

[Southern Campaigns American Revolution Pension Statements and Rosters](#)

Pension Application of Laban Bayly R1

VA Sea Service/ VA Half Pay

Transcribed and annotated by C. Leon Harris. Revised 25 Feb 2017.

[The claim referred to below was not found.]

Pension Office/ Feb. 19, 1839

I certify that I have examined the claim of the Heirs of the late Laban Bayly, dec'd. who was a Sailing Master in the Navy of the State of Virginia during the revolutionary war; that he served until he became supernumerary by the reduction of said Navy; that he went to sea in the fall of 1794; has never since been heard of, and is supposed to have perished; that the case is embraced by the provisions of the act of the 5th of July 1832, entitled "An act to provide for the liquidating and paying certain claims of the State of Virginia;" that the claim should therefore be allowed at the rate of One Hundred and Fifty-Two Dollars and Eight cents per annum, from the twenty second of April seventeen hundred and eighty three, when the war terminated, to the first day of September seventeen hundred and ninety-four; and that the amount is payable to the Honorable Henry A. Wise, Member of Congress from the State of Virginia, attorney of Samuel C. White, agent and attorney of John J. Bayly, administrator of Laban Bayly, dec'd. Approved. Secretary of War.

Pension Office/ October 30, 1846

I certify that I have examined the claim of the administrator of the late Laban Bayly, who was a Sailing Master in the Virginia State Navy during the revolution; and I find that under the act of July 5, 1832 half-pay has been allowed from the 22^d of April 1783. Half-pay is now asked from the 19th May 1781, when he left the service. My opinion is that the claim should be allowed. I therefore certify that half-pay at the rate of one hundred and fifty-two dollars and eight cents per annum from the 19th May 1781 to the 22^d of April 1783 is still due, and is payable to Francis A. Dickins, substitute of Samuel C. White, attorney of John J. Bayly, administrator of Laban Bayly, deceased. Commissioner of Pensions
Approved/ Secretary of War

[The following are from [rejected claims in the Library of Virginia](#) indexed as Bailey, Laban.]

Auditors Office Va. June 16 1836.

I do certify that I have examined the journals and proceeding of the Navy Board and two volumes of papers concerning the State Navy of the Revolution and that I have found no evidence therein of the Resignation of Laburn Bailey Master of the Deligence Galley. Jas E Heath Aud P. Accts

This is to certify that Thomas Bonewell [see Thomas Bonnewell R10] Master of the Galley Diligence has wages due him from the 18th of December to the 23d of February which 67 days att nine shilling pr day

Richard Parker [R81]/ May the 30th 1780.

To Mr. John Teagle.

Endorsed

May 30th 1780 Received of Mr John Teagle the sum of thirty pounds six shillings in full of my wages due from Galley Deligence Galley received by me Thomas Bonwell

No [illegible]

Return of Sundries for the Officers belonging Diligence Galley

Month	Mens Names	Rank	Liquor	Coffee	Sugar
	Richard Parker	Lieut	2 ³ / ₄	2	6
	Jesse Cannon [R19]	Lieut	2 ³ / ₄	2	6
	Thomas Bonwel	Master	1 ³ / ₄	2	6
	Luke Cannon	Mids'n		1	4
	Jacobus White	Cap'n		1	4
	Levin Bird [R9]	Pilot		1	4
	Benj Beech [Benjamin Beech]	Mas'r Mate		1	4
	Levin Bailey [entry lined through]	Arm'r		1	4
	Thomas Lowell [VAS985]	Steward		1	4
				11	38

Jas Jones F.B.W. [?]

Received 8 October 1779 of W. Wimsted[?] the above Coffe & Sugar the allowance for this month to be paid [illegible word] when issued. Thos. Lowell

Enclosed "Thomas Lowell Steward of the Diligence Galley/ Octor 8th 1779 Enc'd"

No 2

Memorandum of Sugar & Coffee wanting for the officers on the Galley Diligence.

Names	Rank	Sugar	Coffee
Richard Parker	Lieutenant	6	1
Jesse Cannon	Do Do	6	1
Thomas Bonewell	Master	6	1
Thomas Parker	Midshipman	6	1
Levin Bird	Pilot	6	1
Thomas Lowell	Stewart	6	1
Jacobus White	Carpenter	6	1
Labain Bailey	Master at arms	6	1
		48	8

(signed) Jos James[?]/ Wm. Nelson/ Sam'l Griffin

Endorsed

"48 lb brown Sugar at £2.8 Paid

Received the above Sugar 15th December 1779/ Jesse Cannon Lieut.

December 10th 1779 Lt. Cannon of the Deligence Galley 48lb bro. Sug'r @ 1/ End'd. Rush Sales [?]

