

US v. John Doe
August 30, 1950
Presented by Myles J. Lane, Esq.

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Sidorovich

M I C H A E L S I D O R O V I C H, called as a witness,
having first been duly sworn by the Foreman, testified
as follows:

BY MR. LANE:

Q Your full name? A Michael Sidorovich.

Q Your address? A 8706 Carnegie Avenue, Cleveland, Ohio.

Q Occupation? A Draftsman.

Q Whom do you work for? A Gas Machinery Company.

Q How long do you work there? A Since the latter part
of June.

Q What salary? A Base salary of two seventy-five a
month.

Q Whom did you work for before that? A Bower Surveys
Company.

Q Cleveland? A Cleveland.

Q During what period of time? A Ten weeks. I don't
recall exactly. I got a statement from him. I know it was --

Q Well, approximately what time, what months? A I
think April, May and June.

Q 1950? A This year.

Q And before that whom did you work for? A Before that
I worked for the Gafford Corporation.

Q Cleveland? A Cleveland; business brokers.

Q How long? A Oh, I worked for the Gafford Corporation,
oh, I believe I started working for them in about July or
August of 1949.

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Q As a draftsman? A No.

Q As what? A As a licensed real estate salesman.

Q And what was your remuneration for that job?

A Strictly on a commission basis.

Q Well, what did you make, on the average, a year?

A Oh, I believe I did around \$1500.

Q \$1500 a year. Is that all? A Well, I wasn't with them a full year.

Q You were with them ten months, weren't you?

A About ten months.

Q Well, what did you live on during that time?

A Well, I had to live on whatever money I had put aside before that.

Q How much was that? A Well, we had bonds and my mother sent us some money and my wife managed the money and I don't know exactly how much we had, I mean in round figures; in round figures I couldn't tell you.

Q Well, roughly, in round figures what did you have, altogether, counting the bonds and the money your mother sent you? A Oh, possibly three thousand, maybe more.

Q How much did you have in the way of bonds?

A I don't recall.

Q Roughly. A I can't. I couldn't say.

Q Give me an approximation. A I couldn't give you an approximation because I don't recall how much I had.

Q You don't know how many bonds you had? A That's right

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Q Didn't you look at them? A I looked at them, but I didn't count them.

Q That's a little unusual. What did you do before that? A Before what?

Q Before you worked for this real estate company? A Before that I tried selling furnaces.

Q For whom? A There was a furnace company -- I wasn't with them long. I believe I was with them for about a week or so and I collected no compensation.

Q And prior to that whom did you work for? A Prior to that I worked for the Tucker Industries.

Q Cleveland? A Cleveland.

Q What period of time? A From about the middle of '45 to about Thanksgiving of '48.

Q As a draftsman? A As a draftsman.

Q And what did you get for a remuneration there? A Well, it varied, but my average -- but my base rate was \$2.10 an hour.

Q Well, what was the average? A I believe I did better than \$90 a week.

Q Did your wife work at that time? A My wife worked at that time.

Q What was she making? A Well, she was getting, I think -- as I recall, she was making about \$35 a week.

Q Whom was she working for? A The Lindner Company of Cleveland.

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Q How old are you now? A Well, I have to figure that--

Q Do you want my pencil? A Thirty-four.

Q Were you in the service? A No.

Q Why? A I was deferred.

Q Why? A 4-F.

Q Well, I know; but what's the reason? A Eyes.

Q Did you have a punctured ear, or what? A My eyes.

Q What was your Draft Board? A I believe it was number 11 or number 12, down on Astor Place, here in New York.

Q Do you own an automobile? A I do.

Q What is it, what year? A It's a '41 Studebaker.

Q When did you purchase it? A In the summer of '48.

Q From whom? A The name I don't recall.

Q You got a bill of sale, didn't you? A That's right.

Q Did you ever look at it? A Not recently.

Q But you have looked at it? A That's right.

Q Do you recognize the man that you purchased it from? Have you seen him today? A I saw him today.

Q Robert Pflieger; that's his name. A I don't recall the name.

Q Now, when did you decide to buy this car? A The day I saw it.

