



REPORT

VOLUME 2: NUMBER 5 SEPTEMBER 1980

Editorial

TRIAL BY JURY

Enshrined in our Canadian system of justice is the right of the accused to a trial by jury of his peers, twelve men and women chosen at random and judged to be impartial regarding the accused and the accusation. The historical roots of the right to a jury trial predate the Battle of Hastings and became a formal part of the British system of justice with the signing of the Magna Carta in 1215. So heavily does this right rest in Western thought that it has dominated much of our literary and cinematic culture. We cannot imagine a courtroom drama without the solemn twelve listening intently to the evidence, objections, sustainings, and over-rulings. But if the Walter Boytinck income tax battle is any

indicator, fiction may become the sole domain of trials by jury.

The Boytinck tax battle has taken a new turn. In the spring of 1979 Boytinck, maintaining that a tax case should not be reviewed by a government employee (ie. a judge), petitioned for the right to be tried by jury. On July 26, 1979 in the Supreme Court of B.C. Justice Esson ruled that Parliament has the absolute and unfettered right to take away or to limit the right of trial by jury in respect of criminal offences, the Magna Carta or any other constitutional document notwithstanding. Walter Boytinck appealed the decision. The case appears before the B.C. Court of Appeals this September. *(Continued on page 2)*

Feature VALUE FOR VALUE – HALT SALES

by Bill Buckler

June 15 marked the debut of a new department at Head Office — Sales.

Why a sales department? HALT is in business to provide a service, a vital service, and we look to the increasing number of Canadian taxpayers who realize that there is no such thing as a free lunch to pay for our services. HALT is neither a charity nor a hobby.

We are focussing our early efforts on businessmen for the following three reasons:

1. Businesses, whether they provide goods or services, are the source of every penny of productive wealth in this country.
2. They are the hardest hit by government, both in its redistributory

and in its regulatory role, and have much to gain through our success.

3. They are best able to help us raise the larger sums necessary for our budget.

METHOD

We have worked out a sales procedure in three stages. First, we send out an information package to businessmen whose names we have obtained from a directory such as Dun and Bradstreet or Contacts Influential. This package consists of a brief letter introducing HALT and stressing the results we have achieved. Three to four days after the package has been mailed we telephone the recipient and attempt to make an appointment. If successful, we then give him or her a fifteen minute

sales presentation face to face.

The first two steps of our procedure act as a weeding out process. The businessman who takes the time to read our information package and who agrees to give us fifteen minutes of his time is most likely to support us financially. But the key to our presentation is our sales kit. We tell HALT's story using press clippings arranged in chronological order, from our first major coverage in November 1978 to the most recent coverage of the B.C. Place Stadium Campaign. The clippings have relevant quotes underlined and enable us to show exactly what HALT is, what we have accomplished to date, and what our plans are. *(Continued on page 2)*

VALUE (Continued from page 1)

We present HALT on a yearly basis. In Year One (July 1978 - June 1979) we conceived the organization and built the framework. We worked to build our membership. We planned our chapter formation procedures and we began our customer services with our newsletter and our book service. In our Second Year (July 1979 - June 1980) we successfully tested our plan of creating local Chapters across the country and getting actively involved in local issues.

Finally, we describe future goals. In the upcoming year (July 1980 - June 1981) we plan to speed up our progress by turning HALT into a business run by full-time professionals. That takes money. For ultimate success, HALT's management must work full time and must be paid for their efforts. Our sales income will be split up among six categories: Planning, Operations, Administration, Research and Product Development, Publications and Campus Program. The bulk of it goes to Operations which is entirely concerned with setting up new Chapters and maintaining existing ones across the country.

We have had some memorable experiences while out selling HALT. Many businessmen have shown eager interest in our ideas and plans. And at the bottom line we have had the satisfaction of selling HALT's services and enjoying ourselves in the process.

RESULTS

As of September 1, 1980, our results are as follows:

Number of people talked to over the phone	344
Number of appointments made on first contact	81
Number of payments made	32

This means that 23% of the people who we speak to on the phone give us an appointment and that we close 39% of our presentations. A gratifying return, to say the least.

