

Monday, 10 September 1962

At 10:00 this morning we began the trial of a contested divorce case, Kramer v. Kramer. Mr. Kramer, a heavy, red-faced Jewish man about 70 years old, was the plaintiff, represented by Virgil Wedge. For over twenty years he has been trying to get a divorce from Mrs. Kramer, a heavy, wide-septum-nosed Jewess, represented here by Sam Francovich. The plaintiff's case was all in the record by 11:15. The resident witness took only a few minutes. Then Mr. Kramer took the stand and slowly, calmly testified that he met the lady when he was manager of a night club in Baltimore, Md., about twenty-two years ago. She seemed such a nice woman, pleasant, sweet, gentle. She came in about every night just to see him, so she said. Four weeks later he married her and the very next day she began demanding this or that. Two weeks later all hell broke loose. She screamed and yelled and cursed at him. Oh, yes, the same old story. It was ever thus with marriage - many marriages - in all classes of people, all nationalities, in all climates and places. From then on she nagged and scolded him all the time.

He later bought a cafe. He hated to come home at night. As soon as he got in the door, she was there waiting with her sharp tongue. She accused him of an affair with every waitress he hired and with his niece as well. If he took her to a party, he didn't dare dance with some other woman because she would make a scene right there and then. He left her four times and on two occasions tried to get a divorce but, like a fool, went back each time. She sued him in Maryland for separate maintenance and that case was assigned to a master and then abandoned.

As Mr. Kramer left the stand, I said to Mr. Wedge, "We have half an hour left. You may begin on your next witness."

"We have none," he said. "Plaintiff rests."

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Yesterday, at 11:30, when Wedge said, "Plaintiff rests," he said, "For the rest of our proof we will rely on testimony of Mrs. Kramer, to be elicited on cross-examination." He knew whereof he spoke. She took the stand at 11:35. When Francovich asked her, "Are you married?" be damned if she would answer yes or no. She drew a deep breath and began, "When we were married one week, he beat me!" On and on and on, yack, yack, yack. I believe there were only two questions asked before 12:00 and neither one of them were ever answered. Then all afternoon yesterday we sat and listened to that big, fat tub spout words in a raspy Jewish voice with a Brooklyn accent.

During the 3:00 p.m. recess I said to the lawyers, "All we can do is let her talk until she runs down and then I want to propose a settlement." After recess Francovich asked, "When were you separated this last time?" She started off on some other subject. Francovich just gave up and sat down. I let her talk for seventeen minutes and during that time she jumped to a brand new subject nine times. I had trouble stopping her.

I said, "Mrs. Kramer--" She looked at me and kept right on talking. I said in a louder voice, "Just a minute, Mrs. Kramer." She looked square at me and went on, "Judge, I tell you, so help me, dot man," yack, yack.

I banged the gavel and said loudly, "Be quiet. Silence!" She stopped but drew in another deep breath in preparation for her next gush. I struck from the record all she had said since the last question was asked. She raised right up off the chair. "But, Judge! It is all true, every word of it!" etc., etc.

One thing she said was very funny. She was telling what a stingy man he is. "He put me to live in a little, small apartment, a dirty leetley hole in da wall. Da kitchen was so small if you want to change your mind, you had to walk out and come back in again." At 4:30, in chambers, I proposed two possible settlements. They will discuss the subject and let me know tomorrow or next day.