Q The day you saw it, yes; but when did you decide to buy a car? A Well, I had been looking during the summer of '48 for a car, I wanted to purchase a car. I had put in a bid for a new car for some time since and I hadn't heard

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anything from the dealer with whom I had put in the order.

Q Who is the dealer? A I believe it was Cole Motors.

Q Cole Motors in Cleveland? A Not Cole. It was Erdlac.

Q And where are they located in Cleveland? A They are located on Broadway. And when I put my order in they had -- this was before they moved to the quarters they now occupy.

Q Where are they now? A Now they are on Broadway.

Q The same place? A No. They are on Broadway now.

Q Where were they before? A Before, they were someplace on 79th Street. I don't recall the location.

Q And whom did you deal with there? A Well, I spoke to Mr. Erdlac himself.

Q When was this? A Oh, this was I think in '46.

Q '46? A Yes.

Q You put an order in then for a car? A Yes.

Q What kind of a car? A A studebaker.

Q A new one? A A new one.

Q And then what happened? A Well, then he wouldn't take any deposit. He said he would just keep me in mind. And he sent me -- once or twice he sent me an invitation to come down and look at new cars that were in, just as a -- that were just on display, to keep up my interest. I didn't go down, although I called him on several occasions. I called him once or twice and I couldn't get to speak to him. I spoke to whoever was in charge there and he said they were all filled up, all their orders -- all their cars were

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on order and they couldn't promise me anything at all. And I believe I went down to Cole Motors and spoke to them, too, and they were busy too. So that when I -- in '48 I got disgusted waiting and I also figured that the market might drop down and I might be able to get a car without too much waiting, and, well, nothing happened and when nothing happened I started looking around used cars and so I answered many ads and made many telephone calls and inspected many used car lots, looking for a car.

Q Well, what used car lots did you visit? A Specifically, I couldn't give you the names, because --

Q Well, you must remember some of them. A You could walk down Euclid Avenue not far from where I live and you could find -- one, two miles, you could find five or six used car lots.

Q Well, what were some of them? I don't live in Cleveland, so I don't know the answer to that. A I don't remember any of their names.

Q You don't remember any of the names where you went? A No.

Q Why? A Well, there was no reason to remember.

Q Well, as you walk down the street now you remember some of them you went to before. As you pass by them now in Cleveland you look at some of them and say, "That's the place where I went before." A I don't say that to myself. There is no reason for me to say that to myself.

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Q There is, now; I'm asking you. A Well, I'm telling you.

Q Well, now, refresh your memory, see if you can't remember one of those places, at least one; you can remember one of them. A Well, there is numerous ones coming up all the time.

Q What? A There is new ones springing up or did spring up all up and down the street there, one of them right, I think, within about two blocks of where I live; I believe it's called Elkhart.

Q Elkhart. Did you try that place? A I believe I walked around there a lot.

Q Was there anyone with you when you went to Erdlac?
A Erdlac?

Q Yes. A Yes, I went down with somebody who knew Erdlac.

Q Who is that? A A fellow by the name of Joseph Chilenko.

Q A friend of yours? A He was working with me at the time.

Q Where does he live? A He lives in Cleveland.

Q Whereabouts? A Well, he has moved and I have heard that he -- his father died and he had bought a home or something like that and I haven't seen him, although I have spoke to him over the telephone.

Q You called him up? A He called me up.

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Q What's his telephone number? A I don't remember.

Q If I wanted to get in touch with him where would I communicate with him? A I could find him in the telephone book.

Q Do you know where he works now? A Now, no.

Q Now, you looked in the newspapers, I imagine, before you purchased this car. A That's right.

Q On the day that you purchased it, tell me what you did. You looked at the paper first that morning?

A That's right.

Q A plain dealer, wasn't it? A That's right.

Q And what did you do after you saw it? You spoke to your wife? A Well, I called several different ads and -- to find out what they have for sale and what they wanted for it. Then I -- then my wife and I went out and we went to look at some of those that I had called.

Q Whom did you visit? A Well, there was -- there were others I saw which I don't recall at all.

Q You don't remember the names of the people? A No.

Q Where they lived? A No.

Q How did you go out to these places? A By public transportation. I didn't have a car. I had to use the street car or the bus, one or the other.

