bros. and Barnum & Bailey 1938 File.

Zack Terrell File.
Letters

Alva Johnson to Fred D. Pfening, III, April 18, 1976.

Joe McKennon to Fred D. Pfening, III, April 7, 1976.

An extensive archive of Ringling Bros. and Barnum & Bailey material exists at the Circus World Museum, Baraboo, Wisconsin, under closed agreement with the circus, which will be open to researchers within ten years. It includes the show's financial records for 1929-1939, transcripts of the 1938 strike negotiations, and other documents relating to the strike.