

Southern Campaigns American Revolution Pension Statements and Rosters

Pension Application of John Baley (Baily, Bailey) R19354 VA
Transcribed and annotated by C. Leon Harris. Revised 22 January 2024.

Pension Office
March 5, 1836

I certify that from an examination of the claim of the Heirs of the late John Baily, dec'd. I am satisfied that he was a Captain in the Illinois regiment; that he served to the end of the revolutionary war, and died on the twenty second of October eighteen hundred and twenty two; that the case is embraced by the provisions of the act of July 5, 1832 (granting half pay for life to officers who were supernumerary at the end of the war); that the claim should therefore be allowed at the rate of Two Hundred and Forty Dollars per annum from the twenty second of April seventeen hundred and eighty three to the twenty second of October 1822, the day of his death; and that the amount should be paid to James Rogers, of Kentucky, Administrator of the deceased, in conformity with the request contained in the letter of John P. Duval, attorney of said Rogers to the Third Auditor, of the ninth of January 1836.

Comm'r. of Pensions

[From [Virginia Half-Pay pension records on fold3.com](https://www.fold3.com) under the name John Bailey. A note on the file jacket reads, "Pension File not identified," and beneath it in different handwriting and signed illegibly is the following: {I think John Baily R19354 is same officer.}]

State of Kentucky, Jefferson County to wit. This is to certify that Mason Lunsford [S32387] this day made oath before the undersigned a justice of the peace for said County that he was a private soldier in Captain John Baileys Company of the Illinois Regiment of the Virginia State line of the army of the Revolution, inlisted for the period of three years, and says that to the best of his recollection the said Captain John Bailey was a foreigner and he thinks by birth an Irishman, that he knows not that the said Baily had any relative in the United States whatever never having heard the said Bailey or any other person speaking of any relative he had in the United States.
given under my hand this 16th of February 1833 Robert H Grayson JPNC

Shelby County State of Kentucky

I Geo. Bergen a Justice of the peace in the County aforesaid and State of Kentucky do hereby certify, that Capt. Benjamin Roberts [S31343] is a creditable witness and that he personally appeared before me in my County aforesaid, and made oath that he was well acquainted with John Bailey, a Captain in the Illinois Regiment, raised for the defence of the western frontier in 1779 on State establishment during the Revolutionary war, under the Command of Col. George Rogers Clarke [George Rogers Clark VAS269] that he served until the end of the war, and further this deponent saith not

[14 June 1833]



Affidavit of Jacob Vanmeter [W8798] an Ensign & Captain of militia under command of Col George R Calrke that he was well acquainted with Capt John Bailey of the Illinois Regiment, that the said Bailey married Nancy Johnson formerly Rogers that he never understood from the said Capt Bailey that he had any other heirs than those on the part of his wife that the said Bailey died in Nelson County Kentucky without heirs of his body and that he is the same John Bailey whose services are certified to the end of the war by Capt Benjamin Roberts formerly of Clarkes Regiment now living in Shelby County Ky. sworn to 25 day of Oct'r 1833.

Nelson County and State of Kentucky,

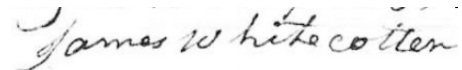
I William Elliott a Justice of the peace in and for the County aforesaid do hereby certify that Joseph Dixen is a creditable witness and that he personally appeared before me in the County aforesaid and made oath that he was well acquainted with John Bailey, and that he understood from said Bailey, and it was also generally understood, that said John Bailey, was a Captain in the Illinois Regiment, and that said John Bailey died at George Dawsons in Nelson County and state of Kentucky without any legal heirs of his body, and without having made any will so far as he knew or believed, and that he was also, well acquainted with Capt. John Baileys wife and that she was formally Nancy Rodgers, and sister to Col. James Rodgers of Nelson County, and State of Kentucky, and that he also understood said Bailey and his wife mooved from Big Barren River in said state of Kentucky to Nelson County, where he died,

Given under my hand as a Justice aforesaid, this 9th day of January 1834

William Elliott J.P.N.C.

Washington County State of Kentucky

I Andrew Cunningham a Justice of the peace in and for the county aforesaid do hereby Certify that James Whitecotton [James Whitecotten S30780] is a creditble Witness and that he personally appeared before me in the County aforesaid and made oath that he was well acquainted with John Bailey a Captain in Clarks Illinois Regiment and that said Bailey at the end of the war sarterd with him for Luisevill [Louisville] and that the said Bailey marred at Vensuns [Vincennes?] to the widow Johnston formerly a Miss Rodgers also they had no children or relations that I knew of also he saw him some years after and he told him that he lived on Big Barron River and told him that he had no children and further saith not Given under my hand as Justice of the peace for Washington County this 10 Jan'y 1834



Washington Dec 23, 1834

Sir [Hon Ben Hardin]: I attended in aid of the attorney of the United States to the prosecutions in Kentucky for the fraud practised upon the Government in the case of John Bailey. The John Bailey whose representatives obtained the money was of Bath County Kentucky.