With the customary upsurge in the business activity that September brings our sales results can do nothing but improve. To maximize that improvement, we are going to be looking for people to join our sales force. If the challenge of selling HALT's services appeals to you and the results we have obtained interest you, send me a resume of your relevant work experience and follow it up with a phone call. I'll take it from there. ☺

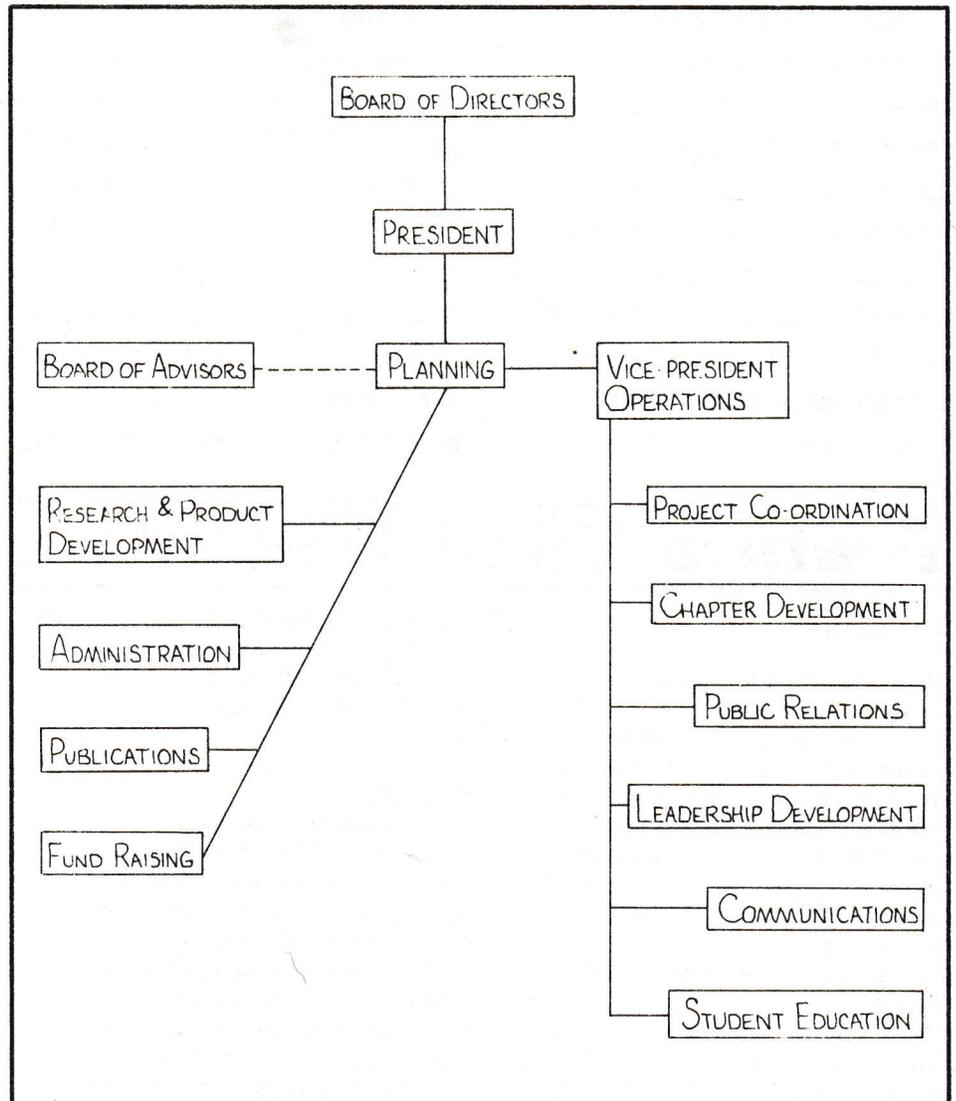
TRIAL (Continued from page 1)

At stake is the whole question of an impartial system of justice. It was for just this that our ancestors fought so hard for trial by jury. An impartial decision must result from any criminal or civil case. When the decision maker is also an employee of one of the plaintiffs, his impartiality is suspect. The defender should have the right to reject him, just as he has the right to reject a juror who shows prejudice for or against either side. A jury thus acts as a check to the potential danger that exists if a case is to be decided by one whose judgement may be clouded by other considerations. To quote Lord Loughborough, Lord Chancellor of England, "Judges may err, judges may be corrupt. Their minds may be warped by interest, passion and prejudice. But a jury is not liable to the

same misleading influences."

