

Order No. 10 – Post Office Protection of the Express Cartel

By David L. Straight

Abstract

When magazine publisher and bank president E. G. Lewis sought to revolutionize American mail order commerce by offering free postal checking, the Postmaster General accused him of mail fraud. Denied the right to receive mail, his bank was forced into receivership. Destroying the bank, postal officials favored the express cartel, which opposed the bank and took business away from the Post Office, over an entrepreneur generating postal revenue.

On July 6, 1905 Postmaster General George B. Cortelyou signed his tenth administrative order of the new fiscal year, “It having been made to appear to the Postmaster General, upon evidence satisfactory to him, that the People’s United States Bank, its Officers and Agents as such, and E. G. Lewis at Saint Louis, Missouri are engaged in conducting a scheme or device for obtaining money through the mails by means of false and fraudulent pretenses, representations, and promises.” He instructed the St. Louis Postmaster to “return all letters, whether registered or not, and other mail matter which shall arrive at your office directed to 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.” The fraud order took effect upon being issued, meaning that Lewis and the bank immediately stopped receiving their mail. (Figure 1)

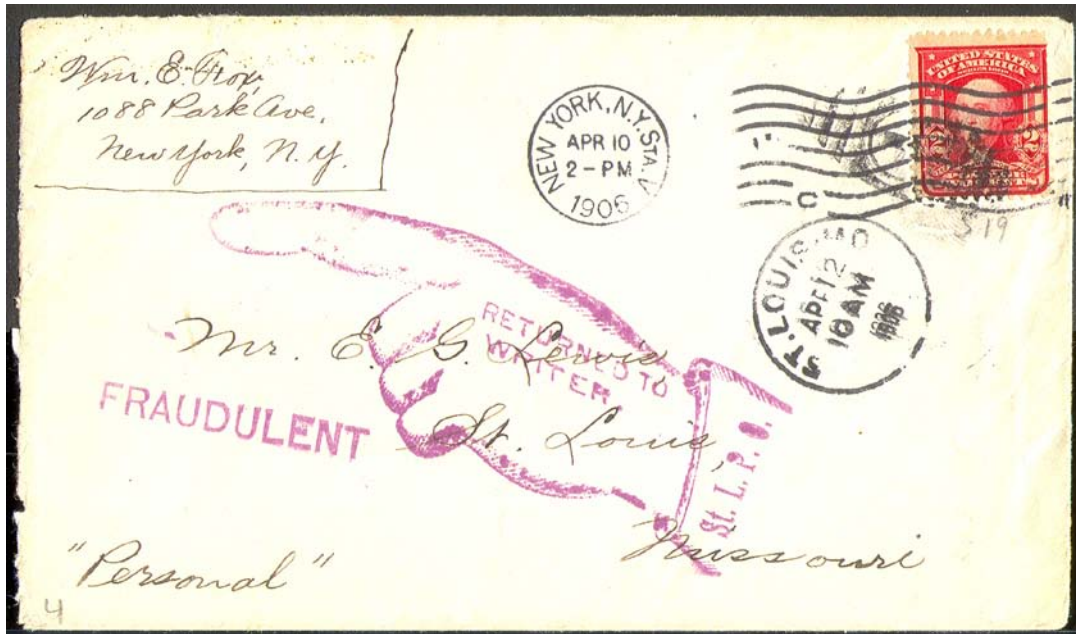


Figure 1. A 1906 letter addressed to E. G. Lewis returned to the sender, as instructed by the Postmaster General, rather than delivered to him. Author's collection.

This decision by the Postmaster General presumed guilt until innocence could be proven. For the People's Bank, or any business dependent upon the mails, such a loss of service was fatal.

Lewis was primarily a publisher of women's magazines. (Figure 2)

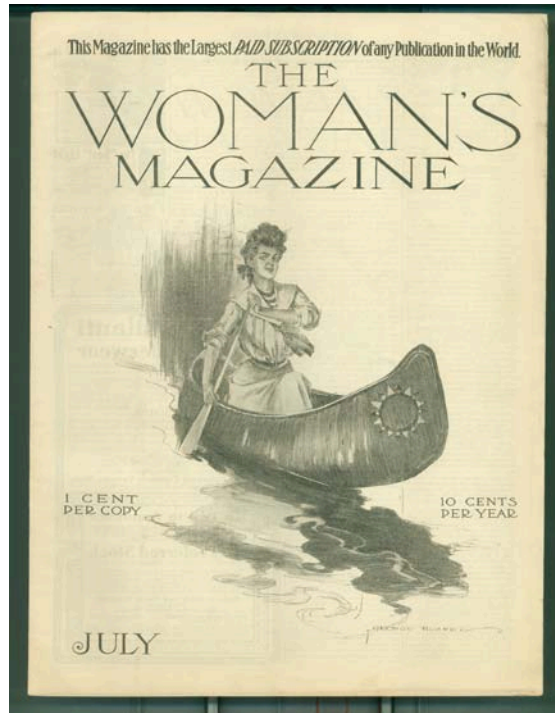


Figure 2. By 1904, Lewis was mailing 1.5 million copies of *The Woman's Magazine* each month. *Courtesy of the Archives of the University City Public Library.*

