



THE NEW JERSEY LIBERTARIAN

JUNE

1988

CALENDAR OF EVENTS

May 12-- Liberty Forum, Engineers Club, 1317 Spruce St., Philadelphia will feature Robert Poole, editor of Reason magazine, from 6:30-9:30 PM. Call 215/545-6994 for information.

May 13-- Libertarians of Monmouth County Meeting, 8 PM at Bonnie and Lee Gesner's, 1 Mariners Cove, Freehold. Call 431-4491 for details and directions.

June 7-- NJLP Steering Committee Meeting, 6:30 PM at Farrell's Ice Cream Parlour, Route 18 South, (Brunswick Square Mall), East Brunswick. All NJLP members invited and welcome.

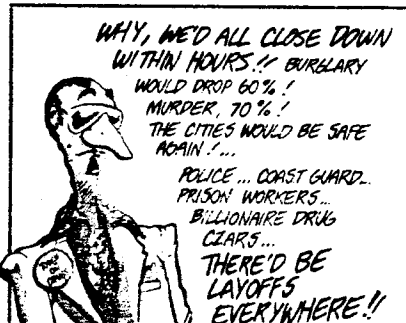
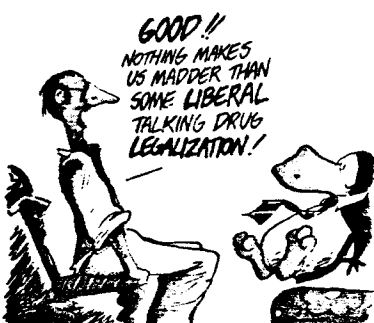
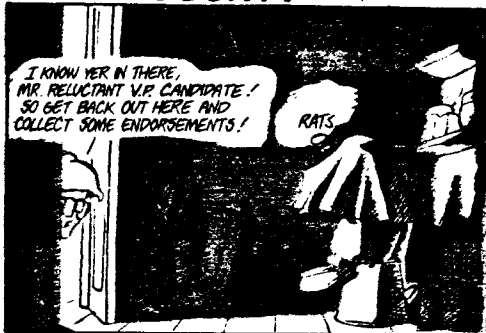
June 19-25-- Foundation for Economic Education (FEE) week long seminar, Irvington-on-Hudson, New York (\$500). Call 914/591-7230.

July 3-- NJLP Annual Picnic and General Meeting, 1:00 PM to ??? at 254 Tennent Road in Morganville (Flynn's home).

July 28-31-- FEE weekend seminar (\$150).

August 7-13-- 4th World Conference of Libertarian International in Mbabane, Swaziland. For information write Libertarian International, 9308 Farmington Drive, Richmond, VA 23229 or call 804/740-6932.

BLOOM COUNTY



WIZARD OF ID



THE WAR ON DRUGS



So somebody tell him, already! — Nationally syndicated columnist Mike Royko is going to vote for Ron Paul for President—but he doesn't know it yet. In a recent column, Royko complained that Japan is able to outproduce us in cars, TVs, and VCRs because the U.S. is footing the bill for their military defense. He noted that Japan spends 1% of its GNP on defense, while the U.S. spends 7%—of which 16% goes to protect Japan and other Asian nations. Wrote Royko: "If we're going to act as Japan's international bodyguards, we ought to be paid for it. And the Presidential candidate who says he's going to start sending Japan a bill is going to get my vote." OK, has anybody other than Ron Paul suggested that Japan should for pay for its own defense?

Libertarian Lines

April 1988

Chicago Tribune

March 29, 1988

Burning Issues

April/May 1988

B-10 THE RECORD

TUESDAY, MARCH 8, 1989

Editor, The Record:

The headline of your Feb. 11 article, "Pot 5 times as harmful as tobacco, says researcher," is extremely misleading, to say the least.

According to the article, Dr. Donald Tashkin has found that smoking four marijuana joints every day may be as harmful as smoking a pack of tobacco cigarettes per day. Since four joints per day is enough to produce a constant high, and most marijuana users smoke much less, this finding indicates only that the heaviest, most compulsive marijuana smoker is at as much risk — not five times as much risk — as the average tobacco smoker.

If the results of Dr. Tashkin's research constitute justification for treating marijuana smokers as criminals, then it would be fair to extend precisely the same treatment to tobacco smokers. How about a fine of \$500 to \$1,500, plus revocation of driving privileges for six months to two years, plus a jail sentence of up to six months, as punishment for simple possession or private use of tobacco?