Q Well, at this stage of the proceedings I think it's my duty to warn you, advise you, that you are testifying under oath and that you are subject to penalties of perjury

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which includes the possibility of being indicted for perjury if you are not giving truthful answers. Now, I realize it's two years ago, but you certainly know how you went out to Pfleger's house. Now, once again I repeat the question: How did you go out to Pfleger's house on the day that you bought the car? A You mean the man from whom I bought the car?

Q Yes. A As I recall, I took a bus, a street car and bus or a bus and street car out there.

Q You talked to him outside here this morning, didn't you? A Yes.

Q Didn't that refresh your recollection as to the events of that particular day? A Well, what do you mean by "refresh"?

Q Well, couldn't that recall to your mind what took place on that day? A I recall that I bought the car on that day.

Q Yes. Now, tell us what happened. Your story is that you went there by public bus. What bus did you take to go out there? A Well, I hadn't ever been out there before and I had to go through the Cleveland transit system map and pick out a route and follow the route to get out there.

Q What time did you leave your home that day? A I believe it was after lunch.

Q What time? A I couldn't tell you whether it was 1 o'clock or 2 o'clock or 12:30.

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Q You and your wife left home? A That's right.

Q Now, where did you go from the time you left home and the time you got out to Pflieger's place? A I can't recall whether we stopped to see any other cars or not. I don't recall that we did.

Q You had a list in your pocket, didn't you? You have just testified that you telephoned several people.

A That's right.

Q You made appointments, didn't you? A I didn't say I made appointments.

Q Well, did you make appointments? A I don't recall that I made any appointment.

Q You made an appointment with Pflieger. A I told him that I -- that his ad was interesting and that, if possible, I would be down to see him.

Q Did you talk price over the telephone? A I asked him -- let's see. If I recall, I asked him what he was asking for it. I must have spoken price with him.

Q What did he say? A Let me think. Yes, I believe -- yes, he told me that he wanted \$750 for that car.

Q And you told your wife, did you, what he said he wanted? A I don't recall.

Q Well, what cars were you interested in, just Studebakers? A Well, I looked at other cars, I mean I looked at Chevrolets and I looked at Fords and I looked at Willys. But it was my understanding that a Studebaker was

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a good car.

Q So, when you were looking at these ads in the papers, did you restrict yourself to telephone calls to people who had Studebakers for sale? A I wouldn't say restricted myself, but I favored them because I found, in inspecting the ads, that you could get a more reasonable price quoted on a Studebaker than you would for, say, a Chevrolet or a Ford; they apparently were more popular, and so were the Plymouths, and so you could get a better buy on a Studebaker.

Q Now, had you looked at cars prior to that day?

A Oh, yes.

Q Do you know anything about an automobile? A What the average fellow knows.

Q Did you know anything about it in those days?

A Well, I had had two cars before that.

Q Did you? When did you have them? A When I was living up in Chappaqua, New York.

Q What type of car? A Well, one -- I had a Chevy.

Q What year, what model? A Oh, I don't remember the model. It was an old car.

Q Whom did you sell it to? A I didn't sell it. I gave it away.

Q Whom did you give it to? A My brother-in-law.

Q What's his name? A John Hanusiak.

Q Did he live in Pittsburgh? A No.

Q Where? A New Haven, Connecticut.

Q When did you give the car to him? A Shortly after

I bought it.

Q Shortly after you bought it? A Yes.

Q When did you buy it? A I bought my first car, I believe, around '42.

Q What did you pay for it? A Fifty dollars.

Q Did he ever visit you in Cleveland? A No.

Q When you were -- and you owned the second car, you say? A Yes.

Q When did you purchase that? A I purchased that, I think, about half a year later.

Q Where? A Through my brother-in-law, John Hanusiak. He purchased it for me in New Haven and I went down to New Haven and bought the car.

Q How much? A I believe I paid \$135 or \$145.

Q What kind of a car was it? A It was a DeSoto.

Q And did you turn in the Chevy as part of the deal?
A No.

Q And did you take that car out to Cleveland with you?
A No.

Q What did you do with it? A With what?

Q With the DeSoto? A The DeSoto, I brought it from New Haven to Chappaqua, New York, where I used it for transportation from the house to the railroad station.

Q Well, when did you purchase it? A Shortly -- about half a year after I bought the other one.

