

Nellie M. Madison

Murder 1st -
L.A. - Sleath -
Mont - 39 -
Hotel Keeper -

Rec'd 7112134.



27 II 14
12 OM 14

Birth: Apr. 5, 1895
Red Rock
Beaverhead County
Montana, USA

Death: Jul. 7, 1953
San Bernardino
San Bernardino County
California, USA

Murderess and death row occupant, Madison murdered her husband, Eric Madison, in 1934 in what she claimed was self-defense. She was found guilty and sentenced to death, but her sentence was commuted by Gov. Culbert Olson and she was released in 1943. Her case is believed to be one of the first where the "battered wife syndrome" assisted in her eventual release. She remarried and led a quiet life after.

In 2007, a book about her life, "The Enigma Woman" was published by Cal Poly San Luis Obispo professor Kathleen Cairns.

Family links:

Spouse:
[Eric Bang Madison \(1892 - 1934\)](#)

Burial:
[Mountain View Cemetery](#)

San Bernardino
San Bernardino County
California, USA

Plot: Lawn K near curb marker 122

Created by: [Joe Walker](#)
Record added: Feb 06, 2007
Find A Grave Memorial# 17832657



Added by: [Joe Walker](#)



Added by: [Joe Walker](#)



AUDITOR FOUND SLAIN; A WIFE HUNTED IN INQUIRY

Police Declare Victim Shot From Behind Five Times in Apartment; Man's Screams Heard

While deputy sheriffs last night reconstructed one of the strangest murders in the annals of county crime, police authorities were combing the State for the victim's 33-year-old widow, who, the officers believe, apparently kept a lone, eight-hour vigil beside or near the body of her husband during the night.

The victim, Eric D. Madison, 45 years of age, Burbank, was found with four bullet holes through his back in an apartment at 3516 Riverside Drive, where he had been living, by the apartment house manager, Mrs. Belle Bradley. Mrs. Bradley was making her usual rounds late yesterday when she made the gruesome find.

Capt. Bright and Deputy Sheriffs Rowe and Killian of the Sheriff's homicide detail, on the basis of statements and information given them by Mrs. Bradley and other tenants of the building, announced their belief that the fatal shooting occurred about midnight Saturday while the wife, Mrs. Nellie Madison, was in the room. Mrs. Bradley told the officers that about 8 o'clock yesterday Mrs. Madison left the apartment and was seen to drive away in her husband's expensive coupe.

TWO SHOTS HEARD

The apartmenthouse manager also told the officers that late Saturday night she and a number of other tenants heard two shots followed by a man's screams and then four more shots. Alarmed, she said they rushed into the building corridor, where they were joined by Mrs. Madison.

"I guess it was outside the building," Mrs. Madison was quoted as saying after several of the others had remarked that there had been considerable shooting recently in connection with recent pictures at the First National studios, less than two blocks from the building. Mrs. Madison, it was related to the officers, was seen to return to her apartment.

Mrs. Bradley recalled, according to her statement to the officers, that when Mrs. Madison left the building yesterday morning she had a large package under her arm.

VICTIM'S BODY FOUND

Late yesterday, Mrs. Bradley said, she used a pass key to enter the Madison apartment, where she discovered the victim's body.

Officers disclosed that they also found in the room a small revolver with all six shells exploded in the chambers. There were also a number of cigarette stubs and a partially empty whisky bottle.

As they reconstruct the shooting, the officers said they believe that Madison had undressed and, after pulling back the covers of the double bed, was apparently about to retire when he was shot from behind and fell to the bed. Another shot was fired and he fell to the floor.

The officers last night broadcast a description of Mrs. Madison, with request that she be apprehended for questioning in connection with the strange case.

WIDOW DESCRIBED

She was described as 33 years of age, a handsome brunette, about five feet eight inches tall, and attired in a black silk dress and a grey-tweed sport coat.

Madison was formerly connected with hotels in Palm Springs and had been interested in a number of restaurant enterprises in Los Angeles prior to his employment with the studios.

POLICE QUESTION MADISON'S WIDOW

After having been found at and brought from a ranch house near Frazier Mountain not far from Lebec to the Burbank police station yesterday, Mrs. Nellie Madison is being questioned by Elmer Adams, Chief of Police of Burbank, and Deputy Sheriff Killian as to what she might know about the mysterious shooting of her husband, Eric D. Madison, early Sunday in the Madison apartment on Riverside Drive, Burbank. She denied she knew anything about the shooting.



DEATH CASE WIDOW MUM

Slain Film Man's Mate Found

*Mrs. Nellie Madison, Booked
on Suspicion of Murder,
Balks Police Queries*

*Officers Discover Her at
Ranch House Near Lebec;
Victim Shot-Riddled*

Poised and apparently unworried, Mrs. Nellie Madison sat in a small room at the Burbank police station last night and refused to answer a single question put to her by four officers as to anything which had even the remotest connection with her movements over the past week-end or which was related in any way to the slaying of her husband, Eric D. Madison, motion-picture studio auditor, whose bullet-riddled body was found Sunday afternoon in the Madison apartment at 3516 Riverside Drive.