After all, we can't let people go unpunished for actions that may be harmful to themselves.

R.B. WILK
Bloomfield



Mike
Royko

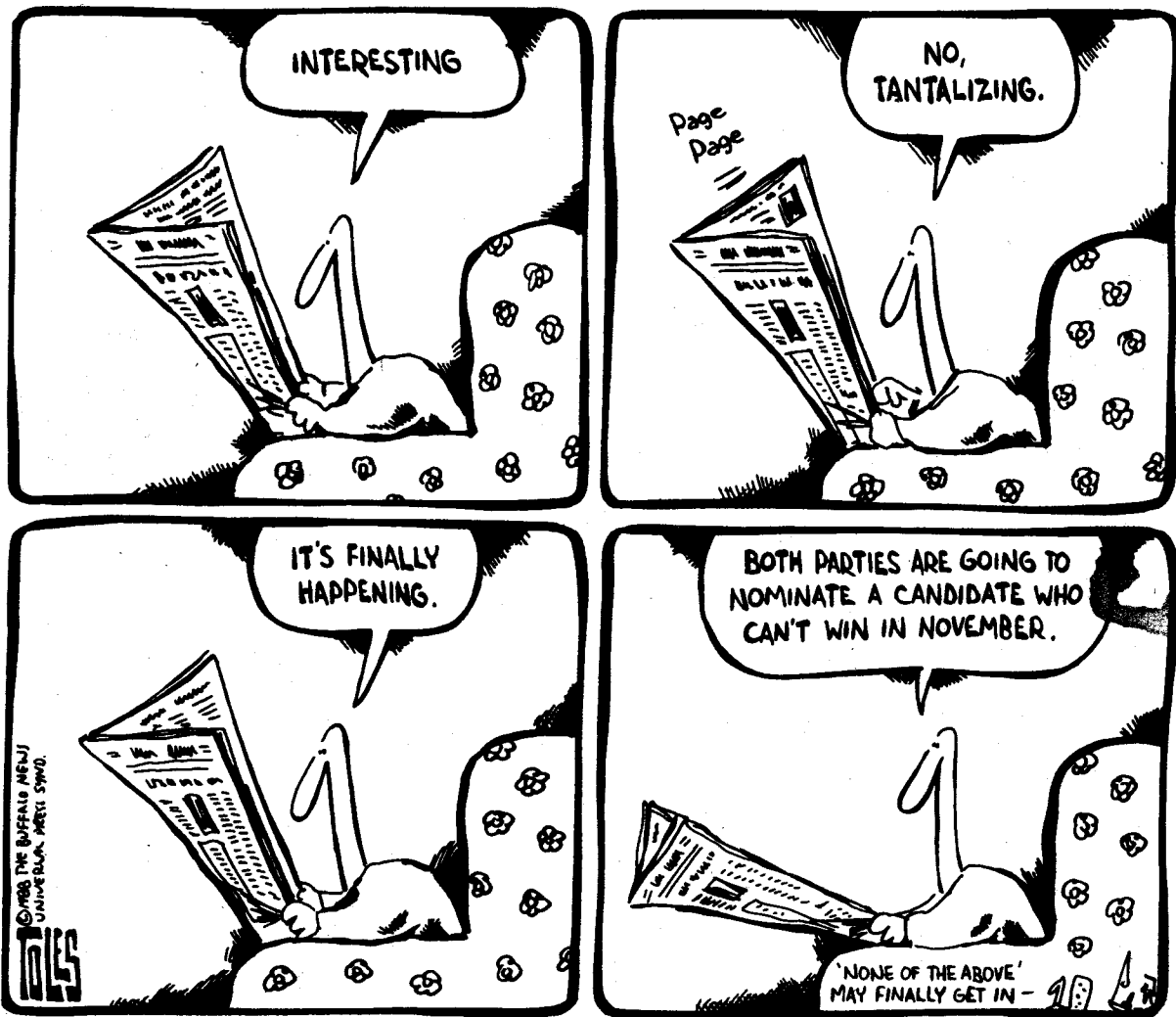
Readers give their 22-cents worth

Letters, calls, complaints and great thoughts from readers:

... Andy Barniskis, Levittown, Pa.: In a recent column, you said that our allies should pay for the defense we give them or provide their own. And you said you would vote for a presidential candidate that has such a plan.

