Marie- Joseph “Angelique was born in Portugal in 1705” [[1]](#footnote-1) and was a mother of three boys. She had her first son in January 1731 and then twin boys in May 1732. The children’s father was a black slave, Cesar, whom she was no longer with when she was a slave to Mrs Franchville in Montreal in 1743[[2]](#footnote-2). Before Angelique was 30 “she had been sold twice before coming chattel property of the Franchvilles [who were] French colonial merchants”[[3]](#footnote-3). Angelique had attempted to flee her masters many times and when her Mr Franchville died she “uncommonly and bravely asked [Mrs Franchville] for her freedom” which she was denied[[4]](#footnote-4). Shortly after this event on April 10th, 1734 at seven in the evening an uncontrollable fire started[[5]](#footnote-5). The fire spread to neighbouring houses destroying a nearby hospital and 45 houses on rue Saint-Paul but luckily no one was harmed[[6]](#footnote-6).

Angelique was accused of setting this fire during 1743 in Montreal fire. She was found guilty, even though there was no physical evidence or a believable witness who saw her actually set the fire. She was also said to have an accomplice, her lover Claude Thibault, who “fled, leaving Angelique on her own to prove her innocence[[7]](#footnote-7) and was never found. It was said that Angelique and Claude were planning to escape south to escape from their masters. In the end Angelique’s ethnicity, social status, gender, and how society thought of her, is what led her to being unjustly accused and convicted of burning her mistress’s house down.

Angelique was at a disadvantage from the start, being considered a black slave in New France. She was subject to “racial [...] biases”[[8]](#footnote-8) where she was living which was partially why she was so easily charged with setting the fire. Slaves had very little rights at this time since no white person, a majority in New France, would see it illogical that a black person committed a crime against a white citizen. Even with this frame of mind “the superior council of New France claimed that a mere ‘negresse’ could not have committed such an audacious act entirely on her own”[[9]](#footnote-9). Which implied, that the white people of New France believed that slaves were capable of crime, but not of a high level of thinking. So the people of Montreal assumed that she had an accomplice, in this case the logical person would be her lover, Claude Thibault, “a white male indentured slave”[[10]](#footnote-10). They both fled and once they found Angelique he continued to flee and left Angelique to deal with the court. It seems that once they found Angelique they just gave up on finding Thibault, even though he was also accused. They stopped looking for him a year later and eventually the “charges against him were dropped”[[11]](#footnote-11). If Angelique was a free wealthy white woman, she probably would not have been convicted with the evidence that was complied against her, as she was a slave.

Being a woman in early eighteenth century New France was not easy, especially for a slave. Angelique was easily a target to be accused of setting a fire to Mrs Franchville’s house, as she had no one to protect her in her life and women had few rights in society. Yes, she “fled her owner several times”[[12]](#footnote-12) but other slaves did this as well and that did not mean that she did start the fire. After the fire “Angelique [partook] in the syrup and brandy that was passed around among distraught community members”[[13]](#footnote-13) which if she were guilty it would be instinct to flee as she must have known that they were to come looking for her. When she did flee it was likely after she was accused and she didn’t want have to go through the brutal trial process.

Society at the time and the rumours that people spread were the main cause of Angelique getting convicted of burning down Mrs Franchville’s house down. The morning after the fire “a rumour was spread that Angelique had set the fire in the attic of her mistress’s house, aided by her white lover, Claude Thibault”[[14]](#footnote-14). With this “the king’s prosecutor had an arrest warrant issued against Angelique based solely on this public rumor”[[15]](#footnote-15). Many of the ‘witnesses’ that testified during the trial could easily have been persuaded to say what they did for example; “Marie, an Amerindian slave, claimed that the accused had intended to do her mistress in by the fire”[[16]](#footnote-16). With Marie being a slave her master could have been a friend of Mrs Franchville and just wanted to see justice served for their friend. However, this possible lie helped a woman be convicted of a crime with evidence that was all circumstantial and she may not have committed.

The only substantial ‘evidence’ that the society brought forward to this trial came “In the sixth week of the trial, a key witness was heard, declaring to have seen the accused set the fire”[[17]](#footnote-17). This witness was “a five- year old girl” who somehow just came forward with this statement[[18]](#footnote-18). There is no record of the ethnicities or family of this girl. It seemed likely that this girl was told to say this because a young girl was probably not in the attic of a house that was not hers. It would have been easy as an authority figure, to convince this young girl to tell the court what you told her to say. So this ‘witness’ which ended the trial seems very convenient for the people accusing Angelique, people like Mrs Franchville. In the end the authorities said that she set the fire “‘out of wickedness’ and to conceal her plan to escape”[[19]](#footnote-19).

The whole trial was based on these rumours but the evidence was “deemed sufficient by the [judge]”[[20]](#footnote-20) which did not seem just as there was little evidence, just speculation. Another fact that seems unjust to this trial was that the prosecutor was “not present during the confrontations” and was given the judges transcripts which could easily have a bias perspective as they were likely written by a white, wealthy, male[[21]](#footnote-21). Even with what seem to be flaws with her trial “Angelique was disadvantaged on all three counts of race, gender, and social status”[[22]](#footnote-22) as well. In 1743 New France the “procedures to be followed were pronouncing a verdict, handing down sentences, hearing appeals and carrying out torture sessions”[[23]](#footnote-23). All of this occurs with no jury or lawyers because they were not part of the legal system at this time. Throughout the whole trial, with the exception of her final day, she remained “adamant and denied being the perpetrator of the crime” and since she refused to admit her crime she was to be sentenced to death[[24]](#footnote-24). The sentence was proposed to the superior council which was rejected as the death they proposed was too cruel; the second appeal was accepted. This sealed Angelique’s fate to be hung until dead and then burned.

After Angelique’s sentence was set she was still to undergo “a final interrogation under torture in order have her admit her guilt and denounce her accomplices”[[25]](#footnote-25). New France thought that a black woman could not have burnt down a house alone which is why they were looking for her to claim that Claude Thibault helped her[[26]](#footnote-26). She ended up confessing under torture to arson but never said she had an accomplice. “Angelique was officially charged with arson”[[27]](#footnote-27) then was hung and then burned by French Colonial officials publicly on June 21, 1734[[28]](#footnote-28).

This trial is still disputed to this day as there is no substantial or uncontroversial evidence as to if she really did set her mistress’s house on fire. This mystery will likely never be solved, but with the extreme lack of evidence which would hold up in a court today, leads to conclusion that Marie-Joseph Angelique of Portugal was not responsible for setting her mistress’s house on fire. On the last day of her life Angelique was violently yet picturesquely “led [...] to the empty place in front of the burned houses where She was Hanged and Strangled and Then Thrown into the fire, And the Ashes cast to the wind”[[29]](#footnote-29). Word count: 1730

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