

FOR
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DEPARTMENT OF THE NAVY

WASHINGTON, D. C.

12th Indorsement.

AUG 16 1938

~~UNCLASSIFIED~~

Subject: Court of Inquiry, bombing and sinking of the U.S.S. PANAY in the Yangtze River, on December 12, 1937. Convened by Commander-in-Chief, U.S. Asiatic Fleet.

1. The proceedings, findings, opinion, and recommendation of the court of inquiry in the attached case and the action of the convening authority thereon, subject to the remarks of the Chief of the Bureau of Ordnance and the Chief of the Bureau of Navigation, are approved, except that determination of the question of line of duty is not now necessary.

2. From the evidence adduced, the Navy Department holds that the deaths of Charles L. Ensminger, storekeeper first class, and Edgar C. Hulsebus, coxswain, U.S. Navy, and injuries to Lieutenant Commander [redacted], U.S. Navy, Lieutenant [redacted], U.S. Navy, Lieutenant (junior grade) [redacted], U.S. Navy, [redacted], chief quartermaster, [redacted], fireman first class, [redacted], electrician's mate third class, [redacted], electrician's mate first class, [redacted], r, seaman first class, [redacted], machinist's mate second class, [redacted], ship's cook third class, [redacted], fireman first class, Lieutenant [redacted], Medical Corp, U.S. Navy, Ensign [redacted], U.S. Navy, radioman second class, [redacted], ship's cook third class, [redacted], gunner's mate third class, [redacted], h, fireman first class, [redacted], electrician's mate third class, [redacted], coxswain, [redacted], chief pharmacist's mate, [redacted], seaman first class, [redacted], mess attendant first class, [redacted], carpenter's mate first class, [redacted], chief watertender. [redacted], machinist's mate second class, [redacted], seaman first class, [redacted], fireman first class, [redacted], watertender second class, [redacted], machinist's mate second class, [redacted], coxswain, [redacted], chief machinist's mate,

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~~CONFIDENTIAL~~
UNCLASSIFIED

, seaman first class, _____, chief boat-
swain's mate, _____ fireman first class,
, seaman first class, _____ quartermaster
second class, _____, radioman second class,
chief machinist's mate, _____, mess attend-
ant first class, _____, seaman first class,
, boatswain's mate second class, _____, yeoman
first class, and _____, mess attendant first class, U.S.
Navy, were incurred not as the result of their own misconduct.

Acting

Copy to:
Commander-in-Chief, U.S. Asiatic Fleet.
Chief of the Bureau of Navigation.
Chief of the Bureau of Medicine and Surgery.

File
RANSAY
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Nav-5-F
PR5/A17-24(12)

ELEVENTH INDORSEMENT.

9 AUG 1938

UNCLASSIFIED

From: The Chief of the Bureau of Navigation.
To: The Secretary of the Navy.
Subject: Court of Inquiry, bombing and sinking of the U.S.S. PANAY in the Yangtze River, on December 12, 1937, convened by Commander in Chief, U.S. Asiatic Fleet.

1. Forwarded, recommending approval of the proceedings, findings, opinion and recommendation of the attached Court of Inquiry and the action of the Convening Authority thereon, in so far as the same pertains to matters under the cognizance of the Bureau of Navigation.

2. Action has been taken concerning favorable matters of particular interest to the records of Naval personnel mentioned herein.

RECEIVED S-C FILES

Room 2055

9 AUG 1938

ROUTE TO: JAG

Op File No. (SC) A17-24

Doc. No. 14259

Copy No. 1 of 6

ALL B6

IN REPLY ADDRESS
THE JUDGE ADVOCATE GENERAL OF THE NAVY
AND REFER TO NO.

(SC)A17-24(12538)

115

BUREAU OF NAVIGATION
NAVY DEPARTMENT
RECEIVED

PR5/A17-24(12)
1938 AUG 1 PM 2 15

DEPARTMENT OF THE NAVY
OFFICE OF THE JUDGE ADVOCATE GENERAL
WASHINGTON, D. C.

AUG 1 - 1938

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UNCLASSIFIED

10th Indorsement.

From: The Judge Advocate General.
To: The Chief of the Bureau of Navigation.

Subject: Court of Inquiry, bombing and sinking of
the U.S.S. PANAY in the Yangtze River, on
December 12, 1937. Convened by Commander-
in-Chief, U.S. Asiatic Fleet.

1. It is understood that final action has been taken on the record of the additional board convened to recommend awards to officers and men of the U.S.S. PANAY. Therefore, in accordance with paragraph one of the eighth indorsement the subject court of inquiry is herewith returned for such comment as the Chief of the Bureau of Navigation may desire to make, particularly with reference to the question of matter of interest in so far as officers are concerned.

Assistant Judge Advocate General of the Navy.

ALLBG

9th Indorsement

Opl3C-jc
(SC)A17-24 Doc. No. 12538
Serial No. 18

6 JUN 1938

~~CONFIDENTIAL~~

UNCLASSIFIED

From: The Chief of Naval Operations.
To: The Secretary of the Navy.

Subject: Court of Inquiry, Bombing and Sinking of the U.S.S.
PANAY in the Yangtze River, on 12 December, 1937.
Convened by Commander-in-Chief, U. S. Asiatic Fleet.

1. Forwarded, contents noted.

Acting

ALL B6

Nav-5-P
PR5/A17-24(12)

EIGHTH INDORSEMENT.

4 March, 1938.

~~UNCLASSIFIED~~
~~CONFIDENTIAL~~

From: The Chief of the Bureau of Navigation.
To: The Secretary of the Navy.
Via: The Chief of Naval Operations.
Subject: Court of Inquiry, Bombing and Sinking
of the U.S.S. PANAY in the Yangtze River, on
12 December, 1937. Convened by Commander-in-
Chief, U.S. Asiatic Fleet.

1. This Bureau wishes to withhold comment in regard to opinion number 8 and recommendation number 2, until the arrival of the additional board, which was ordered by the Commander-in-Chief, U.S. Asiatic Fleet, and which was forwarded to the Navy Department on 14 February, 1938.

2. Subject to the above remarks, it is recommended that the proceedings, findings, opinion and recommendation be approved, so far as they pertain to matters under the cognizance of the Bureau of Navigation.

RECEIVED S-C FILES

Room 2055

8 MAR 1938

ROUTE TO: - 13

Op File No. (see) A17-24
Doc. No. 12538
Copy No. 1 of 8

~~UNCLASSIFIED~~
~~CONFIDENTIAL~~

ALL B4

FEB 28 1938

From: The Chief of the Bureau of Ordnance.
To: The Chief of Naval Operations.
VIA: The Chief of the Bureau of Navigation.

Subject: Court of Inquiry, Bombing and Sinking of the USS PANAY in the Yangtze River, on 12 December, 1937; Convened by Commander-in-Chief, U. S. Asiatic Fleet.

1. Forwarded, contents noted.

2. The approved characteristics of the USS PANAY specify two 3"/50 caliber anti-aircraft guns which were furnished by this Bureau. In addition, twelve 30-caliber Lewis machine guns and fixed mounts have been supplied, of which, the plans indicate eight are mounted. The latest reports from the vessel indicate that this armament was in excellent condition.

3. It is practicable to deliver a fairly effective anti-aircraft fire with the above armament, using a barrage system of control, and without anti-aircraft directors, altimeters, remote control, or automatic fuze setters, which cannot be furnished to such small vessels on account of the limitations of space and cost.

4. It is noted from the testimony of the Executive Officer, Lieutenant _____, U. S. Navy, that the general quarters bill of this vessel does not provide for the use of the 3"/50 caliber battery during air raids because it was not desired to open the magazines to get to the ammunition and it was considered more important to keep the water-tight integrity of the vessel intact than to fire this battery.

5. The evidence does not indicate that ready ammunition was provided at the 3"/50 caliber guns.

6. With reference to the Court's third recommendation, the subject of the anti-aircraft defense of naval ships is under continual consideration and study by this Bureau.

~~CONFIDENTIAL~~

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PR5/L11-1(4)(Sp8)

N-5

HEADQUARTERS OF THE JAG
NAVY DEPARTMENT

PR5 / A17-244 (12)
1938 FEB 28 PM 1 30

7. Subject to the above remarks, it is recommended that the proceedings, findings, opinion and recommendation of the subject Court of Inquiry be approved.

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Copy to:-
JAG(3)

-2-

~~CONFIDENTIAL~~
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~~CONFIDENTIAL~~ UNCLASSIFIED

C-PR5/L9 (12-16-Yt)

Sixth Endorsement

FEB 14 1938

From: Bureau of Engineering.
To : Chief of Naval Operations.
Via : (1) Bureau of Ordnance.
(2) Bureau of Navigation.

Subject: Court of Inquiry, Bombing and Sinking of the
USS PANAY in the Yangtze River, on 12 December,
1937; Convened by Commander in Chief, U.S.
Asiatic Fleet.

1. Forwarded, contents noted.

~~CONFIDENTIAL~~ UNCLASSIFIED

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~~UNCLASSIFIED~~

JAN 26 1933

Fifth Endorsement

From: The Chief of the Bureau of Aeronautics.
To: The Chief of Naval Operations.
Via: (1) The Chief of the Bureau of Engineering,
(2) The Chief of the Bureau of Ordnance,
(3) The Chief of the Bureau of Navigation.

SUBJECT: Court of inquiry, bombing and sinking of the
USS PANAY in the Yangtze River, on 12 December
1937; convened by Commander in Chief, U. S.
Asiatic Fleet.

1. Forwarded, contents noted.

Copies to: (5)
JAG

Captain USN
Acting Chief of Bureau

C-PR5/1912-16	
BUREAU OF ENGINEERING	
A	K
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~~UNCLASSIFIED~~

3rd indorsement

17 January 1938

LLO-5(1)/PG45(OLA)
LLL-7/WF37

From: The Chief of the Bureau of Supplies and Accounts
To : The Chief of Naval Operations.
Via : (1) The Chief of the Bureau of Construction and Repair
(2) The Chief of the Bureau of Aeronautics
(3) The Chief of the Bureau of Engineering
(4) The Chief of the Bureau of Ordnance
(5) The Chief of the Bureau of Navigation.

SUBJECT: Court of inquiry, bombing and sinking of the USS PANAY in the Yangtze River, on 12 December 1937; convened by Commander in Chief, U.S. Asiatic Fleet.

1. Forwarded, contents noted.

ACTING

PR5/LLL-1 (MA)

4th Endorsement

GT

From: Bureau of Construction and Repair.
To: Chief of Naval Operations.
Via: (1) Bureau of Aeronautics.
(2) Bureau of Engineering.
(3) Bureau of Ordnance.
(4) Bureau of Navigation.

JAN 19 1938

Subject: Court of inquiry, bombing and sinking of the USS PANAY (PR5) in the Yangtze River, on 12 December 1937; convened by Commander-in-Chief, U.S. Asiatic Fleet.

1. Contents noted.

Assistant Chief of Bureau

~~UNCLASSIFIED~~

ALL BL

UNCLASSIFIEDSerial No. 6.

2nd Indorsement P:MFD A17-24/EN10(380111)(SC) 11 January 1938

From: The Chief of the Bureau of Medicine and Surgery.
To: The Chief of Naval Operations.

Via: (1) The Chief of the Bureau of Supplies and Accounts.
(2) The Chief of the Bureau of Construction and Repair.
(3) The Chief of the Bureau of Aeronautics.
(4) The Chief of the Bureau of Engineering.
(5) The Chief of the Bureau of Ordnance.
(6) The Chief of the Bureau of Navigation.

Subject: Court of Inquiry, bombing and sinking of the U.S.S. PANAY
in the Yangtze River, on December 12, 1937. Convened by
Commander-in-Chief, U.S. Asiatic Fleet.

1. Forwarded, contents noted.

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(SC) A17-24

DEPARTMENT OF THE NAVY
OFFICE OF THE JUDGE ADVOCATE GENERAL
WASHINGTON, D. C.

UNCLASSIFIED

1st indorsement.

JAN 8 - 1938

From: The Judge Advocate General.
To: The Chief of Naval Operations.
Via: (1) The Chief of the Bureau of Medicine
and Surgery.
(2) The Chief of the Bureau of Supplies
and Accounts.
(3) The Chief of the Bureau of Construction
and Repair.
(4) The Chief of the Bureau of Aeronautics.
(5) The Chief of the Bureau of Engineering.
(6) The Chief of the Bureau of Ordnance.
(7) The Chief of the Bureau of Navigation.

Subject: Court of Inquiry, bombing and sinking of the
U.S.S. PANAY in the Yangtze River, on December
12, 1937. Convened by Commander-in-Chief, U.S.
Asiatic Fleet.

1. Forwarded for consideration and recommendation.
2. The proceedings, findings, opinion and recommendation of the court of inquiry in the attached case and the action of the convening authority thereon are, in the opinion of this office, legal.

B6

B R I E F

~~UNCLASSIFIED~~

COURT OF INQUIRY, bombing and sinking of the U.S.S. PANAY in the Yangtze River, on December 12, 1937. Convened by Commander-in-Chief, U.S. Asiatic Fleet.

FACTS: The PANAY was bombed and machine gunned by Japanese planes from about 1338 until 1400 on December 12, 1937, sustaining damage which resulted in her sinking at about 1554. Practically no valuable government property was salvaged. Charles L. Ensminger, storekeeper first class, USN., died at 1330 December 13, from wounds received during bombing, and Edgar C. Hulsebus, coxswain, died at 0630 December 19, 1937, from wounds received during the bombing.

OPINION: That the Japanese are solely and wholly responsible for all losses which have occurred as the result of this attack.

That the deaths of Ensminger and Hulsebus occurred in the line of duty and were not the result of their own misconduct.

That the injured and wounded members of the crew received their wounds and injuries in line of duty not as result of their own misconduct.

CONVENING AUTHORITY approved the proceedings, findings, opinion and recommendation.

(8) THAT THE USS PANAY WAS PAINTED WHITE WITH BUFF UPPER WORKS AND STACKS AND DISPLAYED TWO LARGE HORIZONTAL FLAGS ON HER UPPER DECK AWNINGS PLUS LARGE COLORS AT HER GA. .

(9) THAT THE SOCDNY VACUUM SHIPS MEIPING MEHSIA AND METAN EACH DISPLAYED NUMEROUS HORIZONTAL AND VERTICAL AMERICAN FLAGS OF ALL LARGE SIZE.

(10) THAT AT THIRTEEN THIRTY THE CREW OF THE USS PANAY WERE ENGAGED IN NORMAL SUNDAY ROUTINE AND WERE ALL ON BOARD EXCEPT A VISITING PARTY OF EIGHT MEN ON BOARD THE SS MEIPING .

(11) THAT AT ABOUT THIRTEEN THIRTY EIGHT THREE LARGE JAPANESE TWIN MOTORED PLANES IN A VEE FORMATION WERE OBSERVED AT A CONSIDERABLE HEIGHT PASSING OVERHEAD DOWNRIVER AT THIS TIME NO OTHER CRAFT WERE IN THE NEAR VICINITY OF THE PANAY AND CONVOY AND THERE WAS NO REASON TO BELIEVE THE SHIPS WERE IN A DANGEROUS AREA .

(12) THAT WITHOUT WARNING THESE THREE JAPANESE PLANES RELEASED SEVERAL BOMBS ONE OR TWO OF WHICH STRUCK ON OR VERY CLOSE TO THE BOW OF THE USS PANAY AND ANOTHER WHICH STRUCK ON OR VERY CLOSE TO THE SS MEIPING .

(13) THAT THE BOMBS OF THE FIRST ATTACK DID CONSIDERABLE DAMAGE TO THE USS PANAY DISABLING THE FORWARD THREE INCH GUN SERIOUSLY INJURING THE CAPTAIN AND OTHERS WRECKING THE PILOT HOUSE AND SICK BAY DISABLING THE RADIO EQUIPMENT THE STEAMING FIREROOM SO THAT ALL POWER WAS LOST AND CAUSING LEAKS IN THE HULL WHICH RESULTED IN THE SHIP SETTLING DOWN BY THE HEAD AND LISTING TO STARBOARD THEREBY CONTRIBUTING FUNDAMENTALLY TO THE SINKING OF THE SHIP.

(14) THAT IMMEDIATELY THEREAFTER A GROUP OF SIX SINGLE ENGINED PLANES ATTACKED FROM AHEAD DIVING SINGLY AND APPEARING TO CONCENTRATE ON THE USS PANAY A TOTAL OF ABOUT TWENTY BOMBS WERE DROPPED MANY STRIKING CLOSE ABOARD AND CREATING BY FRAGMENTS AND CONCUSSIONS GREAT DAMAGE TO SHIP AND PERSONNEL THESE ATTACKS LASTED ABOUT TWENTY MINUTES DURING WHICH TIME AT LEAST TWO OF THE PLANES ATTACKED ALSO WITH MACHINE GUNS ONE MACHINE GUN ATTACK WAS DIRECTED AGAINST A SHIPS BOAT BEARING WOUNDED ASHORE CAUSING SEVERAL FURTHER WOUNDS AND PIERCING THE BOAT WITH BULLETS .

(15) THAT DURING THE ENTIRE ATTACK THE WEATHER WAS CLEAR WITH HIGH VISIBILITY AND LITTLE IF ANY WIND .

(16) THAT THE PLANES PARTICIPATING IN THE ATTACKS ON THE USS PANAY AND ITS CONVOY WERE IMMISTAKINGLY IDENTIFIED BY THEIR MARKINGS AS BEING JAPANESE .

(17) THAT IMMEDIATELY AFTER THE FIRST BOMB STRUCK AIR DEFENSE STATIONS WERE MANNED THE THIRTY CALIBER MACHINE GUNS BATTERY OPENED FIRE AND ENGAGED THE ATTACKING PLANES THROUGHOUT THE REMAINDER OF THE ATTACK . THE THREE INCH BATTERY WAS NOT MANNED NOR WERE ANY THREE INCH SHELLS FIRED AT ANY TIME . THIS WAS IN ACCORDANCE WITH THE SHIPS AIR DEFENSE BILL .

(18) THAT DURING THE BOMBING MANY WERE INJURED BY FLYING FRAGMENTS AND CONCUSSION AND ALL SUFFERED SHOCK ON THE FIRST BOMB. THE CAPTAIN SUFFERED BC SOON THEREAFTER LIEUTENANT BC EXECUTIVE OFFICER WAS WOUNDED BY BC LIEUTENANT BC ENGINEER OFFICER RECEIVED FRAGMENTS BC ; ENSIGN BIWERSE HAD BC THIS INCLUDED ALL THE LINE OFFICERS OF THE SHIP THE CAPTAIN BEING DISABLED , THE EXECUTIVE OFFICER CARRIED ON HIS DUTIES GIVING ORDERS IN WRITING . HE ISSUED INSTRUCTIONS TO SECURE CONFIDENTIAL PUBLICATIONS TO GET UNDERWAY AND TO BEACH THE SHIP EXTENSIVE DAMAGES PREVENTED GETTING UNDERWAY .

(19) THAT AT ABOUT FOURTEEN HUNDRED BELIEVING IT IMPOSSIBLE TO SAVE THE SHIP AND CONSIDERING THE NUMBER OF WOUNDED AND THE LENGTH OF TIME NECESSARY TO TRANSFER THEM ASHORE IN TWO SMALL BOATS THE CAPTAIN ORDERED THE SHIP TO BE ABANDONED THIS WAS COMPLETED BY ABOUT FIFTEEN HUNDRED BY THIS TIME THE MAIN DECK WAS AWASH AND THE PANAY APPEARED TO BE SINKING .

(20) ALL SEVERELY WOUNDED WERE TRANSFERRED ASHORE IN THE FIRST TRIPS THE CAPTAIN PROTESTED IN HIS OWN CASE ; THE EXECUTIVE OFFICER WHEN NO LONGER ABLE TO CARRY ON DUE TO WOUNDS , LEFT THE SHIP ON THE NEXT TO THE LAST TRIP AND ENSIGN BIWERSE REMAINED UNTIL THE LAST TRIP .

