

BALTIMORE DEMOCRATS WIN.

**Decision of Election Supervisors Favors
Robert M. McLane — Republicans
Will Carry Fight Into Court.**

Special to The New York Times.

BALTIMORE, May 12.—The Republicans contesting the election of Robert M. McLane, Democrat, as Mayor were surprised to-day by the Board of Supervisors of Election, controlled by the Democrats, which decided that the ballots in the four disputed precincts could not be counted. The Republicans will take the matter to the courts, contending that even under the Australian ballot law the Supervisors' decision opens the way to frauds.

Bernard Carter, counsel for the Supervisors and for many years closely identified with the Democratic organization, gave the opinion upon which the decision was based. He says the Election Judges were derelict in duty in refusing to sign the returns, and could be punished. In one precinct the Republicans refused to sign, and in another neither Republicans nor Democrats would sign. The decision further says no returns not signed can be counted. James McClellan, Republican member of the board, refused to agree. The Democratic Supervisors then gave the result of the official canvass of the vote as 564 plurality for McLane in a total vote of 95,000.

Not only Congressman Frank Wachter, Republican candidate for Mayor, who will fight the matter out in the courts, and his counsel, but other prominent lawyers, both Republicans and independent Democrats, assert that a common-sense construction of the law would have made it imperative for the Supervisors to have the ballots in the several precincts counted so as not to disfranchise the voters therein.

Ex-Gov. White, one of the ablest lawyers in the State and a leading Democrat, chief counsel for the Republicans' candidate for Mayor, differs with Mr. Carter. He said to-night:

"The effect of this opinion puts it in the power of corrupt or reckless partisan Judges, by dividing as to the count, to do no counting at all and thus defeat the will of the majority of the electors."