The testimony before the Grand Jury, and in Court upon the trial of John Bailey Executor of the deceasd John Bailey of Bath, conclusively established that this Bailey never was a Captain in the Illinois Regiment commanded by Colonel Clarke. That the claim in his name which had succeeded, was completely a fraud, sustained by forgery and perjury

It was clearly established also that there was in Clarke's Regiment a Capt. Jno Bailey

who lived and died without issue in Nelson County Kentucky. The chief testimony upon this point was that of Ben. Roberts a Captain in the same Regiment, who was well acquainted with Capt Bailey, and whose character for veracity was unimpeached, and I doubt not, unimpeachable His statements were corroborated by other evidence.

I am respectfully
Yr Ob Ser/ O. S. Laughborough

[For more regarding the fraudulent application, see the endnote below.]

NOTES:

Capt. “John Baily” of George Rogers Clark’s Illinois Regiment appears to have signed his name “John Baley” on muster and payrolls from 10 Nov 1781 through 14 April 1783.

<http://revwarapps.org/b129.pdf>.

This John Baily may have been the “Lieutenant John Bailey” taken prisoner at Vincennes in present Indiana on 17 Dec 1778. He may also be the “John Bayley” referred to in Gen. George Rogers Clark’s 3 Feb 1779 letter to Gov. Patrick Henry discussing his plan to recapture Vincennes: “The principal persons that follow me on this forlorn hope is Capt. Joseph Bowman, John Williams, Edward Worthing[ton], Richard M Carty and François Charlovielle, Lieuts. Richard Brashears, Abraham Chaplin, John Jerault and John Bayley, and several other brave subalterns. “Bayley” was also mentioned in Clark’s 19 Nov 1779 letter to George Mason describing how he and 175 soldiers recaptured Vincennes on 25 Feb 1779: “I detached Lieut. Bayley and party to attack the fort at a certain signal, and took possession of the posts of the town with the main body.”

Details of the application match those of the “John Bailey” whose heirs in Bath County KY were investigated in 1834 for submitting a fraudulent application. There is no evidence in the files that the heirs who made the pension claim for service by the actual Capt. John Baley were involved in fraud.

There was another John Bailey (R377) of Bath County KY who obtained a pension for entirely different services. Thomas Triplett, Jr., who was one of the targets of the investigation, signed documents as Clerk of the Court in that application, but there is no indication that application R377 was fraudulent. It is possible, however, that the heirs of that John Bailey attempted to perpetrate fraud by substituting the service record of John Baily above for that of their ancestor, John Bailey (R377). Some items have apparently been removed from all the files that were investigated, making it difficult to sort out the facts.

The full investigator’s report is in the pension application of Thomas Triplett, Sr. (S46571), transcribed by Will Graves. Excerpts from the report that relate to the John Bailey who was investigated are transcribed below:

Washington City/ Aug 28, 1834

Sir [Levi Woodbury, Secretary of the Treasury]: Having returned from Kentucky I now have the honor to submit a Report of my proceedings under the authority conferred upon me by the Hon R B. Taney late Secretary of the Treasury.

The papers entrusted to me were those in the cases – 1st of Thomas Triplet [sic] alledged to have been a Captain from Virginia in the Continental Line for whose services a sum of money had been drawn from the Treasury under a general law of Congress, and an additional sum in virtue of a special act of Congress for the benefit of his representatives – 2 of John Bailey of Bath County Ky to whose representatives the half pay of a Captain in the Regiment commanded by Col G R. Clarke, had been paid at the Treasury – and 3^d of John Scott [W3046] of

Cumberland County Ky. in whose behalf an application had been made to obtain the half pay of a Captain Lieutenant in the Regiment of Virginia State Artillery. Thomas Triplett an Attorney at Law of Frankfort Ky. was the Agent in the two first cases.... Having performed certain duties as an Agent of the Post Office Department in the States of Mississippi Alabama and Tennessee, I proceeded to investigate the cases in which Thomas Triplett was concerned, and in which the evidence had been prepared principally in Bath County Ky. thinking that perhaps enough appeared upon the face of the papers to justify the emanation of a warrant for the arrest of T. Triplett, whose evasion of the process, if he discovered what was doing, I feared, I applied at once to Judge Monroe of the U States Dist. Court accordingly. He wished that additional ground should be shown. I therefore proceeded to Bath County and obtained much additional information in the cases both of Triplett & Bailey, shewing conclusively to my mind, that in each case a gross fraud had been practised by means of perjury and forgery. I procured the affidavit of Col James McIlhaney of Bath to the effect that he had not made oath in either case to the statements prepared for him, and which it appeared from the papers as presented at the Treasury, he had sworn to. Thus satisfied of the guilt not only of Triplett, but of others, his confederates, I returned in haste to Frankfort, and procured from the Judge warrants for the arrest of Triplett – of Josiah Reed a Justice of the Peace of Bath County, and of John Bailey of the same county.

Triplett was immediately arrested, and the Marshall directed to proceed to the arrest of Reed and Bailey. Mr. Triplett desired that some time should be given him to prepare for the investigation of the question of his commitment. The Judge appointed the 3^d day of July. In the interval I proceeded again to Bath County to find testimony, and with the Marshall filled up a blank subpoena with the names of witnesses for the prosecution, who were summoned. Some of the witnesses were aged and infirm. Their testimony being regarded important, was taken in depositions to be read on the investigation.