Mr. Bousch is warranted in issuing the above receiving pay the Sugar @ 1/ P lb. & the Coffee @ 2/6 W. Armistead

No 3

Memorandum of Sugar & Coffee wanting for the Officers on Board Diligence Galley for this month

Names	Rank	Sugar	Coffee	Tea
Richard Parker	Lieutenant	10	3	¼
Jesse Cannon	Do	12	3	¼
Thomas Bonewell	Ma[ster]	12	3	¼
Thomas Parker	Midship[man]	12	3	¼
Levin Bird	Pilot	12	3	¼
Thomas Lovell	Stew[ard]	12	3	¼
Laburn Bailey [lined through]	Master	12	3	¼
Jacobus White	Carpent[er]	12	3	¼
		96	22	2

1 Coffee pott Jas [Jon]es / Jas [Ca]nnon/ Geo Lyne Jesse Cannon/ Comder

Endorsed

“96 lb. brown Sugar @ 1/ & 20/ £4.16
 2 do Bokea[?] Tea @ 6/ .12
 5. 8

Receiv[ed] 20 December 1779 of Wm Armistead

the abov[e] Sugar & Tea

Thomas Bonewell

Thos. Bo[onew]ell for the officers of the Diligence Galley

96 lb sugar @ 1/ & 20/

2 [lb] Bokea Tea @ 6/

[R]usk sales End'd

No 4

12th May 1780

We the Subscribers hereby acknowledge the receipt of four month pay of John Teackle paymaster to the Diligence & Accomack Galley

Richard Parker	Lieut
Labin Baily	Master
Thomas Parker	Midshipman
Jacobus White	Carpenter
Leavin Bird	Pilot
Thomas Lowel	Steward - Clerk
Jacob Philips [VAS177]	Boatswain
James Rolley	Gunner Mate
Salathel Simson	Master att arm
Addam Roman[?]	Carpenter M't
Solomon Powell [VAS254]	Qu'r Master
Simon Stevens [VAS1166]	Cook
Wm Phillips [William Phillips VAS180]	Seaman
Southey Bailey [VAS933]	Do
Levi Annis [W5624]	Do
John Hornsby [VAS1612]	Do
Tyson Hammons	Do
James Roberts	Do
Isaac Fisher [VAS1986]	Do

I do hereby certify that the foregoing returns, Rolls and memoranda numbered 1. 2. 3. & 4 are truly copied from the 1st Volume of Papers concerning the Navy of the Revolution” belonging to the

Executive Department and that on the original Nos 1 & 3 the name of Levin or Lavain Bailey is erased by a pen run through it. I further certify that I do not find any other Roll or Return of the Deligence Galley later than the foregoing numbered 4. Given under my hand at the Auditors Office of Va this
15 June 1836/ Jas E Heath Aud

12th May 1780.

We the subscribers hereby acknowledge the receipt of four months pay of John Teakle paymaster to the Deligence & Accomack Gallies
Richard Taylor Lieut
Labin Bailey Master
Thomas Parker Midshipman

& then follows sundry other names.

The foregoing is truly extracted from papers contained in the 1st Vol. of papers concerning the State Navy.

Given under my had at the Auditors office, Richmond this 19th day of Sept'r. 1836.

Jas E Heath Aud

I further certify that it does not appear from any records in this Office that Thomas Bonwell acted as Master of the Deligence Galley after the 23rd Feb'y 1780. Jas E Hath aud

Friday the 26th day of March 1779

Lieutenant John Pettigrew resigned his Commission which is ordered to be filed.

Extracted from the Journal of the Navy Board commencing 6th March 1779 & ending the 23^d June 1779

Given under my hand at the Auditors Office Richmond this 8th day of August 1836

Jas. E. Heath Aud

I do certify that Labin Bayly or Bailey appears so far as the evidence in this office will shew, to have been the last Master of the Diligence Galley in the State Navy of the Revolution, as will more fully appear by a statement or certificate on the 4th page of a document certified from this office on the 15 June 1836 by which document it appears that Bailey was enrolled in 1779 as a Master at arms and in 1780 as a Master; I further certify that I have examined the Journal and proceedings of the Navy Board in this office & two Volumes of papers concerning the State Navy of the Revolution and have found no evidence of Labin Bayley's having resigned as master. I further certify that I have seen no roll, paper or document belonging to this Department, on which it appears that Labin Bailey was enrolled as a quarter master except the depreciation roll from which I have already certified that a certificate issued to said Bailey for the balance of his full pay or depreciation – which was delivered to Colo Cropper [John Cropper W3781] in 1785 – and was for services prior to 1782. The period of Bailey's service does not appear from the Depreciation settlement. Given under my hand this 8 of August 1836 at the Auditors office Richmond.