Following the fruitless session of questioning, the tall, attractive 39-year-old woman, who had been found late yesterday afternoon in the R. C. Cuddy ranch house near Frazier Mountain and about seven miles west of Lebec, was booked at the Burbank police station on suspicion of murder. The questioning had been conducted by Capt. Bright of the Sheriff's homicide detail; Elmer H. Adams, Chief of Police of Burbank, and Deputy Sheriffs Rowe and Killian, with questions and responses being transcribed by Ed Lynch, statement reporter.

ANSWERS ABOUT PAST

Questions relating to her past life, were readily answered by the woman but when the officers tried to get her to talk about more recent years, she returned to all such inquiries the unvarying response that she would not answer until after she had consulted an attorney.

In response to those queries she elected to answer, she disclosed that she had been married at least three times before she met Madison.

Shortly before she was booked, Capt. Bright remarked to newspapermen waiting to learn the result of the efforts to get Mrs. Madison to talk about the events of the past few days that "Mrs. Madison wants counsel. We've gone over her history to a certain point. When we get up to recent times, she refuses to answer any more questions and demands counsel. I've told her that her husband is dead. She refused to make any statement and that settles it as far as I am concerned."

TIP AIDS OFFICERS

The last time Mrs. Madison had been seen before her capture yesterday afternoon was Sunday morning when she drove away from the apartment-house where she lived in an automobile bearing the license number 8S462. The slaying of her husband was not discovered until a number of hours later.

She was traced to the Cuddy ranch by means of a tip from an undisclosed source and from the checking of automobile license numbers by State highway officers. Deputies Rowe and Killian and Chief Adams drove up to the ranch to look for her.

When they reached the ranch house, they said on their return last night, Cuddy came out on the porch carrying a 30-30 rifle. They asked him whether he knew where Mrs. Madison was and he replied, they said, that he knew the woman but had not seen her since last fall.

The three officers then turned away and started walking toward the garage but they said Cuddy followed them remonstrating with the remark, "see here, you've got to have a warrant if you want to look around here."

OFFICERS SEIZE HIM

At this, he was seized by Rowe and Adams, who said that persistence in that attitude was "a good way to get yourself in jail." Meanwhile, Killian entered the garage and reported that he found Mrs. Madison's car. Then the trio went back to the house with Cuddy and as they started to enter the front door, Killian grabbed the ranch owner and made him march ahead of them. They had not looked long when they reported the found Mrs. Madison hiding in a closet in one of the rooms.

The woman made no attempt to

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WIDOW SILENT ON DEATH CASE

Mrs. Nellie Madison Insists on Having Counsel

Officers Say Ranch Owner Denied Her Presence

Tip From Undisclosed Source Results in Capture

(Continued from First Page)

resist the officers but immediately assumed the guise of poised serenity which she maintained throughout the rest of the afternoon and evening.

The officers attempted to get to answer a few questions as to any knowledge she might have of the slaying of her husband but after one remark that "I know nothing about it," she adopted the policy of silence to which she adhered after she reached the police station in Burbank.

REVOLVER IN CAR

At the time the officers took her into custody they reported they found a bill of sale for a 32.20 Colt revolver, purchased Saturday from the Central Hardware Company, in her purse, and they also found a revolver of that caliber in her car, together with thirty-two shells, but the revolver found in her car was an old one of Spanish make.

In her purse was also found a slip of paper without any firm name on it, dated last Friday, which had written on it in long-hand "Will repurchase for \$5 one Spanish .32—No. E19553." That is the number on the gun found in the car. The slip was signed with a name which appeared to be Austin.

Madison was slain with bullets from a 32.20 gun but no check has yet been made of these bullets.

In the meantime, no trace of the gun the woman presumably purchased Saturday has been found.

Mrs. Madison did answer a question about the bill of sale for Saturday's purchase, asserting she had bought the revolver for her husband. She refused to say anything about the Spanish weapon or anything about the shells missing from the box found in the car, which had originally contained fifty.

Thirty-two were found in the box and at the Madison home in a wastebasket were found six used shells and one unexploded, all similar to those found in the box in the car.

NOTE IN PURSE

Also found in the woman's purse was a note reading:

"In case of death, I wish all my personal belongings to go to my sister, Mrs. Mary E. Hennenberry of Dillon, Mont. Mr. Crandall at Palm Springs, Cal., has many things in storage there which I wish sent to her."

The note was signed "Nellie D. Madison."

