

# COUNTY JUDGE

By CHARLES W. WHITE

Folks expect either perfection or the worst from him. What they get is a human being trying to be just

SOMETIMES Judge Joe Davis feels as if *he's* on trial, rather than the shabbily dressed criminal-case defendant seated over there facing the jury. The public, which jams courtrooms to the doors and windows during murder trials, follows a judge's every move. Trials and rulings, even the judge's decision to go fishing, appear on page one of local newspapers.

"You're always on the spot up here," the friendly, fifty-three-year-old Muncie, Indiana, circuit judge, now completing his first six-year term in the elective office, said recently. "Somebody's got to lose, and it's human nature for the losers not to like you for it."

One morning, not long ago, Judge Davis heard a bitterly contested divorce case, with custody of children involved. During recess, he had to answer important phone calls and sign legal papers for several lawyers. After lunch, there was a long legal argument over a politically hot school-board election case that had required some homework the night before. Later, when everybody else was quitting the gloomy old Delaware County courthouse for the day, there was a heart-twisting juvenile court hearing behind closed doors. That evening the judge and his wife, Ellen (he calls her "Babe"), attended an Exchange Club party. Judge Davis sang in the club quartet.

Next morning, he was back on the bench, with the American flag behind him and the American people out front.

Courts are pretty much alike all over the country. Wherever they are, they reach deep into the lives of the citizens—deeper than many of us realize. There has to be somebody to hear your side of it when you get sued, and somebody to watch over your rights when you are damaged. If you want a new name, the judge decides whether you may have it; when you die, he may be called on to determine the legality of your will. From the time you are born, he has direct power over you.

It's a tremendous responsibility, and judges like Joe Davis never stop being aware of it. And even when the man on the bench satisfies himself that he is dispensing true justice, there remain the tricky niceties of the law. Everything goes down in writing, and a slight error can make even a well-intentioned judge look bad on appeal.

"Sometimes I worry over a case," Judge Davis admits. Mild-mannered and deliberate, he's beginning to look his age.

A courtroom is a sort of theater, a community arena where everything is seen close-up. Sometimes what's on view there isn't very nice. For, in the process of seeking justice, many people find themselves revealing their own—and others'—dirty linen. About 400,000 divorces and annulments are granted in American courts annually, and Judge Davis gets his share of town scandal. Men stand trial for their lives, and others come to watch the spectacle.

Somehow, most of the time, justice gets done. Muncie is a town of 60,000 and there's a lot of interest in what goes on around the grimy, Victorian courthouse. There's usually someone watching in the high-ceilinged circuit-court room on the third floor, even if the public's representative is only a bum exercising his constitutional right to come in and get warm. Few citizens realize, though, how their machinery of justice really works. They don't know, for instance, that most of a county judge's work is done off the bench.

Judges divide their job into two main parts. There's the official part—His Honor looking austere impersonal up on the bench, listening to evidence or writing in his docket. But the heavy end

of his job is the unofficial part which is called, for some lawyer's reason or other, "in chambers." That means, roughly, "off the cuff."

Take the worried day laborer who came into the judge's private office one afternoon recently.

"Judge, I want to see you about my buddy," he blurted out. "There's a failure-to-support charge against him, and he's hiding from you. He's scared, that's all. Got a double hernia, and hasn't been able to work much. But every time he gets behind in his support money for his wife and kids, she cracks down on him. I think I can get him in here, though."

"All right, you get him in," the judge said. "If he's got any inclination at all to support those children, he'll be all right. I would rather have him supporting his children than send him to jail. But he's going to have to come in here with the understanding that he'll take care of those children. You tell him that."

Conferences like this occur in all sorts of places, at all sorts of times—in the dusty law library during a trial recess, at home on a Sunday, or wherever the judge happens to be cornered by somebody in a hurry. Judge Davis has transacted business with lawyers "in chambers" while trying to finish a chicken dinner with Mrs. Davis at Payne's Café on East Main Street.

Most of this informal conferring and paper signing is done in the judge's office, however, during regular hours. That office of his is quite a place.

Judge Davis works at a large square desk made of solid wild cherry, a prized antique which he helped refinish himself after discovering it in the back end of county clerk Bob Milhollin's office. An iron fireplace (most of the courthouse rooms have these) gives his lofty workroom a comfortable look, contrasting with fluorescent lights and light blue painted walls. The fireplace mantel is stacked with lawbooks and old (Continued on page 76)



Circuit Judge Joe Davis of Muncie, Indiana. "You're always on the spot up here," he says



*Here's the Latest Exciting Chapter in*  
**THE CEREAL STORY**

By **ROBERT FROMAN**

**Hot or cold, regular or presweetened, American processed cereals—complete with the box-top awards for loyal eaters—now are as popular in other corners of the globe as they are here**

**N**OT long ago a Battle Creek, Michigan, firm received a letter from the city of Accra, on Africa's Gold Coast. In painfully composed prose it announced that the writer was a jockey and had a friend who also was a jockey.

"You sent my friend skull and bones," it continued. "He won race. Send me skull and bones quick. I never win yet."

Although the Battle Creek company's business, as its address clearly indicates to millions of people throughout the world, is turning kernels of corn, wheat and rice into crisp and highly digestible flakes, it had no trouble understanding and complying with this odd request. In spite of the grisly sound of his note, all the jockey wanted was a bracelet charm offered as a box-top premium.

Similar letters arrive in Battle Creek daily with postmarks ranging all the way from Afghanistan to Zanzibar. For today the crunching and

crackling of American ready-to-eat breakfast cereals reverberate throughout most of the world. The company in correspondence with the African racing man counts 121 nations, colonies and dependencies among its customers.

This is a remarkably wide range for a type of foodstuff invented in a small Midwestern town barely half a century ago. Since the early 1900s when production of ready-to-eat cereals got under way in Battle Creek, the town has shipped billions of packages, hundreds of thousands of freight carloads, all over the world. Their international success has been so great that two countries now eat more per capita than we do of this strictly American invention. Australians consume nearly seven pounds apiece per year and Canadians four and a half pounds, compared with the U.S. record of better than four pounds each.

Hot cereals, of which we eat about two thirds (*Continued on page 78*)

PHOTOGRAPH FOR COLLIER'S BY ANTON BRUEHL