The concept of rights has meaning because we have a legal system whose sole purpose is to defend those rights. Trial by Jury is the component in the legal system which guarantees impartiality of judgement. Without impartiality of judgement, the legal system cannot protect rights; it can only violate them. With cooperation from the media and sympathetic politicians, Walter Boytinck's case will bring this issue to the public.

There is much talk today about a new constitution for Canada. Much of it will be concerned with insuring that our liberties are protected. But without an inclusion of the right to Trial by Jury, it will become a meaningless document, no matter what else it may say about human rights. ☺



This chart shows HALT's organizational structure.

TO A NEW COVENANT

by Richard Bolstler

"The people are demanding more services," cry the politicians of all parties. It would appear that the politicians are right. Many people seem to expect government to provide everything from medical services to football stadiums. While some are beginning to realize that this system of "free" government services is leading the country to bankruptcy, few see anything they can do about it.

One man who has shown how the individual can take action regardless of his fellow citizens is Dr. Hans Sennholz, distinguished Austrian economist and a member of HALT's Board of Advisors. In his book, *Age of Inflation*, Dr. Sennholz outlines his "Point of Cure", a personal statement of his philosophy which can be accepted and practised by anyone with the courage to do so.

"To spearhead a rebirth of our free society, let us rededicate ourselves to a new covenant of redemption, which is a simple restatement of public morality. In the setting of our age of economic redistribution and social conflict it may be stated as follows:

No matter how the transfer state may victimize me, I shall seek no transfer payments, nor accept any.

I shall seek no government grants, loans, or other redistributive favors, nor accept any.

I shall seek no government orders on behalf of redistribution, nor accept any.

I shall seek no employment in the government apparatus of redistribution, nor accept any.

I shall seek no favors from the regulatory agencies of government, nor accept any.

I shall seek no protection from Tariff barriers or any other institutional restrictions on trade and commerce.

I shall seek no services from, nor lend support to, institutions that are creatures of redistribution.

I shall seek no support from, nor give support to, associations that advocate or practice coercion and restraint."

Dr. Sennholz calls on all of us to enter into this covenant of redemption. To uphold it will be difficult but we do not need the support of the majority to

begin. By setting an example for our neighbours, we show that our actions are consistent with our professed beliefs. For instance, nothing will shake up your associates more than announcing that you are no longer accepting baby bonus cheques.

I can not sum it up better than Dr. Sennholz. "To reverse the trend and reduce the role of government in our lives, and thus alleviate the government deficit and inflation pressures, is a giant educational task. The social and economic ideas that gave birth to the transfer system must be discredited and replaced with the old values of individual independence and self-reliance. The social philosophy of individual freedom and unhampered private property must again be our guiding light." ☺



Editor: Richard Bolstler

Managing Editor September issue:
Heather Engstrom

Layout Design: Thom. Smith

Contributors:

Paul Geddes
Bill Buckler
Marco den Ouden
Nick Moldovanyi
Richard Bolstler

Typesetting Pola/graphics Ltd.

Printing: Rosewood Printers

HALT Board of Directors:

Richard Bolstler, Michael Little,
Walter Boytinck, Ed Murphy

HALT Board of Advisors:

Henry Hazlitt, Hans Sennholz,
David Ingram

HALT across Canada

SASKATCHEWAN

A study came out recently which showed that city of Saskatoon crews laying water mains and building storm sewers were doing substandard work at less than half the efficiency of private enterprise. HALT Saskatoon has made a statement on the report, and local media are reporting that the chapter will be approaching city council about pressing for privatization of more city services.

HEAD OFFICE

In addition to fund raising (see article by Bill Buckler in this issue) HALT Head Office has spent the summer in planning and organization. Procedures have been completed for Level 1 and 2 HALT chapter activities. Fall trips are planned for Edmonton, Saskatoon, Calgary, and Vancouver Island. At time of writing, Vice-President of Operations Mike Little is in Toronto.

