

# The Strange But True Story of the Nobleman, the Cobbler's Daughter, and the Scandal Over an Early Nevada Divorce

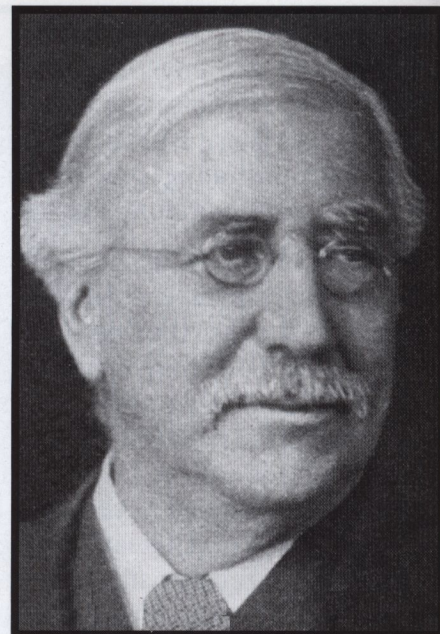
By Jack Harpster

**FIVE YEARS BEFORE** New York socialite Laura Corey divorced her husband, the president of U. S. Steel, in Reno in 1905 in an action historians say initiated Reno's famed divorce industry, another less heralded Nevada divorce had ignited international attention and controversy that greatly amused British commoners while enraging its nobility.

It all began when a thirty-five-year-old British nobleman, the second Earl Russell, signed into a hotel in Genoa, Nevada, in 1899 simply as "J. F. S. Russell." Accompanying him was a Scottish shoemaker's daughter named Marion "Mollie" Somerville from London, who, she would later testify, was "over 18." Later reports would show that she was a far stretch over eighteen, in fact at forty-five she was ten years older than the Earl, and twice divorced to boot. Both Brits had spent the previous six months at the Glenbrook House in Glenbrook, Nevada, on the shore of Lake Tahoe, where both the nobleman and the commoner had fulfilled their six-month residency requirement for a Nevada divorce.

The second Earl Russell (John Francis Stanley Russell, born 1865) was the son of Viscount and Vicountess Amberley, and the grandson of former British Prime Minister Lord John Russell, who with his wife had raised the boy after his unconventional parents had both died young. The Earl was also the older brother of famed philosopher Bertrand Russell. The second Earl had suffered through a mediocre stint at Oxford, where he was ultimately asked to leave; an undistinguished political career; a few business failures; and a frivolous fling at yachting and motoring by the time he finally married in 1891. His wife, whom he had come to Nevada to shed, was Mary Edith "Mabel" Scott, an occasional "skirt singer" on the variety stage who had previously lived with her mother in what one writer described as "a precarious life on the fringes of respectable society." The Earl had initially been enamored with Mabel's mother, a beautiful widow named Lady "Tina" Scott, but she had shrewdly pushed him into marrying her daughter.

*John Francis Stanley Russell, later in life*



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Despite young Mabel's newfound wealth and social standing, however, she left Earl Russell less than five months later, returning to her waiting mother's arms. She then filed a petition for a judicial separation for acts of cruelty by her husband, which included an "unnatural dalliance" with a male friend who had come to visit the newlyweds. A judicial separation in British law means the couple live apart and have no legal obligations toward one another; but it is not a final divorce decree. Likely due to the Earl's social and political stature, the first Russell vs. Russell trail for the separation exonerated the Earl in 1891, while a counter-suit filed by the Earl found Mabel guilty in 1895 and granted the judicial separation to him. The vengeful mother-in-law, Lady Scott, then began to harass the Earl, and after some time she was tried and found guilty of criminal libel for which she spent eight months in prison.

This was all well and good for the Earl, but although he had won all three trials, he was still legally married. On top of that, he had to suffer the indignity of being roundly hissed by the crowd of commoners outside of the Old Bailey following the trial and sentencing of his greedy mother-in-law. Worse yet, the Earl would forever after be tagged with the sobriquet "The Wicked Earl" in his homeland.

