

MAINE STATE LEGISLATURE

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SIXTIETH LEGISLATURE.

HOUSE.

No. 91.

STATE OF MAINE.

HOUSE OF REPRESENTATIVES, }
February 22, 1881. }

The undersigned, a Committee appointed by virtue of the Order of February 4, 1881, "to investigate grave charges of a criminal character appearing in the newspapers of the State against Thomas B. Swan, member of this House," have attended to their duties, and herewith beg leave to submit their report.

Owing to the absence of said Thomas B. Swan from the State, the Committee were unable to give personal notice of the pendency of said investigation, and your Committee directed service to be made upon said Swan, by leaving a copy of the Order attested as such by the Clerk of the House, at the last and usual place of abode of said Swan, together with a copy of the Kennebec Journal of date February 4, 1881, and the Order of your Committee fixing a time and place for his appearance before them, as by the return of the Messenger of said House, is made to appear; the article in the Kennebec Journal aforesaid, and an article in the Portland Daily Advertiser of February 3, 1881, being made the basis of the investigation. Your Committee also gave notice of the time and place of hearing upon said charges, by publishing notices

thereof in the Daily Kennebec Journal, Daily Eastern Argus, Portland Daily Press, Bangor Daily Commercial and Lewiston Daily Journal. Mr. Swan neither appeared in person nor by counsel, and in his absence your Committee proceeded to investigate the truth of the charges contained in the public papers hereinbefore referred to; and the following witnesses appeared before your Committee, viz.: Wm. H. Bigelow, Samuel M. Bradley and J. F. Knight, who testified relative to the charges contained in the Kennebec Journal; and Orrington W. Hawkes and John Richardson, who gave evidence concerning the charges implied in the Advertiser article; and your Committee, from the evidence of said witnesses, find the following facts, viz.:

1st. That during the time since Mr. Swan became a member of this House, he was guilty of the charges contained in the Kennebec Journal, hereinbefore referred to, viz.: of using the United States mail for swindling operations; in this, that he sent circulars through the mails of the United States concerning schemes devised and intended to deceive and defraud the public, for the purpose of obtaining money under false pretences in violation of section 5,480 of the revised statutes of the United States.

2nd. That the charge implied in the Portland Daily Advertiser above referred to, viz.: that he had embezzled the funds of the town of Minot, is likewise sustained.

3rd. That the charge made in the Kennebec Journal that said Swan, by and through his connection with the so-called Eastern Manufacturing Company, was guilty of swindling, is also substantiated.

And for the evidence upon which the several findings of your Committee are based, reference may be had to the records of said Committee, and to a synopsis of the evidence therein contained.

Your Committee, therefore, recommend the expulsion of

said Thomas B. Swan as a member of this House, and submit the accompanying resolve.

L. T. STAPLES, *Chairman*.

J. B. HUTCHINSON, *Secretary*.

W. E. VINAL,

I. S. EASTMAN,

M. N. McKUSICK,

BYRON D. VERRILL.

I concur in the findings of the Committee as to the facts, but am not prepared to recommend the expulsion of a member until he has been given actual notice of the pendency of the proceedings against him; and therefore report the findings to the House for such action as shall seem fitting in the premises.

P. C. KEEGAN.

STATE OF MAINE.

Resolved, That Thomas B. Swan, member of this
2 House from the Minot class district, be and he is
3 hereby expelled from this House, and the seat of
4 the representative from said district is hereby
5 declared vacant.

STATE OF MAINE.

In HOUSE OF REPRESENTATIVES, }
February 22, 1881. }

Read and accepted, and ordered printed with accompanying
resolve, on motion of Mr. KING of Caribou.

ORAMANDAL SMITH, *Clerk.*