NOVA SCOTIA

In Halifax, David Morgan is launching a campaign to protest the proposed Nova Scotia Place, a convention centre/hotel complex which is predicted to cost the taxpayers over \$12 million. As a first step in this campaign he has prepared a report outlining the government's intentions and giving the HALT Alternative.

BRITISH COLUMBIA

After spending the summer taking his chapter through Level 1 procedures, President Paul Miniato reports that the chapter is anticipating resuming the B.C. Place Stadium campaign. However, as this issue goes to press Miniato notes that business constraints have forced petition drive co-ordinator Nick Krabendam to resign his position. Thus progress on the campaign is delayed while the chapter attempts to find a replacement.

Another target concerns membership: the chapter has set a goal of tripling the number of Vancouver Halters in the next four months, and is in the process of organizing for the first membership drive.

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Readers wishing to get in touch with their local chapters may do so by contacting the chapter leader at the following address:

VICTORIA

Don Braden
966 Saturna Place
Victoria, B.C.
V8Y 1H4 Phone 658-5769

VANCOUVER

Paul Miniato
159 West 48th Avenue
Vancouver, B.C.
V5Y 2Y6 Phone 321-1780

EDMONTON

Wallace Myers
10741 - 152nd Street
Edmonton, Alberta
T5P 1Z2 Phone 489-2006

CALGARY

Wayne Kollinger
#501 - 617 - 15th Avenue SW
Calgary, Alberta
Phone 264-1649

SASKATOON

Bernard Janzen
#405 - 1121 College Drive
Saskatoon, Saskatchewan
S7N 0W3 Phone 343-8798

TEMISCAMING

Andre Ferlatte
Box 203
Temiscaming, Quebec
J0Z 3R0 Phone 627-9354

HALIFAX

David Morgan
76 Wilmot Street
Lower Sackville, Nova Scotia
B4C 2A8 Phone 865-6545

News from the Tax Revolt

by Nick Moldovanyi

When residents of Canada's far north are upset with taxes — they don't just complain about them — they make their dissatisfaction felt.

Businesses operating in the Yukon and North West Territories have traditionally provided their employees with free trips to and from major cities. That was until Joe Clark's short-lived Conservative government changed existing laws to make the cost of these trips taxable. Northerners protested bitterly and consequently the new Liberal government vowed to reverse the legislation. As with most campaign promises, nothing has been done.

So when Northern Development Minister John Munro visited Inuvik, N.W.T. (in a government-owned Jetstar aircraft) he was greeted by a crowd of irate taxpayers. The following day in

Yellowknife, 200 placard waving protestors staged a similar demonstration for his benefit. When Munro addressed the crowd to explain why no changes were made, he was booed and heckled to the point that he couldn't continue. The taxpayers wanted action — not speeches.

After that demonstration, it is perhaps not surprising that a proposal to exempt northern residents from ALL federal income taxes is receiving serious consideration from both sides of the House of Commons. The plan, introduced in August by Conservative M.P. Frank Oberle, calls for massive tax breaks for anyone working north of the 60th parallel, and could trigger a massive economic boom in Canada's Northland. ☺

Keep up with HALT

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Vancouver, B.C. V6E 1W3

Fiscal Watchdog

by Robert W. Poole, Jr.

SCHOOL BUDGETS

Over the past decade public school enrollment has begun to drop as precipitously as student achievement test scores. In part, declining enrollment stems from the growing dissatisfaction with public schools, as more and more parents shift their children to private schools which seem to be able to impart basic skills and maintain a safe learning environment.

END OF THE BABY BOOM

But a significant cause of the drop in enrollment is the end of the postwar baby boom a decade ago. As a result, school districts all across the country are now finding themselves with more classrooms and teachers than they need. And their revenues — generally based on average daily attendance figures — are shrinking precipitously as enrollments decline. What can schools — whether public or private — do in the face of shrinking enrollments and budgets?

Many California public school districts are actively seeking out new sources of revenue in order to balance their budgets, even while cutting back on staff. So far, they've come up with three new sources: sports fees, activity fees, and classroom rentals.

