Fraud File No. 3078

OFFICE

OF THE

ASSISTANT ATTORNEY GENERAL

FOR THE

POST OFFICE DEPARTMENT.

SUBJECT: Albert H Postel and the American Temple of Astrology 126 West 34th Street, Newyork, N. Y.

see 3116 3800

(Form No. 250 D.)

(Entered)

3078

Post Office Department

WASHINGTON

MAR 18 1909

ORDER No. 2137

It having been made to appear to the Postmaster General, upon evidence satisfactory to him, that ALBERT H. POSTEL and the AMERICAN TEMPLE OF ASTROLOGY,

at 126 West 34th 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

concern and party,

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 concern and party

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 Division of Dead Letters with the word "Fraudulent" plainly written or stamped thereon, to be disposed of as other dead matter under the laws and regulations applicable thereto.

(Signed) F. H. Hitchcock.
Postmaster General.

284 5—669-a

To the Postmaster,

New York, New York.

109406-C

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OFFICE OF THE
ASSISTANT ATTORNEY GENERAL
FOR THE
POST OFFICE DEPARTMENT
WASHINGTON

March 6, 1909.

MEMORANDUM for the POSTMASTER GENERAL

In re

ALBERT H. POSTEL and the AMERICAN TEMPLE OF ASTROLOGY,
126 West 34th Street, New York, New York.

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On January 12, 1909, the above-named parties were cited to show cause why a fraud order should not be issued against them, and January 27, 1909, was named as day for the hearing. The business done under these names is controlled by the Modern Science Publishing Company, a corporation of which Mr. and Mrs. Elmer S. Prather are the chief stockholders. On January 23 Mr. and Mrs. Prather appeared before this office and asked that the hearing be postponed to February 23, and upon their agreement that the postmaster at New York should not pay any money-orders coming to them in the meantime the postponement was granted. On February 23 Mr. Postel, Mr. and Mrs. Prather, and their attorneys, John J. Vause, Esq., of New York, and Mr. Waters, of Philadelphia, appeared. A written answer was submitted, and an oral defense made on behalf of the respondents.

The business in question was investigated by Inspector Boyle, of the New York Division, and his report, dated November 23, 1908, in which a fraud order is recommended, is in evidence in the case.

The business in question contemplates the opening up of correspondence with the public by means of advertisements in newspapers; and the following advertisement was submitted by the respondents at the hearing as the one now generally used:

Famous Astrologer Offers Free Reading.

Do you want to know about your Business, Health, Speculation, Marriage, Love Affairs, or How to Improve Your Condition Financially or Socially?

Every reader of this paper who writes at once will receive a FREE READING from America's Reliable Astrologer.

(Cut of star containing bust of Postel).

For many years I have been advertising in American and foreign newspapers and magazines; perhaps your next-door neighbor knows me or has consulted me for advice. I have built up a reputation for giving honest, accurate and conscientious service to my patrons. They will tell you I am America's reliable Astrologer. I do not ask you to take my word for any statement made here, but I do ask for an opportunity to demonstrate my ability. Read what three of my patrons say about their horoscopes.

I have stacks of letters similar to the ones printed here. Many write that they cannot find words to express their thanks for the benefits derived from my advice. Many have followed my advice and gained wealth, happiness, love and popularity. I believe I can be of help to you. It costs you nothing to test my ability. I will send you a reading in which I will tell you facts about yourself and your life that will cause you to marvel at the wonders of Astrology. My system has stood the test of time. People who consulted me years ago acknowledge that no other Astrologer is as accurate. If you wish a free reading, simply send me your name (whether Mr., Mrs. or Miss) the date of your birth (state hour if possible), and I will send you the reading at once, and will also send you a copy of my interesting booklet "Your Destiny Foretold." If you wish you can inclose 10 cents (silver or stamps) to pay postage, etc.

Address: ALBERT H. POSTEL,
Room 1454, No. 126 West 34th Street,
New York, N. Y.

In the next column are printed three testimonials, with cuts which purport to represent the writers. These letters are all to the same effect -- that everything predicted in the horoscope purchased from Mr. Postel came to pass exactly as predicted.

It will be noted that this advertisement is calculated to lead the reader to believe (1) that Postel is a famous astrologer with a reputation for honest, accurate and conscientious service; (2) that those who follow his advice are enabled to attain success, wealth and happiness; and (3) that the <u>reading</u> which will be furnished the remitter of 10 cents will be compiled by means of

astrology; in other words, that Postel will cast the horoscope of the remitter, read therefrom the character of the influences which affect his life, and from the data so obtained draw up and send to him a reading comprising facts concerning his life and advice for his guidance.