I point out that Libertarian Party candidate Ron Paul is campaigning on just such a platform. So it looks like you'll have to vote for him.

Comment: The way things are shaping up, I not only might vote for him, I might go out and work a precinct.



An interview with VP candidate Andre Marrou

While on a campaign swing through New Hampshire in January, former Alaska state legislator and current Libertarian Party Vice Presidential candidate Andre Marrou sat down for an interview with Libertarian Lines. Edited slightly for space, it is presented here.

Libertarian Lines: Presidential scholar Thomas E. Cronin once wrote: "You cannot be a successful President unless you can project a vision about the purpose of America." As the Libertarian candidate for Vice-President, what is your vision about the purpose of America?

Q&A

Andre Marrou: Well, I don't know who Thomas Cronin was, but I disagree with the other candidates in the other parties who feel they have to come up with some reason or purpose for the United States to exist. I feel the purpose of the

United States, as outlined by the Founding Fathers, was for life, liberty, and the pursuit of happiness of its citizens. Which was changed slightly by Thomas Jefferson from John Locke's "life, liberty, and property," which is probably more descriptive than "the pursuit of happiness."

But in any case, the United States should minimize its government as so to maximize individual liberty. They are inversely related; as you increase one, you decrease the other. If

--Continued on page 4

CONTINUED FROM PAGE 1

Andre Marrou

you minimize government, individual liberty will increase so that people can pursue their own life; they can do what they want so long as they do not use force or fraud against anybody else.

If we do that, once again the United States' standard of living, which is—I don't know—11th or 12th in the world, will rise back to first, where it was for many decades. There is no reason why this country shouldn't have the highest standard of living in the world, and have the freest people and the happiest people.

LL: A recent issue of *U.S. News and World Report* reported on a survey of American voters that asked them which problems they consider to be extremely urgent in 1988. I'd like to go over the list they came up with, and ask you what the Libertarian perspective and solution would be to these problems. Topping the list was the spread of AIDS, which was mentioned by 80% of the respondents.

AM: Well, the short answer to that is that I don't intend to get AIDS, and I certainly don't intend to transmit it. I'm married, I'm heterosexual, and I'm monogamous—and I understand that that's the least most likely group to get AIDS.

But the long-term answer is that the United States government should get out of this nonsense of pretending that they're going to come up with an answer; that they're going to come up with a cure. In fact, they have delayed a cure because there are drug companies which have delayed the onset of research to come up with their own AIDS cure because they think the government is going to pay them to do it, and then they can also get the profit from the drug. If they knew the government was not going to underwrite any of their research, they would have—in my opinion—several months ago come up with a cure for AIDS, which they could then make billions of dollars from. That is the real answer.

Incidentally, the whole scare, the whole ... what shall I call it? The whole epidemic scare about AIDS is grossly overblown. It has been overblown by fearmongers who want the American people to get upset once again at the homosexuals or hatians or whoever else they think may be propagating the disease.

It was predicted that this would have the effect of the Bubonic Plague, and that one third of all American would die. Obviously, this is grossly blown out of proportion to the real danger. There is a danger, but it is much less than what we were led to believe a few months ago.

LL: Number two on the list is the increasing use of drugs like crack and cocaine.

AM: Once again the United States government should get out of it. The Drug Enforcement Agency might as well be called the Drug Encouragement Agency, because by occasionally grabbing a small amount of illegal drugs they drive the price up, so they are setting up this huge underworld of billionaire drug dealers.

It's very similar to what was happening during Prohibition, where people made huge fortunes—including Joe Kennedy, father of one of our

presidents, John Kennedy. He was an illegal drug dealer during Prohibition. We finally learned during Prohibition, first of all that you can't get rid of drugs; secondly, you set up this underworld that makes billions of dollars; and thirdly, it dangerous to the people. During Prohibition, for instance, only the rich people could afford the good booze (which was handled by Joe Kennedy!), while the poor had to make their own bathtub gin which was dangerous. It killed some of them, it made some of them blind. So this is something the government should get the hell out of.

There were no drug laws until 1914. Before that, there was drug use, but there was no drug problem. People could and did get opium and morphine at the corner drug store, and drug use was considered a vice, not a crime. That's the way



"We should not be involved in Central America any more than we should be involved in the Persian Gulf..."

it should be; a vice, not a crime.