Thus it was that three years later the second Earl, known in Nevada simply as Frank Russell, appeared with his lady friend in Genoa. She had already obtained her Nevada divorce and had resumed her maiden name of Mollie Cooke. On April 15, 1900, Frank Russell appeared before District Judge Benjamin F. Curler in Genoa; and following the granting of his divorce petition, he and Mollie, with Judge Curler, immediately proceeded by stagecoach to Reno where the judge married them at Harry J. Gosse's Riverside Hotel. The





*Virginia Street, Reno, c1904*

happy couple stayed in Nevada for a short time, then headed east for a jolly good honeymoon.

The marriage of a member of the peerage didn't elude the London press, even though the event had taken place in a remote little village, in a virtually unknown state, more than 5,000 miles from home. The *Times* of London carried an announcement of the Earl's Nevada divorce and wedding and it caused quite a sensation. The *Star* of London explained the reason for all of the hullabaloo: Nevada divorces were not recognized in England, thus the Earl was still legally married to the first Countess Russell, who was at that very time performing at the Trivoli Music Hall. The second Earl of the House of Russell, brother to the famous and revered philosopher Bertrand Russell, and grandson to two-time British Prime Minister Lord John Russell was, therefore, according to English law, a common *bigamist*!

Frank and Mollie Russell were next heard from while in Denver, staying at the luxurious Brown Palace Hotel. He was calm, almost indifferent, when telling a writer for the Associated Press that the charge of bigamy would never stick. A close friend of the Earl explained that the Earl felt that his years of suffering and annoyance by his wife and mother-in-law had released him from any obligations, moral or otherwise, connected with his first marriage; and that he was therefore privileged to do as he pleased. The first Countess Russell, however, was not as equanimous. "She was almost prostrated and . . . is arranging to postpone her stage appearance this evening," according to the press. Her mother, Lady Scott, said that her daughter was inclined to resign herself to the acceptance of her noble husband's family motto: "What will be, will be."

The newlyweds continued on their way to the east coast to return home. On April 28 the second Earl Russell sailed with his new wife to Liverpool from New York

City, confident that he could handle the situation; but it turned out to be a grave error in judgment. Upon their return, George Somerville, the ex-husband of the Earl's new wife, decided that perhaps he too could profit from the situation, and he filed suit against the Earl and his ex-wife. The lawsuit was undefended, and Somerville won a \$7,500 judgment against the Earl. Shortly thereafter, the second Earl of the House of Russell was arrested for bigamy. British marriage and divorce practices—based upon a thoroughly outdated 1857 law—were described by one scholar of the subject as "a thorny thicket," which explains why the formal charge against the Earl held that while his Nevada divorce was invalid, his Nevada marriage was quite proper. His initial hearing before the Bow Street Police Court was scheduled for June 22, 1901.

The prosecution did not take the matter lightly. They even dispatched a Mr. Brown of King Edward's Court to America where he visited the county clerk's office in Genoa and got certified copies of all the divorce paperwork. While there, Mr. Brown also convinced Judge Curler, who had administered the Earl's Nevada divorce, to sail to London and appear as a witness for the prosecution. It was later written that the judge stayed over after the trial and enjoyed a British Isles holiday, at the Crown's expense. At the initial hearing the Crown's chief witness, Judge Curler, testified that the Earl's divorce had not been completed in two respects, and therefore the decree annulling his earlier marriage was not even valid in Nevada. The "two respects" that Judge Curler testified to were never clarified in the press. However, in the final analysis, the Earl was ordered to appear before his peers on July 19, 1901, in the House of Lords for trial.