On the day fixed the bodies of Triplett, Reed and Bailey were produced before the Judge. The investigation resulted in an order for the commitment of the three – Thomas Triplett for assisting in the preparation of false papers, and for altering official certificates – Jos. Reed for making false certificates as “Justice of the Peace – and John Bailey for perjury. Bail was given by Bailey and Reed. Triplett yet remains in jail in Frankfort Ky. The evidence produced for the prosecution showed most conclusively that Thomas Triplett Sr. could not have been a Captain in the Revolution. Two respectable witness deposed to their knowledge of him as an apprentice during the war.

Capt. Benj. Roberts a gentleman of reputation and integrity, and one of the Captains in the Regiment commanded by Col G. R. Clark, proved that the John Bailey who was a Captain in that regiment lived and died in Nelson County Ky. without children. They were well acquainted. The money drawn by Triplett for John Bailey of Bath was upon a power of Attorney from the sons of the said Bailey.... No difficulty will be found in making out the facts of the fraud, and of the want of right in the representatives of Triplet and Bailey to the money drawn in their names. The executors of Bailey have received but five or six hundred dollars of the money obtained in their case, the whole residue being retained, I believe, by Triplett. Most, if not all of the money drawn for his fathers services, was also, I believe, appropriated to his own uses by Mr Triplett.

I have the honor to be Yo Ob Ser/ P. S. Loughborough

The half-pay file also includes a typed note summarizing genealogical information scattered in the 251-page file, transcribed as follows:

Captain, Illinois Regiment, Virginia

Born probably in Ireland, died in Nelson County, Kentucky, leaving no children, and having no known relatives in this country, died October 12, 1822.

His widow was Nancy Johnson, formerly Nancy Rogers.

The heirs to Captain John Bailey's estate were the three brothers of his widow, after her death.

William Rogers, brother of Nancy, widow of Captain John Bailey

Children.

* John Rogers formerly of Hampshire County, deceased

** Sally, widow of Aaron Jones

William, Bath County, Ky.

Nancy, wife of Richard Parker, Sumner County, Tennessee.

Susan, wife of Thomas Parker, Sumner County, Tennessee.

Mary, wife of Thomas Parker, Ky.

James, formerly of Hampshire Co. Va. now near Chilicothe, O

Eliza, wife of Nat Davis, Illinois

Margaret, wife of Samuel Higgerson Wilson County, Tennessee

* Susan, widow of John Rogers later married James Real

** Sally married 2d Ebenezer Fenley

James C. Rogers of Ohio Co. Ky, Son of William and g.s of William

James Rogers, brother of Nancy, widow of Captain John Bailey. Will on file [see below]

Children.

Matthew, Davis Co. Ky, moved to O.

Polly, wife of C. Dunn, Grayson Co. Ky

Nancy White, Grayson Co. Ky

John, Grayson Co. Ky.

Jonathan, Ohio Co. Ky

Evan, Mercer Co. Ky

James Nelson Co. Ky.

* William Deceased

Children of William

James C. Ohio Co. Ky

Margaret now called Peggy Henderson, wife of Charles Henderson

Betsey, wife of Mosby James

Nancy, wife of James Hobdy

Lewis, Missouri

Jonathan, Ky

William Casey Rogers, Ohio Co. Ky

Milton, Ohio Co. Ky.

Thornton P., Ohio Co. Ky.

** Evan, deceased, left one child Leuri Rogers

John deceased, left one child, Margaret, Ohio Co. Ky.

** Evan Rogers left a widow Kitty, who married Joseph Heck.

Matthew Rogers married Jenny who died about 1825 in Nelson County, Ky.

Matthew Rogers

Children

Nancy, wife of Noah Drury
Asa Indiana
Joseph, Nelson County, Ky.
Jane, wife of Elias Rice, Illinois
William, Illinois
Mathew, Illinois
John, Indiana
Jacob, Harden County, Ky.

On 23 January 1834 James Hancock in Nelson County certified that “he lived near neighbour to said Baily until the last two years of his life when the said Baily was put on the pauper list by the County Court of this County and the money was appropriated in his [Hancock’s] hand and that he employed George Dawson of the County aforesaid to keep the said Baily at which place he died.”

A document in the half-pay file certifies that James Rogers and Nancy Flournoy were married by Rev. Elijah Toley on 14 September 1820. Also in the half-pay file is a copy of the will of James Rogers of Mercer County KY dated 29 January 1828 naming his wife, Nancy, as heir to all his property “except my black man Isaac him I will forever free at my decease.” Evan Rogers of Mercer County was named executor. Milton Rogers and Moses Toley witnessed the will. On 29 October 1833 “Nancy Rogers of the County of Oldham and State of Kentucky, widdow and relict of Col. James Rogers Dec’d late of Mercer County” signed a power of attorney to obtain benefits due “in right of the services of Capt. John Bailey” as well as the services of her late husband.