I've never encouraged anyone to use drugs, but if they want to, that's their own business, as long as I don't have to pay for their hospital bill—which is not the case now. Nowadays drugs are outlawed but you can still use them, and if you ruin your body then society takes care of you, free of charge. It shouldn't be that way. We should tie personal responsibility to it.

LL: That fits right in with the next problem that Americans are concerned about: the rising cost of health care.

AM: Well, once again government is the culprit. Doctors and hospitals routinely overcharge Medicaid and Medicare programs; they feel government has a bottomless pocket so they will charge anything they want. For example, when a hospital charges \$700 per day for a room—which is the going rate in Las Vegas—they charge that to all the patients; not only the government patients, but everyone else, too. The government is driving up the cost of health care. So the government should get out, so there would be competition and a free market in medicine, as in other

areas.

LL: Number four on the list was the size of the federal deficit.

AM: That is directly attributable to Ronald Reagan, who was "Mr. Conservative" when he was running in 1980 and promised he was going to balance the budget by 1984. In fact, he gave us the largest deficits in the history of the world. I want to repeat that, because it's important: not the largest deficits in the history of the country, but the largest deficits in the history of the world.

We've had \$250 billion per year deficits since then; the national debt is now something like \$2.8 trillion, in the neighborhood of \$12,000 for every man, woman, child, and baby in the United States. This is incredible! It will, in fact, be with us for generations unless we get Libertarians elected to office, so we can not only cut the size of government, but also cut taxes, and pay off the national debt. Otherwise, it will be the end of this country. It really will.

LL: Americans also say they are concerned about the quality of public education.

AM: Public education quality has been going down for at least 30 years, and the cost has been going up. Any fool could look at that pattern and say, "Well, it's obvious that the way to increase the quality of public education would be to cut the cost, so therefore let's cut the budget 20% this year, and the quality should go up!" I mean, it's the one thing we haven't tried. Why don't we try it?

Ultimately, though, there should be a separation of education and state, just like there is a separation of church and state. (And while we're at it, we might also mention a separation of communications and state, transportation and state, manufacturing and state, and on and on and on. The federal government is involved in all these areas to a great degree, and the government should not be involved in any of these areas.)

Education should be like any other commodity or service: you should pay for what you get, and you should get what you pay for. The person being educated is the one who benefits directly, and that's the way it should be. We should not penalize everyone in society to benefit a few, which is what happens not only in education, but in other programs like Social Security, Medicare, welfare, and so on.

LL: 37% of Americans say they are concerned about United States involvement in Central America.

AM: Well, we shouldn't be involved in Central America anymore than we should be involved in the Persian Gulf. Military interventionism since World War II is the main factor why so many people in foreign countries hate America and Americans. We should not be involved in Central America whatsoever. We should not be backing the Contras.

However, what we should do is make it legal for American citizens on their own to do whatever they want to do [to help in foreign conflicts.] If they want to back the Contras, if they want to send them food, or money, or medicines, or guns, or if they want to go down and fight alongside the Contras, they should be allowed to. This is currently illegal.

YES, I want to help end the
New Prohibition

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not believe in or advocate
the initiation of force as a
means of achieving political
or social goals."

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(Signature indicating acceptance of above statement is required for membership.)

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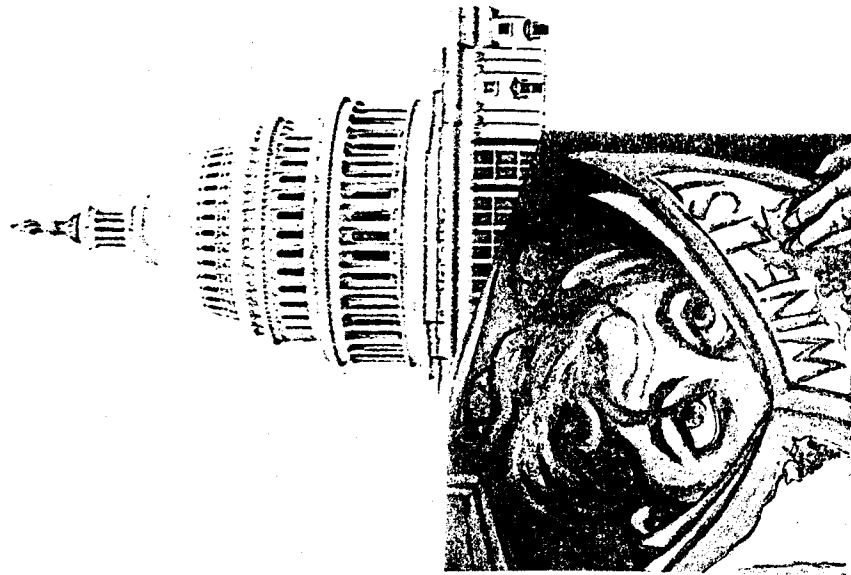
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Alcohol USA

By Rick Hoegberg

In the long history of fermented drinks, alcohol has been many things; from being used well to being too well used. Some people argue that the cost of abuse outweighs any possible benefit.