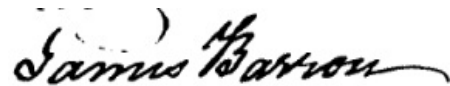
Jas E Heath Aud

Comder Office U.S. Navy Yard/ Philadelphia 7th October 1836.

Sir In reply to your letter (without delay) I should say that I do not suppose that any Officer bearing a Commission or Warrant, ever was dismissed the Naval service of Virginia, without some regular form such as the sentence of a court, or his own voluntary acts of resignation, all of which should appear before he could be justly dismissed of his claim for services, if he ever rendered any, or if his name can be found on any record or if good and sufficient testimony of his having served can be procured.

I am Sir/ Very Respectfully.✓ Your Obt Servt

James Barron [W12264]



The deposition of Mikiel Parker [Michael Parker] aged eighty six years deposeth and sayeth that he was intimately acquainted with Laben Bayly who was Master on Board the deligence Gally in the Va. State navy in the revolutionary war at the time she was laid up which was in the Spring of 1781 and my acquaintance continued with him for Several years after the war as we were both Seafaring men and followed it for our living.

Michael hisXmark Parker

[2 Dec 1836]

The deposition of Elkana Andrews [Elkanah Andrews S6507] aged about 74 Seventy four years being duly sworn on oath Sayeth that he served upwards of three years in the Va. State Navy in the War of the revolution, and has receive his bounty land for three years service in said war and is now in the receipt of Eight Dollars per month as a pension for his Services in said war. Said deponent further states that in said war he was well acquainted with Laban Bayly who was Sailing Master on board the Gally Diligence at the time she was lain up. That during said war there was in the County of Accomack on the Eastern Shore of Va. near where he lived built 2 gallies the one called the Accomack the other the Diligenc and both fitted out about the same time Said Baily and myself both enlisted about the same time and continued in service untill they were laid up. we cruised about in the Chesapeak [sic: Chesapeake] Bay for a considerable time and was then stationed near each other in the County of Accomack, where we remained untill both said galleys were laid up and sold which was in the Spring of 1781 at which time said Laven Bayly was Sailing Master on board the Diligence.

from three years experience in the I became acquainted with the duties of a Sailing Master and the difference between a Sailing Master and a Qr. Master [Quartermaster] a Sailing Master is a warrant officer and performs the duty of sailing the vessel as a captain would on board a private vessel. a Quarter Masters duty is to stand by the man at the wheel, or helm, and see the vessel [undeciphered word] her course &C. Given under my hand

3rd[?] day of April 1837.

Elkana hisXmark Andrews

Accomack[?] Virginia Dec'r 26 1837

To His Excellency the Governer of Va,

Sir) the Heirs of Laben Bayley haveing recently discovered that error was committed in the allowance of his military bounty land, in granting him land as Quarter master instead of Sailing Master, your honour is hereby respectfully called to examine the case and the Documents inclosed which no doubt will fully satisfy you and grant the hers the Difference between the pay of a Quarter Master and that of a Sailing Master. the accompanying Documents are in support of the claim.

No. 1 is a Document extracted from the navy Journal where you will find said Bayley. On the 8th October 1779 armourer on board the Gally Deligence and then struck out with a pen and in the next return on the 10th Dec'r 1779 as Master at arms you will next observe on the next page he is entered a Master arms on the 20th Dec'r 1779 and then struck out from that and on the next and last return that can be found he is entered as Master the Second officer on the list in the proper place for the Masters name and her former Master Boniwell disappearing from the list.

No. 2 contains the settlement in full with her former Master Boniwell with the certificate of the auditor that her former Master never appears to have been Master afterward. No. 4 contains the certificate of the auditor that there is no proff that Laben Bayley ever resigned as Sailing Master – allso the letter of Commodore James Barron whose oppinion is entitled to credit is proof Quite sufficient that this case of Bayleys is fully made out for you will observe he said “that his resignation must appear before he could be justly dismissed of his claim for services” which you will observe does not appear but on the contrary it appears he did not resign.

No 5 contains the deposition of Mr. Andrews who served with him in the navy and had every opportunity of knowing his grade who testifies to the fact and whose character is fully sustained by two Justices of the peace.

No 6 contains the Deposition of Capt. Mickal Parker whose character you will observed is fully sustained

Therefore I have no doubt will perceive at once the evidence in this case is much stronger than in the case he was allowed Bounty land as Q'r master which was evidently an error. I therefore refer you to the evidence on which his land was allowed as Q'r master and you will see at once it is not entitled to much credit. his land was allowed on the evidence of one Lillasten [William Lilliston S38141] who testifies to the Services of nine officers and they on board Different Gallies (and he himself never served in the navy) among which he swears that John Petigrew was a Lieutenant on board the Accomack at the time she was laid up which was in may 1781 which you can ascertain from the Auditor. the records prove which certificate I hereto attach that Petigrew resigned on the 26th of March 1779 and ordered to be filed therefore I need not say to you how much Credit there should be attached to that deposition in which he swears at the same time Laben Bayly was a Quarter m'ter with these remarks and the evidence before you I have no doubt you will Grant the small difference to which the Heirs may be entitled between a Q;r. Master and a Sailing Master.