(21) THAT AFTER THE PANAY HAD BEEN ABANDONED MAHLMAN CBM AND WEIMERS MM FIRST RETURNED TO THE PANAY IN ONE OF THE SHIPS BOATS TO OBTAIN STORES AND MEDICAL SUPPLIES WHILE THEY WERE RETURNING TO THE BEACH A JAPANESE POWER BOAT FILLED WITH ARMED JAPANESE SOLDIERS APPROACHED CLOSE TO THE PANAY OPENED FIRE WITH A MACHINE GUN WENT ALONG SIDE BOARDED AND LEFT WITHIN FIVE MINUTES .

(22) THAT AT FIFTEEN FIFTY FOUR THE USS PANAY SHORTLY AFTER THE JAPANESE BOARDING PARTY HAD LEFT ROLLED OVER TO STARBOARD AND SANK IN FROM SEVEN TO TEN FATHOMS OF WATER APPROXIMATE LATITUDE 30 - 44 - 30 NORTH LONGITUDE 117 - 27 EAST . PRACTICALLY NO VALUABLE GOVERNMENT PROPERTY WAS SALVAGED

(23) THAT AFTER THE PANAY SURVIVORS HAD REACHED THE LEFT BANK OF THE RIVER THE CAPTAIN IN VIEW OF HIS OWN INJURIES AND THE INJURIES AND SHOCK SUSTAINED BY HIS REMAINING LINE OFFICERS AND THE GENERAL FEELING THAT ATTEMPTS WOULD BE MADE TO EXTERMINATE THE SURVIVORS ; REQUESTED CAPTAIN *Bl* US ARMY , WHO WAS NOT INJURED AND WHO WAS FAMILIAR WITH LAND OPERATIONS AND THE CHINESE LANGUAGE , TO ACT UNDER HIS DIRECTIONS AS HIS IMMEDIATE REPRESENTATIVE . CAPTAIN *Bl* FUNCTIONED IN THIS CAPACITY UNTIL THE RETURN OF THE PANAYS CREW ON BOARD THE USS OAHU ON FIFTEEN DECEMBER 1937 PERFORMING OUTSTANDING SERVICE .

(24) THAT MESSRS *Bl* AND *Bl* OF THE US EMBASSY STAFF RENDERED HIGHLY VALUABLE SERVICES ON SHORE WHERE THEIR KNOWLEDGE OF THE COUNTRY AND LANGUAGE COUPLED WITH THEIR RESOURCEFULNESS AND SOUND ADVICE CONTRIBUTED LARGELY TO THE SAFETY OF THE PARTY .

(25) THAT AFTER SOME FIFTY HOURS ASHORE DURING WHICH TIME THE ENTIRE PARTY SUFFERED MUCH HARDSHIP AND EXPOSURE , SOMEWHAT MITIGATED BY THE KINDLY ASSISTANCE OF THE CHINESE , THEY RETURNED AND BOARDED THE USS OAHU AND HMS LADYBIRD .

(26) THAT FROM THE BEGINNING OF AN UNPRECEDENTED AND UNLOOKED FOR ATTACK OF GREAT VIOLENCE UNTIL THEIR FINAL RETURN ; THE SHIPS COMPANY AND PASSENGERS OF THE USS PANAY WERE SUBJECTED TO GRAVE DANGER AND CONTINUOUS HARDSHIP THEIR ACTION UNDER THESE CONDITIONS WAS IN KEEPING WITH THE BEST TRADITIONS OF THE NAVAL SERVICE .

(27) THAT AMONG THE PANAY PASSENGERS MR SANDRA SANDRI DIED OF HIS INJURY AT THIRTEEN THIRTY THIRTEEN DECEMBER *Bl* AND *Bl* WERE WOUNDED .

(28) THAT EARLY IN THE BOMBING ATTACKS THE STANDARD OIL VESSEL GOT UNDERWAY , MEIPING AND MEISHA SECURED TO A PONTOON AT THE KAIYUAN WHARF AND THE MEIAN WAS DISABLED AND BEACHED FURTHER DOWN THE RIVER ON THE LEFT BANK . ALL THESE SHIPS RECEIVED INJURIES DURING THE FIRST PHASES OF THE BOMBING . SERIOUS FIRES ON THE MEIPING WERE EXTINGUISHED BY THE PANAY VISITING PARTY OF EIGHT MEN WHO WERE UNABLE TO RETURN TO THEIR SHIP .

(29) THAT AFTER ATTACKS ON THE PANAY HAD CEASED THE MEIPING AND MEISU WERE FURTHER ATTACKED BY JAPANESE BOMBING PLANES SET ON FIRE AND DESTROYED. JUST PREVIOUS TO THIS BOMBING JAPANESE ARMY UNITS ON SHORE NEAR THE WHARF ATTEMPTED TO AVERT THIS BOMBING BY WAVING JAPANESE FLAGS THEY WERE NOT SUCCESSFUL AND RECEIVED SEVERAL CASUALTIES. IT IS KNOWN THAT CAPTAIN CARLSON OF THE MEIAN WAS KILLED AND THAT *B6* AND *B6* WERE WOUNDED. CASUALTIES AMONG THE CHINESE CREWS OF THESE VESSELS WERE NUMEROUS BUT CANNOT BE FULLY DETERMINED.

(30) THAT THE FOLLOWING MEMBERS OF THE PANAY CREW LANDED ON SHORE FROM THE MEIPING AFTER VAINLY ATTEMPTING TO EXTINGUISH OIL AND GASOLINE FIRES ON BOARD; *B6* CMM *B6* GM FIRST *B6* SEAMAN FIREMAN FIRST AND *B6* CPHM *B6* GM THIRD *B6* EM THIRD *B6* MM SECOND. THESE MEN ENCOUNTERED JAPANESE SOLDIERS ON SHORE WHO WERE NOT HOSTILE ON LEARNING THEY WERE AMERICANS.

(31) THAT ALL OF THE PANAY CREW FROM THE MEIPING EXCEPT FIREMAN FIRST REMAINED IN ONE GROUP ASHORE UNTIL THE FOLLOWING DAY WHEN THEY WERE RESCUED BY HMS *B6*. *B6* MADE HIS WAY TO WUHU AND RETURNED SHANGHAI VIA JAPANESE NAVAL PLANE ON FOURTEEN DECEMBER.

(32) THAT IN SEARCHING FOR AND RESCUING THE SURVIVORS REAR ADMIRAL *B6* AND THE OFFICERS AND MEN OF HMS BEE AND HMS LADYBIRD RENDERED MOST VALUABLE ASSISTANCE UNDER TRYING AND DIFFICULT CONDITIONS THEREBY SHOWING A FINE SPIRIT OF HELPFULNESS AND COOPERATION.

(33) THAT CHARLES L ENSMINGER SC FIRST DIED AT THIRTEEN THIRTY THIRTEEN DECEMBER AT HOHSIEN CHINA FROM WOUNDS RECEIVED DURING THE BOMBING OF THE USS PANAY AND THAT HIS DEATH OCCURRED IN LINE OF DUTY NOT THE RESULT OF HIS OWN MISCONDUCT.

(34) THAT EDGAR G HULSEB'S COXSWAIN DIED AT ZERO SIX THIRTY NINETEEN DECEMBER AT SHANGHAI CHINA FROM WOUNDS RECEIVED DURING THE BOMBING OF THE USS PANAY AND THAT HIS DEATH OCCURRED IN LINE OF DUTY NOT THE RESULT OF HIS OWN MISCONDUCT.

(35) THAT LIEUTENANT COMMANDER *B6*, LIEUTENANT *B6*, *B6*, LIEUTENANT (JG) *B6*, *B6* CQM, *B6* D FIREMAN FIRST, *B6* EM THIRD, *B6* EM FIRST, *B6* SEAMAN FIRST, *B6* MM SECOND, *B6* SC THIRD AND *B6* FIREMAN FIRST, WERE SERIOUSLY INJURED IN LINE OF DUTY NOT THE RESULT OF THEIR OWN MISCONDUCT.

(36) THAT LIEUTENANT *B6* MC ENSIGN *B6* ALL *B6*

B6 RM SECOND, B6 SC THIRD, B6 GM
 THIRD, B6 FIREMAN FIRST, B6 EM THIRD,
 B6 COXSWAIN, B6 CPHM, B6
 SEAMAN FIRST, B6 MATT FIRST, B6 CM FIRST, B6
 B6 CWT, B6 MM SECOND, B6 SEAMAN FIRST,
 B6 FIREMAN FIRST, B6 WT SECOND, B6
 MM SECOND, B6 COXSWAIN, B6 CMM, B6
 SEAMAN FIRST, B6 I CBM, B6 FIREMAN FIRST, B6
 B6 SEAMAN FIRST, B6 QM SECOND, B6 RM
 SECOND, B6 CMM, B6 MATT FIRST, B6 SEAMAN
 FIRST, B6 BM SECOND, B6 YEOMAN FIRST, AND B6

B6 MATT FIRST, WERE SLIGHTLY INJURED IN LINE OF DUTY NOT THE RESULT OF
 THEIR OWN MISCONDUCT .

ALL B6

In Reply Refer
To No.

UNITED STATES ASIATIC FLEET
U. S. S. AUGUSTA (Flagship)

23/rtn

CA31/A17-24(10-7)

Shanghai, China,
20 June, 1938.

From: The Commander in Chief, Asiatic Fleet.
To : The Secretary of the Navy.
Subject: Statements in connection with the bombing
and loss of the U.S.S. PANAY, Forwarding
of for file.

- Enclosures: (A) Statement of *BV*, Italian Embassy Official.
 (B) Statement of *BV* United Press Staff
 Correspondent.
 (C) Statement of *BV*, Standard Vacuum Oil
 Company Official.
 (D) Statement of *BV* American
 Embassy Official.
 (E) Statement of Captain *BV*, Infantry,
 U.S. Army.
 (F) Statement of *BV*, Universal Newsreel
 Cameraman.
 (G) Statement of *BV* Standard Vacuum
 Oil Company Official.
 (H) Statement of *BV*, Master S.S. MEIPING.
 (I) Statement of *BV*, Master S.S. MEIHSIA.
 (J) Letter from Lieut. (jg) *BV* U.S. Navy,
 Special Disbursing Officer, relating to the pay
 accounts of the officers and men of the U.S.S.
 PANAY.

1. Enclosures (A) to (J), from the files of the
Commander in Chief, Asiatic Fleet, which were used in connection
with the Court of Inquiry to investigate the bombing and loss
of the U.S.S. PANAY, are forwarded herewith for the files of
the Navy Department.

RECEIVED
 JUL 18 1938
 BY
 LIAISON
 F. A.
 S. S.
 SUPERVISOR

ched-File-Hollans

BV
By direction.

JUL 18 1938

PR5/A17-24(371223)

ALL *BV*

U.S.S. OAHU

STATEMENT OF: *B6* ITALIAN EMBASSY OFFICIAL, CONCERNING THE
BOMBING AT MILEAGE 221 ABOVE WOOSUNG, CHINA, ON 12 DECEMBER, 1937.
ADDRESS; c/o Italian Embassy, Shanghai, China.

On the afternoon of December 12th (I cannot specify exactly what hour but I suppose it was about 2:00 p.m.) a party of people which were in the sick bay of the U.S.S. Panay (in this party I include myself) suddenly went out from the room on to the open deck because we had heard a deep sound as of a gun-shot. Suddenly we heard a very loud explosion on the fire part of the ship. I quickly took shelter in the sick bay together with the other people and as the second explosion happened (I do not know if it was a direct hit on the ship) we sheltered ourselves in the chief petty officers' quarters. We all laid on the floor and during this period I suppose the planes dropped about 17 bombs, power diving and machine gunning each time. From the window I saw explosions on a Socony steamer. After a while the crew began to answer with machine gun fire at the planes. The upper deck was full of steam and debris from the mast and broken glass. Mr. Sandri, Italian pressman, was hit by two machine gun bullets. I am of the opinion that he was hit while in the chief petty officers' quarters, while other witnesses say he was hit when trying to go to the lower deck. I cannot recollect exactly what is the truth in the above case. I went down looking for the doctor and in the meantime as the bombing recommenced I took shelter in the engineroom. The bombing lasted for about 25 minutes (so I suppose). In the meantime some boats were lowered and part of the wounded were removed ashore, while the bombing continued. In the river there were plenty of people with life belts swimming. I left the ship in a motorpan. While ashore I saw an aeroplane (till that moment I could not tell whether the planes were Japanese or not, I only supposed they were) with red balls on the wings, diving and machine gunning the salvage boats on the river. Before leave the ship I noticed that the floor of the lower deck near the officers' mess was all buckled and that the level of the water was very near the deck of the ship.

This statement is made by myself, *B6*, of the Italian Embassy in Nanking, not as an Italian Official but merely as a guest of the Panay and as an eye witness.

B6

Finished-File-Kollans

PAE

ALL B6

U.S.S. OAHU

Statement of: B6, United Press Staff Correspondent,
concerning the bombing of the U.S.S. PANAY 28 miles above
Nanking, Sunday, December 12, 1937.

* * * * *

With several other civilians and Captain B6 I was standing aft on the boat deck near the sickbay, some minutes after we had finished lunch, when a sudden cry of "planes above" was heard from below. I started looking upward but almost immediately heard a strange whistling sound similar to that I had heard when a bomb was dropped from high altitude on the Sincere department store in Shanghai, and automatically dived for the sickbay. Before I could flatten myself out on the floor a terrific explosion finished the job not only for me but for half a dozen others crowding into the room, and showers of glass, splinters, and bits of furniture fell over us. From the open door I saw Captain B6, his glasses raised skyward, literally picked up and then flattened out horizontally.

Some of the men left the sickbay immediately. Captain B6 picked himself up, pointed excitedly toward the sky, and yelled for B6 and myself to note the red balls on the planes above, saying "there's evidence for you!" I got to the doorway in time to see only one plane. I think this was after the second or third bomb, which fell shortly after the first to the accompaniment of the sound of diving planes.

In between bombs B6 and I started below deck, seeking a place of greater safety, but seeing eight or ten persons sheltered in the CPO quarters we dashed in there, I flattening myself on the floor a split second before Sandro Sandri, the Italian correspondent, followed another explosion by tugging at my side and saying in broken English that he was hit. He exhibited a B6 B6 another Italian, left to find the doctor. I got Sandri some water, attempted to reassure him. By that time the bombing was continuing. The room was deserted except for us. B6 returned and helped Sandri below to the engine room, where a dozen of us remained for some time before the crowd began thinning out. I took some pictures on the main and boat decks, returned to the sickbay much of which was blasted in by this time to get a few personal possessions, several overcoats, blankets, and cigarettes, and threw them into the motorpan which had returned for its last trip. With Ensign B6 and several sailors I reached shore a little before three o'clock.

In the CPO quarters, after the second or third bomb, I looked at my watch. It read 1:45. About the same time, or a little before, I heard the sound of the U.S.S. PANAY'S machine guns

"B"(1)

ALL B6

Statement of: *B6* U.S.S. OAHU, United Press Staff Correspondent,
concerning the bombing of the U.S.S. PANAY 28 miles above Nanking,
Sunday, December 12, 1937.

(CONTINUED)

* * * * *

firing at the planes for the first time. The actual bombing,
I estimated, lasted from 25 to 35 minutes. I saw the U.S.S. PANAY
sink at 3:54.

B6

12/16/1937

Finished-File-Holland

"B"(2)

ALL B6

U.S.S. OAHU

Statement of: *B6*, Installation Superintendent,
concerning the bombing at mileage 221 above Woosung, China on
December 12 1937.

Address: c/o Standard Vacuum Oil Co. Shanghai, China.

On December 11 1937. The Mei Hsia was lying at anchor about 3 miles above Nanking Harbor with the following vessels belonging to our Company Via: Mei Ping, Mei An, Mei Ying & Mei Yi, and tied alongside the Mei Hsia, were one bulk, junk, 1 bulk lighter and 1 native Junk.

About 2:00 PM, gun fire was heard, which came from the right bank of the river, and was directed at the vessels at anchor. The ships immediately raised anchors & proceeded up river. It was noticed that the S.S. Tien Kwang had been struck by a shell, on the forward part of her deck. The gun fire continued until about 3:00 PM.

Our company's vessels continued steaming up river until about 4:00 PM when the Mei Hsia dropped anchor, close to the U.S.S. PANAY.

On December 12th. 1937, about 8:00 AM gun firing commenced from the right bank and it was noticed several junks were hit and burning about half a mile below the USS PANAY. Shortly afterwards a signal was received from the USS PANAY instructing us to follow her.

About 10:30 AM it was seen that the USS PANAY had been stopped by Japanese soldiers for a short while then we all proceeded further upriver until about 11:30 AM and anchored, close to the USS PANAY.

At 1:30 PM the noise of several aeroplanes was heard and suddenly we found we were being attacked by them. Orders were given to heave up anchor immediately but no sailors could be seen and it was found they had been thrown into the river through the concussion.

Noticing the USS PANAY had been struck and appeared to be sinking the Mei Hsia went close to offer assistance, but was informed none was required. The Mei Hsia therefore searched around and picked up some of the crew and others after which it was noticed the Mei Ping has been heavily struck and was making for a pontoon belong to a Japanese Company. The Mei Hsia then went over to the Mei Ping to offer assistance and was ordered by Japanese soldiers on pontoon to tie up alongside Mei Ping.

About 3:30 PM we were made the target for another attack and on this occasion a Mr. Marshall, who had jumped on to the Mei Hsia from the USS PANAY, was wounded.

During the attacks the vessel which were being towed by the Mei Hsia had cast off except the bulk lighter. This lighter had a number of our Installation staff, with their wives and families on board but owing to the confusion which the attacks had caused it was

U.S.S. OAHU

Statement of: _____, Installation Superintendent,
Concerning the bombing at mileage 221 above Woosung, China on
December 12 1937.
Address: c/o Standard Vacuum Oil Co. Shanghai, China.

(CONTINUED)

impossible to find out if any casualties occurred.

Later it was noticed the Mei An had been struck and was making
for the opposite bank where she was beached.

After the Mei Ping and Mei Hsia were abandoned, most of the people
went inland and searched for refuge.

The foreigners meet often to discuss the situation in which we were
placed and on December 13 1937, the HMS BEE arrived in the afternoon
and took all foreigners on their ship. where everything possible
was done to make us comfortable.

Enclure file follow

"C" (2)

ALL B4

U.S.S. OAHU

Statement of: B6, Secretary of Embassy of the United States of America, in charge of the American Embassy at Nanking, concerning the bombing at mileage 221 above Woosung, China, on 12 December 1937.

Address: c/o American Consul General, Shanghai, China.

Shortly after 11:00 A.M., December 12, 1937, the U.S.S. PANAY anchored at about mileage 221 above Woosung, having left her previous anchorage at San Chia Ho because of shell fire from the south bank. As soon as the anchor dropped in the new position I sent off a priority message to the Japanese Embassy at Shanghai (through the American Consulate General) giving the new position of the PANAY and three Standard Vacuum Oil Company vessels, S.S. "Mei Ping", S.S. "Mei An", and S.S. "Mei Hsia", which had followed us. The message asked that notice and appropriate instructions be given the Japanese forces including the air force, since Japanese bombing planes had from time to time flown over the PANAY, and that the Japanese force be informed also that the ships might find it feasible to move again either up or down river.

At about 1:30 P.M. I was in my quarters, forward starboard cabin on main deck working on Embassy business when I heard a plane power dive followed by the explosion of a bomb at the port bow which gave the ship a terrific jolt. There followed continuous power dives and bombs, most of the latter seeming to strike the ship forward or nearby. I went out to see about the others ^{just} as the cabin's inner wall was blown in, on the deck met Mr. B6, who was covered with debris, found with a B6 in the tool shack, and found Captain B6 with a B6 in the galley. SA

The ship was lurching, gear falling all around; we huddled a moment in the deck passage as further bombs fell; Captain B6 said the ship must be abandoned, I called a sailor and we carried Captain B6 to a small boat and sent him ashore.