Such extremism gave us the disastrous results of Prohibition in the 1920's with all its crime, violence, corruption and death. After Repeal, such alcohol related problems disappeared. Yet in spite of the clear historical record, our society is creeping backwards toward a New Prohibition.

Take the recent and well publicized death of Rutgers University student Jim Callahan. In a fraternity initiation rite, he consumed in short order a sufficient quantity of liquor to induce coma and death. Such a tragedy should be incentive enough to examine the causes and change them. Sadly, this has not been so.

If anything, the general reaction has been to reaffirm those underlying causes. Not only will Jim have died, but died uselessly. Bear in mind the words of Ayn Rand; "Premises have consequences".

In goose-step with the causes, and in spite of history's lessons, there is an outcry for a piece-meal return to a New Prohibition. Loud are the calls for increased alcohol policing, drinking age, spot-checks and more stringent ID. Yet moving from relative liberty towards an already failed policy of repression can only worsen matters.

Conventional "wisdom" teaches that specific people must not drink alcohol. Laws are passed to enforce this view upon those people, leading to increased police surveillance, less individual liberty and ironically, more drinking problems. The futile fantasy of "How do we stop drinking?" must be replaced by asking "How do we encourage responsible drinking?". This is the only rational alternative.

It is instructive to see how other cultures deal with alcohol. In many European countries,

wine is regularly allowed to children at meals where there is adult supervision. Far from puritan nightmares of drunk 5 year olds lying about, alcohol is gently woven into the social fabric as a thing to be enjoyed in responsible moderation.

In Britain where I grew up, the pubs provided the equivalent function. There was no such thing as a drinking age, at least not any that was enforced. Hence lads and lasses starting at 14 would venture into pubs and provided they could reach the bar were served, got drunk, the whole bit.

Were there terrible consequences? Not particularly, given that (a) We were nowhere near driving age. (b) We were constrained by the older patrons to behave ourselves. By no later than 16, a year before driving eligibility, mature drinking habits were the rule. By college, the idea of a harmful or suicidal drinking game would be dismissed out of hand.

Yet here in America, young people do not (indeed cannot) learn to drink responsibly. The irrational current social policy denies them any such opportunity. Worse, that premise is gaining ground. Whereas the drinking age was 18, now all young people are forbidden to drink alcohol until they are 21. Then they are suddenly supposed to know how to handle drinking alcohol. With what prior experience? None? With what socialization? Secretive and illegal consumption? This is a sure formula for promoting irresponsible drinking. It is also the major cause of drunk driving and other drinking problems.

Given such circumstances, and at the risk of seeming to repudiate the principle of personal responsibility, Jim Callahan was set up by society. Worse, the current social premises and trends ensure repetition of this tragedy.

If we want to reverse the trends, then the antidote is cultural change, not more legislation. Remove the mystique. Abolish the drinking age. New drinkers must have the opportunity to learn by responsible instruction, experience

and example. Appropriate and proven means include with the family, or in a pub. Most certainly we do not benefit by the current pretense that learning occurs in a vacuum.

For cultural change to occur however, legal solutions must be avoided. Changes in cultural attitudes cannot be legislated. Indeed, legislation hinders the process. Repeal of legislation that enforces the status-quo is the best government can do to help.

It is a delusion that we can solve the alcohol problem with yet more laws, or with greater enforcement of the ones we already have. The answer is more complicated and delicate than that, and can only come from our culture. But until reliance on legal solutions and their inherent impediments to cultural answers are repealed, we shall continue having more Jim Callahans.

From premise to consequence, that's guaranteed.



LL: A final major concern of Americans was the likelihood of a recession.

