

A COUNTESS'S COMPLAINTS

EARL RUSSELL DEFENDANT IN A SUIT FOR SEPARATION.

BEGINNING OF A TRIAL WHICH INTERESTS ALL LONDON—CHARGES OF CRUELTY—HINTS THAT MONEY MATTERS WERE A CAUSE OF TROUBLE.

LONDON, Dec. 1.—In the Divorce Division of Her Majesty's High Court of Justice, before Mr. Justice Butt, there was commenced to-day a case which has excited much comment, particularly in the higher walks of English life. This case is the application of Countess Russell for a judicial separation from her husband, Earl Russell, the grandson of the great Lord John Russell, on the ground of cruelty.

The troubles between the Earl and his wife have been public talk for months past. At one time it was reported that they had patched up their differences and agreed to live together again, but this report turned out to be unfounded, and, despite the efforts to keep the matter out of court, the Countess persisted in her determination to push her application for a separation. The parties to the suit are well known in society, and the allegations and counter-allegations have afforded topics for conversation in many circles of polite society.

John Francis Stanley Russell, Earl Russell and Viscount Amberley, was born Aug. 12, 1865. He succeeded to the earldom on the death of his grandfather, John, the first Earl Russell. On Feb. 6, 1890, he married Mabel, daughter of the late Sir Claude Scott, and a very short time afterward the wife left her husband, alleging that he was cruel to her.

While the Earl was at college at Oxford he was noted for his eccentric theological and political views, and after his marriage his actions were such that the Countess believed him to be insane and was in fear of her life. It is alleged that he compelled her to submit to indignities for which, upon conviction in a criminal court, the minimum punishment is seven years' imprisonment. The evidence for the petitioner was said to be of such a character that it was believed the case would be heard in camera, but the proceedings to-day were in open court. The Earl denies each and every one of the allegations made by his wife and claims that the whole trouble is due to his mother-in-law.

Sir Charles Russell appeared for the Earl, and Sir Edward Clarke, the Solicitor General, represented the Countess.

The petition of the Countess states that from the time she was married, in February, 1890, until she left him, Earl Russell habitually treated her with great harshness and cruelty, terrifying her and injuring her health. The Earl compelled her to remain until two or three o'clock in the morning doing his accounts. When she was unable to complete them, he called her a useless, uneducated woman and an ungrateful devil. He also threatened her with a revolver. Not content with abusing and insulting her in the privacy of their apartments, he acted toward her in such a way that she was humiliated before her servants.

The courtroom was crowded with a large number of persons, who listened with close attention to the proceedings. The Countess, accompanied by her mother and sister, was present. She and her relatives occupied seats in the back part of the courtroom, seeming to desire to escape from the observation of the crowd, but they listened eagerly to Sir Edward Clarke as he set forth to the court the wrongs of his client.

The Countess was attired in an elegant blue velvet dress. She wore an expensive boa about her neck and a large hat, which set off her beauty to great advantage. She displayed much modesty and was greatly embarrassed by some of the questions put to her. To most of the inquiries she responded in a meek and almost inaudible voice. Lady Scott, the petitioner's mother, was also elegantly dressed, and over all she wore a fine fur cloak. She occupied the time while her daughter was giving her testimony by continually sniffing at a vinaigrette. The Countess's sister, who sat beside her mother, was wrapped from head to foot in furs, which even the warmth of the courtroom could not compel her to remove.

In appearance, Earl Russell is a great contrast to his handsome and stylish young wife. He is a weak-eyed, youngish-looking man. He has hair of a red tinge and is what is known in slang parlance as "washed out." His looks are not improved by the spectacles which he wears. During his wife's recital of the incidents of her married life the Earl frequently buried his face in his hands to hide his laughter.

Sir Edward Clarke, for the petitioner, in opening the case to-day, said that the parties to the suit had lived together for only four months, owing to the conduct of the Earl. Afterward the Countess was induced to return to her husband. This continued but a short time, however, when the Countess found the Earl's actions intolerable and they again separated. After this last separation the Earl wrote affectionately to the Countess and implored her to return to him. The Countess was persuaded against her better judgment, and returned to her husband. But his affectionate treatment of her was of short duration. He again used personal violence against her and made her life miserable. Once he drove her from bed and she fainted upon the floor. When she came to, she dragged herself to the room of her nurse and spent the remainder of the night there. The Earl sought her in this room, but she threatened to throw herself from the window if he entered, and by this threat she was enabled to avoid him. The Countess lost all hope of living happily with her husband and she again left him. Prior to the separation the matter of the Countess's support was talked over, and the Earl agreed to allow her £80 a month for her expenses. This agreement the Earl violated. He paid the first monthly allowance, but after that the Countess received nothing from him except checks for the amount promised, which checks when presented at the bank were returned dishonored.

Sir Edwin Clarke stated that when the Countess married she had a marriage portion of £20,000. This money, however, had nothing to do with the troubles. When the Countess was suffering from an attack of influenza the Earl compelled the Countess to accompany him on reckless drives in inclement weather, much to her injury. He often said he would like to see her carried out of the house in a coffin.

Sir Edward did not spare the Earl in his opening remarks. After denying that his client was at present or ever had been afflicted with hysteria, he stated that the Countess felt much outraged at the presence in the house of a man named Roberts, a mathematical master of a school at Bath. To show the brutal nature of the Earl, Sir Edward cited instances of how he used to drag cats about with strings around their necks. More than once he amused himself by throwing a cat at the ceiling until he had nearly killed the poor beast. The Countess remonstrated with the Earl against this cruelty, whereupon the latter said it was necessary to "lick the cat into shape," adding, "I will lick you into shape if you don't mind." When the Countess objected to Roberts's presence in the house, the Earl told her to go to the devil. The Earl was much upset by the prospect of the Countess not having a child.

The Countess was the first witness, and said nothing which adds to the statement of her counsel. She was cross-examined by Sir Charles Russell. He asked her if the state of her health had not been given as the reason for breaking off an engagement to marry she had entered into before her betrothal to Earl Russell. The witness admitted that it had.

The witness stated that the Earl had shown her a letter he had written to his solicitor about her extravagance, and Sir Charles asked if she did not break off the attempts to arrange the troubles between herself and her husband really because of money affairs.

The witness—I thought that his dishonoring me in the eyes of the world by dishonoring my checks showed that he was not regardful of me. Besides, I was told that if I were to go back to him I would be treated worse than before.

Sir Charles Russell—Is it a fact that within a few months of your marriage you were found indebted to the extent of £4,192?

The witness—No, that is a mistake.

Sir Charles Russell here read items from a dressmaker's bill amounting to £775, a milliner's bill of £342, a jewelry bill of £400, a florist's bill of £134, and a number of other bills from various tradesmen. The Countess admitted that her husband had remonstrated with her about getting into debt. She never ran in debt after her marriage. She could not remember that the first quarrel she had with her husband arose from her debts.

The cross-examination was not finished to-day.