In the back seat of the automobile was found a small tub containing numerous household articles, including tea cups, salt and pepper shakers and similar items.

The apprehension of Mrs. Madison came as the main highways of four States were under close police guard when authorities yesterday concentrated their efforts on finding her as a result of direct reports that she was seen leaving the Madison apartment several hours after her husband is believed to have met his death from six bullets fired into his back at close range.

TOLD OF TROUBLE

Capt. Bright revealed yesterday that an employee of the apartment-house at which the Madisons lived told him that about 9 p.m. Saturday Mrs. Madison entered the lobby of the apartment-house and in the course of an ensuing conversation declared that she and her husband had been having trouble and mentioned other women.

The apartment-house man related to the Sheriff's captain that Mrs. Madison declared she did not expect her husband home until midnight or later but that shortly thereafter Madison walked into the lobby of the apartment and ignored his wife entirely as he went on to their apartment. Bright said he was told that Mrs. Madison then followed her husband.

SHOTS AND SCREAM

The next step in the drama came at approximately midnight Saturday when residents of the apartment-house heard a series of revolver shots and a man scream. All rushed into the halls, including Mrs. Madison, who remarked that it "must have been outside." Other tenants recalled that considerable shooting had recently been going on at a near-by motion-picture studio where a gangster picture was being filmed, and so the sounds were finally attributed to that source.

Mrs. Madison was declared to have returned to her apartment. At 8 a.m. Sunday morning she was reported to the Sheriff's officers to have been seen driving away in the Madison coupe and had a large package under her arm. On her apartment door hung a sign which read:

"Do not disturb. Will get my linen later. Mrs. Madison."

BODY DISCOVERED

Late Sunday a woman called to see Mrs. Madison. Mrs. Belle Bradley, landlady of the apartment-house, becoming somewhat suspicious, opened the Madison apartment with a pass key. The two women screamed as they discovered Madison's partially clad body lying beside the bed. A liquor bottle and many rouge-stained cigarette butts were in the disordered apartment.

SPOKE TO SEVERAL

When she left the apartment Sunday morning, she spoke to several persons on her way out and seemed unperturbed, they said.

Investigation showed that Madison had been shot with bullets from a 32-20 revolver. Several had entered his back and one pierced the head. Reconstructing the shooting, Capt. Bright was of the opinion that Madison was shot as he stood upright beside the bed and that more shots were fired as he fell upon the bed from which he finally rolled to the floor.

Early to bed and early to rise—
And you'll make money for
other guys.

WOMAN'S CAREER TRACED BY COUNTY AUTHORITIES

Her marriage to Eric D. Madison was the fourth marital venture of Mrs. Nellie Madison, booked last night on suspicion of murder following her questioning by deputy sheriffs and Burbank police in connection with the death of Madison, whose bullet-riddled body was found in their Riverside Drive apartment in Burbank Sunday.

Court records of previous marital activities of Mrs. Madison, whose maiden name was Nellie Mooney, were produced last night by William J. Brown, her third husband. Other documentary evidence indicated Mrs. Madison is 39 years of age.

According to Brown, her first marriage occurred when she was 17. Annulment proceedings on her part were said by Brown to have ended this union.

According to court records she married Wilbert E. Trask in Vale, Or., May 17, 1917. Charging desertion, she filed suit for divorce in Los Angeles county and obtained an interlocutory decree of divorce January 4, 1923.

She married Brown, a local attorney and formerly a member of the City Attorney's staff, May 11, 1925, and filed suit for divorce from him January 30, 1930. Brown filed a cross-bill and obtained a final decree of divorce October 10, 1932.

Mrs. Madison, according to a

court document, gave her age as 35 years in a wife's questionnaire she filled out July 29, 1930, in connection with her divorce action against Brown.

Brown disclosed that Mrs. Madison was born in Dillon, Mont. A brother of the woman, Dan Mooney, serves as Sheriff of the county in Montana in which Mrs. Madison was born.

When a young girl Mrs. Madison is said to have been an expert pistol shot and also is known to have been skilled as a rider of range ponies.

The romance leading up to her marriage to Madison had its origin at Palm Springs, where Mrs. Madison acted as manager of the Village Inn. Madison was manager of the coffee shop at the time Mrs. Madison was managing the group of cottages.

Mrs. Madison went to Palm Springs first in the summer of 1931 and worked through the following winter season as manager of the inn. She worked as manager of a similar resort hostelry at Lake Arrowhead during the following summer.

The Madisons were married last summer and went to Portland for a short stay, after which they returned to Palm Springs and the Wayside Inn. They later moved to Burbank when Madison began his studio work.

WIDOW VEILS DEATH TALE

Defense Perfect, Says Counsel.