AM: The "likelihood" of a recession is certain. There will be a recession. I have a board of advisors for my campaign, one of whom is Murray Rothbard, a well-known economist who is a professor at the University of Nevada. He said there will definitely be a recession. He doesn't know how deep it will be—that is, how serious it will be—or how long it will last, nor when it will start. His best guess is that it will start in the Spring.

I asked about a depression, and he said that's the bad part: he said there is about a 50/50 chance that there will be a depression as bad or worse as the great Depression of the 1930s.

But there will most certainly be a recession. And the recession is a direct result of the federal government getting involved in the free market by playing around with the money supply through the Federal Reserve system. And doing other things: having excess taxes, having excess deficit spending. All of these add together to make the stock market very shaky. I know we're going to have a recession; I just don't know when it is going to start.

LL: One last question: How do you convince the American people that the Libertarian solution to all these problems is the right one?

AM: I've had a lot of luck by tying in the Libertarian philosophy to the Founding Fathers. What I tell people is that the Founding Fathers, almost without exception, were Libertarians, judged by what they said, what they did, what they wrote. Read the Declaration of Independence: it sounds like it was written by a Libertarian. Read the Constitution and the Bill of Rights: they sound like they were written by a Libertarian, and in fact they were!

They didn't use the term Libertarian back then—any more than they used Democrat or Republican—but Thomas Jefferson said: "That government is best that governs least." And I like that so much it's on my campaign letterhead. George Washington said: "Government is not reason, it is not eloquence, it is force. Like fire, it is a dangerous servant and a fearful master." And I obviously agree with that; that's another Libertarian statement.

So I tell people that the Founding Fathers were Libertarians; they wrote the Declaration of Independence and the Constitution primarily to limit government—to limit the size of government as so to maximize individual liberty.

We have gotten so far away from that under the Democrats and Republicans for the past 70 or 80 years that when we Libertarians come along and say the same things the Founding Fathers did it sounds really different. And in fact it is.

But the average American is already a Libertarian. Take a person off the street and ask him: "Are your taxes too high?" and he'll say yes. If he's a businessman, ask him: "Does the government overregulate you?" and he'll say yes. Especially if he's a young person, ask him if the government gets involved in his private life too much, and he'll say yes. The average young person is opposed to the draft, and we're the only party who's opposed to the draft.

We are reaching the people. The people do realize that we espouse the ideals that this country was founded upon and that we do want to maximize individual liberty and minimize government power—then we get their attention, and we get their allegiance. So I'm looking forward to a real good campaign.

Name that dictatorship — Here's a quiz: What third world dictatorship, annoyed at the activities of a certain group of its citizens, recently proposed legislation that would: 1) Prohibit those individuals from congregating in public in groups of two or more; 2) Prevent them from remaining on public streets for more than five minutes at a time; and 3) Empose a dusk-to-dawn curfew on them? Did you guess South Africa? Nicaragua? Afghanistan? Sorry, the correct answer is Los Angeles, where the city attorney recently requested those powers against a street gang called the Crips. Fortunately, a Superior Court judge denied the request, and so the city will be forced to use constitutional means to combat crime. (Reported in *The Boston Globe*)

Libertarian Lines
February 1988

THE VILLAGE EDIT/Don
/& Penny Hinkle/Box/
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07935/ (201)377-2176

Writing + Editing

Sawtooth Libertarian
February 1988

THERE OUGHTA BE NO LAW

Idaho Code 18-3402. Display of red flag or banner of disloyalty prohibited. — Whoever in this state shall hoist, carry or display any red flag or other emblem or banner indicating disloyalty to the government of the United States or the state of Idaho, or a belief in anarchy, shall be deemed guilty of a felony, and upon conviction shall be punished by imprisonment in the penitentiary for a term not less than one (1) year nor more than ten (10) years, and may also be fined in any sum not exceeding \$1000. [I.C. § 18-3402, as added by 1972, ch. 336, § 1, p. 844.] — contributed by Pat Bachunan

The Philadelphia Inquirer

Courts don't have to be government-run

By Dan Rottenberg
Inquirer Contributing Writer

Begin with a premise on which nearly everyone agrees: The function of government is to handle those necessary tasks that the private sector can't or won't handle itself.

Reasonable people, of course, will disagree about what those tasks should be. Should the government operate railroads? Run liquor stores? Fund abortions?

And our definitions of such tasks may change from one generation to the next: Once it was assumed that only government could adequately provide such services as mail delivery and education. But today many people aren't so sure.