Postmaster General Cortelyou also intended to revoke the second-class mailing permits for his magazines on the same day he issued the fraud order. The loss of favorable postage rates would make publication of the magazines unprofitable. Postal Inspector Robert M. Fulton, heading the investigation of the People's Bank, linked the two businesses in a telegram to the Post Office Department, "Situation quite acute on account of its importance and because Woman's Magazine now receiving second-class privileges largely by sufferance of department is, and has been, the vehicle for promotion of bank and for Lewis schemes. I suggest concerted action part of Assistant Attorney and Third Assistant."¹ It was the responsibility of the Assistant Attorney General for the Post Office to recommend fraud orders to the Postmaster General; the Third Assistant Postmaster General was responsible for issuing or revoking second-class mailing

permits. Internal strife within the Post Office Department delayed revocation of the second-class permits until March 1907. This delay of twenty months in suppressing *The Woman's Magazine* provided Lewis with a national platform from which to fight back against the Post Office and draw attention to injustice of the attacks on his business enterprises. Fraud orders, to protect the public from unscrupulous use of the mails, and classification decisions as to the suitability of publications for favorable second-class rates were routine administrative actions undertaken a few hundred times each year in the early 20th century. However, no fraud order or mail classification decision of that era was rendered with such defamatory publicity, resulted in widespread public and press speculation about political intrigue, generated books and articles by the participants, or received such lengthy Congressional scrutiny. Cortelyou's two-year tenure as Postmaster General was defined by his relentless pursuit of the Lewis Case.²

George Bruce Cortelyou was descendent from an old New York Dutch family.



Figure 3. An engraved die proof of George Bruce Cortelyou (1862-1940) Postmaster General, 1905-1907.
Courtesy of the United States Postal Service

He worked as a stenographer and court reporter before going into government service, first as a clerk in the Post Office Inspector's Office for New York, in 1889. In making his hiring recommendation, Inspector William D. Wheeler noted that Cortelyou was "a staunch Republican."³ Two years later, he transferred to Washington as the private secretary to the Fourth Assistant Postmaster General. Cortelyou advanced rapidly. After completing a bachelor of law degree at Georgetown University in 1895, he was appointed President Cleveland's chief clerk. The next year Cortelyou earned a master of law degree at George Washington University. With the change of administration, Cleveland recommended him to President McKinley as a private secretary. Following McKinley's assassination, Theodore Roosevelt made Cortelyou his chief-of-staff, where he transformed the White House staff into a more professional organization. After serving as the first Secretary of Commerce and Labor, Cortelyou became Chairman of the Republican National Committee to secure Roosevelt's election in 1904.⁴ Following the election, Cortelyou began the precedent of the chairman of the national committee becoming the Postmaster General. While in that job, he continued his political activities recommending "strong Republicans" for federal appointments. He did not resign from the national committee until January 1907.⁵



Figure 4. Edwin Gardner Lewis (1869-1950) publisher of *The Woman's Magazine* and president of the People's United States Bank. *Courtesy of the Archives of the University City Public Library.*

In publishing, Edward Gardner Lewis, the son of an Episcopal rector, found a line of work that suited his promotional talents. He had dropped out of Trinity College to go on the road selling watches, patent medicine, and insecticide. Having suffered a business failure, he arrived in St. Louis in 1899 with no money. Always the promoter, he talked a local bank into loaning him \$5000 to purchase a small magazine, *The Winner*, which he renamed *The Woman's Magazine*. He added the companion *Woman's Farm Journal* in 1901. By lowering the subscription price to only 10¢ per year, which more than covered the cost of postage, and the advertising rates to a uniform \$6 per line per issue, Lewis profited from high volume circulation and strong advertising revenue. By 1904, he published one of the highest circulation American women's magazines, mailing a million and a half copies a month from his printing plant in University City, the town he founded on the edge of St. Louis. Although he aspired to emulate the *Ladies*

Home Journal, his magazine was among many dime-a-year publications during the early 20th century. Each monthly issue of the Woman's Magazine contained short stories, melodramatic romances, and practical articles for homemakers, and pithy sayings. Lewis's own "Heart to Heart Talks with the Editor" served as the pulpit for his reform ideas, including women's suffrage, education reform, and postal banking. The last would be his undoing.⁶

That Lewis, a populist magazine publisher, would venture into the seemingly unrelated field of banking reflects the lack financial services available to his mostly rural Woman's Magazine and the Woman's Farm Journal subscribers. This problem was not unique to his readers. Data compiled in 1909 shows one bank in America for each 5.4 post offices (each one representing a town). While the average post office served an area of 50 square miles, each bank served 270 square miles. Since these statistics do not reflect the concentration of banks in urban areas, most rural areas actually had far less than one bank for each 5.4 post offices, or towns.⁷ Even for those with access to a bank, the lack of a national clearinghouse made checks mailed out-of-town unwelcome, or accepted only subject to large collection fees that paid an express company to transfer cash or gold from one bank to another. Although the Post Office had introduced Money Orders in 1863, by 1904, the year the People's Bank was chartered, they were available at less than half of the post offices in the country.⁸ The Post Office did not provide a secure, convenient means for many Americans, especially rural households, to transmit money when purchasing products from the mail order houses that advertised in magazines. The other payment option, in towns having an agent, was the express companies, who specialized in transporting gold and currency. For Lewis, the People's Bank was simply a means to serve his readers, while increasing business for his advertisers, who in turn would boost the profitability of his magazines.