Q Well, you said you bought the other one in 1945.

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A Which other one?

Q The Chevvy. A No, I did not. I said I bought that around '43.

Q '43. And you bought the DeSoto after you moved up to Chappaqua? A I had the Chevvy when I was already in Chappaqua.

Q When did you go to Chappaqua? A In Chappaqua, I believe I went up there either in '42 or '43. I believe it was in '43.

Q And you bought the car? A No; I bought the car after I had already been in Chappaqua.

Q But you say you gave the Chevvy away? A I gave it away.

Q To your brother-in-law? A That's right.

Q Was that before you purchased the DeSoto? A That was before I purchased the DeSoto.

Q What did you use for transportation after you gave it away? A I walked.

Q How long a walk is it from the railroad to the bus station? A The railroad. There is no bus station. It's about a mile and a half from my home to the railroad station.

Q You walked that every day? A Every day except when I could get a lift.

Q In the winter, too, in the winter? A Well, in the winter I was lucky. One of our neighbors used to go to work and he used to give me a lift. I would walk down the road a

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piece and I used to pick him up at his home. He used to pick me up at work and he dropped me down at the railroad station.

Q Where were you working then? A At the Koll-Morgen Optical Corporation.

Q Where is that? A Brooklyn, New York.

Q As what? As a draftsman? A As a draftsman.

Q And what were you making? A I believe I was making about \$2 an hour.

Q Well, how much a week? A Oh, \$80.

Q And what time did you have to get up in the morning to get to work over there? A Well, I had to catch the 6:15 at Chappaqua which would get me in about 8 o'clock at Koll-Morgen, and I used to have to get up about a quarter to five or five.

(Cont'd by LB)

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Q A quarter to five. What time did you get home at night? A We used to knock off at five, used to get home pretty late, used to get home around about eight o'clock in the evening.

Q Then you would walk a mile and a half to and from the station, right? A Yes.

Q Before you moved up to Chappaqua, you were living at Knickerbocker Village, weren't you? A That's right.

Q What were you paying for rent? A We were paying I am not sure.

Q No, roughly; you do not have to be accurate. A I believe we were paying about \$42 or \$42.50.

Q Was your wife working during this period? A Up at 10 Monroe Street?

Q When you were at Chappaqua? A Up at Chappaqua she was working.

Q Where was she working? A She was working at Tailored Woman.

Q What was she making? A I don't know.

Q She get up every day with you and take an early train? A That's right.

Q $\frac{3}{4}$ She wait for you at night? A That's right.

Q She have to make that trip too? A In the morning and at night.

Q She walk with you in the morning? A No, we used to grab a car.

Q When, in the morning? A In the evening.

Q What about the morning, she walk to the station with you? A No, she called up and the fellow used to pick us up and take us down to the station.

Q The days he didn't pick you up. A No, he always picked us up.

Q Every day? A Every day.

Q Who was he? A His name was George. I do not know his second name.

Q Where does he live? A I do not know where he lives now. At that time he was living at Campfire Road.

Q You do not remember his second name? A No.

Q Did he give you a ride every day? A Every day. His wife's name was Peggy. She also worked and she used to ride with him too.

Q You were kind of lucky you had George and Peggy. A We really were lucky.

Q To get back to the car business -- that was a little aside. On the day -- we got to the point where you had discussed the purchase of the car with your wife and you talked with Mr. Pflieger over the telephone and he told you that the price was \$750; then you say you left the house some time after lunch and you proceeded to Mr. Pflieger's house. Now, tell me exactly what you did from the time you left your house until you got to Mr. Pflieger's? A Exactly I couldn't tell you.

Q What was the route you took, what bus did you take? A If you had a map I'd tell you.

Q Can't you tell me without a map? I am not supposed to be a walking encyclopedia, I can't carry these things around with me; you are from Cleveland, I'm not. A I never had occasion to go back there.

Q Can't you remember where you went that day, what bus you took? A No.

Q Did you take a bus? A As I recall it, I took a bus.

Q Your wife was with you? A That's right.

Q You stop anywhere en route? A I do not recall.

Q Where did you get off the bus? A At the, I believe it was the end of the ride.

Q At the end of the ride you got off? A Yes.

