



## The Indianapolis Times

HOME

Fair tonight and probably Wednesday; rising temperature, lowest tonight about 40.

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**'HOT CAR' CONSPIRACY JURY CHOSEN IN 45 MINUTES AS TRIAL OPENS IN U. S. COURT**

Names of Five Fugitive Defendants Disclosed by Judge Baltzell; Fifteen Persons Face Auto Theft Charges.

**CASE IS OUTLINED BY WARD**

Alleged to Have Disposed of Score of High-Priced Machines in Last Year; Traugott and Sussman Among Defendants.

Obtaining a jury within forty-five minutes the government today started presenting testimony against fifteen of the twenty-one defendants in the interstate automobile theft case in Federal court before Judge Robert C. Baltzell.

In making the opening statement of the case, in which the defendants are charged with having handled more than a score of stolen automobiles, Judge Baltzell for the first time disclosed names of five fugitive defendants.

They are Leo Baldwin, Chicago, said to be the brains of the gang; Joseph Hunter, Indianapolis; Roy Huffington of Terre Haute, brother of Joseph M. Huffington, head of the Ku-Klux Klan in Indiana; Frank Glenn, Indianapolis coal merchant, and Louis A. Wilkerson, Vincennes, Ind., advertising man.

Sixteen defendants were to have gone on trial today, but Louis Wyndt, Chicago engraver, charged with having assisted in the alteration of numbers on stolen cars, failed to appear.

The jury: Joe Johnson, Martinsville, farmer; Frank McConoughy, Franklin, bank examiner; Edward Peek, Waldron, farmer; Claude Meyers, Jefferson, lumber dealer; Lawrence Saltzman, Mount Vernon, farmer; Nelson Phillips, Switzerland county, farmer; Fred Neill, Bloomington, contractor; Clyde Hoke, Winchester, farmer; Hugh Giles, Sullivan, transfer business; Charles Riley, Crawfordville, druggist; Harry Trotter, Harrison county, farmer; Harry Watson, Parke county, farmer. Taleman Clyde Perigo, Warrick county grain dealer, was peremptorily excused by the defense. Charles F. Dell, Columbus merchant, was challenged by the defense, and Ora Smith, Palmouth, was challenged by Ward when he said he knew one of the defense attorneys.

The conspiracy case was the first of ten involved in the general ring inquiry, set for trial. Twenty-three persons are under indictment in all the cases, but five have not been arrested.

The defendants on trial are: Edward Traugott, merchant; Harry Sussman, Traugott's partner; Wolf Sussman, jeweler; Harry's father; Elmer Sussman, Harry's cousin; W. Lee Smith, former Indianapolis grand dragon of the Ku-Klux Klan; Robert F. McNary, former Klan titan; Dr. Fred Binzer, Terre Haute optician; Bertram Libowitz, 39 North Jefferson avenue, salesman, brother of Harold Libowitz, who died of injuries received in the "Traugott" store blast; William J. Lahey, 925 West New York street, soft drink saloon operator; William M. Jones and his wife, Mrs. Pink Jones, 5502 Winthrop avenue; Jacob Wohlfeld, furrier, 2819 Washington boulevard, and Mortimer Wohlfeld, Jacob's son, all of Indianapolis. Ted Baldwin, Chicago, described by government agents as one of the leaders of the conspiracy; Miss Lloyd Harrison, Chicago, actress, captured in a stolen car with Baldwin.

**Ward in Statement**  
Albert Ward, United States district attorney, declared in his opening statement that the government would prove that the fifteen defendants in the courtroom and the six missing by words and deeds entered into arrangements to steal and dispose of valuable automobiles, such as Packards, Lincolns and Cadillacs, transport them from state to state, alter motor numbers and other identifying marks and obtain false certificates of title and license plates.

He said the government, which has subpoenaed about two hundred witnesses, would show the part which each one played either in forming the original plot or in carrying it out.

**Charges False Identity**  
Specific facts which he declared could be proven included the charge that Ted Baldwin stole and transported cars and that Roy Huffington, the Klan head's brother, obtained a stolen Lincoln sedan, transferred it to Robert McNary, former Klan titan, took the car to Harrisburg, Pa., and under an alias of J. W. Garrett obtained a fraudulent certificate of title. Ward said he would show that Roy Huffington took the car back to Terre Haute and placed it for a time in possession of S. Beamblossom, secretary to his brother Joe. Beamblossom is a former head of the Evansville klavern.

The district attorney said Roy Huffington stored the car in a garage he rented under the name of Garrett and that when state policeman Charles Bridges started looking for the car at Terre Haute he was

called to Joe Huffington's office, given keys to the car and told where it was stored.

