

and in response we were advised that we were dropped for neglect, because we had not done anything in the case since date of rejection of increase, January 12, 1886 to July 9, 1887, when we filed a request for a new examination.

We claim that the Commissioner is in error for the reason that it has always been the rule of the Pension Office to consider the rejection of an increase claim as final, unless medical evidence is furnished to show error on the part of the Office, in rejecting the claim. This was not done.

The action of the Office upon the claim filed in 1885 was accepted by us, and therefore there was no claim to call up, and we could not have been guilty of laches, as charged by the Commissioner, who says. "You prosecuted the increase claim to rejection on "January 12, 1886. If you had retained, by due diligence, "your attorneyship up to a succeeding year you would still be recognized. You seem to think you have done this. xxxxxxxxxx You "filed said request xxxxxxxxxx on the 9th day of July 1887, one year "and six months subsequent to rejection. This constituted your "neglect and the reason for recognizing a new attorney"

We contend that the new claim filed in 1887 was the one we