

MILITARY HAS NO AUTHORITY OVER
DRAFTEE WHO REFUSES OATH.

*Important. Take it up ~~and~~ with
the boys so all may know*

Holding that only by taking the oath of induction are men ~~are~~ legally drafted into the Army, the U.S. Supreme Court recently sustained in an eight to one decision the conntentions of Arthur G. Billings, who had refused to take an oath when called to military service and was forcibly inducted after the oath was read to him. *Seems parallel to your case*

He has conductd the litigation personally from the guard house at Leavenworth to which he was committed by an army court martial for disobeying military orders. The decision will result in freeing him from the army and turning him over to the Civil Authorities.

The decision should also aid other objectors denied recognition and ordered to military service by enabling men similarly inducted to obtain release from army prisons.

The Supreme Court opinion held that " a selectee becomes inducted when after the army has found him acceptable for service he undergoes whatever ceremony or requirements of admission the War Department has prescribed.

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Counsel for the ACLU held that it opens the way for judicial review of draft board errors without the objectors submitting to induction at the risk of court martial.

Although a man classified I A and seeking review must submit complete the selective service process by ~~induction~~ reporting to the induction center, he may refuse to place himself under military jurisdiction. He will then be subject to prosecution by the Civil authorities and may after the arrest TEST BY HABEAS CORPUS HIS CLASSIFICATION.

Julian Cornell opinonated....Congress intended that those who refuse induction should be tried in the Civil Courts only" and that " forcible induction would thwart the intention of Congress".

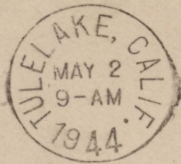
Asserting that the safest course" would be to sue for a writ of habeas corpus upon arrest, Fraenkel declared the Billings decision opened a loophole for a judicial review of draft board orders without the registrant having to submit to induction at the risk of court martial.

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