

1 of the plan and was rejected as a part of the voters'  
2 general protest against Pendergast. Other than that,  
3 all Missouri judges have been returned to office by  
4 substantial votes, for the substantial reason that they  
5 have all been good appointments and there has not been  
6 any reason for rejecting them.

7 MR. MARTINEAU: That is one thing I would  
8 like to stress here, if I may. One of the major diffi-  
9 culties that has been raised to having a non-competitive  
10 election is that this is just a lifetime guarantee of  
11 continuation in office, notwithstanding the man's  
12 relative ability or lack of ability. And the point of  
13 the fact there has only been one judge in Missouri, and  
14 I think also one judge in Alaska who was defeated in the  
15 non-competitive election and I just wonder, so far as  
16 you are familiar with the experiences in these states,  
17 do you know of any judge who, where there was a sub-  
18 stantial segment of population or of the bar who thought  
19 the judge was not qualified to remain in office, that  
20 he was retained in office notwithstanding that?

21 MR. WINTERS: No, sir. If there had been, it