By 1905, there was already a long history of legislative attempts to remedy this banking shortage through emulation of the postal banking services offered in most European countries. The first Postmaster General to recommend postal savings in the United States was John A. J. Creswell, in 1871.⁹ Eighty bills were introduced in Congress, with the first in 1873, before postal savings legislation was finally enacted in 1910.¹⁰ There were 1319 savings banks in the United States in 1906, compared with 65,600 towns large enough to have a post office. Seventy percent of the savings banks were concentrated in just four states, while 24 states had no savings banks at all.¹¹ The Post Office was keenly aware that although postal money orders paid no interest and cost the depositor a small fee to purchase, they were being used as form of savings. The Emporia, Kansas Postmaster reported a record number of uncashed money orders subject to payment at his office, “we attribute this to the purposely holding of the orders by the payees, thus make us a place of deposit.”¹² For the year ending March 1, 1908, the Post Office reported 127,623 money orders, totaling \$8,054,894 sold for savings purposes at first and second class post offices.¹³ Those large post offices, in towns more likely to have banks, represented less than 3% of the total. With the growth of mail order business during the last quarter of the 19th century, the lack a means to transmit money easily through the mail became a growing concern. In 1902, Postmaster General Henry C. Payne observed that a large proportion of the population was “not able to buy money orders or bank drafts without great inconvenience. It is not unreasonable to expect from the Government that it will provide an easy, convenient, and safe method to transmit small sums.” Noting the rapid growth of rural free delivery, “the use of postal checks would go far to provide the relief so urgently demanded, as it would conveniently serve those sections of the country not heretofore covered by or adjacent to money-order offices or the banks of the country.”¹⁴ C. W. Post, the inventor of Grape Nuts cereal, observed these difficulties first hand. He had given testimony to Congress in favor of postal checking and in 1905 wrote to Postmaster General Cortelyou, “The average, so far as we have been able to compute, from examination and investigation of commercial mail, shows that only about one letter in twenty, that contains some form of small remittance, contains a postal money order. The remaining 19 letters contain loose

silver, paper money, or stamps, liable to be abstracted, or checks on small inland banks, subject, of course, to collection charges to be paid by the recipient. All of this inconvenience creates a serious obstacle to the transaction of business, so far as it relates to small sums.”¹⁵

Had Lewis merely used his editorial columns to call for postal banking services, he would have joined a long parade of Postmasters General, editors, postal reformers, businessmen, and rural grass roots organizations whose voices had been largely ignored by Congress. Instead, he took the innovative step of organizing a postal bank. (Figure 5)

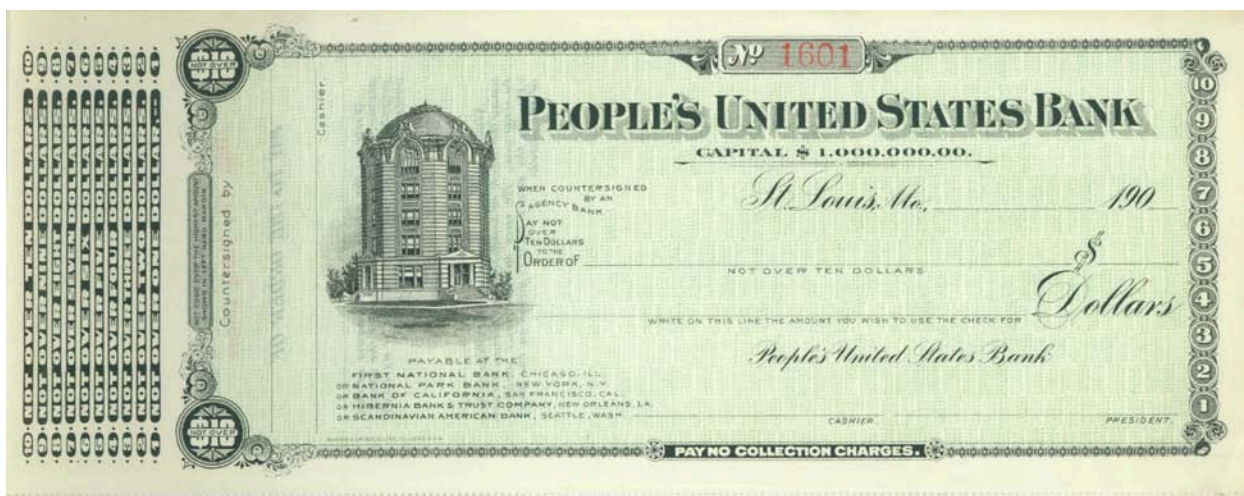


Figure 5. Checks, freely accepted anywhere in the country without a service charge, were the most revolutionary feature of the People’s United States Bank.
Courtesy of the Archives of the University City Public Library.

