



# Mount Clemens Public Library

## Local History Sketches

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### The Trial of Sarah Finkle: Macomb County's Strange Assisted Suicide Case

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More than a century before **Jack Kevorkian** became a household name, a jury in Mount Clemens, Michigan struggled with the question of whether a person who provided an instrument of suicide to another could be found guilty of murder. The year was 1877, and the highly unusual case was *The People of the State of Michigan v. Sarah Finkle*.

**Sarah Finkle** was a 70-year-old widow in the autumn of 1877, when she was ordered to stand trial in Sixteenth Circuit Court, which then comprised the counties of Macomb and St. Clair, for the murder of a 16-year-old girl named **Alice Jackson**. Sarah resided near the small farming community of Richmond in northern Macomb County, and Alice Jackson, presumably an orphan, had lived with her for a few months.

Alice Jackson died at Sarah Finkle's home on September 23, 1877. An inquest held the following day, at which Sarah and several of her immediate neighbors testified, found that the girl "came to her death by means of Paris Green administered by her own hand, furnished by Sarah Finkle at the house of Sarah Finkle." (Paris Green, more properly known as copper acetoarsenite, is a poisonous compound of copper and arsenic which was used during the latter half of the nineteenth century to combat potato beetles).

How did young Alice Jackson come to ingest a lethal dose of Paris Green? According to Sarah Finkle's sworn testimony at the inquest, Alice was a moody and despondent girl who complained often of ill health and lamented that she was friendless. Some weeks before her death, according to Finkle, she had expressed an interest in the uses of Paris Green as a poison and had revealed that she was contemplating suicide. Finkle testified that on the afternoon of her death, Alice had returned from church in a strange mood, refused dinner and spent her time writing and muttering to herself. According to Finkle, at one point she found the girl with a teacup of water in which the residue of Paris Green was visible. She tried to take the deadly potion away from Alice, but failing that went to search out the assistance of the neighbors. Upon her return to the house with a neighbor girl, she found Alice sitting in a rocking chair. When Finkle inquired after the contents of the teacup, Alice Jackson replied that she had drunk it. Finkle further testified that Alice became sick to her stomach within half an hour and then retired to her bed. Finkle sent for the neighbors and for a doctor, to no avail. By late evening, young Alice Jackson was dead.

The testimony of the neighbors did not wholly support Sarah Finkle's version of events. **Ellen Ostrander**, the neighbor girl whom Sarah had brought to the house, testified that when she arrived at the Finkle home Sarah led her by the arm to Alice's chair and said, "Well, Ally, I have fetched Ellen over to see you die." Ellen Ostrander further testified that when asked why she had swallowed poison, Alice directed the following response to Mrs. Finkle:

**You have said a good many times that I was hateful and no one liked me ... and you**

**then said you would get me some Paris Green if I would take it and you did get it and put it in a cup and I did take it.**

Ellen Ostrander concluded by saying that Sarah Finkle told her that Alice had asked for Paris Green and Finkle had gotten it and put it in a cup and given to Alice, not thinking that the girl was in earnest.

The testimony of another neighbor, **Edwin Smith**, was similar in character to that given by Ellen Ostrander. Smith said that when he came to the house, he:

**heard Mrs. Finkle say she got the poison for her and put it on the table and said to her, "Here is your poison. Poison yourself if you want to." Mrs. Finkle further told me she did not think she would take it.**

The only witness at the inquest who gave a different perspective on Alice's motivation for taking her life was Sarah Finkle's daughter, **Adelade Perkins**. Mrs. Perkins testified that when she spoke with Alice after the poison had taken effect, Alice repeated her claim, reported by the neighbors, that Mrs. Finkle had expressed dissatisfaction with her and treated her unkindly. However, Mrs. Perkins continued that when Alice had visited her two weeks earlier Alice had "expressed herself satisfied with living with Mrs. Finkle and was cheerful."