A *New York Times* reporter provided a colorful description of the pomp and ceremony that surrounded a trial when members of the Peerage were sitting in Elizabethan-age judgment of one of their own:

The trial began at 11 o'clock, and was carried on with all the quaint mediaeval (sic) ceremonies . . . The hall was a magnificent blaze of color, produced by the robes of the Peers and Judges and the brilliant uniforms of high State officers. . . . [A]bout 200 of Earl Russell's "Peers" attended his trial, and made an imposing array as they filed into the hall. . . . On either side of the Judges were . . . the Peers, whose rank was distinguishable by the varying number of rows of ermine and gold lace on their scarlet mantles.

Mollie Cook—or Mollie Somerville, or Mollie Russell; it was difficult to determine—sat among the spectators. After all the court formalities, which were extensive, and the trial itself, the Peers retired to consider their verdict, a task that took but twenty minutes. A clerk





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"To Reno for Mine"  
postcard promoting  
Reno divorces, c1907

cried loudly, "Earl Russell, come forth and surrender to bail or forfeit recognizances." The Earl stood, and after his counsel conferred over a few technical points, and in a voice scarcely audible, pleaded guilty, saving the Peers the distasteful task of announcing their verdict.

The second Earl Russell was sentenced to three months in Holloway Prison, an extremely light sentence for such a crime. In the prison he was provided with a large room that he was allowed to furnish himself. He was also allowed to have food, wine, and cigars sent to him, and to entertain visitors as frequently as he desired. In his memoir, *My Life and Adventures*, published in 1923, he claimed that his offense was purely technical and his conviction "hypocritical tosh."

Small town American newspapers at the dawning of the twentieth century did little actual reporting; the majority of pages were filled with snippets of national and international news culled from the news services. Thus the two Reno newspapers had easy access to every twist and turn in Earl Russell's misfortunes, and printed every one with relish; and everybody in Reno followed the story as if it were a serial. From his jail "cell" Russell said he would leave England upon his release and return to America, gaining citizenship and taking up permanent residence in Glenbrook on Lake Tahoe. In another release, he said he planned to give up his title and return to America to engage in the ranching business.

The truth was, Earl Russell was spending most of his jail time thinking about the inequities of British divorce law, and what he might do to change them when he got out. On October 17, having served his term, he gained his release. The first Mrs. Russell had divorced the Earl by this time, making it possible for him to marry Mollie

(again), which he promptly did a few days after gaining his freedom. Two years after the Earl had re-married, it was announced that his first wife Mable had also taken a new husband, likely again at the urging of her mother. Her joy, however, would be short-lived when it was discovered that her titled husband, Prince Stuart of Madena, turned out to be an imposter. In reality, the cad was but a cockney footman. What became of the marriage after the footman's scheme was discovered is a mystery.

Following his freedom from prison the Earl spent years continuing to work toward divorce reform, not returning to Nevada as he had often declared he would do. As if he needed any further encouragement, in 1915 his second wife Mollie divorced him on the grounds of desertion and adultery, and he became obligated to pay her 400 pounds a year for life (hers, not his). He would not be alone for long, however. In 1916 he married widowed novelist Elizabeth von Arnim who had been his lover for several years. In 1919 she too left him, but never sought a divorce. However, she extracted her pound-of-flesh in a literary way. In her 1921 novel, *Vera*, von Arnim penned a vitriolic depiction of Earl Russell and his many foibles that reverberated throughout British society for years.

Upon his sudden death in 1931, Russell bequeathed his younger brother Bertrand the family earldom. However, the title carried with it the second Earl's debts which included that life annuity to support his second wife, Mollie, who would gain some semblance of revenge by living to the ripe old age of ninety. Needless to say, the third Earl, who had ex-wives of his own, greatly resented the bequest.

In the final analysis, it should be noted that John Francis Stanley Russell's personal problems found expression in political activism, specifically in his effort to change England's outdated divorce statutes. Although he saw no progress during his lifetime, six years after his death legislation was finally passed—thanks largely to his efforts—that reformed Britain's eighty-year old divorce law.

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