Purchase of Two Guns and Prior Shootings Related in Madison Inquiry

Sheriff's Aide Expected to Ask Murder Charge After Inquest Tomorrow

Mrs. Nellie Madison, held at the Los Angeles County Jail on suspicion of murder in connection with the death of her husband, Eric D. Madison, motion-picture auditor, has "a perfect defense," Attorney Joseph Ryan, retained to defend her, stated yesterday afternoon following a half-hour conference with his client in the woman's ward of the County Jail.

"What she told me to my mind constitutes a perfect defense," commented Ryan as he left the jail.

What Mrs. Madison told her attorney, however, he refused to disclose.

"If she is officially charged with this crime and brought to trial, Mrs. Madison will tell her story in due time," he said. "Just now she has nothing to say."

SAYS SHOOTING DENIED

"Did she deny she did the shooting?" Ryan was asked.

"She did."

"Did she name anyone else who she believed might have done it?"

The attorney was noncommittal on this question.

Whatever she may have told her attorney, Mrs. Madison to the outside world retained the stony silence which has characterized her attitude in discussing the facts of the strange case since her arrest.

"I do not wish to say anything," was her repeated reply when questioned on even immaterial points of her life with Madison, or her other three husbands, or of her girlhood on a Montana cattle ranch, where she was born 39 years ago.

Capt. Bright, head of the Sheriff's homicide squad, said his case against the woman is "practically complete" and that he will ask the District Attorney's office for a complaint officially charging her with murder, probably immediately after the inquest over Madison's body, which is scheduled to be conducted in the County Morgue at 9:30 a.m. tomorrow.

DEATH GUN SOUGHT

Capt. Bright yesterday dispatched Deputy Sheriff Killon, in company with Chief of Police Adams of Burbank, to make a second trip to Cuddy's Camp near Lebec, where the woman was apprehended Monday afternoon, to make a further search for a missing .32-20 revolver.

Their efforts were fruitless, the officers said last night on their return.

Killian also said that at the ranch Cuddy explained his antagonistic attitude of the day before when the deputy and two other officers took Mrs. Madison in custody there, with the statement that he did not know at the time that Madison had been slain.

Hoarded as important evidence in the case yesterday were sales slips from two stores showing that Mrs. Madison had purchased one .32-20-caliber revolver from one establishment last Friday and the next day had purchased a new and more costly weapon of the same caliber from a different shop.

The first purchase, a second-hand Spanish-make revolver, was taken to the Hollywood Boulevard store Saturday and the second purchase was made when Mrs. Madison was informed that the Spanish-make could not be repaired. The sales slip also shows that a full box of ammunition was bought.

Mrs. Madison, according to the salesman, told him that she and her husband intended to do some target shooting at a mountain cabin near Lebec over the week-end.

The American-make revolver is missing, but the second-hand gun was found by the arresting officers in her car.

ONE OF GUNS TESTED

The .32-20 revolver of Spanish make was pronounced yesterday by Police Ballistic Expert Moxley as definitely not the weapon from which the fatal bullets were fired.

Investigators yesterday delved into an identification card found on Mrs. Madison's person describing her as an employee of the Warner Brothers-First National studio where her

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Mrs. Nellie Madison and Her Attorney, Joseph Ryan

I. A. P. photol

MADISON DEFENSE CALLED "PERFECT"

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husband was employed. This card, executives of the film plant explained, was given to her to admit her to the lot while she was employed there as an assistant cashier in the studio restaurant. She worked there for a two-weeks period about six weeks ago, they explained, to fill in for a girl who was ill.

PRIOR SHOOTINGS ASSERTED

Capt. Bright disclosed yesterday that court records show Mrs. Madison was involved in two other shooting episodes, one of which concerned a former husband, William J. Brown, local attorney, from whom she was divorced in 1930. In filing a cross-complaint to his wife's suit for divorce at the time, Brown asserted she once shot at him.

Police and court records show that on July 23, 1930, Mrs. Madison, then Mrs. Nellie Brown obtained a complaint from the District-Attorney's office charging Brown and another man burst into her home at 2630 South Hobart Boulevard, she having been separated from her husband at the time, that Brown fired one shot at her and that he and the other man then attacked Harry R. Tipton, a guest in her home.

In answer to his wife's charges Brown asserted that in reality Tipton had shot at him. A preliminary hearing was conducted at which

witnesses for both sides made conflicting statements and Brown finally was bound over for trial in the Superior Court. When the case came to trial, however, it was dismissed on motion of the District Attorney's office, a deputy advising the court that there was doubt as to who actually had fired the shot and that the whole fracas was the result of a divorce row between the Browns.

EXPECTS SELF-DEFENSE PLEA

Capt. Bright was outspoken yesterday in declaring that he expected Mrs. Madison to make a plea of self-defense.

