

Filed

File No. 2767

OFFICE

OF THE

ASSISTANT ATTORNEY GENERAL

FOR THE

POST OFFICE DEPARTMENT.

SUBJECT:

Metropolitan Institute of Sciences

New York, N.Y.

Post Office Department,

WASHINGTON, D. C.

ORDER No. 887

NOV 27 1907

It having been made to appear to the Postmaster General, upon evidence satisfactory to him, that the METROPOLITAN INSTITUTE OF SCIENCES, its Officers and Agents as Such, and F. T. McINTYRE, President,

at 126 West Thirty-fourth Street, New York, New York, -----are engaged in conducting a scheme or device for obtaining money through the mails by means of false and fraudulent pretenses, representations, and promises,

in violation of the act of Congress entitled "An act to amend certain sections of the Revised Statutes relating to lotteries, and for other purposes," approved September 19, 1890—

Now, therefore, by authority vested in him by said act, and by the act of Congress entitled "An act for the suppression of lottery traffic through international and interstate commerce and the postal service, subject to the jurisdiction and laws of the United States," approved March 2, 1895, the Postmaster General hereby *forbids you to pay any Postal Money Order* drawn to the order of said parties,

and you are hereby directed to inform the remitter of any such postal money order that payment thereof has been forbidden, and that the amount thereof will be returned upon the presentation of the original order or a duplicate thereof applied for and obtained under the regulations of the Department.

And you are hereby instructed to *return all letters*, whether registered or not, and *other mail matter* which shall arrive at your office directed to the said parties

to the postmasters at the offices at which they were originally mailed, to be delivered to the senders thereof, with the word "*Fraudulent*" plainly written or stamped upon the outside of such letters or matter. Provided, however, that where there is nothing to indicate who are the senders of letters not registered or other matter, you are directed in that case to send such letters and matter to the *Dead-Letter Office* with the word "*Fraudulent*" plainly written or stamped thereon, to be disposed of as other dead matter under the laws and regulations applicable thereto.

G. V. L. MEYER.
Postmaster General.

5-669-a

To the Postmaster,

New York, New York.

30812-C

Post Office Department
OFFICE OF THE
ASSISTANT ATTORNEY GENERAL
Washington

D

November 23, 1907.

MEMORANDUM FOR THE POSTMASTER GENERAL

In re

Metropolitan Institute of Sciences, and F. T. McIntyre,
126 West Thirty-fourth Street, New York, New York.

Since September, 1904, the Inspectors at New York have held for investigation a case charging this business to be a scheme to defraud. Their report was made October 17, 1907. Upon its receipt by this office the concern was notified to show cause why a fraud order should not be issued against it, and hearing was had on said notice on the 18th instant, when John A. Scholz, present owner of the business, and E. S. Prather, one of the previous proprietors, appeared and made answer.

This business was started about 1898 by F. T. McIntyre. He continued it until the summer of 1905, when E. S. Prather and another person, whose name is unknown, purchased interests therein. The scheme was continued by McIntyre and Prather together up to about January of this year, when McIntyre's interest was purchased by Prather, who, a few weeks later, sold the business to John A. Scholz of New York, who is engaged in a "theatrical fireproofing and storage" business.

It is claimed by Prather that shortly after his connection with the business in 1905, the literature was revised by a "lawyer," and much matter "worse than the present" eliminated. Scholz claims that since he has conducted the business it has paid him little, and that he had decided to "permit it to die out" before he was cited to show cause. He admits, though, that he had made as many sales as he could since he had the and is still doing so, business/ and that the newspaper advertising did not cease until September of this year, which was after the time he was apprised of the present investigations of the Inspectors. At the very outset of this case it is to be noticed that the protestations of these parties as to amendments of the advertising literature and as to permitting the business to die out, are in themselves persuasive evidence of the fraudulency of the scheme. As a matter of fact, the scheme was virtually conceded to be an improper one by Mr. Prater and Mr. Scholz at the hearing, little or no attempt being made to defend it. / The scheme, which in its better days was of extensive proportion, is effected entirely by mail, and is devised to sell for \$5, certain worthless trumpery by false representations as to its possessing some wonderful mysterious supernatural power. Correspondence with prospective purchasers is opened through newspaper advertising, followed up by various circulars and pamphlets. The advertisements which appear in

the misleading and deceptive guise of regular news items, represent that "Prof. F. T. McIntyre, a well-to-do scientist of this city" (a man in fact without standing and unknown except in connection with this scheme, and whose only title of D.S.T., understood to stand for Doctor of Suggestive Therapeutics, is self-assumed), has discovered a "powerful," "strange," and "mysterious" force by which it is pretended those enjoying knowledge of it can so guide the course of their lives as to be successful in business and social affairs, and by which they can cure themselves and others--"distance no barrier"--of all chronic and other diseases and habits "as if by magic," and by which they can also control and influence the action and conduct of others as may be desired. The advertisement offers free to any one who will write for it a book about this wonderful discovery, it being explained by "Prof." McIntyre that "the kind letters received from grateful hearts more than pay for the interest I take."

The free book is a cheap paper bound pamphlet of about 60 pages. It bears the suggestive title "The Key to the Development of the Inner Forces--doorway to success--Professor McIntyre's secret system of personal influence--the foundation of great power and success." Its pages are devoted to an elaboration of the idea of the advertisement. It is represented that "Prof." McIntyre after "years of study

and labor" has discovered a certain device which he calls the "hypnotic ball" and a method of using it by which the wonderful things mentioned can be done by any one. With the pamphlet is sent a circular offering to sell one of these "hypnotic balls" to the addressee and to teach he or she how to use its influence to accomplish the things represented. It is said that the regular price of the "ball" and the instructions is \$30, but that for the purpose of introducing the system, a special price of \$5 is given a few selected persons. It is represented that any one not satisfied after receiving the system may have their money returned.