Lewis negotiated with five major banks, strategically located in New York, Chicago, New Orleans, Seattle, and San Francisco to accept and clear checks drawn on his bank, for up to \$10, without service charges. These checks, freely accepted anywhere in the country without a service charge, were the most revolutionary feature of the People’s United States Bank.¹⁶ In 1904,

through lectures during the St. Louis World's Fair and in his Woman's Magazine editorials Lewis actively promoted his bank.



Figure 6. Gold coins, wrapped in newspaper and a flannel shirt and tied with a pair of suspenders, mailed to the People's Bank. *Courtesy of the Archives of the University City Public Library.*

His readers immediately began mailing currency and gold coins (Figure 6) for both deposit accounts and shares of stock. By the time the Bank opened in March 1905, more than \$1 million had been received. (Figure 7)



Figure 7. A certificate for \$100 worth of stock in the People's United States Bank. *Courtesy of the Archives of the University City Public Library.*

Was the People's United States Bank a fraudulent scheme, as charged by the Postmaster General? Evidence gathered by the postal inspectors in their fraud investigations normally resides in the "Fraud Order Case Files" at the National Archives. The file box for 1905 held a neat row of numbered, gray legal jackets, folded in fourths and standing on edge under a layer of dust.¹⁷ Most jackets contained the Postmaster General's Fraud Order, a statement from the U.S. attorney handling the case, and the original evidence gathered in the investigation, such as patent medicine ads, lottery tickets, or fake gold watches. For the Lewis case (Fraud Order Jacket No. 2277), the original file contents from 1905 had been replaced with pages 130-148 cut from Relief of the Lewis Publishing Company published in 1911 by the House Committee on Claims, wrapped in a sheet of typewriter paper. These pages reprint a June 26, 1905 Memorandum from Russell P. Goodwin, Assistant Attorney General for the Post Office Department, recommending the fraud order against Lewis and the People's Bank. Goodwin quotes extensively from numerous Lewis publications; reports by Inspectors Fulton, Stice, and Sullivan; and Lewis' statements during his June 16-17, 1905 hearing before Goodwin. The picture of Lewis that emerges is of a dreamer or promoter, not overly attentive to administrative details. The several Lewis business enterprises are entwined and all suffer from chaotic bookkeeping. As none of the investigators' original reports, nor transcripts of the hearing have survived, there is no means to evaluate Goodwin's interpretation his sources. The loss or destruction of the original documents in the Lewis case and this substitution probably occurred shortly after the Congressional Committee investigated the Post Office handling of the Lewis case and long before the files were transferred to the National Archives.

Sources outside the Post Office Department strongly support a conclusion that the People's Bank, while not well managed, was not a fraudulent enterprise. On June 12, 1905, Missouri Secretary of State, John E. Swanger, wrote to Postal Inspector Fulton, that the Board of

Director's of the People's Bank had been reorganized with his approval, stock certificates were being issued, and irregularities were being corrected. Of the \$2.5 million in capital, all but \$100,000 had been paid and the deadline required by law was not until November.¹⁸ The state bank examiners believed that the People's Bank was solvent and operating within the banking laws of the State of Missouri. When the Fraud Order prevented the People's Bank from communicating with their account holders, they were forced into receivership. With funds available in the bank, the state appointed receiver paid the depositors 100% of the money in their accounts and stockholders received back 85% of their investments.¹⁹ Finally, when Lewis was tried for mail fraud in the U.S. District Court in St. Louis, in May 1908, the Judge Riner directed a not guilty verdict and wrote in his Judge's Memorandum, "after carefully reviewing the evidence the court is of opinion that the evidence of the good faith of the defendant is overwhelming, and that the charge of a fraudulent purpose in devising and carrying this scheme into effect is not sustained."²⁰ The next day the Cleveland News opined, "The verdict has corroborated everything that was said about Lewis in a book recently published by Edwin C. Madden ... that Lewis was the innocent victim of persecution instigated by express companies upon whose money order business Lewis' bank had encroached."²¹

