Pension Application of John Baley (Baily) R19354
  Transcribed and annotated by C. Leon Harris. Revised 11 Feb 2013.

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

NOTES:

  The above 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.

  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
  Worthington, Richard M Carty and Francois 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 attact the fort at a certain signal, and took possession of the
  posts of the town with the main body.” See also the last paragraph below.

  Details of the application match those of a “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 claim above were involved in fraud.

  There was a 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 Triplett [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 [sic], had been paid at the Treasury – and 3d of John Scott [pension application 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 3d 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 [Benjamin Roberts, pension application S31343] 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 Triplett 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