There is nothing in the advertisement which indicates that only a partial reading will be sent to the persons who are induced to answer the advertisement. In fact, the advertisement is so worded as to convey the impression that a reading will be given the remitter of 10 cents which will enable him to obtain all the benefits enumerated in the advertisement and which will be similar to the readings which the printed testimonials praise so highly. What is actually sent is a so-called "trial reading" of three printed form pages, the nature and method of preparation of which will be discussed below. It contains the intimation that Mr. Postel has cast the horoscope of the addressee and that many things of interest to him have been found, a full explanation of which will be given in a "more complete reading" for which a further remittance is asked.

With this trial reading the addressee is sent certain circular matter, including the booklet referred to in the advertisement entitled "Your Destiny Foretold" and a communication soliciting the purchase of the full reading printed on the letterhead of the American Temple of Astrology. Some extracts from the booklet are quoted below:

As the lustrous light of the Eastern Star guided the Wise Men to the cradle of the World's Redeemer, so does some star control your destiny.

The deeper and more philosophic the research, the greater and more ardent their belief and faith becomes until at last through the aid of a practical astrologer they come into possession of a knowledge of the future which enables them to avoid calamities and make the most of opportunities that are placed before them.

"There is a tide in the affairs of men, which, taken at the flood, leads on to fortune." Day by day these opportunities are passed by and neglected because of a lack of knowledge of their existence. Astrology supplies that knowledge.

Have you, my dear reader, been neglecting these golden opportunities which may never come again? Would you be foolish enough to allow a separation from a loved one to occur, when a few words of warning would save many years of anguish? Are you complacently working for others when you are fitted to control; living unhappily when health, happiness and prosperity await you? I know that I can help you and I stand ready and anxious to do so.

My heart goes out to those unfortunates who are struggling with existence against heavy odds when but a word would place them in the surroundings for which they are best fitted. A close study of the planets would unerringly reveal that calling for which they are by nature's forces adapted.

To have within easy access the knowledge which would reveal the future and what it will bring forth, and to deliberately go on with seemingly blinded eyes, is a crime, -- and the penalty is years of remorse and regret.

Have you a map of your city, your county or your state? Do you not think that a map of your life would be of far more benefit to you? Your horoscope is a map of your life. It plainly indicates what you should avoid,opportunities you should take advantage of,persons you should beware of, etc. It will guide you away away from the bottomless pit of gloom and despair to the glorious mountain top of hope and gladness.

Astrology teaches how to obtain success and how to remain successful.

In the more complete Life Horoscope, accurate calculations are made and complete information given.

It is impossible to estimate in dollars and cents the great value of a scientific speculum of life. It protects your health, telling you of certain diseases you should guard against; promotes happiness in married life; reveals to you opportunities for winning fame, fortune and honor; warns you of impending danger or disaster; advises you as to business ventures; assists you in determining who your friends and enemies are and helps you to solve life's most perplexing problems, thus enabling you to achieve success in life and enjoy comfort in your old age; in fact, my chart and horoscope of your life tell in plain unmistakeable language what the future has in store for you.

In the booklet, the price of the life reading is set at $5.

In the letter it is offered with a two-year subscription to "Modern

Miracles", the publication of the Modern Science Publishing Company, which now costs, according to the statement of the respondents at the hearing, $1. It appears also that the full reading is offered in another circular with a one-year subscription to "Modern Miracles", costing 50 cents. There are also other circulars in the case showing that the full reading has also been offered at other prices. There is nothing in the circular matter which would inform the reader that there is a difference between the reading supplied for 50 cents, that given for $1 and that given for $5. As a matter of fact, however, as the respondents admitted at the hearing, the 50-cent reading contains less reading matter than the $1 reading and the $1 reading less than the $5 reading.

The theme of all these circulars is the wonders of astrology. The reader is led to believe that by procuring the reading offered by Postel he will be enabled to attain success and happiness. He is given to understand that his horoscope will be cast in accordance with the rules of astrology, and that from it an individual and personal reading will be prepared, pointing out matters peculiarly applicable to his life, and giving advice which, if followed, will bring him everything in life worth while.