My impression was that some 20 bombs were directed at the PANAY and there were at least five hits and we were machine gunned as evidenced by the bullet wounds incurred by some of the officers and men.

The "Mei Hsia" came toward us but we warded her off fearing bombs would explode her. Lieutenant B6, B6 and otherwise wounded, took command of the ship's evacuation of wounded and others.

Planes machine gunned the first boat ashore and severely wounded at least one of the occupants (B6).

U.S.S. OAHU

Statement of: *B6*, Secretary of Embassy of the United States of America, in charge of the American Embassy at Nanking, concerning the bombing at mileage 221 above Woosung, China, on 12 December 1937.

Address: c/o American Consul General, Shanghai, China.

(CONTINUED)

Shortly after landing, two Japanese motor landing boats came down river, fired several machine gun bursts at the PANAY, which was rapidly settling, several Japanese soldiers went aboard her for a few minutes. The appearance of this boat caused us to go into the reeds and I did not witness the subsequent bombing of the Standard Oil boats as I was helping to carry Captain *B6* into the marsh where we had to keep him not only for concealment from the Japanese patrol boats, but from Japanese planes which appeared over us even after the bombing of the merchant vessels, one plane circling about over head.

Since all three most senior officers were wounded, Captain *B6* after consultation with me and with my hearty approval, asked Captain *B6* U. S. Army, Assistant Military Attache to the Embassy, to take charge of the party. We sent Secretary *B6*, of the Embassy, whose *B6* was injured, and who suffered *B6* ahead to attempt to get out a message as to what had happened, and when darkness fell, proceeded to some farm houses up river. By improvising stretchers from bamboo beds, doors, and a pig pen, we gathered the wounded there and later proceeded to Hohsien, a town 5 miles away and 3 miles inland, where Mr. *B6* and I arranged for quarters with the Magistrate, and where we settled at about 4 A.M., 13 December. The Magistrate, who was extraordinarily kind and helpful, told us Hohsien had been attacked three times by Japanese patrols, and in the afternoon of the 13th he received a report that some 1,000 Japanese had crossed from the south bank and landed near the point at which we went ashore. During the morning of the 13th I succeeded in getting telephone messages relayed to the Ambassador at Hankow, through Dr. *B6* at Anking, and Dr. *B6* at Luchowfu (Hofei). That night owing to the previous attacks upon the town, and the presence nearby of a large body of Japanese troops, we loaded the wounded in small junks on a creek about 2 miles from our lodging and proceeded further inland to the town of Hansan, 20 miles away, arriving at the jetty two miles from town after ten hours journey. Captain *B6* and I went ahead to make arrangements, and the Magistrate did everything possible, providing us with a stretcher carriers, a small hospital, and food.

Finished-File-Holland

"D"(2)

ALL B6

U.S.S. OAHU

Statement of: BG, Secretary of Embassy of the United States of America, in charge of the American Embassy at Nanking, concerning the bombing at mileage 221 above Woosung, China, on 12 December 1937.

Address: c/o American Consul General, Shanghai, China.

(CONTINUED)

Sandri and Ensminger died of their wounds at ^{Hohsien} Hansan. While we were trying by telephone to obtain motor busses or trucks from Luchowfu, where there is a large American hospital, in order to continue on to that place, a telephone message reached me from Admiral BG of the British Navy, then at Hohsien, that the situation was clear and that arrangements had been made for passage to Shanghai. We left Hansan at 2:15 P.M. by junk, and after 8:00 P.M. reached Hohsien, where Admiral BG and the Magistrate, had arranged for transportation of the wounded, and accommodations for the party on the H.M.S. BEE, H.M.S. LADYBIRD, and the U.S.S. OAHU.

The great credit due to various members of the party and the helpfulness of Chinese officials and others are matters reserved for a report of a different category than this statement.

BG

Secretary of Embassy of,
The UNITED STATES of AMERICA.

Finished-File-Holland

"D" (3)

ALL BG

U.S.S. OAHU

STATEMENT OF: CAPTAIN *Bl*, INFANTRY, U. S. ARMY,
ASSISTANT MILITARY ATTACHE, CONCERNING THE BOMBING AT MILEAGE
221 ABOVE WOOSUNG, CHINA, ON 12 DECEMBER, 1937.
ADDRESS: c/o American Consul General, Shanghai, China.

At about 1:30 p.m., December, 12, U.S.S. Panay was lying at anchor in the middle of the Yangtze, but slightly nearer the left bank, between Ma An Shan and Chin Ho Kou, about 223 miles above Woosung. Hearing the sound of planes from upriver, I took my field glasses and ran up to the deck just aft of the sick bay to observe them as they passed over us. Before I caught sight of the planes, a bomb exploded either just ahead of or actually on the port bow of the Panay, and I was almost thrown off my feet. Before the incredible fact occurred to me that the Panay was actually being attacked, a second and a third bomb exploded close by, from the roar of motors and the whistle of the bombs, I realized that planes were power diving at the ship, and from the crash of falling gear and the noise of escaping steam, as well as from the shocks, I knew that the ship had been badly hit. I started to go into the sick bay and was knocked off my feet by the concussion of another bomb. Inside, from the doorway I saw a Japanese Mitsubishi light bomber gaining altitude after its dive; it was then at about 2000. I caught a glimpse of another plane at the same time. From the sound of the power dives and the number of bombs dropped, I believe there were six planes bombing the Panay and the three Standard Oil ships which were anchored just a couple of hundred yards up stream from us. Altogether in this attack, 15 or 20 bombs, probably 100-pounds, were dropped. During an interval after the first three bombs, I started for the main deck, but hearing another power dive coming, I stepped into the chief petty officers' quarters through the port door, and had just got inside when a bomb exploded to port, a shower of fragments of some kind struck me in the *Bl* and I was knocked to my hands and knees. At the same time I heard the drumming of machine gun bullets against the ship's side and the noise of the gun itself. It was here that Sandri, the Italian was hit by a bullet. Dazed and confused by concussion, I remained for some moments on the floor, then looked out the starboard doorway where I saw two men firing the after machine gun at the plane flying off toward the north shore, and then at about 3000 feet altitude. These two gunners were acting with great coolness and courage and their shots were coming close to the plane. I then went down to the main deck where I found Captain *Bl* in the kitchen being held up by someone, and he said his *Bl* by the first explosion. While we were there, three or four bombs fell, one close to the ship. I asked if I could help and the Captain requested me to assist the officers to abandon ship which was settling by the starboard bow. I found Lieutenant *Bl* so that he could *Bl* hardly speak but wrote advice and instructions on the white paint-work. The planes had apparently drawn off, but fearing that they would return, we got most of the wounded off for shore and then

U.S.S. OAHU

STATEMENT OF: CAPTAIN ^{BC} INFANTRY, U. S. ARMY,
 ASSISTANT MILITARY ATTACHE, CONCERNING THE BOMBING AT MILIAGE
 221 ABOVE WOOSUNG, CHINA, ON 12 DECEMBER, 1937, CONTINUED.

hastily got together as many essential articles as we could salvage. (My impression is - though I cannot remember exactly - that before the last bombs fell, one boat had already gone toward shore with wounded, and it must have been this boat that was machine gunned by a plane.) Loading the boats on their return with the rest of the people, we made for the left bank. The motor of the "push pan" failed when we were 200 yards from shore, and she was making water, through - I learned later - two bullet holes. We had difficulty in rowing to the bank and were carried some 600 yards downstream from the cove where the main party landed. In this boat were Lieutenant ^{BU} and three other wounded men. On shore, we got the wounded into the ~~hiding~~ ^{hiding} where they would be concealed, and I went up the bank to the point where the main party had landed. The other boat returned to the ship for more supplies, and was just returning when two Japanese motor landing boats came down river and fired several machine gun bursts at the Panay, boarded her, remained several minutes, then cruised very slowly upstream. On sighting ~~these~~ ^{these} boats, I had the wounded carried into the edge of the ~~kaoliang~~ ^{kaoliang} and instructed everyone to keep out of sight. In consultation with Captain ^{BC} and Mr. ^{BU}, we came to the conclusion that in view of the bombing which was obviously deliberate, and of the actions of the river patrol, we were not safe from attack either by air or river, and therefore we removed farther into the cover of the ~~kaoliang~~ ^{kaoliang} away from the bank. Since Lieutenant ^{BU} had ^{BC} and Lieutenant ^{BU} was suffering ^{BC}, Captain ^{BU} requested me to take charge of the entire party. We had scarcely moved our position when two flights of planes reappeared passing down river (where they bombed the British ships). A little later the Standard Oil Ships beached across the river from us were bombed again and set afire. Some time later planes going up river passed over us, and one circled over our position. Since the main party was nearly mired down in a swamp, I sent men to reconnoiter for higher ground and to try to find local inhabitants who could guide us away from the vicinity. Because of the necessity of keeping concealed, it was almost dusk before we were able to get the necessary information and make our arrangements, get transportation for the wounded and move toward the nearest village. In this movement we used the two small boats and an A.F.C. launch which came up just at dusk. When the wounded and the supplies had been landed we cut the three craft adrift, on Captain ^{BC} instructions, so that Japanese patrols would find no evidence of our landing. (These boats were recovered late the next day by H.M.S. Ladybird).

^{BC}
 Captain, U. S. A. ^{Finished-File-Hollans}

"E"(2)

ALL BC

U.S.S. OAHU

Statement of: BC, Universal Newsreel Cameraman and evacuee, concerning the bombing of the U.S.S. PANAY, December 12, 1937.

Address: Cathay Hotel, Shanghai, China.

At 1:40 p.m., Sunday, December 12th aboard the U.S.S. Panay which had anchored about 28 miles above Nanking I stepped out of the officers' wardroom onto the super deck. We had just finished tiffin. Suddenly plane motors came into ear shot and while looking up to see their position which was directly on our nose, the sound of a whistling bomb preceded an explosion which appeared to me to be just to port of the Panay bridge. The bomber planes which released these first loads were of the large Japanese navy type with twin motors. They were flying at an altitude of about seven thousand feet and did not turn after dropping their bombs but continued in the general direction of Nanking. My first reaction was that the Japanese mistaking the Panay for an enemy ship, had realized their error and were leaving. This was ~~in~~ wrong however as almost directly thereafter a squadron of six small pursuit type bombers came over us at a much lower altitude and immediately began to power dive and release what seemed to be 100 pound bombs on each individual dive.

The apparent suddenness of the unwarranted attack served as a distinct shock to all officers and crew together with being followed so closely by further and more intense bombing by the small planes. With automatic orderliness and discipline the officers and crew of the Panay were immediately at their emergency posts and when the Japanese had dropped five loads the Panay machine guns were returning fire. I saw Captain BC being assisted from the bridge to the galley apparently badly injured. Ensign BC who had been standing just aft of the bridge on the super deck came by me BC.

Executive Officer BC although badly hit in the BC stayed on the starboard bridge ladder top and showed great courage in making assignments, his appearance and actions served as a splendid design for the gunners and boatmen who were at their respective posts. At this same time I observed Doctor BC and Lieutenant bringing the first wounded men below. Lieutenant BC was BC.

During the next few minutes the Japanese released no less than 17 separate loads at the Panay. It was necessary for me to go to the chief petty officers' mess room on the super deck to get my camera. These quarters were in shambles from the intense concussion and fragmentary assault. In returning to main deck a bomb landed on the port side about twenty five feet from the ladder I was descending and blew fragments against the ships side and took my hat off but did not injure me. Just behind after having spent the first few moments in the chief petty officers' quarters was Sandro Sandri, Italian Newspaper correspondent. I turned to see that he had been struck apparently in

ALL BC

U.S.S. OAHU

Statement of: Bc, Universal Newsreel Cameraman and evacuee, concerning the bombing of the U.S.S. PANAY, December 12, 1937.

Address: Cathay Hotel, Shanghai, China.

(CONTINUED)

Bc as he showed great pain. Although Sandri spoke very little English he shouted to me that he was hit and assisted by a crew member we pulled him into the engine room gangway.

At about 1:50 p.m., I noticed Coxswain Bc preparing to take the first load of wounded ashore in the outboard motored sampan. They put five or six wounded seamen aboard and had reached a spot about half way to shore when two of the Japanese pursuit bombers flew low over their craft and opened up with machine guns, one of the planes released a bomb which fortunately fell wide. I heard later that crew members Ensminger and Bc were additionally wounded by these actions.

Chief Boatswain's Mate Bc was observed manning a machine gun with practically Bc.

All the gun crew were operating with splendid coolness and I believe that several hits were made even though not on plane vital points. Bc turning from gun to gun showed utter disregard for personal danger thereby displaying a fine example of U.S. Navy traditional bravery under fire. His fine execution of orders after the abandon ship command together with his indefatigable efforts in organizing and caring for the wounded after reaching shore are to be highly commended.

At 2:05 p.m., abandon ship was ordered, and the motor sampan was lowered, the first uninjured crew members were taken ashore. The vessel was shipping water over main deck at this minute and seemed to be in imminent danger of sinking. I observed four crew members who had given up their life jackets to civilian evacuees jump over the fantail carrying mattresses and table tops for assistance. Although the stream was running a usual current these men elected to lighten the load on rescue sampans by trying for shore independently. One of the four, Bc, threw me his life jacket when he observed that I did not as yet carry one. I learned later that these men were Bc, Bc, Bc and Bc. Their disregard of personal safety is to be highly commended.

The S.S. Mei Hsia which had been lying off our starboard pulled alongside just after the abandon ship order was issued but was requested to pull away because filled with fuel oil and had it been hit would have added to the problem of rescuing the wounded from the Panay. Bc, Colliers Weekly far eastern correspondent, decided to go aboard this ship however and was last seen assisting her remaining crew in lowering a life boat. The Mei Hsia was observed going towards the south shore together with

U.S.S. OAHU

Statement of: *BC*, Universal Newsreel Cameraman and evacuee, concerning the bombing of the U.S.S. PANAY, December 12, 1937.

Address: Cathay Hotel, Shanghai, China.

(CONTINUED)

The S.S. Mei Ping which had been lying to our portside. They both tied up alongside pontoons on the south shore of the river.

At 2:25 p.m., I was placed aboard the motor sampan and taken ashore. In observing the sinking Panay as we pulled away from her starboard side we noticed the mainmast had been broken off and she was intensely scarred from the bombing. Two holes appeared just forward of the bridge on the water line. There was barely a square foot of surface on either side of the vessel which was unscarred from the fragmentary explosions.

After landing on the north bank and trying to get the wounded men as comfortable as possible we were interrupted about 3:00 p.m., by the sound of machine gun fire. A Japanese landing party boat was approaching the deserted Panay from her bow and opened up fire point blank on the bridge. A party was observed going aboard making a quick inspection and leaving. They were on board about five minutes. At 3:54 p.m., the Panay sank. At about 4:00 p.m., we again heard Japanese aircraft and tried to remove all the wounded into the high brush and out of sight from air attack. The planes came over and circled our position but continued on across the river and dropped incendiary bombs on the S.S. Mei Ping and Mei Hsia. These ships immediately caught fire and the screams of the civilian Chinese who were aboard these vessels was clearly audible across the mile wide river.

During all the above time from the first bomb until he was carried ashore badly incapacitated, also during the period of organizing the shore party, Captain *BC* kept in direct touch with operations and directed with the aid of Captain *BC*, U.S.A., and Mr. *BC* of the Embassy the successful evacuation of the party into safer territory.

As I understand that this report is for the purpose of aiding the investigation of the actual bombing of the Panay I am not placing anything further than same in it.

BC

Finished-File-Hollans

"F"(3)

ALL *BC*

Read into
record.

U.S.S. OAHU

STATEMENT OF: Bl _____, STANDARD VACUUM OIL COMPANY OFFICIAL,
CONCERNING THE BOMBING AT MILEAGE 221 ABOVE WOOSUNG, CHINA, ON 12
DECEMBER, 1937.

ADDRESS: c/o Standard Vacuum Oil Company, Shanghai, China.

On Saturday 11, December, the following Standard-Vacuum Oil Co. vessels were anchored just above Sun Uria Ho approximately 3 miles above the center of Nanking harbor:

S.S. MEI PING
MEI HSIA
MEI AN
M.B. MEI YI
MEI YING
M.T. MEI FOO IX
MEI FOO XI
Bulk Freighter #206
3 Bulk Junks
3 Rented Cargo Boats

A considerable number of foreign ships, including two British gunboats, were also anchored here but no Chinese shipping was anywhere in the vicinity. The writer was a passenger on S.S. MEI PING.

At approximately 2 p.m. shells from south shore batteries commenced to fall among and on all sides of the ships anchored at this point. Immediately the shelling started all ships weighed anchor and moved across and up the river as quickly as possible. Shelling stopped for an interval and the MEI PING dropped anchor at a point on the other side of the river and about one mile above the original anchorage. Shelling was almost immediately resumed and we again started up river. In the meantime the U.S.S. PANAY, which had been anchored just off San Cha Ho, passed us proceeding up river and signalled that it was her intention to anchor at a point about 8 miles above Nanking harbor. All Standard-Vacuum Oil Co. ships followed her and anchored together at this point.

It could not be certain whether Japanese or Chinese batteries did the firing but from the direction in which the shells seemed to come it is my opinion that they probably originated behind the Japanese lines. In all between forty and fifty shells were dropped. Although they landed close to all vessels to my knowledge the A.P.C. Tien Kwang is the only one which was actually hit.

On the following morning, Sunday, December 12th, shelling was again noticed directed from the south bank to the north bank and against a group of junks laying about $\frac{1}{2}$ mile below our anchorage. After consultation with the PANAY it was decided to move further up river and all vessels got underway. When the PANAY passed us she signalled that she was anchoring at a point 28 miles above Nanking.

U.S.S. OAHU

We proceeded up river and at a point about 22 miles above Nanking noticed that the PANAY had been signalled by a motor boat full of Japanese soldiers coming from the north shore. Some of these soldiers boarded the PANAY. We slowed down, and just as we reached the PANAY, were signalled to go ahead. We then proceeded on to the specified anchorage where we dropped anchor at about 11:30.

- To the best of my knowledge the position of the ships at anchor was:
1. The MEI HSIA approximately 500 feet directly ahead of U.S.S. PANAY.
 2. The MEI PING perhaps 300 feet from the MEI HSIA on her starboard quarter just ahead of the PANAY.
 3. The MEI AN about 700 feet directly behind the PANAY.
- Subsidiary craft were alongside the larger ships.

All Standard-Vacuum vessels has large American flags prominently displayed both aft and painted on the top of the super structure. The PANAY also had flags painted on top and was flying either two or three flags from her masts. All ships were anchored well in mid stream. There was no Chinese shipping anywhere in sight and no evidence of fortifications or military activity of any kind.

About 1:30 p.m. a number of Japanese planes were noticed approaching and shortly afterward one dived on the U.S.S. PANAY dropping a bomb which seemed to land directly on the front of the bow. All ships immediately got under weigh. Bombs were dropped at rapid intervals apparently being released from low altitudes and all landing fairly near to their targets. The MEI PING was hit either twice or three times, one bomb landing on the Captain's cabin just behind the bridge which started a fire. The writer believes that hits were also scored on MEI HSIA, MEI AN and the PANAY. In all a total of about 20 bombs were dropped.

The MEI PING headed first toward the north shore but when machine gun fire was observed headed for the south bank and eventually was brought alongside a pontoon located there. Efforts had been made to fight the fire and it was finally put out shortly after she had been tied up. The MEI HSIA, which had also headed toward the north bank turned and came to the pontoon tying up next to the MEI PING. The MEI AN remained along the north shore apparently in distress. The PANAY was noticed to be settling forward immediately after the first bomb had hit her. She remained afloat for some time but eventually capsized about an hour and a half after the first bombs had hit her. In the meantime the ships party had landed along the north shore.