"I do not believe that the facts we have unearthed will uphold her in such a plea," he said, "but nevertheless, it seems logical that this will be the defense. One must not lose sight of the fact that late last Saturday night Madison was seen to enter his apartment for the last time closely followed by Mrs. Madison.

"Shots were heard a few hours later and a man's scream but those were attributed at the time to the filming of a gangster picture at a near-by motion-picture studio. Mrs. Madison appeared from her apartment at the time and very calmly accepted this theory. She left the apartment-house at 8 a.m. Sunday and her husband's body was not found until the landlady of the

apartment-house entered the Madison apartment with a pass-key Sunday afternoon.

"We will be ready with evidence that she and her husband had been quarreling and that he was on the verge of leaving her."

The most dramatic description of the excitement and speculation of tenants of the Madison apartment-house at the time of the fatal shooting was given to Deputy Sheriff Rowe and Ed Lynch, Sheriff's office statement reporter, yesterday by Miss Wilma Smith, an employee of the Lockheed Aircraft Company, who resides in the apartment next to the one in which the Madisons lived.

"I was lying on my bed about two feet from my door when I first heard shots. I rolled to the floor, almost frightened to death, and looked through the keyhole down the corridor and then I heard four more shots, accompanied by the most terrible screams I have ever heard," Miss Smith said.

SAW MRS. MADISON LEAVE

After the screams, she said, she could hear moans which they did not notice after other tenants came into the hall and started talking among themselves.

"As soon as Mrs. Madison opened the door and stepped into the hall I could hear the moans again. They were very low," she said.

FOUR MARRIAGES TOLD BY MRS. NELLIE MADISON

Four matrimonial adventures preceded the detention of Mrs. Nellie Madison in the Los Angeles County Jail on suspicion of the murder of her husband, Eric D. Madison, motion-picture studio employee, whose bullet-riddled body was found in the Madison apartment in Burbank last Sunday evening.

Mrs. Madison, 39 years of age and comely, said she eloped to Ogden, Utah, when she was 16 with a man whose last name was Brothers, but she could not recall whether his first name was Roy, Robert or Ralph.

Her father, she said, caught up with them in Salt Lake City and took her home and had the marriage annulled on the grounds that she was under age and married without his consent.

Born Nellie Mooney, the daughter of a cattle rancher, married William Earl Trask at Vale, Or., May 17, 1917.

Their marriage lasted less than four years. They separated July 1, 1921, and she was granted an interlocutory decree on the grounds of desertion by Superior Judge Summerfield in Los Angeles on January 18, 1923. On January 30, 1924, she was awarded a final decree.

Thirteen months later she was wed to William J. Brown, Los Angeles attorney, at San Diego, May 11, 1925. She was separated from him in Los Angeles on February 7, 1930.

In her divorce complaint, she charged that Brown beat her, threatened her, tore up their mar-

riage license and chased her around the house. She also charged in her divorce complaint that Brown fired a shot at her in the kitchen of their home at 2630 South Hobart Boulevard.

In his answer and cross complaint, Brown admitted he shoved her but only after she had hit him over the car with a bottle so hard that it required seven stitches to sew up the wound. He also asserted she attacked him with a bread knife. Brown admitted tearing up the marriage certificate but did so, according to his complaint, because of his wife's actions toward him.

Brown, in his complaint, also charged that his wife had falsely sworn to a complaint against him in the Municipal Court, accusing him of assault with a deadly weapon. On April 2, 1930, while he was seated in an automobile in front of 2717 La Salle avenue, Brown asserted, she became enraged because he refused to return to her and attempted to shoot him, the bullet lodging in the roof of his car. She then followed him into the house where she was disarmed by Brown's brother, according to his complaint.

On September 23, 1931, Brown was granted a divorce on his cross-complaint by Superior Judge Gates. The final decree was granted October 10, 1932.

Concerning the Madison marriage, she had nothing whatever to say while being questioned by deputy sheriffs and Burbank police officers.

MURDER CHARGE AGAINST MRS. MADISON DUE TODAY

*Former Mate of Widow Pledges Support to Her;
Autopsy Shows Shot Fired Near Victim's Head*

A complaint officially charging Mrs. Nellie Madison with the murder of her husband, Eric Madison, motion-picture studio auditor, will be requested today from Police Judge Watson of Burbank, it was announced late yesterday by Capt. Bright, in charge of the Sheriff's homicide detail. Madison was shot to death last Sunday in the apartment occupied by himself and his wife at 3516 Riverside Drive, Burbank.

Capt. Bright said Mrs. Madison will be taken to Burbank directly after the inquest over her husband's body, scheduled to take place in the County Morgue at 9:30 a.m. today.

"We expect Judge Watson will issue the complaint immediately after our arrival and that Mrs. Madison will be arraigned at once," said the captain.

BRIEF INQUEST SEEN

The inquest this morning is expected to be more or less perfunctory, with little evidence in the case entering the record. Mrs. Madison will be present but is not expected to testify.