**Binzer's Lawyer Speaks**  
All defendants except Binzer waived opening statements for the time being.

Attorney Frank R. Miller for Binzer declared he would prove that a man giving the name of Julius C. Paine of Chicago sold to Binzer the Packard car Binzer is charged with having handled, that Paine displayed an Illinois bill of sale, that Binzer had it examined by an attorney, that he drove the car openly for months, never suspecting it had been stolen and finally traded it in on another Packard in entire good faith.

**Baldwin Is Target**  
The government trained its guns on Ted Baldwin at the outset of its testimony.

Baldwin and Miss Lloyd Harrison, actress, were captured in Chicago in the automobile of John J. Madden, Jr., stolen from Indianapolis, after an exciting chase.

Apparently the government intended to prove one solid case of theft and interstate transportation of the car and then link the other defendants through testimony showing their associations and various overt acts.

Frank Edwards, assistant parts manager of the Cadillac factory at Detroit, testified regarding numbers on the La Salle five-passenger coupe stolen from Madden. Through these numbers Madden's ownership of the car recovered in Chicago was proven.

**Tell of Chase**  
Edwards also gave similar testimony concerning a LaSalle victoria sedan stolen from Mrs. Cora M. Schwartz, Cleveland; a Packard coupe stolen from E. S. Hartman, Chicago; LaSalle coupe stolen from Abe Goldberger, Cleveland; LaSalle sedan stolen from H. J. Deusch, Cleveland; and a Cadillac sedan stolen from David Wolpaw, Cleveland, found in possession of W. Lee Smith, and a Cadillac sedan stolen from Simon Cohn, Indianapolis.

Madden testified his car was stolen from Vermont and Meriden streets, May 10, 1928.

Policeman Harold J. O'Connell and William L. Cox of Chicago testified that Baldwin leaped from the car when pursued in Chicago. Baldwin ran up an alley, the officers halting him with bullets while Miss Harrison sped on, the policemen said. The officers finally overtook Miss Harrison.

**Sold Blank Plates**  
Tracing the alleged methods by which the gang altered identification of the cars, the government put George C. Erbine and Anselm J. Shumacher of the Stronghart Company, Evanston, Ill., on the stand. They testified that Louis Wyndt, an engraver bought from them 100 blank Packard name plates and 102 blank Cadillac plates. Herman Manent of the General Etching and Manufacturing Company, Oak Park, Ill., testified he delivered 100 blank Lincoln engine plates to Wyndt.

There was a chorus of objection from attorneys for defendants other than Wyndt that this had no bearing upon the cases of the others. The court directed that objections be saved until all evidence is in. The three manufacturers on cross-examination said they did not suspect Wyndt because he led them to

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**Auto Case Defendants Go to Court****CHARITY FUND NOW \$441,702****Additional Pledges Reported at Luncheon Today.**

With additional pledges of \$40,181 reported by workers at the Community Fund luncheon at the Claypool, the fund campaign total today mounted to \$441,702.

This was Boys' day at fund headquarters. Boy Scouts, the Boys' Club and the Y. M. C. A. were official sponsors of activities. Camp Fire Girls, Girl Scouts and the Y. W. C. A. will sponsor the Wednesday luncheon at the Claypool.

A lottery with prizes ranging from theater passes to "The Silent House," this week's attraction at English's, to women's articles recently brought from abroad on the Graf Zeppelin by arrangement of L. S. Ayres & Co., is a feature of the daily report luncheons.

Totals of each division at the last auditing of accounts Monday were as follows: Special Gifts "A," \$279,347; Special Gifts "B," \$15,573.75; Branch House, \$20,057; Mile Square, \$39,537.14; employees' division, \$24,011.22, and Women's Array, \$13,094.

Although several districts nearly have reached their quotas, only three district chairmen had gone over the top at the report of the Monday luncheon. They are: Mrs. Edward M. Trompe, chairman of district No. 7 of the South division; Mrs. David M. Choen, chairman district No. 18, East division, and Mrs. Raymond W. Roberson, chairman district No. 36, West division.

Walter C. Marmon, chairman of the fund campaign, today stated that he is encouraged by the progress of the drive thus far. This year's quota is \$55,534 more than the total raised last year.

The men's club of the Speedway Boulevard M. E. church will have a dinner tonight in the interest of the Community Fund. E. O. Belter, Indianapolis Boy Scout executive, will speak in behalf of the fund. At noon today the Rev. H. E. Eberhardt, director of Wheeler City Mission, spoke to the employees of the Marschke Manufacturing Company.