Q What did you do when you got off? A I started looking around for where he lived.

Q Did you walk somewhere? A Walked.

Q Very much of a walk was it from the end of the ride to where he lived? A I got lost a couple of times trying to find the place, and I had a map at the time. I do not know how much of a walk it was.

Q You walked up to his place, is that right? What sort of a home did he have? A I don't remember.

Q You do not remember the home? You know nothing about it? A I do not remember. I mean, I might have seen it and I might have spoken to him about it. I don't remember.

Q When you got to his house did you go in the house right away? A No.

Q Where did you see him? A I believe he was, if I recall there was somebody there when we got there, and we passed the place, and then we came back, as I recall it, somebody was already there, and when we came back down the block again, after we had already passed the place, the car was standing in the driveway and I believe he was by the car or he was near the car or -- I don't recall.

Q You went up to him, did you, with your wife? A Yes.

Q Did you introduce yourself? A No, I do not believe I introduced myself.

Q You did not? A No.

Q Did you introduce your wife? A No.

Q Isn't that a little unusual? A Well, I wanted to find out what he wanted for this car because I did not want to spend \$750 if I could get it for \$650.

Q I know that. But you walked up to a man. Don't you identify yourself -- didn't you identify yourself? A I went up to him and I probably asked him, as I think I would normally, asked him if he had this car for sale.

Q Didn't you say that "I am so and so and I called you this morning and we talked about price over the telephone"? A I don't believe I did.

Q You did not say that? A No. Because as I recalled later, he wanted more money for it.

Q I understand that. A I already had called him and he said, "Are you the one that called?" I said, "Yes, and you quoted me a price of \$750."

Q You did not tell him your name and you did not introduce yourself? A I didn't know the man. I don't have to introduce my wife or myself.

Q I suppose your wife knows ^{more} about it than you do then? A I don't know. I haven't spoken to her about it.

Q Then what happened. A Then we spoke about the car.

Q What did you say? A I don't know.

Q You don't remember? A No.

Q What did he say? A But we talked about other things besides the car. I think we talked about the general situation.

Q What was the general situation? A Yes, yes, I remember what I did. I believe I asked him whether it was burning oil and what kind of mileage he was getting, and asked him to -- of course after I asked him to he picked up the hood. Then I asked him if I could take a look in the trunk. He told me about the tires he had; they weren't in very good shape; and we talked about the cars and how hard they were to get. He told me he had ordered another car and he did not know whether he would sell this because he did not know whether the car was coming through, I recall. When I asked him price and he quoted me \$800, I told him "I already called you once before and you had quoted me \$750." He said, "Well, I have had so many people looking at the car, I think it's worth more."

Q What else? A What else what?

Q What else what? What are we here for? This is not a clambake. A We agreed on the price. I told him, "I will offer you --" no, I offered him less, and after we got to talking he says he wanted to get more, and I believe I said, "Well, I will offer you the price that you quoted me over the phone." And he hesitated about that and he said, "Well, all right." But he set some conditions to the sale, namely, that if he could not get this car, he would let me know before the week was out, this new car that he had ordered, would let me know before the week was out, and that the deal wouldn't stand because -- I believe I put up a deposit of \$100 or maybe it was \$50, for the car, and we signed an agreement, and I do not believe there were any witnesses to the agreement.

Q Where was the agreement signed, in the driveway?

A No, no, no. We went into his house, into the kitchen.

Q When was that done? You see, you are telling a lot of these things and you haven't even tried the car out. Did you try the car out? A Yes, yes, I tried the car out.

Q Tell us about it, don't be bashful. A After we had been talking a while, after we looked at the car, he says, well -- I asked him if I could try it out, and he says all right. He pulled it out of the driveway, and I know he pulled it out of the driveway, that's definite.

Q How do you know? A Because I found out later that he had no emergency break so he must have had the car in gear and kept the emergency break off because I had to put in a new emergency break at my own expense.

Q Why would you have remembered it? A Because I would have noticed it and I ~~xxx~~ didn't know when I bought the car that he had no emergency break at all.

Q So he pulled it out of the driveway and then what happened? A And then I got behind the wheel and I drove it around -- he told me which blocks to drive it around, and I drove it around and the car responded well.

Q Did you try the emergency? A No.