PAY FOR PLAY

Sports fees go by the name "pay for play". The idea is that interscholastic sports are not, after all, an essential part of learning. Nor are they provided for all of the pupils in the school. Yet these programs can add a sizeable sum to the school budget, only partly offset by admission fees and concession-stand revenues. Why not, therefore, charge those students who participate in sports a fee to help cover the costs?

That's exactly what the Santa Barbara Board of Education voted to do last month. In the coming year student athletes will each pay a fee of between \$25 and \$44 — the exact amount will depend on how much can be raised from a community fund-raising program. Altogether, the pay-for-play fees and fund-raising will provide 60% of the athletics budget.

Santa Barbara high schools will also be inaugurating activity fees next fall. Students choosing to participate in such quasi-academic, for-credit activities as band, chorus, and drama, will be charged \$33 apiece for each activity. In

wealthy Palos Verdes the fee — instituted last year — is \$75 per activity, while the middle-class Piedmont students can buy an activity card for \$65, good for any and all of the "co-curricular" activities. Some authorities question the constitutionality of charging fees for activities for which credit is given, and a court challenge within the next year is a distinct possibility.

RENTING CLASSROOMS

A third source of revenues to offset declining enrollment is renting out vacant classrooms. Several years ago the elementary school district of Belmont, California found itself with large numbers of surplus classrooms. The usual response would have been to close one or more elementary schools, shifting their students to other schools, further from their homes. Because of strong public sentiment against this idea, the school board decided to rent out the empty classrooms, keeping all the schools. Today there are dentists, tailor shops, and other small businesses operating in a number of Belmont's schools. Principals do double duty as landlords.

Why not rent empty classrooms to private schools, as well? Perhaps because they fear side-by-side comparison with private schools, public school officials are generally resisting this alternative — at least during the school year. But summertime is a different matter. For the second year in a row, California public schools are renting out classrooms to private schools for the summer. Both non-profit schools like the University of LaVerne and for-profit schools like American Learning Corp. are again operating free-supported summer programs in public school classrooms. And in contrast to last summer, the huge Los Angeles school district has abandoned its policy of excluding for-profit schools, after the county counsel advised that doing so was probably unconstitutional.

YEAR-ROUND OPERATION

Despite the general decline in enrollment, here and there over-crowded school districts still exist. Yet even with their large numbers of students, these districts are generally strapped for funds in these days of tax revolt and inflation. Building more

schools or classrooms under these conditions makes little sense. Far more sensible is the plan just adopted in Los Angeles. Starting July 1st, 39 elementary and six junior high schools in crowded areas shifted to year-round operation.

Under this plan the student body is divided into four groups, three of which are in school at any given time and the fourth on vacation. Most of the Los Angeles schools are using the 45/15 plan — 45 school days in class, followed by 15 school days (three weeks) of vacation, for each group. The net effect is that the same school building accommodates 25% more students than it did under the conventional system of operating nine months and shutting down for three. The cost of operating the school year round is only slightly higher, and the cost of constructing new facilities is avoided altogether.

Many people consider the public schools of this country to be a failure. They point out the growth of private school enrollment at the very time when public school enrollment keeps declining. Whatever the ultimate verdict on public versus private schools, one thing seems clear: those school boards which expect to continue "business as usual" in the 1980's are in for a rude awakening. Unless they can begin showing results with their students, and do so for less tax money, they will find the shift to private schools accelerating.

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A column of ideas on cutting the cost of local government, written by Robert W. Poole, Jr.

Who's Who in HALT WALTER BOYTINCK

by Marco den Ouden

HALT's vice-president is lawyer Walter Boytinck. A quiet, soft-spoken family man of 39, Walter lives with his wife and four children in the Shaughnessy area of Vancouver.

Unlike most people who grumble about big government and high taxes, Walter tackles the problem head on and does not submit to government interference in his life without a fight.

In 1976 Walter declined to fill out the government's census questionnaire. An invasion of privacy, he called it. He was subsequently prosecuted and on May 1, 1979 was acquitted in B.C. Provincial court. The judge ruled that the census was taken without proper authority, effectively destroying the Crown's case in all its pending prosecutions against other census resisters.

Walter began a lengthy and continuing battle with the Income Tax Department in 1977 when his studies of Canadian and British Constitutional Law convinced him of the injustice and illegality of the Income Tax Act. On his 1976 tax return he answered each question with the words "object — self incrimination" and attached a lengthy legal brief detailing his legal basis for doing so. He filed his 1977 return the same way.

