

## The Case of the Commonwealth vs Agnes

I'm sure most people associated with Brentsville have heard at least one of the accounts passed down through the generations about the slave Agnes killing Gerard Mason. The most common of these stories seem to be that she killed him because he held her baby over a pot of boiling oil, or some derivative of this story.

No one will dispute that Gerard Mason was a very ruthless man who was well known and disliked by many in the county. He had found himself on the inside of the Brentsville Jail on more than one occasion. In October 1845 he was confined there for beating with a stick and killing Katy, one of his very young slaves, without reason or provocation. If a list of Prince William County's most notorious people were put together, Gerard Mason would be near the top. But with all of this said I would like to set the record straight as to how he was killed. The following account was taken from court transcripts, pardon requests, and records from the Coroner's inquest.

It was about noon and Lewis Weston wanted to go to the mill, so he sent one of his son's over to Gerard Mason's house to borrow a canoe. On arriving there he saw that there was a fire in the house meaning someone should have been home, but the door was shut and locked. He went back for his father & Mr. Ragan and they knowing the custom of the place raised the mat at the door and retrieved the key. On entering they found Gerard Mason dead in his bed and there was no doubt it was murder. Dr. Saunders was called and came with Richard Stonnell & Henry Selecman & others who would immediately start an inquest. All would later testify at the trial.

As always there are two sides to every story and this was no exception. The Commonwealth, with Eppa Hunton as the prosecutor, charged that Agnes killed Gerard Mason with an axe, striking him on the head while he was asleep in the bed. There was also testimony that a few weeks before, her master (Gerard Mason) being disabled, had made Abram, a Negro foreman, whip her. She is reported to have stated that she would kill anyone who attempted to whip her again. Dr. Saunders testified that it was evident that Mr. Mason was killed in bed, because the only blood visible was on the wall at the head of the bed and on the bed itself.

Agnes' version of the story is that she was summoned to bring the axe into the house and that Gerard Mason was mad that she had not ground it. She said that he "attempted to turn up her clothes" but she resisted. He then got mad and took a gun down and was going to shoot her. She managed to take the gun away from him and he got the axe. She took the axe away from him and struck him with it and did so much damage she decided she would finish the job and hit him again.

Agnes was convicted and sentenced to be hung 10 May 1850. It was during the trial that Agnes said she discovered she was with child about five weeks previous. The court did not believe her and ordered her examined by two of the local doctors. Both said she might be pregnant but they were not sure either way. Under great pressure from most of the county Preachers, Judges, Occoquan Business Owners, and some Justices' the Governor gave her a respite until July 16<sup>th</sup>. On July 10<sup>th</sup> 1850 it was

reported by the jailor G. W. Clifford that Dr. Thornton had examined her and found “her not to be in that condition.” The death sentence was carried out July 16<sup>th</sup> 1850 in Brentsville as were all County executions since 1823.

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