**SAVES LIFE BY LEAP****Clings to Engine; Auto Is Crushed.**

Faced with instant death this morning when a Pennsylvania switch engine struck his automobile at Shelby street and the Belt railroad, Eubrey Hardcastle, 2143 South New Jersey street, saved his life by leaping on the engine front and clinging to a rod on the pilot until the engine stopped.

Slightly cut and bruised, he heard his automobile ground under the engine, which traveled more than 150 feet before it could be halted.

His feat seemed impossible, trainmen said. Witnesses said Hardcastle disregarded the warning of the bell signal and drove his car in front of the train. He leaped just as the crash occurred. So slight were his injuries that he required no medical attention.



Above, left to right, defendant Bertram Libowitz, salesman; Attorney Ira M. Holmes, and defendant Edward Traugott, merchant, leading figures in the interstate automobile theft conspiracy case, on their way to federal court this morning. Below, left to right, Robert James, head of the state automobile license division; state policeman Charles Bridges, and Carl Powell, notary in the license division, expected to be important government witnesses in the trial.

**HEAR WALSH IN STEWART TRIAL****Testifies Oil Man Denied Knowing of Bonds.**

WASHINGTON, Nov. 13.—Senator Thomas J. Walsh (Dem.), Montana, noted Teapot Dome prosecutor, testified in the perjury trial of Robert W. Stewart, Indiana Standard Oil chairman, today that Stewart told the senate committee he knew nothing of disposition of the Continental Trading Company's \$3,000,000 in liberty bonds.

Walsh was fiercely cross-examined by defense lawyers who brought out that his testimony today differed somewhat from that of his testimony in Stewart's previous trial and also that the Senator's recollection of Stewart's testimony last Feb. 2 and 3 was vague.

Hogan read extensively from Walsh's testimony in the Stewart contempt trial in an effort to show that Stewart's testimony there was that Stewart merely refused to answer.

The Stewart indictment was based on a charge that Stewart failed to answer truthfully the senate committee's questions in view of later disclosures that he received more than \$750,000 of the Continental bonds.

The defense indicated clearly it would seek to show the perjury indictment was an after thought, the charge being pressed after the contempt charge was brought.

**REVISE PLANS FOR CONTROLLING FLOODS****Association's Decision to Be Taken Before Next Congress.**

MEMPHIS, Tenn., Nov. 13.—A revised plan for alleged flood control in the Mississippi valley was formulated today by the Mississippi River Flood Control Association.

The plan may be presented to the next congress. The most important change to be suggested to congress, according to W. H. Dick, president of the association, will be a recommendation that the federal government assume the responsibility for work in the backwater areas, as well as the main stream.

**TRAIN SMASHES AUTO; ONE DEAD****Man Near Death After Crash at Harding Street.**

One man is dead and another is dying as the result of an automobile-train crash at Harding street and the Pennsylvania railroad tracks at noon today.

The dead man is William Reuter, 55, of 1702 South Belmont avenue. Carl McIntyre, 57, of 1542 South Belmont avenue, was taken to city hospital, probably fatally injured. His arms and legs were broken, his skull fractured, and he suffered internal injuries.

The two men were driving south on Harding streets, Reuter at the steering wheel, when their machine was struck by a Chicago-bound Pennsylvania passenger train.

The demolished automobile was carried more than 100 feet and hurled down an embankment. Reuter's body was found in the wreckage of his machine. McIntyre was hurled free of the wreck and was found unconscious, fifty feet from the crossing.

Unheeding of unaware of the frantic efforts of Mrs. I. B. Kennedy, crossing watchman to halt them, the two sped on the tracks and the train struck their machine in the exact center.

J. O. Culp, Jeffersonville, Ind., was the engineer on the train, and O. O. Lutz, Louisville, Ky., was the conductor.

**SHIFT SCHOOL FUNDS****Tax Board to Redistribute \$200,000.**

A redistribution of \$200,000 in Indianapolis school city funds, which will eliminate a budget deficit, will be made today by the state tax board, Commissioner William A. Hough announced.

The change will not affect the tax rate, which has been set at \$1.02. Redistribution is the result of conferences between tax board members, William A. Book, representing the civic affairs committee of the Chamber of Commerce; Albert F. Walsman, business director of the schools, and representatives of the Indiana Taxpayers Association.

Only trouble is that men have not been gentlemen enough to acknowledge animal virtues.

He set forth three laws of the jungle as being silence, fearlessness and co-operation. The beasts can tell a frightened man by the instinct of smell, he declared. Unafraid, a man can go unmolested in the jungle.