The revenueurs didn't accept his arguments and after numerous threatening letters and other attempts at intimidation, they realized Walter would not buckle under to pressure. In November 1978, they issued summonses charging him with failure to file.

The case has yet to come to trial as

Walter is still engaged in a preliminary struggle to have the courts recognize his right to be tried by judge and jury. Trial by jury, argues Walter, is essential to ensure a fair and impartial hearing, particularly in a case where the State is a party to the dispute. Trial by judge alone, a judge appointed by the State, can hardly be considered impartial.



Walter Boytinck

In Walter's case, the court ruled in July, 1979, that it may proceed by way of summary conviction (trial by judge alone), rejecting Walter's application for a jury trial. Walter's appeal of this ruling comes before the B.C. Court of Appeal on September 17, 1980. Over one hundred pages of argument are being presented.

The feds have not been the only opponents in Walter's battle against the taxman. Last year the City of Vancouver assessed a Machinery Tax on a CPT word processor/typewriter in Walter's

office. Walter successfully appealed the tax and the Assessor was ordered to delete the equipment from the Assessment Roll.

Walter is currently challenging the City of Vancouver's Business Tax and Business License requirements.

In addition to battling the taxmen and bureaucrats, Walter corresponds with many influential people and organizations to spread the philosophy of liberty, to fight government oppression and to promote HALT. His correspondents have included financial advisor Vern Myers, the Texas Hunt family, members of parliament, provincial premiers and the late John Diefenbaker. Diefenbaker expressed great interest in Walter's attempt to secure a jury in his tax case and in one of the last letters he wrote, offered to review Walter's arguments and offer suggestions. John Diefenbaker died while the letter was in transit.

Besides being one of HALT's founders, Walter has served actively as HALT's good will ambassador. He has been instrumental in attracting such influential people as Henry Hazlitt to HALT's Board of Advisors.

The 16th Century political writer Etienne de la Boetie wrote that tyranny thrives only because good men willingly submit. "But if not one thing is yielded to (tyrants), if, without any violence they are simply not obeyed, they become naked and undone and as nothing, just as, when the root receives no nourishment, the branch withers and dies". Walter Boytinck is the unsubmissive man. ☪

FIRMING UP THE HALT PRODUCT — III

by Richard Bolstler

In our July HALT Report we described the Level 1 Chapter. In this issue we describe the Level 2 Chapter — HALT's Action Chapter.

THE LEVEL 2 CHAPTER

HALT is a national organization, which intends to create a coordinated thrust that will eventually affect legislation at all three levels of government. However, as the cost and power of municipal government escalates, it becomes increasingly apparent that the lessons of the free-market must be learned at the

municipal level. It is for this reason that the concept of the HALT Level 2 action chapter was created.

A chapter is defined as having reached Level 2 status when it:

1. Is well organized, using the standard organizational structure and administrative procedures.
2. Has undergone important community action, by taking a public position on some community issue and receiving publicity as a result.

THE ACTIVITIES

Thus the emphasis in the Level 2

Chapter is on *action*. A Level 2 Chapter must be able to research and choose an issue around which to build a campaign. It must then prepare a report on the issue, stating HALT's position, aims and reasons. It must plan and execute a campaign to implement the aims of the report. And finally the chapter must consolidate resources by bringing in new members to HALT.

A Level 2 Chapter will always have action to take, even if no issue can be found to campaign with. Getting to know city hall better will take as much time as

(Continued on page 7)

Books CONFESSIONS

reviewed by Bill Buckler

by Barbara Amiel

... "a branch of the state, under a law that empowers it to educate, to mediate and to recommend prosecution, had asked me to explain my opinions. Not my act, not my misdeeds, but my OPINIONS." In Confessions, Macleans columnist Barbara Amiel explains all three. Acts, misdeeds and opinions alike are candidly presented for public viewing.