Those under subpoena to testify are Mrs. Belle Bradley, manager of the apartment-house where the shooting took place; Philip McGuigan, caretaker of the same establishment; Mrs. B. E. Cobb, long-time friend of the deceased, called to establish technical identity of the dead, and Deputy Sheriffs Rowe and Killian, who have done most of the work of investigation on the case.

The inquest will be concluded with the reading of an autopsy report by County Autopsy Surgeon Wagner, which was completed yesterday and which showed that Madison was struck by four bullets, one in the head and two in the back and one in the arm. Dr. Wagner's report indicated that all the bullets were fired from behind Madison and the wound in the head showed powder burns, indicating the gun was close to the body when the shot was fired. The head wound was not fatal, however, and the autopsy report attributed death to the bullets which entered the chest and abdomen.

MRS. MADISON CONFERS

Mrs. Madison continued her calm silence yesterday as she has since her arrest. Early in the afternoon she was visited by her former husband, William J. Brown, attorney, who obtained a divorce from her in 1930.

After a talk of nearly half an hour, during which Mrs. Madison showed her first signs of emotion, the couple shook hands and Brown announced he will do whatever he can to help his former wife.

When he arrived at the County Jail to see Mrs. Madison, Brown, who was accompanied by Attorney Dick Kittrelle, displayed a telegram from Dan F. Mooney, brother of the accused woman and a former Montana Sheriff. The telegram, sent from Dillon, Mont., read as follows:

"Newspapers report Nellie held Los Angeles county on a charge of murder. Will you please see her and air mail me complete details. We wish to do everything possible for her."

COUNSEL ALSO WIRED

A little later, Attorney Joseph Ryan, who has been retained by Mrs. Madison to defend her, also arrived at the County Jail and had a conference with her. He said that he, too, had received a telegram from Mooney instructing him to proceed with the case and saying that Mooney and a sister expect to arrive in Los Angeles shortly.

Another sidelight on the marks-

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EX-MATE BACKS MRS. MADISON

The fact that they have been divorced will not prevent William J. Brown, an attorney, from aiding his former wife, Mrs. Nellie Madison, in her fight against the accusation of killing her husband, Eric Madison. This was made clear when the two (shown below) met in the County Jail, conversed privately for some time and then shook hands to bind the bargain.



MADISON CHARGE PLANNED

(Continued from First Page)

manship of Mrs. Madison which was interesting investigators on the case yesterday was the revelation that the woman, in her earlier life a ranch girl and rodeo performer in Montana, often had appeared at the police pistol range here and was regarded by many officers as a crack shot.

Mrs. Madison is known to have purchased revolvers from two different establishments in Los Angeles on the Friday and Saturday preceding the shooting. In the second store on Saturday, the officers were informed by the clerk that Mrs. Madison had attempted to call a police detective in relation to a permit in connection with the purchase of the gun but had been unable to get him on the telephone. The clerk did not recall the officer's name.

DENY CLEW TO MAN

Capt. Bright specifically denied yesterday that his office had any information that a man had accompanied Mrs. Madison to either of the stores where she had purchased weapons. He said, however, that a saddle maker in North Hollywood had been interviewed and had told officers that several days before Mrs. Madison had asked him where she could purchase a gun and he had recommended a certain establishment. She did not go to the place recommended, however.

It was known yesterday that Capt. Bright and his men were interested particularly in solving two as yet unanswered questions in the case.

"We know that Madison and his wife retired to their apartment about 10 p.m. Saturday," Bright said. "About 12 p.m. several shots were heard, alarming other tenants, although Mrs. Madison appeared unalarmed and attributed the shots to the making of a motion-picture film near by. She left the apartment about 8 a.m. the next morning.

"What we would like to know is,

did she remain in the apartment from midnight until 8 the next morning?

"After leaving there Sunday morning we find that she arrived late Sunday afternoon at Cuddy's Camp near Lebec, where she was apprehended by my men Monday night. It only takes about two hours to drive from Burbank to Cuddy's Camp. Where was Mrs. Madison in the meantime?"

The second gun purchased by Mrs. Madison, a .32-20, has never been found and Deputies Rowe and Killian yesterday made another search for it in and near the Madison apartment, but could not find it.

HEARING SET IN TRAGEDY

Accused Widow Arraigned

Mrs. Madison's Case Fixed
for April 12 by Judge of
Burbank Court

Murder Suspect Remains Mute During Inquest Into Husband's Death

Mrs. Nellie Madison was formally arraigned before Police Judge Watson in Burbank yesterday afternoon on a charge of murdering her husband, Eric D. Madison, after a Coroner's jury, earlier in the day in Los Angeles, had returned a verdict recommending that she be held for trial.