A newspaper account of the time, published in the *Romeo Observer* and quoted in the *St. Clair Republican* on October 10, 1877, claimed that Alice had been subjected to "harsh and unreasonable treatment," and further remarked that public sentiment was running against Sarah Finkle because "she has previously been noted for her harsh treatment of those under her care." The Detroit *Evening News* paraphrased the *Observer* account with an acid tongue:

**What a dear, kind, woman Mrs. Finkle of Romeo, was, to mix up that dose of Paris green and water that Alice Jackman [sic] wanted and how kind in her to step out to the neighbors while Alice took the poison, and how kind in the Macomb county officers not to prosecute her!**

In fact, Macomb county officials were vigorously prosecuting the case. Following the inquest, Sarah Finkle was ordered to stand trial for murder in the November term of the circuit court, and was granted bail in the amount of \$2,000. On November 6, 1877, Macomb County Prosecuting Attorney **George M. Crocker** filed with the court information for murder which said in part:

**Alice Jackson herself then and there in the manner and form aforesaid wilfully and of her malice aforethought did kill and murder but that Sarah Finkle of said Township of Richmond before the said self murder aforesaid ... feloniously, wilfully and of her malice aforethought did counsel, hire, persuade, aid, abet, assist [and] procure said poison for said Alice Jackson and did deliver the same to her the said Alice Jackson and did procure the said Alice Jackson the said felony and murder of herself to do and commit and so that the said Sarah Finkle feloniously and of her malice aforethought did then and there kill and murder her the said Alice Jackson against the form of the statute in such case made and provided and against the peace and dignity of the People of the State of Michigan.**

The charge having been made, it was now for the case to play out before the jurors. They heard again the testimony of the neighbors and the physician who had been summoned to the bedside of the dying Alice. As Circuit Judge **Edward Wright Harris** handed the case to the jury, it was clear that he

had some difficulties with it. He began by observing that the opposing attorneys differed widely in their views regarding the law applicable to the case, and that although they apparently had made a diligent search of case law, they had been unable to find any true precedent to light the way.

Judge Harris told the jurors that if they were satisfied that Sarah Finkle had aided, abetted or counseled suicide with the malicious intent that the girl should die, then she was guilty of murder, even if she had not been present when the poison was actually swallowed. He cautioned them to carefully consider the issue of motive, and instructed them that if Finkle had carelessly or negligently left the poison where the girl could find it, but without intent or expectation that it would be used by the girl, then she was guilty of no crime under the law. In concluding, he said:

**With this, gentlemen, the case is with you. It is a novel one, as the very absence of precedents in the books clearly shows. And it rarely occurs that an old lady of 3 score and ten years is arraigned in court charged with the commission of such a crime. And it is not often that a girl of 16 ends her own life. But notwithstanding the novelties of the case, you will exercise your own common sense, your best judgement and deal with this old lady as the law and facts demand.**

The jury apparently found the case as problematic as Judge Harris did. After deliberating for a time, they returned to court to declare that they were unable to reach a verdict. Judge Harris dismissed them and held the case over for the next term of court.

When court reconvened in February of 1878, a new panel of citizens heard the evidence against Sarah Finkle. Leeson's *History of Macomb County, Michigan* (1882) records for us that the jury required only 90 minutes to acquit Sarah Finkle of the charge of murder. Examining the case from a distance of more than a century, and without the benefit of newspaper coverage that is so common in modern times, we can only speculate as to the jury's thinking. Perhaps the panel was not satisfied as to the issue of motive and malicious intent. Given the neighbors' statements, the jurors may have found the defendant guilty only of the unwise gesture of calling the bluff of a despondent and moody teenager, albeit with tragic results. The distasteful image of a widowed septuagenarian in prison may also have been a factor in their decision.



Seventeen months after her acquittal, Sarah Finkle died of heart disease. She had spent most of her adult life in Macomb County, the wife of four different men and the mother of at least three children. Her simple gravestone in Richards Cemetery, near Richmond, Michigan, bears no witness to the strange drama in which she was the central character.

For more information about the trial of Sarah Finkle, we recommend:

- *The People of the State of Michigan v. Sarah Finkle*, Case No. 3638 (16th Judicial Circuit of Michigan, Macomb and St. Clair counties, November 6, 1877).
- *Circuit Court Journal, Macomb County, Michigan*, vol.D, pp. 595, 599-601, 603, 621-622, 624-625 [Journal entries regarding *People v. Finkle*].
- "From the *Romeo Observer* we clip the following....," *St. Clair Republican*, October 10, 1877, p.4, col.5-6.
- "What a dear, kind, woman Mrs. Finkle....," *The Evening News*

[Detroit, Mich.], October 10, 1877, p.3, col.1.

- *History of Macomb County, Michigan*. Chicago : M.A. Leeson & Co., 1882, p.513.