When the MEI PING came alongside the pontoon a party of over one hundred Japanese soldiers appeared from the foreshore and ordered everyone ashore. There was quite a lot of questioning, all our Chinese were searched, and after about 40 minutes we were ordered to go aboard the ships again.

U.S.S. OAHU

Almost immediately after we went on board, air pplanes were heard and the bombing was resumed. The planes flew very low scoring direct hits on both ships. Large fires were started when holds containing gasoline were ignited. Every one who could left the ship at once taking with them all wounded who could be located. Both ships had large fires which it was hopeless to attempt to get under control. I believe that bulk junks and lighters went to the north shore but cannot be sure what happened to other units. Motor barges and launches also headed for the north shore. I believe that they went up the creek which flows into the river at this point.

After the bombing the Japanese soldiers immediately went into formation and hurriedly left in a down river direction. Their only suggestion to us was that we go up the railroad. We went about $1\frac{1}{2}$ miles to a small village and remained there until the afternoon of the following day when we were picked up by H.M.S. BEE.

Captain Carlson of the MEI AN was killed.

None of the foreigners of the S.S. MEI HSIA were seriously injured with the exception of Mr. *BV* who boarded the MEI HSIA from the PANAY and who sustained a wound of whose seriousness I am uncertain. Mr. *BV* and I were slightly wounded. There were many casualties among the Chinese passengers and crews of the Socony vessels but an exact check has not yet been possible.

All motor launches, barges, and bulk junks attempted to head for the north shore and I believe that most of them have gone up creeks which flow into the river on this side. Some of them have been seen there but it is impossible to be sure exactly where they are or what condition they are in. It has also been impossible to make an examination of the MEI AN, although she is known to be extremely in bad shape. Both MEI PING and MEI HSIA are total losses.

BV

Finished-File-Hollans

2 (3)

ALL *BV*

U.S.S. OAHU

*Read into
Record*

Statement of: *BL* Master S. S. MEI PING
Concerning the bombing at mileage 221 above Woosung, China, on
December 12, 1937.
Address: c/o Standard Vacuum Oil Co. Shanghai, China.

On Saturday December 11th, at about 2 p.m., the S.S. Mei Ping was laying at anchor 3 and $\frac{3}{4}$ miles above the Nanking Custom House, about one quarter mile from right, south bank also anchored with Mei Ping were Mei Hsai and Mei An and a number of smaller Socony units. Staying on the sun-deck with Chief Engineer at about 2:00 p.m., watching the bombardment of the city of Nanking, we heard a crash and a column of black smoke rose near the shore between the A.P.C. Tien Kwang and A.P.C. Tugboat Ho Kwang, which were anchored near shore about one half mile below our position. Shortly after a second shot landed in the water very near the Tien Kwang, port side. Both the Chief Engineer and myself ran down, and I issued orders to raise steam and put engines standing by. As I watched, the Tien Kwang got underway and proceeded up river along the shore between Mei Ping and the shore. Almost opposite the Mei Ping. I heard a third crash on the Tien Kwang port side, and immediately gave orders to heave in anchor, and as soon as engines were ready, gave full speed ahead, at the same time heaving anchor, and proceeded ahead following a diagonal course up and across the river. Meanwhile shells were dropping closely around the Mei Ping and other vessels, and shelling continued for 15 or 20 minutes, B. and S. Wan Tung after arriving at North Shore dropped anchor as the firing had ceased.

I dropped anchor astern of the Wan Tung. We remained in this berth about 10 minutes, when heavy shelling was recommenced, and I again weighed anchor and proceeded up river. All other ships followed, and the U.S.S. PANAY was also observed to raise anchor and follow. Further firing continued for about 15 minutes and some shells dropped about 100 yards from S.S. Mei Ping. Continued to proceed slowly up river awaiting other Socony Vacuum units to come closer, and eventually the U.S.S. PANAY passed the Mei Ping and signalled to drop anchor one mile above the Heashan San Bluff Beacon and I proceeded after the U.S.S. PANAY to this anchorage and anchored at about 5:p.m.

We remained at this anchorage until about 8:00 a.m., on the 12th, when firing started about one half mile astern of us against Chinese junks lying along the North bank, along which bank we were anchored. The U.S.S. PANAY then signalled us to follow her up river, and I gave orders to get underway, the Mei Ping proceeding as soon as possible, following the U.S.S. PANAY.

At the Upper Beacon Pheasant Island a motor launch full of soldiers went alongside the U.S.S. PANAY who stopped. The Mei Ping also stopped and I noticed the soldiers were Japanese.

U.S.S. OAHU

Statement of: *B L*, Master S.S. MEI PING
Concerning the bombing at mileage 221 above Woosung, China, on
December 12, 1937.
Address: c/o Standard Vacuum Oil Co., Shanghai, China.

(CONTINUED)

After some short while we received a new signal to proceed and follow the U.S.S. PANAY upriver and we followed her until we reached about mileage 28 above Nanking, place called Maanshan, when we anchored near the North bank a little below the Japanese iron mines pontoon. The Mei Ping anchored about 300 yards above the U.S.S. PANAY inside nearer the left bank in 9 fathoms of water. This anchorage was reached shortly after 11:00 a.m. About 1:00 p.m., 7 or 8 sailors from the U.S.S. PANAY came aboard for stores.

About 1:25 p.m., we noticed airplanes circling above us, but did not feel alarmed as the Japanese knew our position and had been requested to afford protection. About 5 minutes later we heard an airplane power diving followed by a terrific explosion. One of the U.S.S. PANAY sailors yelled that the U.S.S. PANAY was hit and sinking. I looked from the bridge and noticed the U.S.S. PANAY's bow was down, I rang immediately to stand by, and to heave anchor, and get under way. As soon as the engine was ready I put full speed ahead. As soon as we got underway I heard a power dive above us followed by a terrific crash. Looking through the window I saw a big column of smoke about 10 feet from the starboard bow. At the same time I heard a terrific crash behind me and all windows broke, armor plates on bridge were thrown out of place and twisted. Ceiling above me was torn and buckled, all electric fittings and other instruments were thrown out of place. Looking behind me, I noticed that flames were coming out of my room, doors and windows. I also noticed that doors on the bridge were blown from their hinges. Thinking that the ship was going to burn or would be sunk I decided to beach her on the left or north bank, to give a chance for the people to swim ashore. I now heard further diving behind me and a burst of machine gun fire. When I had nearly reached the shore, one or two more bombs had struck near the ship causing further damage. Meanwhile I gave orders to put the fire out and sent everybody to help except myself. I remained on the bridge. One of the American sailors called to me that machine gun fire had opened on our small units from the left bank ahead of me. Deciding that if we went aground and attempted to swim ashore, we would be killed by machine gun fire, I gave a hard left rudder and tried to go to the right or south bank, along side the Japanese iron mines pontoons. Coming over I was hit several times by bombs. However, no damage was done to steering gear and telegraph and I continued to the South bank at the same time trying to control the fire on board which we almost did. Coming a little above and near the pontoon with engine full speed astern. I heard a power dive and a crash and jumping up and looking through the armor plates openings I saw a column of

U.S.S. OAHU

Statement of: BU, Master S.S. MEI PING
Concerning the bombing at mileage 221 above Woosung, China, on
December 12 1937.
Address: c/o Standard Vacuum Oil Co. Shanghai, China.

(CONTINUED)

black smoke rising about 5 feet from starboard bow, but the ship was still afloat. I gave orders to moor the ship as we were along side. As soon as we had two wires ashore from the bow, I gave orders to everyone to leave the ship and run ashore.

Fire in my room and deck was still burning but under control. People running ashore over to the pontoon were met on the bund by the Japanese troops with fixed bayonets and told to halt.

Their soldiers concentrated all passengers and crew on the foreshore and proceeded to search the Chinese. Meanwhile fire in my room again flared up, and I asked permission to take the crew, and go on board and put the fire out, which they gave, and in about a half hour the fire was out. When the fire was out the Mei Hsia came near and offered assistance, which I refused, as fire was under control and ship safe.

Captain BU inquired as to what I intended to do, and I replied I would not move, but would remain alongside and keep people ashore until darkness. After this I went ashore to see condition of my passengers and part of the crew. I noticed no serious casualties among them. As I came on shore, I hear the Japanese Officer say that this was a chinese ship showing no flags. Before I could say anything. Mr. BU pointed out to the Japanese that on the main mast aft a large American flag was still hanging on the gaff, but the foremast was crashed with the flag, also two large American flags were painted on top the sun deck on each side. I estimate there were at least 30 American flags displayed on the SOCONY ships.

I then asked the Japanese Officer for permission to call all -passengers back aboard provided he would guarantee no further bombing, as it was getting late. He agreed and this conversation was overheard by others among whom Mr. BU can definitely make verification.

As soon as we returned aboard, we noticed the Mei Hsia, tied up alongside of us, and we started checking up on casualties and began to render first aid, in which the chief pharmacist's mate of the PANAY, , was of very great help. Others of the Panay's crew also helped in this work, casualties up to this time were:

Dead	None.
Wounded	Mr. <u>BU</u>
	Mr. <u>BU</u>
	One Panay sailor.
	5 Chinese.

finished-File-Holland

U.S.S. OAHU

Statement of: *B6*, Master S.S. MEI PING
Concerning the bombing at mileage 221 above Woosung, China, on
December 12 1937.

Address: c/o Standard Vacuum Oil Co., Shanghai, China.

(CONTINUED)

Someone called to my attention that the Japanese Officer wanted me ashore. I at once went ashore meeting the Officer on the Pontoon. He asked whether I could guarantee in writing that the Nanking Company Chauffer is not a soldier but a civilian. I agreed to do this and started to return to the ship when I again heard planes going into a power dive, and flattened myself alongside the watchman's house. I heard two terrific crashes one after the other followed by explosions of gasoline on the boats. I called to all on board the ships to abandon ship, as flames were already bursting from the Mei Ping after hold. I myself ran to the foreshore. Arriving there, the Japanese halted me, and others, from running ashore to seek safety. Hearing another plane power diving I started to run ashore as did the Japanese soldiers and everyone. As I flattened myself near a pile of iron ore I heard several terrific crashes. Noticing that Mei Hsia was hit in the No. 2 hold and belching smoke and hearing a further power dive overhead I ran around a corner and as I did so heard another series of crashes. Looking up I saw one bomb dropped on the bund among the Japanese. Two Japanese were killed. I am not sure as to other Japanese casualties. As I ran ashore I noticed the Japanese soldiers signaling with flags and shouting at the planes. This occurred during second and third diving.

After this final attack I returned to the ship to see whether any assistance could be given to the ships or occupants. People were still leaving the ship as I approached and U.S. Sailors were receiving women and children from the ships, were exploding and in flames in the after part. I met Captain Jorgenson, on the pontoon. He ordered all people to abandon ship immediately. Captain *B6* then proceeded to the bund as the last passengers had left the ship. Sailor *B6* and some others of the U.S.S. PANAY crew were still aboard looking for wounded.

At this time Captain: *B6* and I agreed that both ships were beyond help. Shortly after this the Japanese troops moved off toward Nanking and when some of our passengers attempted to follow they ordered them back, and indicated that they should go inland by the railway.

The following morning we found that 18 Socony Chinese employees and families were dead with some not definitely accounted for. As nearly as could be ascertained 13 Chinese were wounded, some seriously. There may be a number of other wounded still unaccounted for among the crew. The dead, or missing were:

No. 1 Engineer Chinese Dead.

- 4 -

Finished-File-Bollans

"H"(4)

ALL B6

U.S.S. OAHU

Statement of: *B6*, Master S.S. MEI PING
Concerning the bombing at mileage 221 above Woosung, China, on
December 12, 1937.
Address: c/o Standard Vacuum Oil Co., Shanghai, China.

(CONTINUED)

No. 2 Engineer Chinese Missing.
Oiler Engineer Chinese Dead.
2 Other Engine room staff Missing.

At 12:00 p.m., December 13th a Chinese reported to me that the H.M.S. Bee was coming. The Bee arrived and I went aboard about 6 o'clock p.m.

I wish to make special mention of all of the U.S.S. PANAY crew aboard my ship during the attacks, as all of these men rendered all possible assistance to me in every way.

B6

Master S. S. MEI PING.

Finished-File-Header

*Read into
record*

U.S.S. OAHU

STATEMENT OF: *B. C.*, MASTER OF THE S.S. MEI HSIA,
CONCERNING THE BOMBING AT MILEAGE 221 ABOVE WOOSUNG, CHINA, ON
12 DECEMBER 1937.
ADDRESS: c/o STANDARD VACUUM OIL COMPANY OF SHANGHAI, CHINA.

On December 11 1937, the S.S. Mei Hsia was anchored about three miles above Nanking Harbor on the right bank of the river together with the S.S. Mei Ping, S.S. Mei An, M.V. Mei Yen and Mei Yi.

The Mei Hsia had one bulk lighter, one bulk junk, and one native Junk alongside for towing. Below our anchorage two British Gunboats and several British Merchant Vessel were also at anchor.

At about 2:00 P.M. rapid gun firing commenced from the right bank and they aimed at the vessels at anchor. The vessel immediately weighed anchor and proceeded over to the left bank and up the river. The S.S. Tien Kwang, was hit by a shell on the port bow. The shelling continued until about 3:PM. The S.S. Mei Hsia anchored about 4:00 PM close to the U.S.S. PANAY, 13 miles above Nanking on the left bank, together with the Standard Vacuum Oil Company's vessels.

On December 12, 1937 at about 8:00 AM gun firing from the right bank commenced and several junks were shelled and they were burning about a half mile below the U.S.S. PANAY. We shortly afterwards received signal from U.S.S. PANAY, to weigh anchor and follow her.

At about 10:30 AM the vessels were stopped by Japanese soldiers but shortly afterwards we proceeded up river again. At about 11:30 AM the S.S. Mei Hsia anchored about 28 miles above Nanking in 10 fathoms of water and abreast of the upper part of the Creek about 3 cables off the left bank. We were anchored 400 feet right ahead of the U.S.S. PANAY. The S.S. Mei Ping was anchored close on our Starboard quarter. The S.S. Mei An, anchored about 1 cable below the U.S.S. PANAY.

At 1:30 PM several Japanese planes appeared and suddenly commenced bombing the vessels at anchor. After the first attack of the planes, the S.S. Mei Hsia, was hit and all of the deck crew, the steward, cooks and boys were thrown in the water, only one quartermaster was left on board. No serious damage was done to the vessel. The S.S. Mei Ping, got one bomb through the Captain's room and caught fire. The Mei Ping apparently went for the beach.

We observed the U.S.S. PANAY'S forward mast had gone overboard and that her bow was rapidly settling down, and we therefore immediately tried to give assistance and to give passenger and

Finished-File-Holland

U.S.S. OAHU

STATEMENT OF: *Ble*, MASTER OF THE S.S. MEI HSIA,
CONCERNING THE BOMBING AT MILEAGE 221 ABOVE WOOSUNG, SHINA, ON
12 DECEMBER 1937.
ADDRESS: c/o STANDARD VACUUM OIL COMPANY OF SHANGHAI, CHINA.

(CONTINUED)

crew opportunity to board the S.S. Mei Hsia. Assistance was not wanted and only Mr. *Ble* boarded the S.S. Mei Hsia. We then picked up from the water the boatswain, carpenter, two quartermasters, 5 sailors, steward, cook and one boy.

The M.V. Mei Yi, also came and picked up three men who was close to the left-bank. The S.S. Mei An was underway and running for the beach on left bank. We therefore proceeded to the Mei Ping, which at that time had made fast to the Japanese pontoon on the right bank. The Mei Ping was also badly damaged but in no danger. We were ordered by the Japanese soldiers on the Mei Ping to tie up along side her.

About 3:30 PM we received a third attack and Mei Hsia, got one bomb on the deck above the Master's room and one bomb through the after deck which caused fire. The Mei Ping was bombed in the after part of the ship and flames immediately broke out from her cargo ports on the after deck. The vessel was abandoned and the passengers and crew, except the Steward from the Mei Hsia, who was killed were safely brought ashore. Mr. *Ble* was seriously wounded, one chinese Steward killed and one Boy also seriously wounded.

During the first attack the bulk junk and the native junk casted off. The bulk lighter remained alongside. We have not been able to ascertain casualties sustained by the people in this lighter.

All Standard-Vacuum Oil Company's vessels had the American flag painted on the ship's side on the awnings above the bridge and flags were flying on the foremast and on the flagstaffs.

After the vessels were abandoned most of the passengers and crew proceeded to a village about one and one half miles inland and we remained there until the H.M.S.BEE arrived at 4:00 PM on December 13 1937.

Ble
Master
S.S.MeI Hsia.

Finished-File-rolls

"I"(2)

ALL *Ble*

Brigade Hospital,
Second Marine Brigade,
Shanghai, China.

23 December, 1937.

From: Lieutenant (jg) : *B6*, U.S. Navy.
(Special Disbursing Officer, U.S.S. PANAY)
To : Judge Advocate, Court of Inquiry, U.S.S. AUGUSTA.
Subject: Estimated amounts due and unpaid Officers and men of
U.S.S. PANAY on Pay Accounts.

1. The following is a list of approximately the amount due and unpaid balances of the officers and men of the USS Panay on the dates listed below, as I remember them:

30 November, 1937:

Lieut. Comdr.	<i>B6</i>	, USN	- - - - -	\$	1,456.00
Lieut.	<i>B6</i>	USN	- - - - -	\$	632.60
Lieut.(jg),	<i>B6</i>	USN	- - - - -	\$	222.99

UP TO AND INCLUDING 7 December, 1937:

Ensign	<i>B6</i>	, USN	- - - - -	\$	2.00
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30 November, 1937:

Lieut.	<i>B6</i>	(MC), USN	- - - - -	\$	228.00
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5 December, 1937:

<i>B6</i>	CMM, USN	- - - - -	\$	Over 1,900.00
<i>B6</i>	CPHM, USN	- - - - -	\$	656.00
<i>B6</i>	CQM, USN	- - - - -	\$	170.00
<i>B6</i>	BM-2c USN	- - - - -	\$	NONE
<i>B6</i>	MM-2c USN	- - - - -	\$	NONE
<i>B6</i>	F-1c, USN	- - - - -	\$	NONE
<i>B6</i>	HM-1c USN	- - - - -	\$	34.00
<i>B6</i>	F-1c USN	- - - - -	\$	NONE
<i>B6</i>	F-1c USN	- - - - -	\$	NONE
<i>B6</i>	F-1c USN	- - - - -	\$	NONE
<i>B6</i>	COX, USN	- - - - -	\$	NONE
<i>B6</i>	COX, USN	- - - - -	\$	84.00
<i>B6</i>	YEO-1c USN	- - - - -	\$	NONE
<i>B6</i>	SEA-1c USN	- - - - -	\$	NONE

Handed-File-Bohannan

"J"(1)

ALL *B6*

Brigade Hospital,
Second Marine Brigade,
Shanghai, China.

23 December, 1937.

B6	RM-3c USN	- - - - -	NONE
B6	RM-2c USN	- - - - -	NONE
B6	RM-2c USN	- - - - -	NONE
B6	MM-1c USN	- - - - -	NONE
B6	GM-2c USN (Paid Off in December)	- - - - -	NONE
B6	SEA-1c USN	- - - - -	NONE
B6	F-1c USN	- - - - -	NONE
B6	F-1c USN	- - - - -	NONE
B6	EM-3c USN	- - - - -	99.00
B6	SEA-1c USN	- - - - -	NONE
B6	SC-3c USN	- - - - -	NONE
B6	MM-2c USN	- - - - -	NONE
B6	BM-1c USN	- - - - -	NONE
B6	M.Att 1c USN	- - - - -	31.00
B6	M.Att 1c USN	- - - - -	NONE

2. I am unable to remember the amount due of any of the following members of the crew:

B6	CMM, USN	B6	RM-1c USN
B6	CWT, USN	B6	SEA-1c USN
B6	CBM, USN	B6	M.Att-1c USN
B6	COX, USN	B6	M-Att-1c USN
B6	COX, USN	B6	GM-2c USN
B6	COX, USN	B6	GM-3c USN
B6	SEA-1c USN	B6	SC-3c USN
B6	SEA-1c USN	B6	SM-1c USN
B6	COX, USN	B6	WT-2c USN
B6	SEA-1c USN	B6	EM-3c USN
B6	CM-1c USN	B6	MM-2c USN
B6	QM-2c USN	B6	MM-2c USN
B6	QM-3c USN		

B6
Lieut. (jg) U.S. Navy.