From the evidence in the case it appears that the trial readings comprise three pages each, and that these pages are printed forms prepared in large quantities and kept in stock by Postel. There are five sets of twelve forms for each the first, second and third pages. The first page, as explained by the respondents, is based upon the sign of the zodiac in which the sun was situated at the time of birth; the second page upon the sign of the zodiac on the horizon or in the ascendant at the time of birth; and the third

page purports to give facts deduced from the position during the year for which prepared to be used of the various planets with respect to the sign under which the subject was born. For each sign of the zodiac, there are, the respondents stated, a different form dependent upon the status of the purchaser, the classification being single men, married men, single women and married women, and those who fail to state whether married or single, male or female.

For the full reading, Mr. Postel has twelve forms for each of the three parts of the reading. There is here no distinction in the reading sent to married or single persons, men or women. That part of the reading based upon the position of the sun at the time of birth has but twelve forms; and the same is true of the pages devoted to the sign on the horizon and those devoted to the so-called "special indications" for the year. It appears also that there are 12 forms based upon the place in the zodiac of the moon at the time of birth, one of which is included in each reading. All the readings, except those for which $5 is paid, are made up of combinations of these forms. In the $5 reading, and that alone, a page or two is dictated by Postel in answer to the questions asked by the purchaser. This dictated matter is vague and general and gives little, if any, more information than do the forms themselves.

From the facts set out above, it appears that Postel does not, as the advertising matter is calculated to lead the reader to believe, cast the horoscope of the individual and deduce therefrom facts applicable to him alone. When the application

for the reading is received, Postel marks on a card the position of the sun at the time of birth and indicates the sign which was on the horizon at that time. The card is then handed to a clerk, who selects the forms thus indicated, binds them together and sends them. Every single man born when the sun was in Aries receives the same "solar reading". Every single man born in Taurus receives the same "solar reading". And in the so-called "life reading" every person born when the sun was in Aries, be that person male or female, single or married, white or colored, European, American or Asiatic, receives the same pages relating to the "solar indications". So it is with those pages which cover the influences of the sign on the horizon at the time of birth, and with the "special indications" for the year. They vary according to the sign which contained the sun at birth or the sign which was on the horizon at that time. Every single man born when Aries was on the horison is sent the same page relating to the influence of that sign; and, in the life reading, every person, male or female, single or married, white or colored, European, American or Asiatic, receives the same pages covering the influence of the sign on the horizon at the time of birth. In the $5 reading, Postel alleges that he takes into consideration the status of the subject, his place of birth, etc., in the dictated matter. There is no change made in the forms, however, which comprise about four-fifths of the reading or more.

That this selection of forms which have been already pre-

pared is not astrology is apparent. In this connection, I quote from an affidavit filed by one Richard A. Beale, of New York, New York, in the case of Harriss W. Edson, when that party applied for an injunction to prevent the enforcement of the fraud order against him. At the hearing, Mr. Postel stated he recognized Mr. Beale as a competent and reputable astrologer. Mr. Beale says:

"The word 'Astrology' is derived from two words, 'astra' meaning star, and 'Ology', logic of, hence any one using the word astrologer suggests, by the rules of the science, that he practices a science based upon the position not only of the sun and moon, the two luminary bodies of the solar system, but also of the positions of the other planets, Saturn, Jupiter, Mars, Venus and Mercury and also the principle fixed stars. In order to be a practitioner of this science of astrology it is necessary to have digested the rules and regulations as set forth in Ptolomey's great book entitled 'The Tetrabibilos on Quadriparte', four books written on the subject of astrology in the year 150 A.D., which books have always been the text book upon which astrologers base their science. There have been many translations of this great work. x x x An astrologer, therefore, who calls himself 'Professor', is supposed, by the meaning of the word, to be competent to set forth every problem in that work and capable of teaching the same to another. The mathematical modus operandi which an astrologer goes through before giving any information enables one to discriminate him from the guessing pretender. For instance, astrology and all its computations is built upon astronomy, therefore it is absolutely necessary for the astrologer to understand sufficient of astronomy that he may erect a map of the heavens showing the position of all the planets of the solar system and of the principle fixed stars in the constellations at any particular time, whether it be in the past or in the future. These maps of the stars are called horoscopes. The astrologer in applying the science to the life and destiny of a particular person by a 'horoscope reading' must first know the exact point of latitude and longitude on the surface of the globe where the birth takes place; second, the exact moment, day of month and year of birth. Knowing these facts he makes what is known as a horoscope or map of the heavens, showing the positions of the planets and principle fixed stars in their angle of incidents visible to places of birth at the given time. The horoscope also shows the position of these planets and fixed stars which are invisible to the geocentric birth place. To make a horoscope a person must have knowledge of astronomy and mathematics, in order to locate