The book is divided into two parts. The first consists of an admirably frank autobiography in which Miss Amiel chronicles the transition from her youthful collectivist ideas to her present unwavering belief in individual freedom. Concerning a trip that she made to Eastern Europe and Russia in 1962 at the age of 21, Amiel says:

"But, unlike stupidity or malice, naivety is a treatable condition and it does not affect one's eyesight. Here in front of me stood a girl, only a little older than myself, weeping for the right to get on a train. It was, I believe, at that moment that I began to understand that one simple way to measure the desirability of a society is whether people can leave it when they want to — and whether more people want to get into it than want to get out."

In the second part of the book Amiel makes use of her considerable experience in the Canadian media to expose the threat to freedom in Canada that is posed by government controlled institutions. Special targets are the CBC and the Human Rights Commission. She assails government policy, such as that detailed in a report submitted to Ontario Attorney-General Roy McMurtry. To quote the report: "Power should be given to the Human Rights Commission to both monitor and investigate suspected cases of discrimination on its own initiative. This would require the creation of an inspectorate within the Human Rights Commission which would undertake investigative work in the same manner as is done by other government agencies such as the U.I.C., income tax, customs and excise offices,



etc. Politically such a move may appear unpopular at the initial stages, but this should not deter policy makers."

Amiel's comment: "It hasn't."

No government contradiction is safe from Amiel's discerning eye. As an example, consider the following excerpt. Amiel is in discussion with Marc Lalonde, concerning the refusal of the government to back a sports organization that proposed to invite a team from South Africa, a country that "violates human rights."

Amiel: "All right. But what about the Soviet Union... Will we stop playing sports with them?"

Lalonde: "Well no, of course not. The Soviet Union has a constitution guaranteeing human rights to everyone. It is written down. You can read it." Marc Lalonde will undoubtedly have a lot of input into Canada's proposed constitution.

Confessions is an excellent book. It combines courage, honesty, and insight with writing skills of a high order. It is a worthy addition to the bookshelf of anyone who wants ammunition against Big Government. ☺

FIRMING THE HALT PRODUCT

(Continued from page 6)

is available. HALT must know everything possible about the elected officials, by-laws, budgets, mil rates, school boards, municipal services provided, etc. This requires researchers willing to spend some time down at city hall.

Details on Level 2 action are found in our new Level 2 Organizational Procedures. Included with these procedures are critical path diagrams on chapter development and Level 2 activities, thus providing a visual plan to help the user "see" the action necessary to successful implementation.

These procedures will be made available to those chapters which have reached Level 1 status by sending in their Level 1 Checklist. Those members in municipalities not yet organized who wish to become involved in starting up should contact Head Office.

THE KEY: MUNICIPAL ACTION

Level 2 activity leads the chapter to the doorstep of city hall. Fighting municipal government is our first step towards the day when we can effectively tackle provincial and federal spending. Bringing about changes at municipal levels is possible today, as our Calgary chapter has proven. A municipal chapter approach allows us to gain those important morale-boosting victories while simultaneously training us all in the skills necessary to go on to a more formidable challenge.

William Simon, in his introduction to Robert Poole's "Cutting Back City Hall", describes HALT's focus when he says:

"There is a perverse assumption made by many people (and in politicians it almost seems inherent) that the solutions to today's problems lie only at the federal level... It is time to question that assumption AND to prove that it is wrong." What is needed is "a movement to revamp the way we look at local governments and the services they provide" that will "inspire interested citizens, legislators, and administrators to work toward these changes." ☺

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Recommended

Man, Economy and State
by Murray Rothbard pb \$12.00
"It is in fact the most important general treatise on economic principles since Ludwig von Mises's *Human Action* in 1949."
— Henry Hazlitt.

The Inflation Crisis, and How to Resolve It
by Henry Hazlitt hb \$12.00
HALT advisor Hazlitt probes the causes of inflation, tells you how to protect yourself against it, and how to turn the political tide.

To join HALT, please fill in the following information, enclose at least \$7.00 for the annual membership fee and mail to: HALT, 909 Thurlow St., Vancouver, B.C. V6E 1W3, Canada.

Name _____ Phone Home _____
Street _____ Work _____
City, Province/State, Country _____ Postal Code _____
— Employer — Employee

Enclosed is my membership contribution to HALT:

\$250 \$100 \$50 \$25 \$15 \$7

Names of contributors will be held strictly confidential.

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