Finished-File-Hollans

"J" (2)

ALL B6

FILE NO.

FIRST ENDORSEMENT
U. S. S. AUGUSTA

Shanghai, China,
28 DECEMBER 1937

From: Lieutenant ^{BC} Judge Advocate,
Court of Inquiry to inquire into the bombing
and loss of the U.S.S. PANAY.
To: The Judge Advocate General,
Navy Department, Washington, D.C.
Subject: Estimated amounts due and unpaid Officers and men of
the U.S.S. PANAY on Pay Accounts.
1. Forwarded.

BC

✓

Finished-File-Holland

"J"(3)

ACC BC

INDEX (CONT'D)

TESTIMONY

Name of witness	Direct	: court	: corrected
B6 U.S.N. Lt. (MC),	70, 71, 72,	74, 75	
	73, 74, 147,		
	157, 158, 159		
B6 , Ens., U.S.N.	76, 77, 78,	77,	
	79, 80,	82, 83,	
	81, 82, 146,	84, 85	
	154, 155, 156		
B6 U.S.N. Lt. (MC),		86	
B6 , Lt. (MC),			
	U.S.N.		
B6 , civilian	87, 88, 89, 90		
	91, 92	92, 93	
B6 RM3c, U.S.N.	93, 94, 95, 96	96	
B6 , CBM,			
U.S.N.	96, 97, 98, 99	97, 98,	
	100, 101, 102,	100, 101,	
		102.	
B6 , CMM, U.S.N.	104, 107	105, 106,	
		107	
B6 , GMlc, U.S.N.	108, 109,	108, 109,	
	111, 112	110, 111,	
		112	
B6 , Flc, U.S.N.	113, 114, 115		
B6 , MMlc, U.S.N.	115, 116		
B6 CWT, U.S.N.	116, 117, 118,		
	119, 120		
B6 BMlc, U.S.N.	121, 122		
B6 RMlc, U.S.N.	123, 124, 125		
B6 all, Captain, U.S.N.	125	125, 126	
B6 , Lt, U.S.N.	128, 129, 130,	132, 133,	
	131, 132	134	
B6 Lt. (jg), U.S.N.	135, 139,		
	136, 137, 138,		
	140		
B6 Lt. (MC), U.S.N.	141		
B6 Lt. Cdr., U.S.N.	142, 143,	143, 144,	
	144, 145.		
Surviving officers and crew of U.S.S. PANAY	145, 146.		
B6 Sealc, U.S.N.	147	147, 148	
B6 M2c, U.S.N.	149	149	
B6 , Lt., U.S.N.	150, 151,		
	152, 153		

All B6

EXHIBITS

Exhibit	Character of	Admitted in evidence Page
1(00) to 1(103), inclusive	Extracts (despatches) from official files of CinCAF.	2
2(1) and 2(2)	Policy despatches of the CinCAF.	2
3(1) and 3(2)	File copies of letters of Admiral and Consul General regarding location of USS PANAY.	2
4	Copy of despatch to USS OAHU re- garding General Order No. 96.	3
5	List of officers attached USS PANAY on 12 December 1937.	5
6	List of enlisted men attached USS PANAY on 12 December 1937.	5
7(1) and 7(2)	Copy of press release of complete list of casualties and survivors in PANAY incident.	6
8(1) to 8(4), inclusive.	Four (4) charts of the Wuhu area.	7
9	Statement of Second Secretary, American Embassy, Nanking, China.	31
10(1) to 10(7), inclusive	Memorandum of estimate of losses suffered by Standard-Vacuum Oil Co.	58
11(1) to 11(3), inclusive	Statement of Mr. Standard Vacuum Oil Co. official	59
12(1) and 12(2)	Statement of Mr. _____, Chief Engineer of S.S. Mei Ping.	60
13	List of PANAY survivors submitted by Commanding Officer, USS OAHU.	67
14(1) to 14(10), inclusive	Ten (10) photographs of USS PANAY motor sampan and pulling sampan showing bullet holes.	69
15	Copy of report submitted by Ensign _____, communication officer, USS PANAY to Chief of Naval Operations regarding disposition of registered publications.	81
16(1) to 16(3), inclusive	Statement of Lt. _____ (MC), USN, medical officer of USS OAHU, regarding injuries sustained.	90
17(1) to 17(73), inclusive	Photographs taken by of the New York Times.	92
18(1) to 18(13), inclusive	Supplementary extracts (despatches) from official files of CinCAF.	126

EXHIBITS (CONT'D)

Exhibit	Character of	Admitted in Evidence Page
19 (1) and 19(2)	statement of Lt. USN, executive officer, USS PANAY.	129
20(1) to 20(3), inclusive.	statement of Lt. (jg) USN, engineer officer, USS PANAY.	135
21(1) to 21(11), inclusive.	statement of Lt. Comdr. USN, commanding officer, USS PANAY.	142
22	Quarterly report of registered publications on board USS PANAY as of 31 March 1937.	151
23	Rough list of CSP's prepared by Ensign - , USN.	154
24(1) to 24(4), inclusive.	Letter of Senior Medical Officer, USS PANAY, to President of Court of Inquiry of injuries sustained by PANAY crew.	157

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86/grd

UNITED STATES ASIATIC FLEET,
U.S.S. AUGUSTA, Flagship,
Shanghai, China,
15 December, 1937.

From: The Commander in Chief.
To : Captain , U.S. Navy, U.S.S.
AUGUSTA.

Subject: Court of inquiry to inquire into the bombing and
loss of the U.S.S. PANAY.

1. A court of inquiry, consisting of yourself as president and of Commander , U.S. Navy, and Lieutenant Commander . U.S. Navy, as additional members, and of Lieutenant , U.S. Navy, as judge advocate, is hereby ordered to convene on board the U.S.S. AUGUSTA at 10 o'clock a.m., on Thursday, December 16, 1937, or as soon thereafter as practicable, for the purpose of inquiring into all the circumstances connected with the bombing and loss of the U.S.S. PANAY in the Yangtze River near mileage 221 above Woosung, China, on December 12, 1937.

2. The court will make a thorough investigation into all the circumstances connected with the aforesaid bombing and loss, the causes thereof, damages to property resulting therefrom, injuries to personnel incidental thereto, and the responsibility therefor. In connection with this inquiry, the attention of the court is invited to section 725, Naval Courts and Boards.

3. The attention of the court is particularly invited to section 734, Naval Courts and Boards.

4. The court will include in its findings a full statement of the facts it may deem to be established. The court will further give its opinion as to whether any offenses have been committed or serious blame incurred, and, in case its opinion be that offenses have been committed or serious blame incurred, will specifically recommend what further proceedings should be had.

5. The Commanding Officer, U.S.S. AUGUSTA, is hereby directed to furnish the necessary clerical assistance to aid the judge advocate in recording the proceedings of this court of inquiry.

6. In addition to the record of proceedings and copies required by Naval Courts and Boards, ~~two~~ copies shall be made for the convening authority.

~~ADMIRAL~~, U. S. NAVY,
COMMANDER IN CHIEF, ASIATIC FLEET.
#17

ACC B6

"A"

In Reply Refer

UNITED STATES ASIATIC FLEET

To No.

U. S. S. AUGUSTA (Flagship)

A17-24(10005)

86/grd

Shanghai, China,
16 December, 1937.

From: The Commander in Chief, ASIATIC FLEET.
To : Captain U.S. Marine Corps,
Fourth Marines.
Via : The Commanding General, Second Marine Brigade, Shanghai,
China.

subject: Orders as counsel to assist judge advocate.

1. You are hereby directed to report to the president of the court of inquiry ordered to convene on board the U.S.S. AUGUSTA, by my precept dated 15 December, 1937, as counsel to assist the judge advocate.

25-Off/9-jdb 1st Endorsement 16 December, 1937.
Headquarters, Second Marine Brigade, Shanghai, China.

From: The Commanding General.
To : Captain U. S. Marine Corps.
Via : The Commanding Officer, Fourth Marines.

1. Forwarded.

RMO'T-wlm 2nd Endorsement 17 December, 1937.
HEADQUARTERS, FOURTH MARINES, 2D MARINE BRIGADE, SHANGHAI, CHINA.

From: The Commanding Officer.
To : Captain Junior, U.S.M.C;

1. Delivered.

By direction

"B"

ACC B4

FIRST DAY

U.S.S. AUGUSTA,
Shanghai, China,
Thursday, December 16, 1937.

The court met at 11.10 a.m.

Present:

Captain _____ U.S. Navy,
Commander _____, U.S. Navy, and
Lieutenant Commander _____ U.S. Navy, members;
and
Lieutenant _____ U.S. Navy, judge advocate.

The judge advocate introduced _____ chief yeoman,
U.S. Navy, as reporter.

The judge advocate read an order from the convening authority
original prefixed marked "B", detailing Captain _____
Junior, U.S. Marine Corps, to act as counsel to assist
the judge advocate. Captain _____ took seat as
such.

The court was cleared and the judge advocate read the precept,
original prefixed marked "A".

All matters preliminary to the inquiry having been determined
and the court having decided to sit with closed doors, the court
was opened.

The judge advocate read the precept.

Each member, the judge advocate, and reporter were duly sworn.

No witnesses not otherwise connected with the inquiry were
present.

The judge advocate read article 841, U.S. Navy Regulations,
1920.

A witness called by the judge advocate entered, was duly
sworn, and was informed of the subject matter of the inquiry.

Examined by the judge advocate:

1.Q. State your name, rank, and present station.

A. _____ lieutenant (junior grade), U.S. Navy,
attached to the staff of the Commander in Chief, U.S. Asiatic
Fleet, U.S.S. AUGUSTA.

2.Q. Are you the senior communication watch officer serving
with the Commander in Chief, U.S. Asiatic Fleet?

A. I am.

3.Q. Have you in your custody, from the official files,
copies of all messages sent and received on board the flagship
relating to the subject matter of the inquiry? If so, produce
them.

A. I have; here they are.

These extracts from the official files of the Commander in Chief, U.S. Asiatic Fleet, were submitted to the court, and by the judge advocate offered in evidence.

There being no objection, they were so received.

4.Q. Are all copies authenticated by your signature and the official seal of the Commander in Chief, U.S. Asiatic Fleet?
A. They are.

5.Q. Read these messages to the court.
The witness read the messages, copies appended marked "Exhibits 1(00) to 1(103)".

6.Q. Have you any messages in the official files originated by the Commander in Chief, U.S. Asiatic Fleet, concerning distinguishing marking on naval vessels and concerning firing in self defense, and concerning evacuation of nationals?
A. I have; here they are.

These despatches from the official files of the Commander in Chief, U.S. Asiatic Fleet, were submitted to the court, and by the judge advocate offered in evidence.

There being no objection, they were so received.

7.Q. Read these messages to the court.
The witness read the messages, copies appended marked "Exhibits (2)(1) and 2(2)."

8.Q. Do you have in your possession from the official files of the Commander in Chief, U.S. Asiatic Fleet, copies of letters sent to Admiral _____ Commander in Chief of the Imperial Japanese Third Fleet, on 20 September, 1937, and to the Japanese Consul General on 10 December, 1937, by the American Consul General, relating to the location of U.S. naval vessels in the Yangtze river near Nanking, China?

A. I have; here they are.

9.Q. Are these copies authenticated by your signature and the official seal?
A. They are.

Copies of these letters were submitted to the court, and by the judge advocate offered in evidence.

There being no objection, they were so received.

10.Q. Read these letters to the court.
The witness read two letters, copies hereto appended marked "Exhibit 3(1)" and "Exhibit 3(2)".

11.Q. If you have a despatch originated by the Commander in Chief, U.S. Asiatic Fleet, to the U.S.S. OAHU, with reference to Navy Department General Order number 96, produce it.

A. I have; here it is.

12.Q. Is this copy authenticated by your signature and the official seal?
A. It is.

Copy of this despatch was submitted to the court, and by the judge advocate offered in evidence.

There being no objection, it was so received.

13.Q. Read this despatch to the court.

A. The witness read the despatch, copy appended marked "Exhibit 4".

The court was cleared for the purpose of reading to the court such secret and confidential despatches from the official files of the Commander in Chief, U.S. Asiatic Fleet, as pertain to the subject matter of the inquiry.

The court was opened.

Neither the judge advocate, nor the court desired further to examine this witness.

The court informed the witness that he was privileged to make any further statement covering anything relating to the subject matter of the inquiry which he thought should be a matter of record in connection therewith, which had not been fully brought out by the previous questioning. cjm

The witness stated that he had nothing further to say.

The witness was duly warned and withdrew.

The court then at 12.10 p.m., took a recess until 1.05 p.m., at which time it reconvened.

Present: All the members, the judge advocate, the counsel for the judge advocate, and the reporter.

No witnesses not otherwise connected with the inquiry were present.

A witness called by the judge advocate entered, was duly sworn, and was informed of the subject matter of the inquiry.

Examined by the judge advocate:

1.Q. State your name, rank, and present station.

A. lieutenant commander, U.S. Navy, attached to the Staff of the Commander in Chief, U.S. Asiatic Fleet, U.S.S. AUGUSTA.

2.Q. What are your duties on the Staff of the Commander in Chief, U.S. Asiatic Fleet?

A. Fleet Intelligence Officer.

3.Q. Were you present at certain interviews, the first one on the 13th of December, 1937, between the Chief of Staff, U.S. Asiatic Fleet and the Chief of Staff of the Imperial Japanese Third Fleet? If so, state what occurred at these interviews.

A. I was present at both interviews, that is, at 11.45 on the morning of 13 December, 1937, when Rear Admiral I.J.N., Chief of Staff of the Japanese Third Fleet, called to inform Captain of the details as far as the Japanese authorities then knew of the bombing of the "PANAY", and American merchant vessels at mileage 221 above Woosung. Rear Admiral informed Captain that Vice Admiral the Commander in Chief of the Imperial Japanese Third Fleet, would come officially at a later hour to express his apologies and regrets in regard to this incident, and that Japanese naval officials in China were informing their home government that they were prepared to accept the responsibility for this incident. cjm

He also stated that he felt that the Japanese would make official apologies, punish the aviators responsible, and make suitable payment for damages. He informed Captain that he had received the following reports from the pilots who had bombed the convoy: "First, four vessels in company were proceeding up the Yangtze River near Kaiyuan at a speed of approximately four knots. No flags were seen although one plane flew as low as three hundred meters to try to identify the vessels. The pilots themselves were convinced that these vessels were Chinese vessels". He also stated that there were five bombing attacks made on this convoy as follows: "First, at 1325, 12 December, three bombers made attacks, appeared to make several hits, and the vessels of the convoy appeared to be on fire. At 1330, six pursuit planes made an attack and sank one vessel. At 1340, six bombers attacked one vessel which had come alongside the hulk at Kaiyuan. The vessel listed badly. At 1350, three bombers made an attack against two vessels which had come alongside each other. Both vessels were sunk". Before Rear Admiral left, he again expressed regrets and apologies for this incident. About 1430, 13 December, 1937, Vice Admiral called officially on Admiral Commander in Chief, U.S. Asiatic Fleet, and said that the Japanese navy was prepared to accept the responsibility for this regrettable incident. He stated that while the incident must be settled between the American and Japanese governments, he had come to make official apologies to the Commander in Chief of the U.S. Asiatic Fleet.

4.Q. Are these the only two interviews of the kind which you have attended concerning the "PANAY" incident?

A. Yes, sir.

5.Q. Is there any other information which you possess, which you consider should be submitted to this court, which will throw any light on the subject matter under inquiry?

A. None that I know of; no, sir.

Neither the judge advocate, nor the court, desired further to examine this witness.

The court informed the witness that he was privileged to make any further statement covering anything relating to the subject matter of the inquiry which he thought should be a matter of record in connection therewith, which had not been fully brought out by the previous questioning.

The witness stated that he had nothing further to say.

The witness was duly warned and withdrew.

A witness called by the judge advocate entered, was duly sworn, and was informed of the subject matter of the inquiry.

Examined by the judge advocate:

1.Q. State your name, rank, and present station.

A. lieutenant commander, U.S. Navy, attached to the Staff of the Commander in Chief, U.S. Asiatic Fleet, U.S.S. AUGUSTA, as Fleet Gunnery Officer, Officer Personnel Officer, and Athletic Officer.

2.Q. Are you charged, as one of your duties, with the detail of officer personnel to the ships on the Asiatic Station?

A. Yes.

ACU BG

3.Q. Please give the court the roster of officers attached to the U.S.S. PANAY on the 13th of December, 1937.

A. I have here the official roster of the U.S. Asiatic Fleet and Station dated 1 December, 1937. From this I have made an extract of the officers attached to the U.S.S. PANAY on the 12th of December, 1937, which I submit herewith to the court.

4.Q. Is this your signature on this document?

A. That is my signature, yes, sir.

The extract showing the list of officers attached to the U.S.S. PANAY on the 12th of December, 1937, was submitted to the court, and by the judge advocate offered in evidence.

There being no objection, it was so received, hereto appended marked "Exhibit 5."

5.Q. Do you know whether or not these officers were actually on board the U.S.S. PANAY on December 12th, 1937, at the time of the bombing?

A. No, but there is no official information in the files of the Commander in Chief to indicate that they were anywhere except on board the U.S.S. PANAY in a duty status.

Neither the judge advocate nor the court, desired further to examine this witness.

The court informed the witness that he was privileged to make any further statement covering anything relating to the subject matter of the inquiry which he thought should be a matter of record in connection therewith, which had not been fully brought out by the previous questioning.

The witness stated that he had nothing further to say.

The witness was duly warned and withdrew.

A witness called by the judge advocate entered, was duly sworn, and was informed of the subject matter of the inquiry.

Examined by the judge advocate:

1.Q. State your name, rank, and present station.

A. Lieutenant U.S. Navy, aide and flag secretary, Staff of the Commander in Chief, U.S. Asiatic Fleet, U.S.S. AUGUSTA.

2.Q. Are you charged with the detail of enlisted personnel to the ships of the Asiatic Fleet?

A. I am to the units of the Asiatic Fleet -major units- not to ships individually.

3.Q. Can you produce a list of the enlisted personnel attached to and serving on board the U.S.S. PANAY on 12 December, 1937, as it appears in the official files of the Commander in Chief, U.S. Asiatic Fleet? If so, produce it.

A. I can; here it is.

4.Q. Is this list certified with your signature?

A. It is, and it is correct and up to date to the best of my knowledge and belief.

The list showing the names of the enlisted personnel attached to and serving on board the U.S.S. PANAY on 12 December, 1937, was submitted to the court, and by the judge advocate offered in evidence.

There being no objection, it was so received, hereto appended marked "Exhibit 6."

5.Q. When was this list last corrected up to date?

A. This list is certified to be correct and up to date as of 12 December 1937.

Neither the judge advocate, nor the court, desired further to examine this witness.

The court informed the witness that he was privileged to make any further statement covering anything relating to the subject matter of the inquiry which he thought should be a matter of record in connection therewith, which had not been fully brought out by the previous questioning.

The witness stated that he had nothing further to say.

The witness was duly warned and withdrew.

The judge advocate was called as a witness by the judge advocate, and was duly sworn.

Examined by the judge advocate:

1.Q. State your name, rank, and present station.

A. lieutenant, U.S. Navy, judge advocate of this court.

2.Q. If you are the legal custodian of a list of civilians who were on board the U.S.S. PANAY on December 12, 1937, or who were on board other American ships in the vicinity of the PANAY, produce it.