I have the honour to be/ Respectfully your obt.' Sam'l C White

Know all men by these presents that I John J. Bayley administrator and Heir at Law of Laben Bayley who was an officer in the Navy in the war of the Revolution do hereby Constitute and appoint Samuel C White of the County of Accomack & State of Virginia my true & lawfull attorney for me and in my name to ask Demand and receive of the State of Virginia or the propper officers all the Land money Land warrants or such other from the State of Virginia or from the United States to which he may me entitled for his revolutionry Services all of whose acts I will ratify and confirm by these presents I further authorise and appoint Sam'l. C White my agent to employ one or more agents to act under him all of whose acts I will ratify and confirm by these present Given under my hand and Seal this 27th day of December 1837
Tests Jno C Wise J. P. Taylor John J. Bayly

Heirs of Laben Baily app. for additional bounty as master in State Navy 1838 Feby 14
To sustain this application the claimants have endeavoured to invalidate the testimony of Wm Lilleston the witness who established their first claim as Q. Master. But I think the witness is sustained by the books here showing that in Ap'1 1785 Laben Baily's acct for depreciated pay was settled as Q. Master.
Application rejected DC [Gov. David Campbell]

Sir. Richmond. June 2^d 1838

As you required that I should present with the papers in the case of Laben Bayly an abstract, or statement, of the case, I have the honour to present the following. 1st certified copies of returns, Rools &c. from the Auditor of Va the 1st page of which, is a return of Sundries for the officers belonging to the Gally Diligence, dated 8th October 1779 in which Thomas Boniwell appears as master, and Labin Bayly [undeciphered word], the 2^d page Thomas Boniwell appears as master, and Labin Bayly as master at arms, in 4th page is a return of the paymaster of the Gally 12th May 1780, in which Labin Bayly is returned as master. [undeciphered] Simpson Master at arms, and Solomon Powell as Quarter master. The Auditor of Va. certifies that this is the latest roll or return of the Deligence Gally he can find.

2ⁿ The certificate of the Auditor that Labin Bayly Master of the Deligence Gally never resigned.

3^d the certificate of the auditor of Virginia showing that Labin Bayly was the last master of the Diligence Gally that the rolls establish that fact, as late as may 1780 and that his name does not appear on any roll or Document as a Quarter master; that the only place in which the name appears as a Quarter master is on a list of certificates issued after the war, and in that case you will observe the certificate was not given to Baily himself but to a person who acted as attorney or agent and this to about 4 years after the service was rendered and after the records had been destroyed.

It must be admitted that the return of the pay master is the best evidence that the pay master could not be mistaken as to the rank. That in making out the list of the certificates the word Q'r might have [undeciphered word] been added by the auditor or some one in his office and never observe or if observed not regarded if the amount was correct 4th the certificate of the Auditor showing the Gally Diligence to to

have been laid up and sold in May 1781 and if he continued until then which is only a few months after he is promoted to master, then his case is provided for under the act of July 1832.

These facts you will observe are sustained fully by the depositions of Mr. Andrews & Capt. Parker whose characters are certified to be good, and had every opportunity of knowing his grade. Mr Andrews is now a pensioner for his service in said navy of which you can satisfy your self by referring to the auditor.

Therefore I should think that all this mass of evidence sufficient to correct one word nay two letters Viz Q'r especially when the Commissioners report [John H. Smith's, not in the file] abounds with similar errors

The only thing appears to me that could cause a doubt in this case, is the evidence upon which the State of Va granted land bounty it was allowed on the single affidavit of Wm. Lillaston stating that Bayly was Quarter master at the time the Gally was laid up, this affidavit was taken as late as Dec'r 1830 and that to given by one that did not serve in the navy. he also swears that John Petigrew was [undeciphered word] and on board at the time she was laid up, when the records show that Petigrew resigned, long before that time, and is it not fair to infer, if he was mistake in the case of Petigrew that he might have been mistake in the case of Bayly. therefore if his oath is entitled to credit it should establish Petigrews claim, which is much larger than Bayleys. With these remarks I have the honour to present the case.

His Excellency the Governor of Va.

Very Respectfull your obed
Sam'l C. White atty

The heirs of Laben Bailey who obtained bounty land for his services as a Quarter Master in the State Navy have applied to the executive to express the opinion that the said Bailey held in the Navy a different rank from the one on which bounty land was allowed. This application is refused

D. Campbell [Gov. David Campbell]

1838 June 2 Refused