Q Why? A I didn't have to try the emergency.

Q You were buying a new car, weren't you? A Yes; because I was worried about the clutch and what I did was step on the foot-break, the hydraulic break, and let the clutch out fast, and there was no slip there, so I knew the clutch was in good shape.

Q You did all this? A That's right. I was also a subscriber to the Consumers Union which had a whole list of things which you should do to a car, and I am sorry I did not do all those things to this car because I found out subsequently --

Q How could you have if you did not drive the car?
A You asked me whether I drove the car and I told you I had driven the car.

Q You said you did, but I am trying to help you out before you get in too deep. Who drove that car that day?

A I drove that car.

Q No one else was with you? A My wife was with me.

Q Anybody else? A No.

Q Anybody else? A No.

FOREMAN: I want to remind this gentleman again of his oath.

Q You are under oath. Once again I tell you that you are under oath and you are subject to the penalties of perjury. If your testimony differs from somebody else's who has been in here, or other people who have been in this room, I have no other recourse but to ask the Foreman and the grand jury for a perjury indictment against you. Do you appreciate that fact? A I heard you telling me.

Q You understand English? A Yes, I do.

Q Exactly.

THE FOREMAN: Do you remember when I said to you, You swear to tell the truth, the whole truth and nothing but the truth, so help you God, you said, I do?

THE WITNESS: That's right.

Q Here's a picture. Do you recognize that person?

A No.

Q You do not recognize him? A No.

Q That's William Perl, also known as William

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Perlmutter. For your information, Perlmutter was before this grand jury less than ten days ago. You say you do not know him? A I do not recall him.

Q Never saw him before? A I do not recall him.

Q I ask you pointblank, was William Perlmutter or William Perl as he is now known with you on the day that you went to Mr. Pflieger's house to purchase that car? A I do not recall.

Q Do you know such a man? A I don't remember having met him.

Q Again I remind you that you are under oath. You do not recall that man, you do not know who he is, you never saw him before? A He's not familiar.

Q And he was not with you on the day that you went to purchase that car? A As far as I recall he wasn't.

Q You did not drive up to Mr. Pflieger's place in an automobile? A No. As I recall it, I took the public transportation.

Q You say you never saw this man before? A I do not recall him even.

Q You do not know who William Perl is? A I do not recall meeting him.

THE FOREMAN: Answer yes or no.

THE WITNESS: I am answering.

Q Do you know William Perl? A Know him how, socially?

Q Any way. A No. I do not know William Perl.

Q Did you ever meet William Perl? A I do not recall having met William Perl.

Q Did you ever converse with William Perl? A I don't recall.

Q Was there a third party with you the day that you went to Mr. Pflieger's home -- I believe it was in July of 1948 -- to purchase that car, was there a third party with you on that day? A I do not recall a third party being with me.

Q Just you and your wife go there? A That's the way I remember it.

Q You did not drive up in an automobile when you came to Mr. Pflieger's house? A As I recall, I came up by public transportation.

Q You haven't answered the question. Answer Yes or No. A Well, I do not remember having done these things. I mean, I might have met the man in the street, but I do not remember meeting him.

THE FOREMAN: I might remind you that this is rather an intelligent jury. Now, come clean, you are fooling nobody.

(Cont. by BD)

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BY MR. LANE:

Q Now, what have you got to say? Do you want to tell the truth? A I don't recall having met Mr. Perl.

Q Did you ever talk with him? A And I don't think he was with me when I went to buy the car.

Q Was there anybody with you when you went to buy the car? A I don't recall anybody being with me except my wife.

Q Did you ever talk to Mr. Perl over the telephone?

A Where?

Q Anywhere? A I don't remember.

BY THE FOREMAN:

Q Excuse me a minute. You say you don't think that he was with you. But if he hadn't been with you would you recognize him? You just said you don't think Mr. Perl was with you. Well, now, who is this Mr. Perl? A I don't recall having met Mr. Perl.

Q Yes; but you said you didn't think Mr. Perl was "with me." When I say I don't think Mr. Lane was with me, when I say "Mr. Lane," I must have known Mr. Lane, to be able to say "Mr. Lane." Now, you just said you don't think Mr. Perl was with you. How do you say he wasn't with you? Did you know him before? A No, I didn't know him before.