Or take the necessary business of settling disputes. When two people, or two companies clash, many of us assume that the matter can only be resolved in a state or federal court. After all, only a public court wields the power to compel people to abide by its decisions.

Closer inspection, though, reveals several leaks in this premise.

For one thing, Americans file lawsuits with such alacrity that our courts are hopelessly clogged. The 50,000 civil cases currently filed in Philadelphia's Common Pleas Court will take an average of 40 months before reaching the bench.

For another thing, the element of compulsion produces unhealthy side effects. Rival lawyers try to wear each other down by filing motions and counter motions. Or they expend



great gobs of energy cultivating reputations for political influence, the better to intimidate their opponents into surrendering early and settling out of court.

For a third thing, the public cost of administering all this filing and posturing is enormous. A recent study by the Institute for Civil Justice concluded that for every dollar awarded to a plaintiff, the taxpayer pays another dollar for the cost of the decision.

There ought to be a better way to resolve disputes — and, in fact, there always has been. Ecclesiastical and rabbinical courts, for example, have

functioned for centuries; the parties involved agree to abide by the judge's decision, either out of mutual respect for his wisdom or out of mutual fear of excommunication.

Even outside of a religious framework, though, nothing prevents two parties from submitting a dispute to any mutually agreeable third party. The American Arbitration Association exists for that purpose. So does Ann Landers. EnDispute Inc. of Washington and Los Angeles recently settled claims totaling \$61 million by American Can Company against Wisconsin Electric Power Company. Civicourt Inc. of Phoenix began op-

erating a private court system in January.

The latest entry in the dispute settlement business is the Philadelphia-based Judicate Inc., a nationwide private court system formed last year. Unlike the AAA and EnDispute, which function more as expert mediators and consultants, Judicate operates as a veritable shadow court system, providing trials, courtrooms, real retired judges (including such local lights as D. Donald Jamieson, Paul Chalfin and Stanley Greenberg) and decisions based strictly on existing law.

There are, of course, important differences between Judicate and "real" courts. Judicate has no power to enforce its decisions. On the other hand, Judicate is much cheaper and faster: Most noncomplex matters can be handled in a single half-day "court" session, which costs \$750, including filing fees. Participants can choose the judge and the timing. And they can avoid embarrassing publicity, because the proceedings are closed to the press and the public.

The implications of a voluntary private court system are fascinating to contemplate. Without sovereign power, an outfit like Judicate must bend over backward to cultivate the respect of potential litigants — an activity almost unheard of among public judges. (Can you think of a single public judge who treats those who appear in his courtroom as if he needs them more than they need him?)

Nor would any lawyer dare to boast of his "clout" with a private court —

because, if he did, he could never persuade those on the other side to bring their case there. Thus in a private court setting judges and lawyers alike must concentrate their energies not on power but on wisdom, efficiency and justice — which is, after all, what courts are supposed to do in the first place.

But why would two hostile parties agree to submit a dispute to a private court? Because, simply, it is in their best interests. The Center for Forensic Economic Studies reports that it costs insurance companies anywhere from 50 to 75 percent more to resolve a case three to five years after it has begun than it costs to resolve the case within one year. As for the plaintiffs, after three years they must recover 30 percent more in order to keep pace with the costs involved.

Thus in many instances both sides have an interest in resolving their disagreement quickly. And private courts offer the best hope of doing so.

Public courts, like government, will always be necessary to handle matters that can't be resolved privately. But the wonder of the human species is that we are constantly devising better ways to do things — ways that sometimes make government involvement unnecessary. Government may soon be getting out of the mail business and the education business, because better alternatives are becoming available. For the same reason, perhaps one day government will largely be out of the justice business, too.

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☐ Please do not include my name if the NJLP list is rented to other organizations.

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☐ I would like to contribute: \$ _____

☐ 200.00

Lifetime

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"I hereby certify that I do not believe in or advocate the initiation of force as a means of achieving political or social goals."

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(Signature indicating acceptance of above statement is required for membership)

NJLP Bylaws require that members either live or work in NJ.

Make checks payable and return to: NJLP, PO Box 56, Tennent, NJ 07763

the Bergen Record

FRIDAY, APRIL 15, 1988



APRIL FIFTEENTH BLUES

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NJ LIBERTARIAN

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Editor: Ginny Flynn

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Material must be received by the 27th of the month to be in the following issue.

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