If the People's Bank was not a fraudulent enterprise, was the prosecution of Lewis an honest mistake by overzealous public officials? Perhaps, Lewis had a prior record of questionable business practices. Four times between 1899 and 1901, the Winner magazine was investigated as to the legitimacy of its subscribers. When the magazine reorganized as The Woman's Magazine, a temporary mailing permit was granted and there was no further investigation until 1905.²² In 1903, James N. Tyner, the Assistant Attorney General for the Post Office, and Harrison J. Barrett, his assistant from 1897 until the end of 1900 and a relative of his wife, were indicted for conspiracy to defraud. When Barrett left the Post Office, he had entered private law practice, including representing clients at Post Office hearings. Rather than recommending fraud orders to

the Postmaster General, the pair was “extorting large amounts of money from these fraudulent institutions under the guise of fees for legal services in preventing the issue of fraud orders against them.” One of those firms, the Progressive Watch Company, owned by Lewis, was accused of offering watches for 10¢ in an “endless chain” scheme. Also, while he had worked for the Post Office, Barrett had accepted a gold watch from Lewis for the “kind and courteous treatment he had received at the hands of Barrett in disposing of the case.”²³ In 1903, the Post Office investigated the World’s Fair Contest Company, a Lewis scheme in which contestants purchased opportunities to guess the total attendance at the St. Louis World’s Fair for 25¢ each. The prize for the most accurate guess was \$25,000 with prizes totaling \$85,000 to be awarded. In response to the investigation, the Attorney General ruled that guessing contests were not lotteries and were lawful in the mails. As the Fair was near to closing, on November 28, 1904 Attorney General W. H. Moody reversed the opinions of his predecessors, ruling that guessing contests were the same as lotteries, and therefore barred from the use of the mails under the fraud statutes. The World’s Fair Contest Company awarded the prizes and concluded with a profit.²⁴ All of these cases were well known to the postal inspectors in St. Louis.

Alternatively, was the prosecution of Lewis a conspiracy as charged in books written by two participants? Lewis’s own book, Order No. 10, certainly could not be considered an objective source.²⁵ (Figure 8)

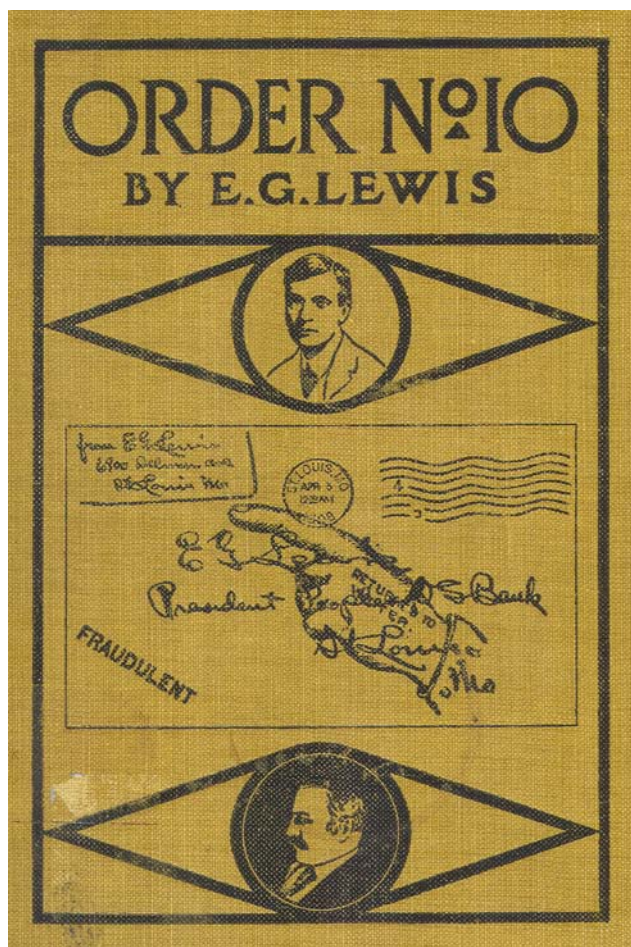


Figure 8. E. G. Lewis told his version of the events in *Order No. 10*; Postmaster General Cortelyou is at the bottom of the cover. *Author's collection.*

The second, *The U.S. Government's Shame*, by former Third Assistant Postmaster General Edwin C. Madden is a bit more complicated to assess.²⁶ Mail classification, specifically whether a magazine qualifies for mailing at the greatly reduced second-class rates, was one of the duties of the Third Assistant. Cortelyou and the postal inspectors sought to revoke the second-class mailing permits for the Lewis magazines, effectively barring them from the mails, at the same time the Fraud Order was signed. Madden refused to sign such an order arguing that Lewis had

not violated the second-class mail regulations and furthermore, that a fraud order against a publisher for another business did not automatically disqualify their magazine from second-class mail rates. Their disagreement continued until Cortelyou forced Madden to resign and then signed the order revoking the second-class mailing permits himself, just before he became Secretary of the Treasury. While Madden may not be objective about Cortelyou, his former boss, the book asks the important question, who benefited from the destruction of the People's Bank?