"It is not true that the strong kill the weak under jungle rules," the author contended. "In all animal groups, from elephants to buffalo herds, the strong protect the weak. It is not a matter of survival of the fittest—for the strong are first to lose their life in combat. They die for the weak and ever follow the law of mutual aid."

**134 STILL MISSING AFTER RESCUE FLEET SAVES 200 FROM LINER'S LIFEBOATS**

Battleship, 2 Coast Guard Cutters, Several Steamers Hunt Survivors.

**CAPTAIN IS RESCUED**

One Report Says That All but One Raft Load of Passengers Found.

NEW YORK, Nov. 13.—Rescue steamers by 1:30 p. m. today had picked up from lifeboats, rafts, wreckage, or in life belts 205 of the 339 passengers and crew of the liner Vestris which sank Monday, some 240 miles off the Virginia capes.

Cruising not far from the spot where the Vestris yielded its \$2,500,000 hulk and \$2,000,000 cargo to a stormy Atlantic were a battleship, coast guard cutters and several steamers, all intent on finding additional survivors who had abandoned the water-logged liner at 1:23 o'clock Monday afternoon.

Twenty-four hours after passengers and crew left the Vestris, 134 remained unaccounted for, although one radio message said that all but one life raft had been picked up.

**Drama of Horror**

There were at that time 33 passengers and 90 of the crew aboard the S. S. American Shipper; 53 aboard the S. S. Myriam (one source said 54); 21 aboard the S. S. Berlin, and 8 on the battleship Wyoming. A drama of horror seldom equalled was played together as the rescue fleet radioed the latest developments.

The epic of the sea began before noon Monday when the Vestris waterlogged, started sinking 240 miles off the Virginia capes. It reached an early climax at 1:23 when Radio Operator Michael J. O'Loughlin asked the word to ships speeding toward him—"Taking to lifeboats now."

It was nightfall before any ships reached the scene. It was 2:25 a. m. today before the first lifeboat's flare was sighted by the S. S. American Shipper and its survivors. Lookouts in crow's nests peered through misty rain as dawn came, continuing the search.

Sirens shrieked word that safety was near. Fog horns moaned. Through the ether a flood of wireless messages went, apprising each ship of the others' intentions as the rescue fleet cruised on its mission of mercy.

It must have been a terrible experience for the women—estimated

at about sixty—and the fifteen children, who had taken their places in lifeboats shortly after noon Monday under the rule of the sea, "women and children first."

All night, huddled in open boats under a driving rain and with seas white-capped by luscious winds, they had awaited sight.

The men with them may have pulled at the oars, but their progress must have seemed eternally slow.

Even worse off were those who had no lifeboats, but bobbed about on small rafts, clung to wreckage or were buffeted this way and that with no support except the lifebelts holding them up. The bitter cold of the wind and rain must have seemed as nothing to them compared with the cold of the sea itself.

Toward noon, after most of the

**VOTE FRAUD IS CHARGED****IN SUIT FILED BY UPIKE**

Ralph E. Upike (Republican), defeated by 6,380 votes for reelection as Seventh district congressman, today formally filed his suit in federal court asking the impounding of ballots and voting machines used in last week's election. No date for a hearing was set.

The federal court suit is a preliminary step to asking a recount in the house of representatives at Washington, Upike said.

Upike attempted to file the suit Monday afternoon, but was prevented by his failure to provide bond guaranteeing payment of costs. He filed the bond today.

Upike named Louis Huttsell, his successful Democratic opponent and County Clerk George O. Huttsell defendants in the suit, which is brought in the name of "the United States of America."

The suit alleged that in Thirty-nine Marion county precincts there was unlawful tabulation and counting, through a conspiracy with unknown persons "in concert with election officials" and those whose duty it is to tabulate returns.

Votes cast for Upike were not counted and others not cast for Huttsell were counted in the Democratic candidate's favor, it is alleged.

**Irish Pluck!**

Doubt Lingers Whether Radio Operator of Vestris Is Saved.

NEW YORK, Nov. 13.—Anxiety grew today about the fate of an Irishman—Michael R. O'Loughlin, from Ballycaren, County Wexford, Ireland.

As chief wireless operator, cramped in a dizzily slanting radio room on the sinking liner Vestris, he sent out the cry for aid—"SOS"—the droning nightmare of the deep.

All through yesterday forenoon he stuck to the key, aiding his captain guide rescue ships to the wallowing liner.

