

# **The Enigma Woman: The Death Sentence of Nellie May Madison**

By Kathleen A. Cairns

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*Reviewed by Richard McFarlane\**

A few minutes before midnight on March 24, 1934, the residents of the Stirling Arms, an apartment house in Burbank, near Los Angeles, heard five gunshots. Most residents thought the shots came from the nearby Warner Brothers movie lot where a gangster picture was being filmed. However, the shots came from Apartment 123 where one of its residents, Eric Madison, was dead. His wife, Nellie May Madison, was missing. A few days later Nellie would be arrested at a remote mountain cabin and charged with the murder. Her trial would

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excite public attention, especially in the *Examiner* and *Herald and Express*, two papers owned by William Randolph Hearst. *The Enigma Woman: The Death Sentence of Nellie May Madison* by Kathleen A. Cairns is the true crime account of Eric Madison's murder, and Nellie May Madison's trial, conviction and death sentence for the crime. Nellie was the first woman sentenced to death in California. After her conviction, Nellie would avoid the gallows by belatedly confessing to killing Eric and claiming to be the victim of spousal abuse. Governor Frank Merriam would commute her sentence to life imprisonment. She would be paroled in 1943, and die a free woman in 1953 of a stroke and with a new name.

*The Enigma Woman*, which takes its title from one of the nicknames pinned on Nellie by the press because of her stoic demeanor during her trial, is a good book, but not a great book. It is little more than a biography of a young woman who came to the big city of Los Angeles from rural Montana and got into trouble. Whenever Cairns gets close to addressing the wider issues that would make *The Enigma Woman* a great book, she turns away. For example, Cairns writes that of the two hundred women incarcerated in California in 1934 "one-third of the women had been convicted of murder—half of them of first-degree murder—although none had received the death penalty" (p. 163). Why Nellie was sentenced to death, and none of the others were, the author does not fully explain. In chapter eleven, Cairns suggests that Nellie's belated confession and accusations of spousal abuse were keys to her commutation and eventual parole. Did the thirty or so other women convicted of first-degree murder in California in the 1930s confess and accuse their victims of spousal abuse in order to avoid the noose? Cairns does not explore the issue of spousal abuse—which existed, of course, even if it was not recognized by the psychological community or known by that name until the late 1970s. Cairns mentions in passing that three women were sentenced to death in California before 1940, all for killing their partners. Cairns does not provide any details of the other two, nor does she provide any conclusions or analysis to assess the questions *The Enigma Woman* raises.

Cairns poses three "intriguing" questions in the introduction to *The Enigma Woman*, "What drove Nellie to make life choices so different from those of her female contemporaries, ones that brought her, and her family such pain and tragedy? What was it about her that

led the legal establishment of Los Angeles County to choose her out of a line-up of female murderers—some much more cunning and ruthless—to receive the states’s ‘ultimate penalty’? What did their treatment of her say about society’s views of women who failed to conform to deeply entrenched ideas about women’s roles?” Cairns answers the first question by painting a picture of a young woman bored with life on a Montana ranch, who yearned for glamour and adventure and who would do anything to become someone else. Sadly, the last two questions are not so adequately answered. Cairns makes a good case for Nellie’s conviction being partly the result of the incompetence of her trial counsel, but Cairns offers no evidence or analysis of why Nellie was singled out for the “ultimate penalty,” a decision made by the prosecution. Cairns implies that the answer must be Nellie’s reputation as a “much married woman,” but offers insufficient evidence for this implication. Cairns needed to present at least statistical evidence, and preferably narrative evidence, of the other women who committed murder and were or were not sentenced to death, and were or were not executed, in order to answer the second question she proposes. Cairns offers some brief discussion of the crimes of Ethel Juanita Spinelli and Louise Pette, the two women sentenced to death and actually executed during Nellie’s lifetime, but the discussions are too brief to draw any conclusions other than that they were different. Finally, how did Nellie’s contemporaries, especially her jurors, view “women who failed to conform to deeply entrenched ideas about women’s roles?” Cairns denies that Nellie was a femme fatale as found in the noir fiction of Raymond Chandler and Dashiell Hammett, but the press clearly thought she was, describing her as “The Enigma Woman,” “The Iron Widow,” and “The Sphinx Woman.” To what extent did noir fiction influence the public? What influence did the florid prose of Hearst’s newspapers have on the public? And what effect did Harry Chandler, owner of the *Los Angeles Times*, have on the newspaper coverage, the public opinion it created, and the outcome of the trial? Cairns never addresses these questions. Whenever Cairns gets close to discussing these really interesting questions, she demurs, “We will never know.”

*The Enigma Woman* concludes with an excellent bibliographic essay that is a fine piece of historiography in its own right. However, while reviewing the literature of women who commit crimes and battered women syndrome, this bibliographic essay highlights the

weaknesses in *The Enigma Woman*. For example, Cairns mentions Ann Jones's *Women Who Kill* and Vickie Jensen's *Why Women Kill: Homicide and Gender Equality*, and these two authors' conclusion that "women murder for different reasons than men ... women tend to nurse grievances or murder intimates under stress and often physical abuse" (p. 270). "Nellie Madison's behavior," writes Cairns, "does and does not conform to this model" (*Ibid.*). How? Why? These questions are not addressed. Whatever the strengths and weaknesses of *The Enigma Woman* as a whole, the bibliographic essay is worth studying.

The book is well researched from newspaper accounts, as all the local newspapers covered the trial. Agness Underwood, the grand dame of Los Angeles journalists in the 1930s, took a personal interest in Nellie and her case. She alone was permitted to interview Nellie after her arrest and after her conviction. Underwood's reports in the *Evening Post-Record* are the only source for certain aspects of the crime, and offer a counterpoint to the coverage of the *Los Angeles Times* and the Hearst papers. Later, when working for the Hearst-owned *Evening Herald and Express*, Underwood would play a key role in Nellie's eventual commutation and parole. Unfortunately, the original Los Angeles Superior Court files of Nellie May's trial are lost, and the files in the appellate court and the governor's commutation file are incomplete.

*The Enigma Woman* is a good book for anyone interested in Los Angeles in the 1930s. It is a useful place to start for anyone interested in studying women criminals, women and the death penalty, or battered women's syndrome, before moving on to more complex and sophisticated literature.

Cairns denies that *The Enigma Woman* is a noir, but it is. Nellie May Madison's story could have been written by Raymond Chandler or Dashiell Hammett—it lacks only their characteristic use of language. It has the advantage of being true.