BY MR. LANE:

Q Well, all right; we'll get back to this point. You say you tried the car out. But after having read this article as to what you should do when you buy a secondhand

car you neglected to try the emergency brake. When you pulled up in front of the house, as you say you did after you tried the car, when you came to a stop did you put the emergency brake on then? A No.

Q Do you usually put the emergency brake on when you stop? A No.

Q You don't? A No.

Q Where was your wife during this ride? A She was sitting in the back.

Q And where was Mr. Pflieger? A He was sitting beside me.

Q And after you tried the car out did you then immediately purchase it? A No. We talked.

Q You talked. Did you go away or did you buy it at that time? A No; we bought it at that time.

Q You purchased it right there? You didn't leave the premises at all? A I don't recall leaving the premises at all

Q And you say you went inside there, into his house?
A I believe we went into the kitchen.

Q Into the kitchen. And who drew up the agreement?
A He did.

Q Did you and your wife talk at all? A I don't even remember whether she was in the kitchen with me.

Q And what did you agree upon as the purchase price of the car? A \$750.

Q Did you make a down deposit, a down payment?

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A I did.

Q You did. What was that? A I believe it was about \$50. It might have been 75 or it might have been 35.

Q Did you meet anybody else at Pflieger's place that day? Did you see his wire or any of his relatives?

A He had some people sitting in the back.

Q You waived to them? A No, I didn't waive to them. I didn't know them. He didn't introduce me to any of them.

Q But you saw them? A They were sitting in the back.

Q Did your wife waive to them? A I only saw them, I believe, when I came into the kitchen.

Q You saw them. Did they see you? A Probably.

Q Who was in back there? A I don't remember. There were a number of people there.

Q Any children? A I don't recall.

Q And when did you eventually get full possession of the car -- title to it, rather? A I believe the following week he called me, during the week, and he told me that he was going to get delivery on his other car and that he will go through with the agreement.

Q You got the agreement, did you, in writing?

A I believe we both had a copy of the agreement.

Q Well, then you must have introduced yourself at the time you signed the agreement. A Well, yes, we put down our names.

Q Yes. And didn't you introduce him to your wife then?

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A I might have.

Q Well, did you? A I don't remember.

Q Is your memory this poor every time that you are asked to talk? Do you have a bad memory? A Normally, yes.

Q Where did you go to school? A I went to high school.

Q What high school? A Stuyvesant High School, here in New York.

Q Oh, you went there, too? Where else? A High school.

Q No; after high school. A Then I went to Polytechnic Institute of Brooklyn.

Q When did you meet Julius Rosenberg? A Oh, Julius I met when I was in high school, over in Seward Park, after I transferred from Stuyvesant.

Q How well did you know him? A We were in two classes together.

Q You were in the same Communist cell together, too, weren't you? A What Communist cell?

Q Well, you tell me. A I didn't tell you.

Q Weren't you interested in Communist activities?

A Are we talking about meeting Julius Rosenberg?

THE FOREMAN: Yes, he is asking you another question. And you answer it, too.

Q This is like cat-and-mouse, isn't it? A I feel like a mouse.

Q Well, you are acting like one. Where did you meet Julius Rosenberg? A In high school.

Q Now, you knew he was interested in Communistic activities, didn't you? A When?

Q Well, some time in the past. A When I went to high school with Julius Rosenberg we were two kids going to high school. He was in my chemistry class and he was in my music class.

Q When for the first time did you know he was interested in Communistic activities? A I met Julius Rosenberg after high school when I went to a social given by the Young Communist League and Julius Rosenberg was there and I saw him again.

Q When? A I don't remember.

Q That was the first time you knew he was -- A This was around '35, '36 or '37.

Q Well, now, you were interested in the Young Communist League, too? A I was.

Q Yes. You went to meetings; right? A That I won't answer.

THE FOREMAN: Why?

Q On what grounds? A Well, I understand I don't have to answer any questions that may tend to incriminate me.

Q Do you think that would, because you went to a meeting of the Young Communist League? A I really do.

Q You really do? You are serious about that? You think that in itself -- there is something critical in that? A Well, I believe, in the hysteria today any admission like

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that on my part wouldn't help me at all.