The recommendation was part of the jury's verdict after that group had heard limited testimony in the case and after Mrs. Madison had stood on her constitutional rights and refused to testify.

WIDOW NAMED

The verdict read, in part, that the jury found that Madison came to his death from bullets fired with homicidal intent by a person or persons unknown to the jury and ended with the statement that "We, the jury, recommend that Nellie Madison be held for trial in connection with this case."

Shortly after the inquest, Mrs. Madison was taken to Burbank by Deputy Sheriffs Ray Rowe and Belle De Wolfe, where, at 2 p.m., she was arraigned before Judge Watson, who set the time for her preliminary hearing before him as April 12 at 10 a.m.

WITH HEAD BOWED

Both at the inquest and at the arraignment, Mrs. Madison was a picture of dejection, sitting with bowed head and averted eyes and answering what questions were necessary in a voice so low that only those near her could hear.

After the arraignment she was permitted to visit the apartment at 3516 Riverside Drive, Burbank, where she and her husband lived until last Sunday afternoon, when his body, pierced by four bullets, was found lying near the bed.

Both at the inquest and at the proceedings in Burbank Mrs. Madison was constantly attended by her attorneys, Joseph and Frank Ryan. Joseph Ryan represented her at the inquest and Frank Ryan later appeared with Mrs. Madison before Judge Watson in Burbank.

VISITS DEATH CHAMBER

The visit to the apartment was made for the purpose of allowing Mrs. Madison to get some articles of clothing and other personal property before she returned to the County Jail. She displayed no emotion on entering the still disorderly and blood-stained room, where the bullet marks are still apparent on the walls.

While this was in progress another act in the murder drama was taking place in the Sheriff's office, where Capt. William Bright, acting under instructions from Sheriff Biscalluz, for nearly two hours questioned Robert Cuddy, proprietor of Cuddy's Camp, near Frazier Mountain and not far from Lebec, where Mrs. Madison was apprehended by Deputy Sheriffs Rowe and Killian last Monday afternoon.

Cuddy, according to Capt. Bright, said Mrs. Madison arrived at camp, which she had visited many times, before, about 4:30 p.m. Sunday. He said she admitted having had trouble with her husband but did not enlarge upon this statement.

SEEK MISSING GUN

Bright declared that under further questioning Cuddy recalled that Monday morning Mrs. Madison had taken a walk alone in the hills. With this information forthcoming, Capt. Bright dispatched Deputy Sheriff Killian in company with Cuddy again to visit the mountain camp in the hope of discovering the missing revolver which the officers have been hunting in their investigation of the slaying.

Perhaps the most colorful witness at the inquest was Mrs. Belle Bradley, manager of the apartment-house where the slaying took place. She told of hearing a series of shots about 11:45 p.m. last Saturday and of the tenants rushing into the halls.

"I went to Mrs. Madison's door

(Continued on Page 3, Column 5)

MRS. MADISON BEFORE COURT

*Widow Arraigned in Death
of Her Husband*

*Burbank Court Hearing Set
for April 12*

*Prisoner Permitted to Visit
Tragedy Scene*

(Continued from First Page)

and asked her if she was all right and I thought I heard her answer, "Yes," testified the witness.

She heard a woman scream and groans, she declared, immediately after the shooting and searched the building but could find nothing. Other tenants thought the sounds came from a near-by motion-picture studio.

DISCOVER BODY

Mrs. Bradley testified that she opened the Madison apartment about 4:30 p.m. Sunday when Mrs. Sadie Wall, a business acquaintance of Mrs. Madison, came to the address to rent an apartment and said that she wished to see Mrs. Madison. Both women rapped on the door but could get no response.

"Mercy! this accounts for the noise I heard last night," Mrs. Bradley testified she exclaimed when she and Mrs. Wall discovered Madison's body.

J. B. Bradley, husband of Mrs. Bradley, testified that he saw Mrs. Madison leave the apartment-house about 8:30 a.m. the next day and that she said "Hello" to him as she passed.

DOES NOT TESTIFY

Deputy Sheriff Killian testified to Mrs. Madison's capture and said he found her hiding in a closet in a bedroom at Cuddy's camp.

Mrs. Birdie E. Cobb, old-time friend of Madison, made a technical identification of the body and testified that he was born in Denmark, where his relatives now live.

Deputy County Coroner Monfort, conducting the inquest, asked Mrs. Madison to take the witness stand for the purpose of giving her name. He advised her of her constitutional rights of not having to testify if she did not care to, and she said she had been so advised by her counsel.

"You prefer not to testify?" asked Monfort.

"I do," said Mrs. Madison in a low voice.

NOOSE STAY TO BE ASKED

Counsel for Mrs. Madison to Seek Clemency of Gov. Merriam

Pleas to save Mrs. Nellie Madison, convicted murderess, from death on the gallows on October 4, will be made to Gov. Merriam in the next three days, it was announced yesterday by her attorney, Lloyd S. Nix.