Undoubtedly, Mike O'Loughlin manned the radio continuously, for in emergency, that is the chief operator's duty. His two assistants, James McDonald and Charles Vardner, were probably at emergency stations assigned in the ship's drill manual.

Steadfast, O'Loughlin braced himself against the thirty-one-degree list of the Vestris. His elbows, knees and feet caught in weary stance as he bulletined forth the story of the Vestris' fate.

Accis spilled from the batteries of the emergency set, but when the engine room power failed below as the water crept up in the bowels of the dying ship, O'Loughlin switched to his emergency coil set and the batteries responded, albeit weakly.

Then, the coil's last sputter to speeding rescuers at 1:23 p. m. "Taking to lifeboats now!" Did he make it? No one knows—yet.

Thousands of phone calls poured into the switchboards at the offices of the lost vessel. After anxious query for friend or relative, many asked:

"And the radio man—that wireless chap—have they picked him up?"

Officials of the company recalled Mike:

"A good lad—hope he's all right."

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**Reported Trouble Monday**

The Vestris first reported trouble at 10:05 a. m. Monday. She had sprung a leak. Her 339 passengers and members of the crew were in danger unless help arrived immediately, the radio operator, O'Loughlin, reported. At noon Captain Carey—who was on his last run—ordered the passengers to the lifeboats and once again the familiar:

"Women and children first" rang from an ocean-going vessel.

Carey and O'Loughlin abided by the rules of the sea. They stood by, watching the great craft list to a 30-degree angle, watching the billowing waves beat over the decks, watching the one-time queen of the South Atlantic fleet gradually break up, watching death approach.

At 1:25 p. m. Monday they abandoned the boat.

The Vestris sailed out of New York Saturday bound for Buenos Aires. Captain Carey was the last one on the Vestris. He carried a de luxe passenger list, which included many prominent South Americans and North Americans.

Once away from sight of land, the Vestris encountered a storm. The United States weather bureau warned this storm was imminent and the warning went directly to the Vestris. Estimates in Washington were that the wind reached a velocity of eighty miles an hour at times—a wind that would whip the angry waves well over the decks on any ocean liner.

The Vestris sailed through until 10:05 a. m. Monday when an SOS electrified land stations and ships at sea. It came from the radio operator of the Vestris and read:

"We need help at once; very urgent."

She gave a position as latitude 35.37 north and longitude 71.03 west.

**Seas Moderately Rough**

Forty minutes later Captain Carey messaged his craft was listing at a perilous 30 degree angle, standing on her beam, and that the seas were "moderately rough."

O'Loughlin kept flashing the SOS, asking and pleading that help be sent. His messages were terse, but told of the perilous position.

Shortly before noon the United Press interpreted a message from the steamer saying that the passengers might have to take to boats.

Then at 12:50 p. m. the passengers left, but true to the tradition of the sea, Carey and O'Loughlin remained at their posts. It was not until 1:23 p. m. that Carey and O'Loughlin left. Seas had broken high over the craft. The radio had been destroyed and temporary measures were installed.

Then the messages ceased and no further word was heard until this morning.

Your telephone voice is YOU. Basic rate to DETROIT only \$1.35.—Advertisement.

Drama of Horror Is Pieced Together From Radio Messages.

**60 WOMEN ON BOARD**

Drift for Hours in Tiny Craft as Search Goes On.

lifeboats had been rescued, the S. S. Berlin flashed ashore these brief messages telling the most graphic story of all:

"Rescued one man drifting in life belt. Tells that woman with child is drifting here within radius of two miles."

"Still searching for two lifeboats and makeshift raft reported to have women."

**Radio Operator Missing**

At the offices of Sanderson & Son, Inc., New York agents for Lampport & Holt, it was said. No messages had yet been received telling the number of life boats and rafts that had put off from the Vestris.

Such information has been requested from Captain W. J. Carey aboard the rescue vessel Myriam.

Twenty-four hours after the rescue of the Myriam, the surnames of persons rescued with him aboard the Myriam. Fifty-six names were sent, but there were several duplications. The list did not include the name of Michael J. O'Loughlin, the Vestris' radio operator. It was believed that O'Loughlin, if he managed to leave the stricken craft before she sank, would have been in the same lifeboat with the captain, usually the last to abandon ship.

The rescue messages this morning came as a stirring interlude in what earlier had given promise of being one of the great tragedies of the sea—surely the greatest tragedy since 1916, when the French cruiser Froville sank in the Mediterranean with a loss of more than three thousand lives.

The list of lives endangered when the comparatively minute lifeboats put off the Vestris at noon Monday was even greater than the death list from the sinking of the Princess Mafalda off the South American coast last winter.

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