objects and make calculations of their positions and angles. This may be done by an astronomer having made the horoscope. The astrologer then makes the interpretation of the astrological horoscope reading, or in other words reads the story which is told according to the science of judicious astrology, by the significance of the positions of the planets and fixed stars at time of birth. x x x Deponent further says that no person can have a system of astrology of his own and that any person who gives horoscope readings must have the knowledge of the science and apply it as above set forth. That the word 'Horoscope' means a star map. It is the astronomical foundation upon which an astrologer bases a personal reading of any one's life or affairs. This alone is acknowledged by all to be the only true and scientific way of giving all details from astrology. Owing to the great demand for astrological knowledge of recent years many persons have devised ways and means of giving certain fragments of the generalities in the science in printed form. This has led to many misrepresentations."

In his answer Mr. Postel quotes from "The Horoscope in Detail", by Alan Leo and H. S. Green, (page 63), as follows:

"The number of possible combinations of houses, planets, signs and aspects is infinite; no two horoscopes are ever the same; and no book ever has contained or can contain the interpretation of every variety of combination."

And yet he pretends that the forms which he sends out are accurate readings applicable to the individual to whom sent, although exactly the same reading is sent to hundreds of other individuals. Mr Postel convicts himself out of his own mouth.

In respect of the combination of these pages, it should be noted that there is, as a matter of fact, no compounding of the readings. In other words, the fact that a certain sign is on the horizon at the time of birth works absolutely no change in the solar reading, which is always the same for the same sign. The sign on the horizon, the sign in which the sun appears, and the "indications" for the year are not all taken into consideration together, but all are considered separately, as though they had

no effect on each other, whereas astrology teaches that each indication must be taken into consideration with every other one, that they are all co-related, and that a true reading cannot be made without a consideration of this mutual interdependence and co-relation. This combination of forms used by Mr. Prather is something invented by himself and is not in accordance with the rules of astrology.

A somewhat remarkable method is followed by Mr. Prather in the event that he is not given the hour of birth of the applicant for the reading. He arbitrarily choses noon of the day on which the birth occurred, and sends the subject a "rising sign" page for the sign which was on the horizon at that time. It is apparent, therefore, that persons who fail to give their hour of birth may get a reading based upon the assumption that Virgo was on the horizon at the time of birth, when in fact Leo or some other sign may have been there. This is indicative of Mr. Prather's methods and shows just how much care he takes to furnish an "accurate reading".

At the hearing Mr. Prather exhibited a large cardboard chart on which numerous pin-tacks were placed to indicate the signs, planets, etc., the hand of a clock to indicate the moon, and Greek letters, figures, etc., to indicate constellations, etc. This, he averred, was a true horoscope, in which everything which could possibly have an effect on the life of the individual was taken into consideration. This was not furnished to those who responded to his advertisements or circulars; they could

hardly expect it for the "paltry sum of $5". For this real horoscope and reading, he charges the sum of $25. This shows that Mr. Postel knows in what a real reading should consist, and that he sends out his forms knowing full well that they are not what the addressee ought to receive.

The trial readings, as heretofore stated, comprise three pages printed in imitation typewriting. At the bottom of the first page appears the phrase "Dict. To F-3", and at the top is a circle on which Mr. Postel has indicated with blue pencil the sun and rising signs. These trial readings are, in the main, an advertisement of the life reading. It is a fair estimate to say that fully one-half of the trial reading is devoted to an advertisement of the life reading and praise of astrology. The remainder is devoted to general characteristics and indefinite prophecies of events which will take place in the coming year. It is intimated that the vagueness of the references in the trial reading will be cleared up in the life reading. It is hard to see how the trial readings can be of the least benefit to the addressees.

The life readings comprise some eight or ten pages printed in imitation typewriting to give color to the impression that individual readings are furnished. They are altogether general in their nature, and give no information which can possibly be of any service to the subject. One looks in vain for the information which will enable him to attain wealth and happiness, to know just what the future will have in store for him, to know his destiny, to control the course of his life so as to avoid trouble, worry and mistake, obtain financial and social success or enjoy comfort in

his old age. The promises made in the circular matter are not fulfilled, and, in fact, Postel does not intend to fulfill them. In this connection, it is interesting to note that Postel, at the hearing, intimated that he was once possessed of considerable wealth, but that he had lost it. It is peculiar that one who pretends that he can enable others to procure and retain wealth is unable to do so for himself.