Madden makes thinly veiled references to the role of the express companies in the attack on the People's Bank. Express companies played a vital role in America financial affairs from the destruction of the Second Bank of the United States in the 1830s until the creation of the Federal Reserve Banks in 1913. They moved gold and currency to balance accounts and complete financial transactions. The Post Office Act of 1845, by declaring a postal monopoly on letter mail, barred the express companies from carrying letters. At the same time, the Post Office agreed not to compete with them for the transportation of packages, or the secure delivery of gold, currency, and valuables. Following the Civil War, the five largest express companies organized an Express Cartel that not only set rates and stifled competition, but also manipulated Congress to prevent the passage of legislation allowing the Post Office to compete with them by offering postal banking or parcel post services.²⁷ The express companies had blocked postal savings and parcel post legislation for over three decades.

In 1905, the key to their legislative defense was one of their own, the powerful New York Republican Senator Thomas Collier Platt. (Figure 9)



Figure 9. Thomas Collier Platt (1833-1910) president of the United States Express Company, 1880-1910, and U.S. Senator from New York, 1897-1909. From *History of the Express Business*, by Alexander L. Stimson, (New York: Baker & Godwin, 1881). *Courtesy of the Washington University Library.*

Born in Owego, New York in 1833, Platt combined politics and business at an early age. He rose rapidly after allying himself with Roscoe Conkling in 1870. Platt became a director of the United States Express Company in 1879 and their president the following year; he held that post until his death in 1910. During that time, he served two terms, 1897-1909, in the U.S. Senate. Senator Platt was the New York Republican power broker. An 1899 letter to Governor Theodore Roosevelt, instructing him to veto a certain piece of legislation in the State Assembly, reveals Platt's strong bias, "The Republican party now stands and must stand for the next few years as the only barrier between the business interests of this country and a deluge of ruinous Populism."²⁸ When Roosevelt consistently declined to follow advice, Platt had him sidelined as

the Vice-Presidential candidate on the Republican ticket in 1900. In the letter quoted earlier, C. W. Post reports that the forces opposed to postal banking legislation, “include the express companies, headed by Senator T. C. Platt, of New York, President of the United States Express Company.” He continues, “We have met heretofore serious opposition by Senator Platt’s appointee, Ellis H. Roberts, Treasurer of the United States.” While no documentary evidence has been found in the Platt Papers at Yale University Library, or the Cortelyou Papers at the Library of Congress, I believe, as Madden did, that Senator Platt could easily have asked the Postmaster General to look into the Lewis matter for him.

It was not actually necessary for the Post Office to prove mail fraud in order to discredit Lewis. Loss of mail delivery along with the defamatory publicity accompanying the fraud order were sufficient to destroy the People’s Bank long before any fraud case would come to trial. The afternoon that Lewis received his summons to appear at the Post Office Department in Washington to answer charges against him and the bank, the St. Louis Post-Dispatch broke the story under the headline, “State Officers Investigate \$2,500,000 Mail Order Bank of Edward G. Lewis; Postal Inspectors Ask Fraud Order.” Nearly two pages of the newspaper were devoted to stories about Lewis and the Bank.²⁹ One story suggested that Lewis had an ulterior motive in establishing the bank, “The inspectors say in their reports that some of the other companies organized by Lewis are in debt; hence, the necessity of organizing a bank, in order to have ready cash from which to supply the needs of these companies.”³⁰ Curtis A. Betts, the Post-Dispatch reporter who broke the story, testified under oath that Postal Inspector W. T. Sullivan had leaked the confidential report of the Lewis investigation to him and that it had been set in type at the Post-Dispatch for over a week, waiting for the appropriate time to run. When Betts visited Sullivan in his office in May 1905, the inspector held up the copy of the report on the Lewis investigation for Betts to see, placed it in a half-closed desk drawer, and left the room saying, “Excuse me, I have to go out into the other room a moment.” Under questioning, Betts

explained, “If I had not thought that Col. Sullivan intended me to get that report – by his actions and everything that happened there that day – I would not have taken the report.”³¹ Responding to the national press attention surrounding Lewis and the People’s Bank, the Post Office Department published two pamphlets in 1905 defending the People’s Bank fraud order and one in 1907 defending its Woman’s Magazine decision.³² No other fraud orders or second-class permit decisions were the subjects of published government documents before the cases were brought to trial.

Although the People’s Bank met an urgent national need, was not fraudulent, and did not compete with any postal service, it challenged the long-standing relationship between the Post Office, the private express companies, and Congress. If the People’s Bank succeeded in establishing a national checking system without service charges, the express companies stood to lose two important sources of revenue – fees from the sale of express money orders as well as the fees from clearing checks for banks. The People’s Bank was competing in a business arena that had been the exclusive province of the express companies for six decades. The People’s Bank, or any mail order business that generated a volume of letters, would have produced revenue for the Post Office. The express companies, on the other hand, were competitors, who sought to keep a lucrative business away from the Post Office. In their destruction of the People’s Bank, the Post Office Department appears to have placed political considerations for a Senator and the protection of his industry from a rival business, above its own revenue stream. Self-serving business interests that controlled Congress not only prevented the Post Office from providing banking and parcel services common in other industrialized nations, but also manipulated the Post Office into attacking Lewis and People’s United States Bank. Within six decades, the Post Office had moved from not competing with the private express companies in 1845, to suppressing a business that threatened express company profits in 1905.