Counsel for the woman sentenced for the slaying of her husband Eric Madison announced that additional petitions asking executive clemency are ready for presentation to Gov. Merriam.

ASK MERCY

The petition, according to Nix carry several hundred signatures of prominent persons, a majority women, and ask that the death sentence be commuted to life imprisonment.

Nix also disclosed that his client had been told of the circumstances surrounding the statement made to her in her prison cell by A. R. O'Brien, State prison board director, in which he held out hopes that she would not be executed.

APPEARS STUNNED

"I told Mrs. Madison that O'Brien spoke on his own initiative and without consent of Gov. Merriam and had done so out of his own sympathy," Nix said. "She appeared stunned for a moment, but shortly explained that she had wondered about the statement by O'Brien."

Gov. Merriam is expected at his offices here today and Nix will seek a conference.

Saved From Noose, She Wants to Repay



Mrs. Nellie Madison shown in the cell in Tehachapi Prison for Women, where she spent fourteen months in solitary confinement, while the fight to save her from the gallows went on outside. Her sentence was commuted to life imprisonment by Gov. Merriam. "I prayed to God to save me," she said.

(AP Wirephoto)

Mrs. Madison Seeking to Be Nurse in Prison

Mrs. Nellie Madison, saved from the gallows by Gov. Merriam when he announced commutation of her sentence to life imprisonment, is going to spend the rest of her life nursing.

This was revealed yesterday by her attorney, Lloyd Nix, who returned to Los Angeles after visiting Mrs. Madison in her cell in Tehachapi Prison for Women, a few hours after her sentence had been commuted Monday.

SEEKS PLACE ON STAFF

"She told me that she is going to request that she be allowed to

take up nursing at the prison and be put on the hospital staff there," said Nix. "That she is deeply thankful to everyone that her life has been saved unquestionably strengthened her in this desire. She feels that she wants to do something to repay society—something to show that the sparing of her life was worth while."

Nix revealed that at her dictation he sent the following telegram to the Governor:

"Words cannot express my extreme gratitude for your act of mercy. May God bless you."

MERRIAM EXPLAINS

"It was all my own doing," was the only comment Gov. Merriam would vouchsafe yesterday on his action in connection with the commutation of the sentence.

"All that I did was to announce that I would commute her sentence. I have not as yet signed the executive order, although I shall do so before I leave Friday for the American Legion convention in St. Louis."

Mrs. Madison originally was sentenced to hang next October 4 for her murder of her husband, Eric Madison, whom she was convicted of shooting in their Burbank apartment in March, 1934.

GETTING AWAY WITH MURDER

Justice may be blindfolded but she generally manages to get enough of a peek at her clients to determine whether they wear pants or skirts.

Gov. Merriam did the conventional thing in commuting the death sentence of Mrs. Nellie Madison, thereby saving her from the distinction of being the first woman to be hanged in California. Whether he did the wise thing is another question. He gave no reasons for his action, so that the extent to which his decision was influenced by the killer's sex, if at all, is a matter for speculation only. The official plea for clemency was based upon Mrs. Madison's own revised story of the slaying, in which she admitted what she had first denied and pleaded extenuating circumstances. If, in the Governor's view, the same story told to the trial jury would have resulted in a sentence to life imprisonment instead of the gallows, his action was doubtless justified. His absence of comment on the point leaves his opinion in doubt.

Where a real question of justification exists, justice may well be tempered with mercy. Put if Mrs. Madison owes her life only to the accident of sex, the safety of society is the worse for her sparing. In the eyes of the law and of common sense, there is absolutely no difference between a cold-blooded male killer and a cold-blooded female killer and any effort to create one is merely to encourage other itching feminine trigger-fingers. Considering the number of premeditated murders committed by women in California, it is no special credit to the State that we have never hanged one. If we had, such killings would have been notably fewer.

So far as Mrs. Madison is concerned, the only question remaining to be settled is how soon she will be turned loose altogether.

Murderess Granted Right to Hearing

SACRAMENTO, April 17. (U.P.) Nellie Madison, 45, serving a life sentence in Tehachapi Women's Prison for the murder of her husband in Burbank in 1934, today was granted reconsideration of her application for executive clemency, on which the State Advisory Pardon Board returned an unfavorable recommendation last August.

4/18/1940

Parole Plea Hearing Granted to Cowgirl

Mrs. Nellie Madison, two-gun Montana cowgirl who has served eight years in prison for the slaying of her husband, Eric Madison, has been granted a parole hearing, it was disclosed yesterday. Date of the hearing was not disclosed.

The fiery, black-haired woman spent 14 months in a death cell before Governor Merriam commuted her sentence to life imprisonment.

4/24/1942