In a life reading in evidence in the case addressed to D. W. Williams, of New York, New York, the first page contains the following sentence:

"According to accepted Astrological rules the Sun at the time of your birth was in the celestial sign of Virgo."

On page eight of this same reading appears the sentence:

"At the time of your birth the Sun was in Leo."

This is another illustration of the care that Postel takes in order to give each remitter an accurate reading. Mr. Williams received a reading containing some characteristics predicated upon the assumption that the sun was in Virgo, and other characteristics based upon the assumption that it was in Leo at the time of his birth.

That either the trial reading or the life reading will enable the purchaser to attain success, happiness or prosperity is absurd. A statement of the characteristics of the person to whom they are sent and a suggestion as to lucky and unlucky days is a description of both. It would be strange, indeed, if out of the number of characteristics and lucky days given the addressee were unable to find some one or more applicable to himself.

The pretense that either of these readings will give the subject information of value is false and fraudulent.

Mr. Postel's claim that he was a reputable astrologer was supported at the hearing by his proud statement that he was "Professor of Astronomy and Astrology" in the Oriental University of Alexandria, Virginia. By a singular coincidence, the Evening Times for the date of the hearing contained on the first page an article reading in part as follows:

Preacher Charges Holler with Fraud. Rev. May, of Alexandria, has head of Oriental University Arrested.

On com plaint of the Rev. J.J.May, pastor of Emmanuel Lutheran Church, in Alexandria, Helmut P. Holler, president of the Oriental University, was arrested in that city this morning on a warrant sworn out by Commonwealth's Attorney Samuel G. Brent. On an upper floor of a building on King street, between Royal and Pitt, in the city across the Potomac, in the narrow confines of two rooms, is the Oriental University.

In the warrant upon which President Holler was arrested, he is charged with the larceny of $25 from the Rev. Mr. May. That sum, it is alleged, was paid by him a few days ago to Holler to secure a course of instruction in medicine.

His effort, however, to drink deep of the cup of knowledge of the art of healing has met with a rude rebuff. Dr. Samuel B. Moore, of Alexandria, to whom he was referred as the member of the faculty who held down the chair of medicine, denied any connection with that institution, alleges Mr. May. x x x

Mr. Brent consulted with Attorney General Anderson, and it was decided to institute proceedings against Helmut P. Holler. The first step was taken when he was taken today into the police station and held for a hearing in court tomorrow morning.

Serious charges in connection with the issuing of diplomas are made by Mr. Brent. Among the exhibits which he will produce in court, he states, is a diploma received by a man in Porto Rico, who claims he did not take any course of instruction, but merely obtained his "sheepskin" upon the payment of $80.

(Washington (D.C.) Evening Times Feb.23, 1909.)

In the Times of February 24, 1909, appeared an article headed "Degrees Dealt Out by the Wholesale", from which it appears that at the hearing evidence was presented which showed that the

"Oriental University has been ready at all times to accommodate with a diploma anyone with the necessary cash who might desire to attach a degree to the end of his or her name" and that "Every day was commencement day, and doctors of medicine, theology, or anything else were turned out on short notice". This is the University in which Postel is "Professor of Astronomy and Astrology". Holler has been convicted of obtaining money under false pretenses.

The point to be decided in this case is not whether it is possible that the things which Postel promises to do can be done or whether astrology is a true science, but whether he intends to do what he promises he can and will do. If he promises to do things for those with whom he opens communication through the mails and who pay him money for his readings which he knows he cannot do and which he does not intend to do, then it must be held that he has devised and is operating a scheme to defraud. (See United States v. White {150 Federal, 379}).

I find that this is a scheme for obtaining money through the mails by means of false and fraudulent pretenses, representations and promises, in violation of sections 3929 and 4041 of the Revised Statutes, as amended, and therefore recommend that a fraud order be issued against Albert H. Postel and the American Temple of Astrology.

R. P. Flowers

Assistant Attorney General.

Form 278.

Post Office Department

OFFICE OF THE

ASSISTANT ATTORNEY GENERAL

Washington

File No.

March 19, 1909.

Postmaster,

New York, New York.

Sir:

I inclose herewith a copy of order No. 2137, dated March 18, 1909, forbidding the delivery of mail matter and the payment of money orders to Albert H. Postel and the American Temple of Astrology, 126 West 34th Street, your city, 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. 963), 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.

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