

TO CONTEST M'CLELLAN'S SEAT

Robert A. Chesebrough, Who Was Defeated for Congress by 1,341 Votes in the Twelfth, Gives Notice.

Robert A. Chesebrough, who was the Republican candidate for Congress in the Twelfth Congressional District, has served notice on Col. George B. McClellan, the successful Democratic candidate, of his intention to contest his seat in Congress.

Col. McClellan was declared elected by a plurality of 1,341 votes, and the decision of Mr. Chesebrough is not only a surprise but a novelty in its way.

When the votes for Congressman in this district were being canvassed by the Aldermen, acting as a Board of County Canvassers, ex-Assemblyman William N. Hoag, who was Chesebrough's campaign manager, congratulated Col. McClellan upon his election, and said he believed that the Colonel was the only man who could have been elected in the district. This was just after Col. McClellan, upon his own motion, had conceded thirty or more votes to Chesebrough, which, had he insisted upon technicalities, could have been counted for himself.

Mr. Chesebrough, in his notice of protest, claims that illegal votes were cast for Col. McClellan in various election districts, which are named, and that votes were cast for him after 4 o'clock.

Then there is a rather remarkable claim why Col. McClellan should not be seated. Mr. Chesebrough sets forth that he "instigated" the Committee on Political Action of the Metropolitan Association of Cycling Clubs to issue a circular charging that Chesebrough opposed the passage of a wheelmen's liberty bill. The contestant argues that this lost him many votes.

Col. McClellan says he issued no such circular, but that he knows a petition signed by Robert A. Chesebrough against this bill is in the hands of John Boyd Thacher. Mr. Chesebrough's claim on this point is in effect "that a campaign publication used against him was effective." The publication of Mr. Chesebrough's opposition to wheelmen was made in a weekly publication. It had to do mainly with Mr. Chesebrough's opposition to allowing bicyclists to ride in Central Park.

Politicians said yesterday that if Mr. Chesebrough had knowledge that there was illegal voting in the district, it was his duty to prosecute at once those who had voted illegally. They also said that vastly more Democrats than Republicans were shut but from voting after 4 o'clock in the Twelfth Congressional District.