In case an order is not obtained from the first letter, a series of "follow ups" are used as may be needed, setting out the advantages of having the system and adding minor features to the offer such as an "Ocular Fatigue Producer," etc., and finally reducing the price to \$4.

Should these solicitations be successful in inducing any of the persons to whom they are sent to remit the amount asked, there is sent the party the following trumpery: The device which is given the high-sounding title of "Hypnotic ball," which is a small glass globe about an inch and one-half in diameter, mounted on a small wooden handle, with a pin stuck in the handle so as to leave the head in about the center of the globe, which is partially filled with a preparation of a bluish tinge. The thing which is given the name

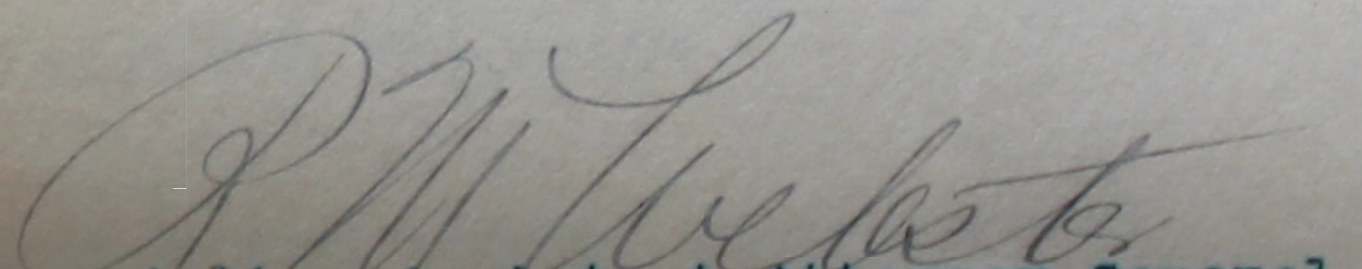
of "Ocular Fatigue Producer," which is a small stick of wood about one-half the size of a leadpencil, painted black, with an imitation pearl stuck in one end; also several cheap printed booklets pretending to be instructions how to use the "Hypnotic Ball and Ocular Fatigue Producer." The character of these instructions can be indicated very briefly. To hypnotize, the gist of the directions are to have the intended subject gaze at the "ball" while the operator repeats certain set phrases, referring to the desired hypnotic state. To cure diseases the party is instructed in brief to concentrate their vision on the "ball" and to suggest to themselves that they are all right; for example, for deafness and blindness, the instructions are to make certain passes over the ears and eyes with the "ball" and at the same time suggest that sight or hearing has returned. No ^{very} explicit instructions appear to be given as how to obtain wealth or social prominence through influence of the "ball," nor how to govern the action or conduct of others other than to fix the attention upon the "ball" and desire. The suggestion of the advertising matter that students can "learn to utilize their hidden forces without practising on subjects," in other words may study these things in secret, would appear on the whole to be very good advice, for if any one ever caught them at it they would be fortunate to escape examination as to their mental condition.

The things are an absolute absurdity on their face: they are so utterly farcical so far as empowering the victims of this scheme to perform the things promised as to leave no room for question as to the entire consciousness on the part of the operators of the scheme of the complete worthlessness of the articles, and to create no surprise that no attempt whatever has been made in answer to the notice to show cause, to show that this trumpery will enable its purchasers to perform the things promised in the advertising literature or that the persons operating this scheme believe it will. Were not the fraudulency of the things so patent upon their face, there could be but little room for doubt as to their true character from the quantity of complaints received by the Department from those who have been victimized, in which the value of these articles are described in very brief and pointed fashion. These complainants also relate that, notwithstanding, the promise of the company to refund their money if dissatisfied, their demands therefor have been made the subject of controversy and finally refused or else entirely ignored. It appears that whenever the Inspector questioned the persons conducting this business with reference to any specific complaints of this nature, they were particularly solicitous in at once returning the money. While some evidence has been submitted in answer to this notice to show cause, that money was returned to dissatisfied ones, the volume of complaints received by

Department plainly shows that the money was not returned in all cases. While McIntyre is no longer connected with the scheme, his name is still used in carrying it on, and much of the mail is still addressed to him, parties being led to believe that their correspondence will receive personal attention from him.

Many other points might be mentioned in connection with this matter to show the character of this scheme, but it is unnecessary in view of the above.

I find that the business done by the above-named concern and parties is a scheme for obtaining money through the mails by means of false and fraudulent pretenses, representations and promises, and therefore concur in the Inspector's recommendation that a fraud order be issued against them.


Acting Assistant Attorney General

Post Office Department
OFFICE OF THE
ASSISTANT ATTORNEY GENERAL
Washington

File No.

November 29, 1907.

Postmaster,

New York, N. Y.

Sir:

I inclose herewith a copy of order No. 887, dated November 27, 1907, forbidding the delivery of mail matter and the payment of money orders to The Metropolitan Institute of Sciences, et al, the original of which, signed by the Postmaster General, has been retained on the files of this Department.

In the enforcement of this order, please observe the following general regulation, published in the United States Postal Guide for January, 1903 (page 955, section 30), viz:

"Postmasters are notified that fraud orders issued under the provisions of the Acts of September 19, 1890 (26 Stats. L. 465) and March 2, 1895 (28 Stats. L. 983), do not cover mail matter under the frank of a Senator or Representative or other officer entitled to the franking privilege, nor that which is covered by an official envelope. Nor do these orders apply to matter not under seal, such as newspapers, circulars, etc., unless specifically stated in the order, or by subsequent letter of instructions."

Very respectfully,

Assistant Attorney General.