Q Well, it's not a question of helping you; it's a question of incriminating. How would that incriminate you, just the fact that you attended meetings? Do you think that any court in the land would convict you because you attended a meeting, or something? If I attended a meeting of the Democratic or Republican Club, am I going to be convicted for that, just for attending a meeting? Is that your idea, just attending itself is enough to incriminate you?

A No. But associating with people like that would tend to incriminate me.

Q Not necessarily. You could know Stalin, if you know him, that doesn't incriminate you; even if you know him personally, that doesn't incriminate you. Plenty of people, reputable people, have met Stalin. Our Ambassador --

A I never met Stalin.

Q -- our Ambassador, when he goes to Russia, meets Stalin. But if I asked him if he ever met Stalin he couldn't very well say the fact that he met him tends to incriminate him. Do you follow me? I mean, the fact that you know somebody doesn't incriminate you, necessarily. Of course, if you did things with him, if you went out and conspired with him, that's something else. But if you know a person -- I think I have met people who afterwards have gotten into trouble, but the fact that I have known them doesn't incriminate me. I have done nothing wrong. I happen to be

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unfortunate to know certain people, but that doesn't incriminate me. I have no control over people that come up and speak to me, that I meet, but that doesn't incriminate me. You follow me? I'm just trying to find out what might incriminate you or would not. In my opinion, now, the fact that you happened to belong to something, I don't see how that could incriminate you. If you think it does, tell me in what manner it would you. A Well, there are bills up before Congress right now that says anybody who associates with a Communist or knowing a Communist or suspected of being a Communist should be put in a concentration camp.

Q No, that's not the bill at all.

JUROR: Where did you get that information?

THE WITNESS: That's the Mundt-Nixon Bill.

JUROR: Who told you all about that.

THE FOREMAN: Where is that, in the Daily Worker?

THE WITNESS: It's in the papers.

Q The Daily Worker? A I don't read the Daily Worker, for your information.

JUROR: Do you ever read The Times?

THE WITNESS: No. I read The Plain Dealer.

Q Did The Plain Dealer say that? A And I read The Pres.

Q Do they say that? A They mentioned that.

Q Concentration camp? A They may not have used the word "concentration camp."

Q Well, why did you use it? A They used the word

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"forced labor camps."

Q Why did you use it? A Because it means --

Q Who used "forced labor camps"? You mean the Cleveland Plain Dealer? A That's right, there was an article in the paper.

Q Oh, stop. A There is also a bill where people associating with Communists should be compelled to work -- since they can't trust them any other way, should be put into forced labor battalions.

JUROR: Where is there a forced labor camp in this country?

A (Cont'g) Apparently you don't read The Cleveland Press.

Q Apparently I don't. But if you have read the bill carefully, the bill as it's proposed, it proposes to have all Communists registered; if you are a Communist, you register "I'm a Communist," you register as that. That's legal. That doesn't mean to say that because you are a Communist you can be indicted, if you legally register and let the world know what you are. So when you say the fact that you belonged to the Young Communist League incriminates you, I don't see how, unless you can explain to me how.

A I don't say I belonged to the Young Communist League.

Q I asked you if you did and you said you can't answer that because it would incriminate you. A That's right.

Q Well, as a matter of fact, you did belong to it. I know that. You don't have to hide it from me. I don't

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care whether you did or not. I know it from other sources. I can put somebody else in here where you are now to prove that you belonged to the Young Communist League.

A Well, you are going to get the proof from them, not from me

Q I can see that you are not going to cooperate at all.

A In what sense?

Q In any way. A I have told you everything I know.

Q You haven't. You have lied here today. A In what way?

Q Your story is different from your wife's. A I haven't lied.

Q Did she lie? A I don't know what she said.

Q You appreciate the fact that if your testimony differs from the witnesses in here before, I have no alternative but to indict you, or ask the Grand Jury to do that; you understand that? A You told me that.

Q And with the understanding of that you still say that no one came up to Mr. Pflieger's house on that day that you bought the car? A As I recall, there was nobody with me except my wife.

MR. LANE: Will you excuse him momentarily? But he is still under subpoena.

THE FOREMAN: You are excused temporarily.

[WITNESS EXCUSED]