Not content to leave matters entirely in the hands of the Post Office Department, the Express Cartel sacrificed its own revenue to embargo the People's Bank. In 1912, Sidney Morse, writing in *The Siege of University City: The Dreyfus Case of America*, reported that after the Post Office fraud order had been issued, the express companies, although in no way required to do so, instructed their agents to refused to accept packages, or sell money orders addressed to Lewis, or the People's Bank.³³

In March 1913, after publishing more than 10,000 pages of testimony regarding all aspects of the life and business ventures of E. G. Lewis and the Post Office conduct towards them, the House Committee on Expenditures in the Post Office Department concluded, "The Government has been ill-served in this whole matter."³⁴ They further concluded that Lewis did not commit fraud, only that he was "imaginative" and that the Post Office should cease all investigation of Lewis and his business ventures. They recommended that the power to determine whether a publisher was entitled to a second-class permit mail should be better safeguarded and that persons charged with mail fraud might know the charges against them and have access to the postal inspector's reports.³⁵ Impoverished but unbroken, E. G. Lewis salvaged a little cash from his property in University City and moved to Atascadero, California in 1914 with a scheme to establish a new town. In 1928, he was convicted of mail fraud and sentenced to five years in the federal penitentiary. (Figure 10)



Figure 10. The five-story octagonal building that appears on the People’s Bank checks and stock certificates was the offices of the Lewis Publishing Company. Today it is the city hall for University City, Missouri. *Author’s collection.*

However, University City, Missouri continues to thrive and use the Lewis Publishing Building as its City Hall. After becoming Secretary of the Treasury, George B. Cortelyou published an article defended his actions without naming Lewis specifically, “Over 2,400 fraud orders have been issued by the Department, but in less than thirty cases has the propriety of the order been challenged, and in none has the Court held that it was erroneous or unwarranted.”³⁶ In a letter to a critic after Lewis was found not guilty of mail fraud, he wrote, “I had nothing whatever to do with any indictments secured against Mr. Lewis. My sole relation to the case was in issuing the

fraud order against the bank, which I believed at the time was justified, and have seen no reason to change my opinion.”³⁷ When Roosevelt’s term ended, Cortelyou retired from government service to become president of the Consolidated Gas Company of New York. Senator Thomas C. Platt declined to stand for re-election in 1908, retired from the Senate in 1909, and died in 1910. Without his Senate protection, the Post Office encroached on the express business. Postal Savings began in 1911 and Parcel Post in 1913. The Federal Reserve Banks created a national clearinghouse for checks, eliminating the need for express companies move cash and gold to clear checks and balance accounts. Mailing checks became the most common form of payment in America until the advent of electronic payment services.

¹ May 31, 1905 telegram from Fulton to Chief Post Office Inspector reproduced in Hearings before the Committee on Expenditures in the Post Office Department House of Representatives on House Resolution 109 to Investigate the Post Office Department, Part No. 12, July 12, 1911 (Washington: GPO, 1911) p. 811.

² While it is difficult to separate the two actions, this paper will focus primarily on the People’s Bank and the fraud order. The second-class mailing permit was covered in “E. G. Lewis, Edwin C. Madden, and the Destruction of The Woman’s Magazine” presented at the Missouri Conference on History, April 2011.

³ October 12, 1889 letter from Wheeler to E. G. Rathbone, Chief Post Office Inspector, in the George B. Cortelyou file at the National Personnel Records Center in St. Louis.

⁴ *Biographical Directory of the United States Executive Branch, 1774-1971*, (Westport, CT: Greenwood, 1971) pp. 67-68; and Daniel Y. Meschter, “The Postmasters General of the United States: XLII. George Bruce Cortelyou, 1905-1907” *La Posta* #237 (July 2009) pp. 28-30.

⁵ Dorothy Ganfield Fowler, *The Cabinet Politician: The Postmaster General, 1829-1909*, (New York: Columbia University, 1943) p. 287.

⁶ Susan Waugh McDonald provides a good analysis of *The Woman’s Magazine* in “Edward Gardner Lewis: Entrepreneur, Publisher, American of the Gilded Age” *Bulletin of the Missouri Historical Society* 35 (April 1979) 154-163.

⁷ Edwin W. Kemmerer, *Postal Savings: An Historical and Critical Study of the Postal Savings Bank System of the United States*, (Princeton: Princeton University Press, 1917) pp. 10-11.

⁸ For the fiscal year ending June 30, 1904, *Postal Statistics of the United States, 1789-1911* (Washington: GPO, 1911) shows 71,131 post offices, with only 35,094 providing Money Order service.

⁹ *Annual Report of the Postmaster General*, (Washington: GPO, 1871) p. XXVIII.

¹⁰ *Postal Savings Depositories*, 61st Congress, 2d Session, Senate Report 125, (Washington: GPO, 1910) Appendix G, pp. 63-66 lists all of the bills introduced.

