

1 election, then?

2 MR. WINTERS: No.

3 THE CHAIRMAN: It could not be done.

4 MR. MARTINEAU: The commission would not
5 recommend someone else to run in an election, the
6 commission would recommend someone who would be
7 appointed by the governor to be judge, and then at the
8 next general election would stand for the election to
9 the six-year term. Is that not correct?

10 MR. WINTERS: Yes.

11 MR. CORY: Has there ever been any case that
12 you know of where lawyers have been rejected by the
13 voters?

14 MR. WINTERS: There was one, the situation
15 that really had a great deal to do with the adoption of
16 the Missouri Plan was the well-known reign of Boss Tom
17 Pendergast in Kansas City, who had very tight control
18 over politics in that city, and to some extent through-
19 out the state. And he had his men everywhere in office,
20 including the judiciary. And one of his men came up
21 for reelection in the first election after the adoption