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Man Freed in Spy Case Bitter

LEAVENWORTH, Kan. (AP)

—George John Gessner drew his first free breath after five years in government custody and said: "Justice delayed is justice denied."

The 29-year-old former soldier showed no elation at his sudden and unexpected release from the U.S. penitentiary where he has been since his conviction June 4, 1964, of giving nuclear weapons secrets to the Soviet Union. He was the first convicted under the Atomic Energy Act.

An appeals court last year nullified Gessner's conviction and life sentence because it found his confession — basis of the government's case — was made involuntarily.

U.S. Atty. Newell George stood before the same three judges yesterday and declared, "Without the confession we do not have sufficient evidence to go to trial." He filed a motion to dismiss charges against Gessner, and a few hours later Gessner was free.

Asked why he had signed the confession, Gessner replied:

"Because of continued interrogation month after month and promise of total immunity."

"Of course, it was not true," he said.

Thinking of College

"How can a man have plans when he has been locked up five years or better?" said Gessner when asked about his future. "I hope to return to college — if any college will have me." If he does go to school, he said, "It is not my intention to restrict my political opinions."

Gessner, a private first class, was a nuclear weapons specialist at Ft. Bliss, Tex., when he deserted Dec. 6, 1960, and went



—AP
GEORGE J. GESSNER

to Mexico City. The confession, introduced at his trial, said he met with officers of the Soviet Embassy on several occasions and gave them all he knew about mechanisms of atomic cannon. He was arrested in Panama City, Panama, March 23, 1961, and has been in custody since then — one year of it for desertion.

No Attorney Fees

The confession, Gessner said, was obtained through coercion and fraud.

"A man tends to get justice in proportion to the thickness of

his wallet and inversely to the power and prestige of the accuser," Gessner said.

He was reminded that his court-appointed attorneys received no fees. "One swallow doesn't make a spring and one prisoner breaking free through adequate counsel doesn't change things for the hundreds or thousands of other men still in prison because they were not adequately represented," Gessner replied.

Gessner's parents are divorced. His mother, Hazel Raymond, lives in Melbourne, Fla. When she was told of her son's release by a reporter she said she would send money to bring him to Florida.

Gessner said he had \$21.63 in his pockets. He wore the same clothes as at his trial.

"I do not have any Marxist leanings per se," said Gessner, "but Marxism prides itself on being realistic. Anyone who has any independence of thought will sometimes parallel Marxist thought."

At his trial, the government attorney said Gessner should never be released because he was so brilliant he had no need to write down the nuclear data he learned and that "he still has a head full of secrets."

Reminded of this, Gessner laughed.