¹¹ *To Establish Postal Savings Depositories*, 60th Congress, 1st Session, Senate Report 525, (Washington: GPO, 1908) p. 146.

¹² *Postal Savings Depositories*, p. 60.

¹³ *Postal Savings Depositories*, p. 93.

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- ¹⁴ Annual Report of the Postmaster General, (Washington: GPO, 1902) p. 19.
- ¹⁵ December 5, 1905 letter in the George B. Cortelyou papers, Manuscript Division, Library of Congress.
- ¹⁶ “The Certified Check System” *The People’s United States Bank Reporter*, vol. 1, no. 2 (April 1905) p.13.
- ¹⁷ National Archives and Records Administration, Record Group 28, Post Office Department, Entry #50, “Fraud Order Case Files” - the Lewis case is Box 26, Jacket # 2277.
- ¹⁸ Swanger’s letter is reproduced in Hearings before the Committee on Expenditures in the Post Office Department House of Representatives on House Resolution 109 to Investigate the Post Office Department Part No. 12, July 12, 1911 (Washington: GPO, 1911) pp. 750-51.
- ¹⁹ February 5, 1906 letter from Frederick Essen, Receiver People’s United States Bank, to Alexander Del Mar reproduced in Alexander Del Mar, *Report on the People’s United States Bank of St. Louis* (St. Louis, 1906)
- ²⁰ *United States, vs. E. G. Lewis, No. 5315 Judge’s Memorandum* in Box 39, George B. Cortelyou papers, Manuscript Division, Library of Congress.
- ²¹ “Dangerous Authority.” *Cleveland News*, May 18, 1908 in Box 39, George B. Cortelyou papers, Manuscript Division, Library of Congress.
- ²² James J. Britt, “The Lewis Publishing Company v. the Post Office Department,” in Hearings before the Committee on Expenditures in the Post Office Department House of Representatives on House Resolution 109 to Investigate the Post Office Department, Part No. 71 (Washington: GPO, 1912) pp. 9745-9747.
- ²³ Joseph L. Bristow, Report of the 4th Assistant Postmaster General in matter of Investigation of Post Office Department (Washington: GPO, 1903) pp. 36-37, 66-67.

²⁴ Britt, pp. 9752-9753.

²⁵ Order Number Ten: Being Cursory Comments on Some of the Effects of the Great American Fraud Order, (St. Louis: University City Publishing Co., 1911).

²⁶ Edwin C. Madden, *The U.S. Government's Shame: The Story of the Great Lewis Case*, (Detroit: National Book, 1908).

²⁷ Peter Z. Grossman, *Contract and Conflict: A Study of the Express Cartel*, Ph.D. thesis Washington University in St. Louis, 1992.

²⁸ May 6, 1899 letter from Senator Platt to Governor Theodore Roosevelt, Thomas C. Platt papers, Manuscripts and Archives, Yale University Library.

²⁹ *St. Louis Post-Dispatch*, May 31, 1905, pp. 1, 4.

³⁰ Curtis A. Betts, "Details of Report Asking Fraud Order," *St. Louis Post-Dispatch*, May 31, 1905, p. 4.

³¹ Testimony of Curtis A. Betts in Hearings before the Committee on Expenditures in the Post Office Department House of Representatives on House Resolution 109 to Investigate the Post Office Department, Part No. 44 (Washington: GPO, 1912) pp. 4377-4380.

³² These were Opinion of Smith McPherson, Judge of Circuit Court, Eastern District of Missouri, in case of People's United States Bank v. Henry J. Gilson, Henry P. Wyman, and Frank Wyman no. 5192, in Equity, (Washington: GPO, 1905) and Memorandum of Postmaster-General, as Embodied in Statement to Press, July 9, 1905, in Relation to Issuance of Fraud Order, July 6, 1905, Against People's United States Bank and E. G. Lewis of St. Louis, Mo., (Washington: GPO, 1905); both were reprinted in 1907; and Statement in Matter of Withdrawal of 2d-class Mailing

Privilege from Woman's Magazine and Woman's Farm Journal Issued by Lewis Publishing Company of St. Louis, Mo., (Washington: GPO, 1907).

³³ Sidney Morse, *The Siege of University City: The Dreyfus Case of America*, (St. Louis: University City Publishing Company, 1912) pp. 522-524.

³⁴ Report on the Lewis Publishing Co. and Various Lewis Enterprises by the Committee on Expenditures in the Post Office Department House of Representatives under H. Res. 109 to Investigate the Post Office Department, 62nd Congress, 3d Session, House Report 1601, Parts 1-2, (Washington: GPO, 1913, p. 3.

³⁵ Report on the Lewis Publishing Co., pp. 4-7.

³⁶ George B. Cortelyou, "Frauds in the Mail: Fraud Orders and Their Purposes," *The North American Review* 184 (April 19, 1907) p. 815.

³⁷ May 23, 1908 letter to G. B. Hische in Box 39, George B. Cortelyou papers, Manuscript Division, Library of Congress.