A. I am; here it is.

3.Q. How was this list compiled?

A. It was compiled from data in the official files of the Commander in Chief, U.S. Asiatic Fleet.

4.Q. Have you any personal knowledge as to its correctness?

A. No, I have not.

5.Q. Does this list contain the names of the civilian personnel concerned in the PANAY incident?

A. It contains the names of all personnel involved.

The list containing the names of all personnel involved in the U.S.S. PANAY incident, which occurred on December 12, 1937, was submitted to the court, and by the judge advocate offered in evidence.

There being no objection, it was so received, hereto appended marked "Exhibit 7(1)" and "Exhibit 7(2)".

Neither the judge advocate, nor the court, desired further to examine this witness; the witness resumed his seat as judge advocate.

A witness called by the judge advocate entered, was duly sworn, and was informed of the subject matter of the inquiry.

Examined by the judge advocate:

1.Q. State your name, rank, and present station.

A. lieutenant commander, U.S. Navy, navigator, U.S.S. AUGUSTA.

2.Q. Do you have in your custody the official charts of the area of the Yangtze River in the vicinity of mileage 221 above

Woosung, China? If so, please produce the charts concerned.

A. I have; here they are. The charts covering the area most fully are the Chinese Admiralty Chart, sheet 2, number 151; U.S. Hydrographic Office Chart, consecutive number 2663, and British War Office Map of this section of the Yangtze River. I also submit a Socony Vacuum road map of eastern China.

These charts and road map were submitted to the court, and by the judge advocate offered in evidence.

There being no objection, they were so received, hereto appended marked "Exhibits 8(1) to 8(4)".

3.Q. Have you located the position 221 mileage above Woosung where the U.S.S. PANAY incident occurred?

A. I have. The light railway to the I-Hua iron mines comes into the Yangtze River and has a pontoon at a point known as Kai-Yuan Wharf. That is mileage 220.7. 221 mileage would therefore be three tenths of a mile up the river from this point or just off the down stream end of May-Queen Island.

4. Q. How did you locate this point?

A. The mileage is taken from the official publication, "Pilotage Distance Tables, Woosung to Hankow". A copy of this publication was given to the "AUGUSTA" by the Woosung-Hankow Pilotage Association. This is the system used by the Chinese Maritime Customs and Chinese Admiralty.

5. Q. Please explain your experience in navigating the Yangtze River.

A. I served one year in 1921-22 as executive officer and navigator of a destroyer which required periodic entry into the Yangtze-Woosung area. I served two years as navigator of the U.S.S. CHAUMONT in which I was required to come into the same areas. I also served two years, 1934 to 36 as senior aide and flag secretary to the Commander Yangtze Patrol. I have been navigator of the U.S.S. AUGUSTA about one year, during which time the "AUGUSTA" made a trip to Hankow and return.

6.Q. Please give the court any comments you may have regarding the river in the area concerned in this inquiry.

A. The following notes, I believe, would be of value to those who may want to consider this area in the matter before the court. The Yangtze River is divided into three main sub-divisions. From Woosung to Hankow it is called the Lower River and distances are expressed in miles above Woosung. From Hankow to Ichang it is known as the Middle River. In this area distances are expressed in mileages above Hankow. From Ichang to Chungking it is known as the Upper River, or the Gorges, and mileages are expressed above Ichang. Hence, mileage 221 would indicate a position 221 miles up river from Woosung. The river banks are considered as if an individual were looking down river. The right bank, on which Nanking is located, is the south bank, and the left bank on which Hohsien is located is the north bank. The Yangtze River is tidal to a point about eighteen miles above Wuhu, or about 254 miles of its length. The tide, however, does not create sufficient current in this area to overcome the normal current of the river and results, as a rule, only in raising or lowering the water level. Therefore,

any vessel anchored in the river in this vicinity will habitually swing so as to head up stream. In the vicinity of mileage 221 and between that point and Nanking, the river has a bad reputation for silting. In Nanking many anchors are lost. Quite a salvage problem may be found when time comes for raising the "PANAY". The silting is heaviest during falling water which will continue until March at which time the Yangtze commences its rise periods. In my opinion, unless the vessel be raised in the very near future, it is quite possible that she may be sufficiently silted in as to make her salvage most difficult. The current may be expected to vary from three quarters of a knot to about three and one half knots, depending upon the state of the tide.

7.Q. What is your opinion with regard to the possibility of beaching the "PANAY" at its stated location?

A. The following remarks are based upon a favorable condition on the "PANAY" as to list and trim. There are many available beaches in the vicinity of the "PANAY's" position. However, in some places in this vicinity the banks are rather steep-to, but they are all soft mud. It would appear that the vessel's bow could be rammed in sufficiently hard to hold her in place.

8.Q. What does the chart show as the depth of water at the point in question?

A. The soundings on the chart in the locality are 50 feet reduced to the level of lowest possible low water. The level at this time of the year would probably be several feet above that.

Neither the judge advocate, nor the court, desired further to examine this witness.

The court informed the witness that he was privileged to make any further statement covering anything relating to the subject matter of the inquiry which he thought should be a matter of record in connection therewith, which had not been fully brought out by the previous questioning.

The witness stated that he had nothing further to say.

The witness was duly warned and withdrew.

The court then, at 5.10 p.m., adjourned until 8 a.m. tomorrow.

SECOND DAY

U.S.S. AUGUSTA,
Shanghai, China,
Friday, December 17, 1937

The court met at 8.08 a.m.

Present:

Captain _____, U.S. Navy,
Commander _____, U.S. Navy, and
Lieutenant Commander _____, U.S. Navy, members;
and
Lieutenant _____, U.S. Navy, judge advocate.

The judge advocate introduced _____ Chief Yeoman,
U.S. Navy, as reporter.

The reporter was duly sworn.

No witnesses not otherwise connected with the inquiry were present.

The record of proceedings of the first day of the inquiry was read and approved.

The court then, at 8.15 a.m. adjourned until 9.50 a.m., to meet at the Country Hospital, 17 Great Western Road, Shanghai, China, at which time it reconvened in Room No. 318 to take the testimony of

Present: All members, the judge advocate and his counsel, and the reporter.

No witnesses not otherwise connected with the inquiry were present.

A witness called by the judge advocate entered, was duly sworn, and was informed of the subject matter of the inquiry.

Examined by the judge advocate:

1. Q. State your name, ^{residence,} and present occupation.

A. _____ and I am the oriental correspondent for Collier's Weekly, the address of which is 250 Park Avenue, New York, N.Y.

2. Q. Where were you on the morning of 12 December 1937?

A. I was on board the Yangtze Patrol gunboat, U.S.S. PANAY.

3. Q. When did you go on board the PANAY?

A. I went on board the PANAY approximately five or six days previous at the request of the American Embassy Staff in Nanking.

4. Q. What do you know of the bombing of the U.S.S. PANAY on Sunday, 12 December 1937?

A. We had had luncheon and I was on the after boat deck by the after 3-inch gun when we heard planes. I looked up and saw three bombers in triangular formation, two ahead and one behind.

The first bomb dropped and, to the best of my recollection, hit the PANAY either on the forecastle or the wheel house. I could not see of course, but in any case it wrecked the radio mast. The PANAY was anchored at the time and the anchor was never raised. She went down anchored. I ran into the Sick Bay to get my camera. Meanwhile the bombs were falling, I should say, at intervals of thirty or forty seconds, and I came out on deck and took two or three pictures of ships coming towards us. Meanwhile, the four machine guns on the boat deck had been manned and were firing at the diving planes. I went into the petty officer's wardroom on the boat deck, and sat down on a bunk listening to the "ssst" of dropping bombs, wondering where the next one was going to hit. While I was there, Sandro Sandri, an Italian correspondent, staggered in, wounded in his left side. He collapsed on the floor. There seemed to be a cessation in the bombing and I went outside and back to the sick bay. In the sick bay, I found Chief Quartermaster He had been

BC

and went back to his gun. During this period they were dive bombing.

Examined by the court:

5.Q. How high were the planes?

A. Not more than 1000 feet at the beginning of the dive. Lieutenant ran into me and said "Abandon ship". So I went up to the cabin of Dr. , which I was sharing with the doctor, got my pipe and tobacco, camera, matches, and traveller's checks. Then I went down to the deck. Both sampans were in the water. Mr. could not talk, but he took a pencil and wrote on a white bulkhead to this effect. "Go as close to the shore as possible in the sampan and swim, so that the sampan can return for the others." I can't swim. I saw the Standard Oil tanker ~~MEIKSIA~~, whose deck crew had been blown overboard and were floating around in the water, managed to drag her hook and swing back, so that her stern grazed the bow of the PANAY, and I was on the PANAY forecastle and jumped, threw my camera on board. By this time the bombing had stopped. I went to the bridge. The Captain was there alone with a Chinese wheelman. I said, "What can I do?" He said, "Get the dam hook up - I am all alone." So I went and got the hook up by turning the steam on. Then I shouted to the Captain. "What do I do now?" He said, "Try to get a sampan over", so I found the Chief Engineer, and we found a couple of deck hands and somehow managed to get the sampan down. We threw out all life rings and then the Captain of the ~~MEIKSIA~~ moved his ship so that we could pick up six or seven Chinese who were in the water. We got them aboard, and then headed across the river towards the coal dock at which the MEIPING was moored. The MEIPING was afire in the deck house abaft the wheel house. We put out the fire, so we all had a drink. Then I took some pictures of the ships, and after awhile we looked across at the PANAY and saw her sink. There were a series of small explosions but no big ones. She went down by the head rolling over on her starboard side, still anchored. Before this, two Japanese landing boats had come down river, that is from Wuhu way, and had stopped at the PANAY. They had gone around on the far side of the PANAY from the ~~MEIAN~~ so that I could not see what they did. I did not hear any machine gun, but I am certain that two Japanese landing boats did contact the PANAY.

6.Q. About how long, approximately, was it from the time the first bomb hit the PANAY until you left her?

A. I would guess ten minutes.

Examined by the judge advocate:

7.Q. Do you have any idea how many bombs hit the PANAY?

A. No, all I am sure of, is one.

Examined by the court.

8.Q. How far from the dock was the PANAY?

A. From the south dock?

9.Q. Yes.

A. She was farther from the south shore than the north shore.

Examined by the judge advocate:

10.Q. Please continue your narrative.

A. Within fifteen minutes after the PANAY sank, a Jardine tug, full of Japanese soldiers and flying a Japanese flag, came down the river along the south bank, together with several landing boats full of soldiers. Ashore, there were about two hundred Japanese soldiers, apparently at ease. They were not in any formation. This was the situation when we heard the planes again. I never saw these planes, but I did see Japanese soldiers frantically waving flags ashore. Then we heard four power dives and four bombs to the ships MEIPING and MELAN. The MEIPING immediately caught fire. I was hit by the last bomb. I got ashore as best I could, and was given first aid by Chief Pharmacist's Mate _____ off the PANAY. The Japanese soldiers ashore then motioned for all of us to get up the railroad track. There was no firing. One or two Japanese soldiers had been hit by their own bombs and I think one was dead. That ended my personal experience so far as the Navy is concerned. but I would like to put in one thing. This is about _____ fireman first class, who accompanied Mr. _____ and myself. He not only tore off his own overshirt to use as bandage for wounded people on the dock, but he had the intelligence to grab a little grip with lysol and bandage batting. We did not discover my big wound until hours later. If Jack had not had the stuff, I would have been ended. There is no doubt he saved our lives. He walked all the way in just a pair of Navy pants and no coat, no shirt or nothing.

11.Q. About what time of day did the first bomb hit the PANAY?

A. To my recollection about 1.30 p.m. or a little later.

12.Q. About how long after this was the order given to abandon ship?

A. About ten minutes.

13.Q. About how long was it from the time the first bomb hit until you saw the PANAY go down?

A. My estimate would be about two hours.

14.Q. Do you know where the Captain was during this time?

A. No sir.

15.Q. How were the American flags displayed on the PANAY to mark the vessel?

A. There was a big American flag painted on the awning, above the movie theatre, above the sick bay. There was a flag at the gaff and I think a flag at the stern. It seems to me that that was not regulation, but the Captain used that to make the display as prominent as possible. They had rigged several lights on the gaff flag for use at night.

16.Q. Was the attack on the PANAY a dive bombing attack?

A. The first three were not, but my impression is that all others were. I distinctly remember hearing the power dives diving. You never forget that if you hear it.

Examined by the court:

17.Q. In your opinion was the attack on the PANAY and its convoy deliberate or accidental?

A. That is an impossible question to answer, but I will answer in this way. I was in the Army Air Service during the War as an observer. It is incredible to me that the Japanese planes equipped with glasses as they must have been, could have mistaken our ships for any but what they were.

Examined by the judge advocate:

18.Q. Can you estimate the value of your personal property which was lost on the PANAY?

A. That is hard to say. My film was worth a lot. I had pictures of the PANAY going down. Not more than a hundred and fifty dollars gold. I had very little personal property on the PANAY.

Examined by the court:

19.Q. After the PANAY abandoned ship and before she sank, did you see any troops of the Japanese Government on board ship?

A. No sir, I did, however, see Army troops of the Japanese Government on board ship that morning.

20.Q. By that morning, you mean the day the PANAY was bombed?

A. Yes. About ten o'clock Sunday morning. We noticed on the north bank ahead of the PANAY a detachment of Japanese troops. A landing boat with a machine gun in the bow put out and the PANAY stopped. Four armed Japanese with fixed bayonets climbed on the PANAY. The officer came on board and demanded Captain _____ to give him information about the river. Captain _____ wrote a card, "I am sorry, America is a friend both to China and Japan. I cannot give you any information". The officer then climbed into the landing boat, was followed by his armed guard, and both returned ashore. The PANAY then proceeded on her course.

21.Q. Was the boarding of the PANAY by the Army soldiers opposed by the PANAY officers?

A. From my observation, no.

22.Q. Did armed Japanese forces with drawn bayonets actually board the PANAY?

A. Yes, and at the same time, about two squads of Japanese soldiers in the landing boat fixed bayonets.

23.Q. Could you identify the attacking planes positively?

A. Yes.

24.Q. What nationality were they, Japanese?

A. Yes, unless the Chinese, or some other nation, had painted Japanese markings on them.

25.Q. Do you know what type they were?

A. They looked to be biplane bombers.

26.Q. Can you answer approximately how many attacks were made?

A. My recollection is that three planes made four attacks dropping three bombs each time, making a total of twelve bombs.

27.Q. Do you know if the same planes made all three attacks?
A. No, I do not know.

Examined by the judge advocate:

28.Q. After the Executive Officer told you to abandon ship, describe what you saw on the PANAY after this.

A. All machine guns were manned. They were all firing. The boat deck was a mass of water, blood, glass, empty shells, and the gun crews kept firing until the planes were far out of range.

29.Q. About how long was this?

A. The firing got underway within two minutes after the first bomb struck. It continued until the planes had flown away, and after the last bomb had been dropped.

Examined by the court:

30.Q. Do you mean after the fourth attack?

A. Yes.

Examined by the judge advocate:

31.Q. Were the guns manned before the bombing started?

A. No, the guns were covered.

32.Q. Have you any complaint to make against any officer or man on board the PANAY?

A. On the contrary. As far as I could see, they all did their duty with a great deal of heroism in a battle which, they knew, was hopeless.

33.Q. Did you have any conversation with any Japanese troops after you landed on shore?

A. No.

Examined by the court:

34.Q. What general attitude was taken towards you and others who landed there?

A. Individually towards the white people very friendly, collectively towards the Chinese very brutal.

35.Q. Did they lend you any assistance?

A. One Japanese soldier put some iodine on my **66**

None of the parties to the inquiry desired further to examine this witness.

The court informed the witness that he was privileged to make any further statement covering anything relating to the subject matter of the inquiry which he thought should be a matter of record in connection therewith, which had not been fully brought out by the previous questioning.

The witness made the following statement:

I think this incident really started on Saturday afternoon, when shells started falling around the PANAY and the three Standard Oil ships anchored in the Yangtze, a little upstream from Nanking. We all got underway - the Standard Oil ships went ahead. We were delayed picking up three refugees. As we steamed up the Yangtze, shells kept following us all the way, two shells every time. My count would be about forty shells in pairs. Evidently, firing was from the south bank, because we would have heard them come over if they had been from the north.

Examined by the judge advocate:

36.Q. About what time did this shelling start?

A. The lights ~~were~~^{was} getting bad. I imagine about four o'clock in the afternoon.

Examined by the court:

37.Q. Was it your impression that the ship was being deliberately fired upon at that time?

A. We thought so, but not the Standard Oil ships. They kept way over close to the North bank.

38.Q. When you abandoned ship, was the PANAY on an even keel?

A. No, there was a list on the starboard down by the head.

39.Q. Was the bow under water?

A. It was not. The main deck was awash on the starboard side.

40.Q. Did you see the crew abandon ship?

A. Yes, a part of them. Two boatloads of them speeded to the shore. The people in them jumped into the water, and the boats returned to the PANAY. The two boats together might carry twenty people. The PANAY list at the time must have been around seventy-five persons, so the boats would have had to make four trips.

41.Q. When the crew abandoned, what was her position relative to list and trim?

A. The PANAY at this time was listed to the starboard with her main deck awash, just down by the head. She remained in this position and at least thirty minutes after she had been abandoned. Then she turned over to starboard and went down bow first.

Examined by the judge advocate:

42.Q. Was this condition of list and trim taken suddenly after the first bomb?

A. My judgement is that the concussion of bombs exploding in the water opened some of the bow plates of the PANAY, and that she filled comparatively slowly. She stayed afloat until the forward bulkhead gave way under pressure.

None of the parties to the inquiry desired further to examine this witness.

The court informed the witness that he was privileged to make any further statement covering anything relating to the subject matter of the inquiry which he thought should be a matter of record in connection therewith, which had not been fully brought out by the previous questioning.

The witness stated that he nothing further to say. The witness was duly warned and withdrew.

The court then adjourned to Room 316 of the same hospital to take the testimony of Mr. cjr

Present: All the members, the judge advocate and his counsel, and the reporter.

No witnesses not otherwise connected with the inquiry were present.

A witness called by the judge advocate entered, was duly sworn, and was informed of the subject matter of the inquiry.

Examined by the judge advocate:

1.Q. Will you please state your name, residence and occupation?

A. Do you mean my residence in China, or in America?

2.Q. Either.

A. My name is British American Tobacco Company, Shanghai, China.

3.Q. This court is to inquire into the bombing and loss of the U.S.S. PANAY. Will you please state what you know concerning this case?

A. I, being a passenger on the Standard Oil vessel MEIPING, of course am not familiar with many details of the sinking of the PANAY. Three Standard Oil boats were anchored off Nanking, possibly 2½ to 3 miles above the bund. The PANAY was anchored down at a small stream entering the YANGTZE River. We were shelled one morning from the shore and we moved up the stream possibly two miles farther where we were shelled again. The PANAY was also shelled and she moved upstream and, in passing us, I could read through my glasses on a black board which was written "Follow Me", which we did, to a distance of possibly twenty-five miles beyond Nanking, where we dropped anchor. On the way up, the PANAY was stopped by a motor launch containing a number of Japanese soldiers and, in speaking to Mr. afterwards, he stated they were very courteous and polite and simply wanted some information. We were all anchored very close together, and some of the sailors from the PANAY were visiting the MEIPING when one of them remarked that there were some planes in the air. Shortly we could see three planes at a good height, which proceeded up the river but turned around, and, from what I had seen of planes while in Nanking I, as a layman, thought they were lining us up as a target. They came straight at us and started power diving. We all took to cover and I would say that we had seven direct hits on the MEIPING. The captain maneuvered to the south shore where a pier was erected, apparently for loading ore brought from mountain side to the ships. Our superstructure was then on fire but the crew succeeded in extinguishing the flames. We went ashore where we contacted quite a number of Japanese soldiers. They immediately searched most of the Chinese and, in the meantime, the MEIHSIA, another Standard Oil steamer, which had not been so badly bombed, came alongside of the MEIPING. After remaining ashore for about an hour and seeing the PANAY go down, the Japanese instructed us to go on board the boats, which we did, and after being there possibly less than five minutes, two planes returned and dropped two bombs on us, both ships immediately catching fire.

Examined by the judge advocate:

4. Q. Did you hear the order "Abandon Ship"?

A. I personally did not hear it, but someone told me, after we were ashore, he could see the PANAY moving and he made the remark that she was moving, and one of the PANAY crew remarked that it was impossible, that he had heard the command to abandon ship before we got away. We were very close together. As a matter of fact we were so close together, when the bombing started, they managed to step from the PANAY to the MEIPING.

5.Q. How many PANAY Navy personnel were on the MEIPING with you?

A. That I cannot say with reference to a definite number, but I would say five or six. They were on the MEIPING getting out supplies.

6.Q. What was their conduct as observed by you?

A. Very good, I believe. While I was not an eye witness, that HODGE went on the bridge of the MEIPING and assisted in steering the boat alongside this pier on the south shore, but of that I am not sure. That is hearsay.

7.Q. Do you have any comment, either favorable or unfavorable, with regard to the conduct of any of the Navy personnel concerned?

A. I certainly have nothing unfavorable from my observations.

None of the parties to the inquiry desired further to examine this witness.

The court informed the witness that he was privileged to make any further statement covering anything relating to the subject matter of the inquiry which he thought should be a matter of record in connection therewith, which had not been fully brought out by the previous questioning.

The witness made the following statement:

I definitely heard the sound of machine guns from the PANAY. It also might be important that all these ships were displaying the American flag at numerous places on the ships.

Examined by the judge advocate:

8.Q. In your opinion were the attacks deliberate?

A. Yes, definitely so.

9.Q. After you reached the shore, were you attacked by the Japanese?

A. As I stated before, after remaining ashore for about an hour, the Japanese told us to go back on these ships, when two further bombs were dropped on us, and the Japanese soldiers were on the shore, and I saw two of them severely wounded, and I thought as a matter of fact that they had killed them.

10.Q. How were you treated by the Japanese soldiers after you arrived on shore the second time?

A. The soldiers immediately left the position, but we were treated very courteously by them when we arrived on shore the first time. In fact one of them gave me first aid treatment.

Examined by the court:

11.Q. Where and when were you injured?

A. I was on board the MEIPING and I was under the dining room table. After walking about seventeen miles, the following day, we contacted the Japanese lines at Taiping where we could not secure any food, but a Japanese captain eventually called on us in an abandoned Chinese house, and took our party to his headquarters where he did everything in his power to make us comfortable; and, the following day, after an interview with

whom I would think was a major general, they put us in a motor truck and sent us to Wuhu, a distance of about twenty miles. The following day a Japanese plane arrived in Wuhu with the Japanese Consul and a Japanese newspaper reporter who brought us to Shanghai. We stopped on the way and picked up Captain [redacted] and landed in the Whangpoo where we were met by a Japanese motor boat and brought alongside the IDZUMO, where motor cars were waiting for us, which conveyed me to a hospital.

Examined by the court:

12.Q. From what you observed of the attacks by planes, is there any question in your mind as to whether the identity of either the PANAY or the Standard Oil ships could have been mistaken by the planes?

A. It was a clear bright day with a high ceiling, and in my opinion, there could be no question whatsoever as to the identity of these ships.

Examined by the judge advocate:

13.Q. Can you estimate the altitude of the planes when the bombs were dropped?

A. No.

None of the parties to the inquiry desired further to examine this witness.

The court informed the witness that he was privileged to make any further statement covering anything relating to the subject matter of the inquiry which he thought should be a matter of record in connection therewith, which had not been fully brought out by the previous questioning.

The witness stated that he had nothing further to say.

The witness was duly warned and withdrew.

The court then, at 11.20 a.m., adjourned to the regular place of meeting, where it took a recess until 1 p.m., at which time it reconvened.

Present: All the members, the judge advocate, the counsel for the judge advocate, and , chief yeoman, U.S. Navy, reporter.

A witness called by the judge advocate entered, was duly sworn, and was informed of the subject matter of the inquiry.

Examined by the judge advocate:

1. Q. State your name, rate, and present station.

A. , fireman first class, U.S. Navy, now attached to the U.S.S. Augusta, formerly attached to the U.S.S. Panay.

2. Q. Where were you on the morning of the 12th of December, 1937?

A. I had the 8 to 12 watch on the U.S.S. Panay. The ship stopped, and the chief watertender came down to the fireroom and said that the Japanese Army had stopped the "PANAY". I went to the top side and I saw a Japanese officer talking to the Captain. Mr. was standing there. There were two Japanese sentries posted at each side of the gangway - one was facing aft and one forward. The Captain was talking to the Japanese officer; I do not know what the conversation was about.

3. Q. At what time was this?

A. I should say at approximately 10 o'clock, I'm not sure.

4. Q. Where was the "PANAY" at this time?

A. We had been underway about an hour. We were going up stream, I can't say exactly where we were. The Japanese soldiers were signalling to the soldiers on the beach. The Japanese soldiers that were signalling were on the launch that was alongside the gangway. Then I went below.

5. Q. How many Japanese soldiers came aboard the "PANAY"?

A. I saw one officer who was talking to the Captain and two sentries that came aboard.

6. Q. Were these soldiers armed?

A. They had rifles with fixed bayonets.

7. Q. Did you say that you saw these soldiers signalling to the shore?

A. I saw some soldiers in the launch signalling to the Japanese on the beach.

8. Q. Semaphore from the "PANAY"?

A. No, from the motor launch that was tied alongside the "PANAY".

9. Q. Where were you when this officer and sentries came aboard?

A. I was on watch, sir.

10. Q. Down below?

A. Yes, sir.

11. Q. Did you see them leave the ship?

A. No, sir.

12. Q. What is the next thing that happened?

A. I had gotten relieved from watch; I took a bath and they said there would be liberty on board the MEIPING. They had moved the navy club from the beach aboard the MEIPING.

13. Q. Were the PANAY and the three vessels in the convoy all anchored?

A. Yes, sir.

14. Q. About what time did you go aboard the MEIPING?

A. We left the ship at 1 o'clock and traveled about three hundred yards - it took us about five or ten minutes.

15. Q. Where were you on the MEIPING?

A. I was sitting on the hatch on the forecastle, then I heard the planes and I asked, "Do you hear what I hear?" and he said yes, and I got up and walked to the rail. Coming from the south, I saw three planes in "V" formation. Someone had a pair of glasses and I said, "Can you pick them up?", and he said, "no". Captain said that he had a pair of glasses, and I asked him if I could use them a minute, and we walked up to the bridge to get the glasses, then I looked for the planes through the glasses and picked them up and said, "They are directly over us now". They were at a great height, and then hell broke loose and the first bomb struck the "PANAY". The bomb hit on the water between us and the "PANAY". I couldn't see any smoke on account of the water from the second bomb.

16. Q. What part of the "PANAY" was struck?

A. I couldn't say exactly where they hit, I just saw the foremast and the antennae fall.

17. Q. Then what happened?

A. We jumped inside the bridge, someone closed the door, and I got up and opened it to see what happened to the "PANAY".

18. Q. How many bombs hit the "PANAY"?

A. I only saw one - the first one.

19. Q. How many attacks were made on the "PANAY"?

A. I do not know that, sir.

20. Q. How long after the "PANAY" was struck was the "MEIPING" struck?

A. I should say five or ten seconds, sir. Immediately after.

21. Q. Was the "PANAY" underway or anchored?

A. She was anchored.

22. Q. Was the "MEIPING" underway or anchored?

A. Anchored.

23. Q. Then what happened on the "MEIPING"?

A. One bomb struck the bridge of the "MEIPING" and I was knocked down and covered with stuff from the explosion, and I kicked my shoes off while I was covered with this stuff. I got

up and tore my jumper off and then went down to the port ladder and I heard some one holler "fire!". said, "Come on, boys, there's a fire", so I ran around to the starboard side and I saw one hose was hooked up. had the nozzle up above and was hollering for water, so I ran to turn the valve on and the water came out through the connections; it was not going through the hose. Then a Chinaman ran up with another hose and Mr. and I changed the hose. Then I passed the nozzle up to and I heard some one hollering; "They are machine gunning the small boats", so I ran to the bridge to tell the Captain to turn to the other bank, that they were machine gunning the small boats from the starboard bank.

24. Q. Did you hear the order given on the "PANAY" to abandon ship?

A. No, sir.

25. Q. Did you see the "PANAY" abandoning ship?

A. No, sir.

26. Q. What did you do on the "MEIPING" following the bombing?

A. After I had passed the hose to I went to the bridge to tell the Captain that they were machine gunning the small boats and to turn to the opposite bank. We were headed toward the island and were close to it, so the Captain told me to take the wheel. He went to the port side, I didn't see what he was doing. He had told me to turn over to hard port.

27. Q. What did you do with reference to getting the "MEIPING" underway?

A. Nothing, but while we were down below they had got the ship underway.

28. Q. When did you leave the "MEIPING"?

A. After she had docked, sir. Then I came back aboard to look for my shoes and went out the port side and saw a first aid chest turned over, so I filled my pockets full of bandage, tape, and a bottle of lysol. Then I went below to the stateroom on the starboard side and got a pair of shoes, and then went back to the beach. When we went back aboard the second time, they had posted two Japanese sentries on the "MEIPING". After I came down from the bridge I ran into Mr. , I think that is his name, I'm not sure, who had been injured on the bridge and was bleeding, and I had him tear my undershirt off and I tied it around his BC. Then I went around to the port side and, as I was going towards the bridge, we were struck three times by bombs. I got up to the top of the ladder and someone handed me a nozzle, and I placed it stationary on the fire because the Captain had hollered for me to take the wheel again. The Captain was only gone a few seconds, he came back and took the wheel again. I went below to the starboard side and they had docked the ship, and I went to the stateroom and got a coat. They were all jumping off the ship so I followed them out and we all went to the reeds, then we all came out of the reeds and met on the railroad. Captain was there. Then we started back to the ship and the Japanese soldiers came running around along the bank, so we told them we were Americans, and

they separated the Chinese who had come behind us. They made them undress to the waist and searched them all, including all their baggage, and this officer asked what ship it was, and we told him it was the U.S.S. Panay, American gunboat. He says, "If American gunboat, why it shoot?" The "PANAY" had one machine gun going. They were shooting at the planes as they were power diving. Then he let us all go back aboard ship.

29. Q. How did the Japanese soldiers treat you?

A. They treated us very good. One of the soldiers gave me some yellow stuff and some cotton to wash the blood from Mr.

B6

30. Q. When you left the "MEIPING" did you take anything with you?

A. No, sir.

31. Q. Where did you get the lysol?

A. I had come back aboard ship to look for my shoes and I found this chest turned over and filled my pockets with first aid stuff, bandage, tape, and the bottle of lysol.

32. Q. To whom did you render first aid?

A. At first, it was to a Chinaman lying by the railroad who was injured in the B6, and when I had finished bandaging this Chinaman the others had gone. I could see the people going up the railroad track so I caught up with them, and then they stopped and started back the way they had gone, so they brought a Chinaman up to me who had been hit. He had a B6

so I bandaged him and came on down the track and found Mr. sitting along the railroad track injured. He was bleeding badly. The Japanese had tied a bandage around his

B6 So I got him and took him with me, and we caught up with the others who were talking to some Chinese in a house. And, going along the way, one of the Chinaman was lying down with a

B6, so I stopped and bandaged him; and then one of the Chinamen gave me a bag, which had some face cream and toilet articles, and I found a box of cotton, so I dropped out this stuff and put this first aid equipment in the bag and caught up with the crowd, who had stopped again at some more houses; and then they brought another man up who had been hit in the B6, and the crowd had gone ahead but I caught up with them again and someone said, "Every man for himself".

Mr. said, "I cannot go on any longer, I have to lie down", so we turned off to the left of this crowd and ran into Mr. and his servant. So we went to a Chinese house where they boiled some water. I treated Mr. and Mr.

wounds by diluting this lysol and later Mr. called me and told me he had found B6, so I cut his shirt and sweater loose from his B6 and treated the wound, but the Chinese people were scared for us to stay there, because of the Japanese soldiers; so we left at daybreak and started walking down the way to Taiping-Fu, I think it is the name of the town.

33. Q. How much personal property did you lose on the "PANAY"?

A. All my clothing - a regular sea bag, and I had about eighty five Mex.

34. Q. How were the U.S. flags displayed on the "PANAY"?

A. They were flying a flag at the stern; one across the forward palm garden, I think it had been there all the time before; and, when anchored, I noticed they had one on the gaff.

Examined by the court:

35. Q. What other naval personnel were with you, officers and men, on board the "MEIPING"?

A. , chief pharmacist's mate; , chief machinist's mate; a first class gunner's mate, I don't know his name; , and

36. Q. What orders were issued by any of the naval personnel you have mentioned after the bombing?

A. The first orders I heard, passed the word "Fire". I had gone on the port side and went around to the starboard side, and they had one hose connected up and was hollering for water but there was no water.

37. Q. In other words, took charge of the fire?

A. Yes, sir.

38. Q. What else after that?

A. was on the port side; they had connected the hose and someone gave me the nozzle as they went up.

39. Q. You heard no other orders until you left the "MEIPING"?

A. No, sir.

40. Q. What orders were given you as you got ashore?

A. No one gave me any orders, sir.

41. Q. Was there no attempt made by any petty officer to keep the enlisted men together or to control them?

A. No, sir, we were told by the Japanese to sit down together; no orders.

42. Q. What happened after the other enlisted men reached the shore, to your own knowledge?

A. They went down the left bank. They were walking toward Nanking. There were some Japanese soldiers with them.

43. Q. Were they all together?

A. Yes, sir.

44. Q. Why did you separate from the rest of the navy men?

A. After I finished dressing this Chinaman they had all gone, and these people were walking up the railroad and I walked and caught up with them.

45. Q. Did you see that the "PANAY" was sinking at the time?

A. She had not sunk at this time, sir. She was listed to starboard.

46. Q. Did you feel that you were no longer a part of the naval service?

A. No, sir, looked through the Japanese officer's glasses and said they had abandoned ship on the opposite bank and that the "PANAY" was sinking.

47. Q. What did you think it was your duty to do then?

A. I first thought of getting word to somebody about the sinking of the "PANAY", and thought our time had come because I thought they were going to kill us all to keep it quiet.

48. Q. Who did you think was going to kill you?

A. The Japanese. We were thinking about it - I asked Mr. ^{by} if there was a radio aboard ship and he said no, and I said, "This is the finish of us then because the "PANAY's" antennae had been knocked down".

49. Q. Did someone tell you that or did you think it up yourself?

A. I thought it up myself on account of the bombing of the "PANAY".

50. Q. After the "PANAY" was bombed, the "MEIPING" was very close to her, was she not?

A. Yes, sir, three hundred yards.

51. Q. Was any attempt made by the enlisted men on the "MEIPING" to return to their ship?

A. No, sir, there were no boats alongside.

52. Q. And no orders were given to you from the "PANAY"?

A. No, sir.

53. Q. You were on authorized liberty when you left the "PANAY" to go to the "MEIPING"?

A. Yes, sir.

54. Q. Where did you steer the "MEIPING" after you took the wheel?

A. I moved to the hard port. I only had the wheel a few seconds, then the Captain came back to the wheel himself.

55. Q. How long was it before you were joined by the survivors of the "PANAY"; that is, how long was it after you were bombed that you were joined by the "PANAY" survivors?

A. They did not join us, they had all gone on the opposite bank. I had gone to the stateroom on the starboard side to look for my shoes, and when I went off the ship they had all gone ahead, they were going into these reeds, and then they came out and joined up on the railroad with the Captain and some of the other men.

56. Q. Do you have any complaint to make against any other officer or man attached to the "PANAY"?

A. No, sir.

57. Q. Have you any further statement with reference to this inquiry which would be of help to the court which you would like to make?

A. Questions were asked me yesterday about boarding of the "PANAY". I saw no motor launches of the Japanese on this side of the bank and saw none heading toward the ship from the south side of the bank during the time I was there.

Neither the judge advocate, nor the court, desired further to examine this witness.

The court informed the witness that he was privileged to make any further statement covering anything relating to the subject matter of the inquiry which he thought should be a matter of record in connection therewith, which had not been fully brought out by the previous questioning.

The witness stated that he had nothing further to say.

The witness was duly warned and withdrew. /

The court then, at 2.10 p.m., took a recess to await the arrival of the survivors of the PANAY and convoy, and reconvened at 5.10 p.m.

Present: All the members, the judge advocate and his counsel, ~~and the reporter.~~

The judge advocate stated that he had interviewed Lieutenant Commander _____, Commanding Officer of the PANAY, had informed him of the convening of the Court of Inquiry, and the stage of the proceedings, and had informed him of his rights as specified in Article 734, Naval Courts and Boards, 1937. Lieutenant Commander _____ stated that he did not desire to appear as an interested party at the inquiry due to the state of his health. He also stated that he did not feel able at the present time to submit the report required by Section 725(e), Naval Courts and Boards, 1937, but would submit this report to the court of inquiry at the earliest practicable time. The senior Medical Officer of the U.S.S. OAHU also stated that, in his opinion, Lieutenant Commander _____ was physically unable at this time to render this report.

~~Present: All members, the judge advocate, and his counsel.~~

The judge advocate introduced _____ yeoman first class, U. S. Navy, as reporter.

The reporter was duly sworn.

No witnesses not otherwise connected with the inquiry were present.

A witness called by the judge advocate entered, was duly sworn, and was informed of the subject matter of the inquiry.

Examined by the judge advocate:

1. Q. State your name, residence, and occupation.

A. _____ junior; residence is Nanking; Second Secretary, Embassy of the United States of America.

2. Q. Mr. _____, were you present on December 12, 1937, during the sinking of the PANAY?

A. Yes, sir.

3. Q. Were there identification marks on the ship?

A. Yes, sir.

4. Q. Was the ship at anchor or underway?

A. At anchor.

5. Q. How many plane attacks were made?

A. I didn't see the planes. I was in the starboard forward cabin and my impression was that at least six planes dived and dropped approximately twenty bombs in rapid succession at the ship.

6. Q. Will you please tell the court in your own words what you witnessed of this bomb attack?

A. I was in this cabin working on Embassy business shortly after 1:30 p.m., when I heard a sound of a power dive followed by the explosion of a bomb at or off the port side of the ship. There followed a rapid succession of power dives and bomb explosions, several of which gave the ship terrible jolts. In the midst of the bombing I went out on deck, just as the inner wall of my cabin was blown in, to look for the others. I met Mr. _____

_____ on the deck and Captain _____. We heard more power diving and huddled together in the athwartships passageway when the bombs were dropped. I found Mr. _____, clerk in the Embassy, in one room off that passageway. He said he had a _____, I called a sailor to help him and started to look for Captain _____, whom I found in the pantry. Captain _____ told me that his _____, I called another sailor and we carried him to one of the small boats at the starboard after part of the ship, put him in it with several men, and sent the boat ashore. Machine guns could be heard at that time, and at

least one man in that boat going ashore was wounded by machine gun bullets, and holes were put in the boat. Going forward again, I met Lieutenant , who was wounded *BC*

He was unable to speak and was writing orders on a piece of paper. He kept to his feet until the evacuation of the ship was completed. The ship was settling and we made preparations to abandon her. The Standard oil vessel "MEIHSIA" came toward us but we motioned her away with our hands for fear she would blow up and set us afire, as the Standard oil vessels were being bombed at that time. Once ashore, we gathered the wounded together and made them as comfortable as we could, and started to devise plans for escape. I helped carry Captain into the marsh and heard machine gun fire on the river and the sound of a motorboat. Others came in toward us through the reeds and informed us that two Japanese motorboats carrying Japanese soldiers had come downriver and machine-gunned the sinking PANAY, whose flags were still flying, boarded the PANAY for a few moments and then left. From the sound of the motors of these boats we thought they were coming towards us, but apparently they did not. While we were in the marsh, three Japanese planes, which looked like bombers, passed over us going in the direction of downriver and one plane circled about over us for some time. Also, during this particular period, after consultation with me and with my hearty approval, Captain suggested that Captain , U. S. Army, Assistant Military Attache to the Embassy, take charge of the party because all three of the most senior naval officers were wounded. We spent some time hunting for a passage to dry land away from shore; and, when darkness fell, met a Chinese who lived nearby who led us to some farm houses about two miles away. I was in the advance procession to this farm house with some of the wounded, including Captain and, after placing them in one of the farm houses, we set about getting coolies to carry the others and to making improvised stretchers. We obtained for this purpose one bamboo bed, boards from the PANAY, which were used for three stretchers, and the door of one house. When the wounded were all gathered there and fed with eggs and tea, we started with the aid of some policemen, who came to our assistance from the town of Hoshien, to make for that place which was some five miles distant and three miles inland. We subsequently reached Hoshien and were met at the city gate by a Mr. an employee of the Standard Oil Company, who subsequently rendered us great assistance. A secretary of the Magistrate then met us and took me and Mr. , who were in the advance party, to the Magistrate's yamen. The Magistrate, Mr. provided a small hospital and lodgings for the wounded and others in some various places in the town, and we finally got the wounded to bed about four a.m. Dr. of the PANAY and coxswain worked all night with the wounded. The next morning, about 9:30 a.m., I managed, with the assistance of the Magistrate, to make a

telephone call to Dr. _____ an American missionary at Anking, who subsequently relayed it to the Ambassador. Meanwhile Mr. _____ Secretary of the American Embassy, had gone on inland in an attempt to find some means of communicating to the outside world what had happened to the "PANAY" and obtaining assistance. The Magistrate told us that the town of Hoshien had already been attacked three times by the Japanese patrols, and on the afternoon of December 13 that some one thousand Japanese troops had crossed the river inland on the north bank near the place where we had landed from, six miles distant in a straight line. We, therefore, decided to proceed further inland when darkness came. That afternoon Mr. Sandri, an Italian journalist who was a guest on the "PANAY", and a storekeeper first class, Ensminger, died in a little hospital at Hoshien. At about four o'clock Japanese planes flew over Hoshien and circled above the hospital at a height of not more than four hundred feet, but fortunately did not see us and did not fire into the thatched roof over the hospital. With the assistance of the Magistrate we obtained eight junks to proceed up a creek to a town about twenty miles distant, and at about eight o'clock loaded our wounded aboard these junks and went up this creek twenty miles to the town of Han Shan, arriving at the nearest point of the town at six in the morning. Captain _____ Mr. _____ and I went ahead to the town, argued our way through the gate, and persuaded soldiers to take us to the Magistrate, who like the Magistrate at Hoshien, was extremely helpful to us. The Magistrate, Mr. _____, provided hospitalization for the wounded and quarters and food for all. While we were attempting over the telephone to reach an American missionary at Luchawfu-Hofei named Dr. _____, I received a telephone message from Admiral _____ from the British Navy, then at Hoshien, to the effect that information concerning the bombing of the "PANAY" had gotten out and that arrangements had been made for our evacuation to Shanghai under Japanese convoy. We decided then to return as soon as possible. At about noon Dr. _____ arrived from Luchawfu-Hofei, 130 miles away, in a borrowed motor car with some medical supplies and then returned part way to Chao Shien, the place to which Mr. _____ had managed to reach by that time, and brought Mr. _____ back to Han Shan. We began our return to Hoshien at two fifteen on December fourteenth, by the same junks which had taken us to that place, and the first junk, bearing the wounded, Captain _____ and myself, arrived at Hoshien at eight o'clock. We proceeded to the city gate and found it locked but persuaded the soldiers to let us in and subsequently met the Magistrate and Admiral _____ on their way to the creek. Arrangements had been completed to take the wounded aboard the U.S.S. OAHU, H.M.S. BEE~~X~~ and LADYBIRD and this task was accomplished by 1:00 a.m., December 15th.

7. Q. Who gave the order to abandon ship?

A. I heard Captain say himself, "Abandon ship".

8. Q. When Captain was taken off the ship who was senior in command?

A. Lieutenant

9. Q. Where was it that Captain assumed command of the party?

A. On shore.

10. Q. Were these civilians aboard the U.S.S. PANAY by their own request or by the request of the naval authorities?

A. They were there as a result of the American Government's policy to evacuate from Nanking as many Americans as possible; and went aboard the PANAY, which offered them refuge, after repeated urgings by the Embassy at Nanking.

11. Q. Have you an estimate of your personal property that was lost?

A. I have not yet made one.

12. Q. Please state what you know of the conduct of the naval personnel.

A. Captain, although he was seriously wounded and in great pain, remained calm and showed the greatest fortitude. He continued at all times to consult with us and plan with us as to our movements and earned our great admiration for his self-control and continuous interest in the welfare of the party. Although Lieutenant was seriously wounded, and could not speak because ^{Bc} he kept on his feet until he had accomplished the task of evacuation of the ship; and, in spite of his wounds and pain, maintained throughout an active and helpful interest in the welfare of the party. In my opinion his conduct is an example of gallantry and courage and can be described only in terms of highest praise. Dr. of the PANAY, who fortunately was not wounded, showed the greatest calmness and courage under fire and made his first interest the care of the wounded. He worked unceasingly with the wounded without any thought to himself and his conduct exemplified the highest ideals of his profession. Chief quartermaster was painfully wounded in the ^{Bc} but refused to become a stretcher case in view of the needs of the other wounded; and, with great courage and fortitude, stayed on his feet during the entire expedition. Coxswain, after helping to carry his wounded comrades six miles, remained the rest of the night at the improvised hospital at Hoshien to assist in caring for the wounded. Chief boatswain's mate and machinist's mate courageously returned to the sinking ship for additional supplies although hostile airplanes were expected to return at any moment. While returning to

shore these men barely escaped being fired on by Japanese river patrol. There were other cases; those are the outstanding ones.

13. Q. Have you any unfavorable comment to make on the conduct of any of the naval personnel?

A. No, sir.

Examined by the court:

14. Q. You have mentioned that at the time on shore, which I am not exactly clear about, it was agreed that Captain was no longer in command of the ship's company. Would you please amplify what the nature of the agreement was and what was said in the matter.

A. A sailor came to me on shore and said that Captain would like to speak to me. I went into the reeds where his stretcher was and he said in approximately these words, "Mr. _____, since I am incapacitated and the other two most senior officers are wounded, it has occurred to me that it would be a good idea for Captain _____ to take charge, because of his military experience; and it probably will be that he can easily exercise any necessary authority over the men." I replied that I thought that this was an excellent idea and that it had my hearty approval.

15. Q. Lieutenant _____ and Ensign _____, were they present in the party at that time?

A. They were in the party. _____ was wounded, _____ was _____ He is in my opinion a very fine young man and I assumed that Captain made this suggestion because Ensign _____ is very young and inexperienced. Thereafter, Captain _____ continued to consult with Captain _____ and me, and we continued to consult with him; and, of course, with other members of the party as to what actions we should undertake. All actions and movements undertaken by the expedition were so undertaken with, I believe, a full and willing counsel of all members of the party.

16. Q. About how long after the ship had been abandoned did Captain _____ give over his authority as Commanding Officer of the PANAY?

A. The ship sank about 3:30 p.m. and it was sometime between that hour and darkness which fell about five.

Re-examined by the judge advocate:

17. Q. Could it be said that Captain _____ was the agent of Captain _____? In other words, that Captain _____ exercised the authority of Captain _____

A. No, I do not think so. The sailors readily carried out his wishes just as they readily carried out my wishes. They

were informed that he was in charge of them and they looked to him and to me for directions; and such directions that were given were in general given in consultation with Captain :

Re-examined by the court:

18. Q. Who informed the men that they were under the authority of the Army officer?

A. I am not sure. I believe that Captain informed chief quartermaster Lang.

19. Q. Was the party kept together all the time except for the occasions that you have mentioned where certain members went off?

A. We lacked sufficient stretchers to carry all of the wounded from shore to the farmhouse where we first stopped. We took Captain and several others and went to the farmhouse and sent the stretchers back for the others.

20. Q. When Captain was sent ashore in the sampan, was he conscious?

A. He was conscious at all times and in possession of his faculties.

21. Q. Did he give any orders prior to leaving the ship indicating that he had relinquished command?

A. I was told so; I was not present.

22. Q. After the bombing, how long was it before the Captain left?

A. I have no idea how long the bombing took.

23. Q. You have no idea how long the bombing took, but to the best of your recollection it was after the last bomb hit?

A. I think so.

24. Q. Was it almost immediately after that that the ship was abandoned?

A. Well, I heard him give the order to abandon ship and the boat was ready and filled with men; and we carried him to this boat.

None of the parties to the inquiry desired further to examine this witness.

The court informed the witness that he was privileged to make any further statement covering anything relating to the subject matter of the inquiry which he thought should be a matter of record in connection therewith, which had not been fully brought out by the previous questioning.

The witness made the following statement:

I should like to state that the party owes a great deal to Captain _____ whose qualities of leadership and whose courage and good judgment were to a large measure responsible for our successful escape.

The witness was duly warned and withdrew.

A witness called by the judge advocate entered, was duly sworn, and was informed of the subject matter of the inquiry.

Examined by the judge advocate:

1. Q. State your name, residence, and occupation, please.

A. _____ residence Nanking, China, home address _____
BC occupation, American Foreign Service Diplomatic Branch, present Foreign Second Secretary of the American Embassy at Nanking, China.

2. Q. I show you this statement, is that your signature?

A. Yes, sir.

3. Q. Did you compose that statement?

A. I did, yes, sir.

4. Q. Are the things written thereon correct from your observation?

A. I believe so. I haven't checked it over again. I don't believe that there is any hearsay evidence in it.

The statement was submitted to the court, and by the judge advocate offered in evidence.

There being no objection, it was so received, copy appended marked "Exhibit 9".

5. Q. Have you anything further which you wish to state with regard to the bombing and loss of the "PANAY"?

A. There is only one thing that I can think of. The only thing that I can think of which I had neglected to mention in the statement was to give credit to Lieutenant Commander _____ in command of the U.S.S. "PANAY" for his very gallant action in refusing to leave the ship until all others had left which was overruled by some person or persons unknown to me. I cannot specify exactly who it was, but I do recall definitely his statement that he wished to be the last to leave the ship and that he was taken aboard the motor launch over his strong protests. I should like to add that as a small tribute to his courage and fortitude throughout the entire proceedings. Even though wounded, I am sure he remained in charge of the situation though he handed all the military aspects of it to Captain _____ U. S. Army, as more experienced in land warfare; and,

also being uninjured, better able to take care of that aspect of the situation. However, all points of decision were referred back to Captain [redacted] whose counsel and advice was heavily leaned on by those responsible for the safety of the party and formed a large part of the fortunate outcome.

6. Q. Did you personally hear Captain [redacted] protest against leaving the ship?

A. I did.

Examined by the court:

7. Q. You have stated that Captain [redacted] turned over the military aspects of his command to Captain [redacted]. Was, to your knowledge, any other naval person placed in authority over the crew of the PANAY? In other words, was it to understand that the crew of the PANAY was under the command of Captain [redacted]?

A. No. I would say, rather, that Captain [redacted] was the person who was to suggest and plan the organization and act as adviser. Everything was referred to Captain [redacted] for final decision, and furthermore, it almost had to be that way because Lieutenant [redacted] was [redacted] B6, Lieutenant [redacted] was sounded somewhat and Ensign [redacted] B6, I understand, had his [redacted] B6 I did not actually see that, but I saw him without his [redacted] B6

and naturally, he also was somewhat shocked by the experience as all of us were and, further, Captain [redacted] pointed out that Ensign [redacted] was the youngest of the officers, had only arrived on the station a few weeks and he considered it better for Captain [redacted] to act as adviser on the military arrangements of the situation, but he did not in any sense to my knowledge relinquish his own responsibility of command.

Re-examined by the judge advocate:

8. Q. Could it be said that Captain [redacted] exercised his authority through the agency of Captain [redacted] ?

A. I think that expresses the situation very accurately. Captain [redacted] was all the time lying on a stretcher unable to see anything. His only information came from Captain [redacted] and the other officers and people who were not so seriously wounded.

9. Q. Have you any adverse criticisms to make concerning any of the naval officers or men on the PANAY?

A. Far from it. I hereby place the highest possible tribute to the credit of each and every one of them. There was not a single man who, to my knowledge, omitted to do anything that he might have done through personal fear or who showed the slightest concern over his personal safety; and

many of them took chances that were not reasonable to take in order to protect other wounded personnel or the ship; and I have the highest praise for chief petty officer who, though wounded in the ^{BC} as mentioned in my report, he had a ^{BC} but in spite of that he went up there and manned a machine gun.

10. Q. If you are able at this time, state what your personal losses on the PANAY were.

A. I regret very much I cannot state them exactly but I have a copy of the inventory of my goods and effects which was covered by war risk insurance. I can tell on the basis of that I know that they are quite considerable. They contain the family's solid silver and all the best linen which was placed on board the PANAY for safe keeping during the emergency, and I should imagine that my losses probably amount to between three to five thousand dollars American money.

11. Q. It is understood that this will form the subject of a separate claim to the Government, is that correct?

A. To the American Government? I could not answer that. I will wait for instructions from the Department of State.

None of the parties to the inquiry desired further to examine this witness.

The court informed the witness that he was privileged to make any further statement covering anything relating to the subject matter of the inquiry which he thought should be a matter of record in connection therewith, which had not been fully brought out by the previous questioning.

The witness made the following statement:

I have no definite recollection of the time when the order to abandon ship was given by Captain -- and relayed by me to the men at his request on his behalf. But the deck of the ship was already almost awash before the order to abandon ship was given and there were at least five trips by motor pan which had been made. I personally saw that it would have been risky to have postponed abandoning ship. Later the ship went down, I am reliably informed at a quarter to four or five o'clock, as I had no watch.

Re-examined by the court:

12. Q. Have you any personal knowledge of any valuable papers or Naval documents that were taken out of the ship before she sank?

A. I have no personal knowledge.

Re-examined by the judge advocate:

13. Q. Have you any knowledge as to whether or not it will be practicable to salvage the PANAY or any of its valuables?

A. The Captain of the H.M.S. LADYBIRD remarked to me of his own accord that it would be extremely difficult to send down divers at this season of the year because the current is too strong where the PANAY sank.

The witness was duly warned and withdrew.

The court was closed. The court was opened.

A witness called by the judge advocate entered, was duly sworn, and informed of the subject matter of the inquiry.

Examined by the judge advocate:

1. Q. State your name, rank, and present station.

A. , Captain, Infantry, D.O.L., Acting Assistant Military Attache', American Embassy, Nanking, China.

2. Q. You are called as a witness with regard to the bombing and the loss of the U.S.S. PANAY and convoy; were you there when this occurred?

A. I was.

3. Q. Will you state what you know concerning this case?

A. This was on December 12, 1937. The PANAY was anchored, I have been told, at mileage 223 above Woosung. It was between MA AN SHAN and CHIN HO KOW. At about 1:30 in the afternoon I heard the sound of planes. I took my field glasses and ran on deck just aft of the sick bay in order to observe them - as they passed over us. Before I caught sight of the planes I heard an explosion which I think was either just at or just off the port bow. I was almost thrown off my feet by the concussion. For a moment I couldn't realize what had happened and then I realized that the planes were actually bombing the PANAY, and almost immediately two or three more bombs fell either aboard the PANAY or close to it. I started to go into the sick bay and was knocked off my feet by the concussion of another bomb. From inside I looked out and saw the plane which was at an altitude not greater than 3,000 flying off down river. It was definitely Japanese from the red markings on the wings and I called the attention of Mr. of the London Times to that fact. To the best of my recollection,

34

it was one of the light bi-plane bombers which had lately been bombing Nanking. At the same time I caught a glimpse of another plane off to starboard. I started to go down the port ladder and another series of explosions drove me inside the chief petty officers' quarters; and I had just stepped inside the doorway when I was struck in the back by a shower of fragments of some kind and was knocked forward on my hands and knees. I was somewhat dazed and remained on the floor for a few moments then got up and looked out the starboard doorway and saw the after port machine guns firing at the plane which was then at an altitude of not more than two thousand feet. I might say that these two men that were handling this gun behaved with the greatest calmness and their shots were coming very close to the plane. I turned back into the chief petty officers' quarters and saw that the Italian, Sandri, had been struck by a machine gun bullet and from the angle at which the bullet struck him, I saw the bullets pierce the steel plate shield opposite the doorway. I believe the plane could not have been more than a hundred feet high at the time. After some moments I went down to the main deck and found Captain [redacted] in the galley being supported by someone. He told me his [redacted] His face was black, covered with soot. He seemed to be in very great pain. I asked him if there was anything I could do to assist his officers in abandoning ship. It was evident by this time that the PANAY had been very badly hit. I then found Lieutenant [redacted], the executive officer, who had been wounded in [redacted] [redacted]

[redacted], but had to write his instructions on the white paintwork of the ship. Ensign [redacted] had been [redacted] and Lieutenant [redacted] had received wounds in the [redacted] [redacted] We started to get what we thought were necessary supplies while ashore; and, by the time I returned from helping with this, I found that two boats had gone ashore with Captain [redacted] amongst the wounded. As soon after these two boats returned we loaded them up again and my recollection is that they made, all together, three trips; and in the next to the last boat, Lieutenant [redacted] and I, and three other wounded men went ashore. About one hundred yards from shore the motor went dead and we had to row the remaining distance; and so were carried some six hundred yards down stream from the other party. As soon as we had got the wounded into the concealment of the reeds in the bank and landed most of the gear I went up the bank to join the other party and to see if I could find the doctor. At this time, and in consultation with Captain [redacted] and Mr. [redacted], Captain [redacted], in view of the disability of all four line officers, requested me to assist him in insuring the safe conduct of the party. In the meantime the motor sampan had returned to the ship to get additional supplies and before they had returned two Japanese motor landing boats came down stream and when about six hundred yards from the PANAY opened fire on her with several bursts, then proceeded to board her, remaining

on board for at least five minutes, and then cruised slowly up stream. Because we felt that we were not safe from attack from these boats, I instructed everyone to get further into the concealment of the river reeds; and, as soon as this was done, I detailed men to reconnoiter in all directions for higher ground because the place on which we were located was practically a swamp. Because of the condition of the ground, the men found it impossible to make any reconnaissance, and during this time planes were passing over and bombing the Standard Oil boats beached across the river; and, on one occasion a plane circled our position so that we could not move about freely. It was almost dusk before we were able to complete a reconnaissance, and at this time the cook of the PANAY returned and said he had found some natives who would guide us to a village some distance up stream. At about the same time an A.P.C. launch came into a cove just above us and two sailors went up and brought her back. Using the push pan we brought Lieutenant and the other three wounded men to the main party, transferred them to the launch, and towing the two sampans moved about two miles up stream to a landing point opposite the village. After all the wounded had been got ashore and the gear collected, on Captain instructions we cut adrift the two sampans and also the A.P.C. launch so that the Japanese would have no evidence of our landing at that point.

4. Q. Was it aboard ship that Captain Hughes requested you to assist him in insuring the safe conduct of the party?

A. It was on shore.

5. Q. Do you know whether or not the Japanese boarded the PANAY after she was abandoned?

A. I definitely saw them board her.

6. Q. Please tell about this.

A. After they had fired at the PANAY they approached very cautiously, circled astern, and boarded her above the port gangway and remained there for about five minutes, then cast off and went up stream.

7. Q. Were the Japanese armed?

A. I couldn't see; it was too far away.

8. Q. Did you hear any machine guns?

A. As these two craft approached the PANAY they fired several bursts of machine gun fire.