

*Court of Inquiry Findings Related to "Panay Incident"

Official Press Release from Friday, December 24, 1937.

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Note: Released for publication in all editions of Saturday MORNING NEWSPAPERS which appear on the streets not earlier than 8:00 p.m. EST Friday, December 24, 1937.

EXTREME CARE MUST BE EXERCISED TO AVOID PREMATURE PUBLICATION OR ANNOUNCEMENT

SECRETARY OF THE NAVY SWANSON HAS RECEIVED THE FOLLOWING FINDING OF FACTS OF THE COURT OF INQUIRY ORDERED TO INVESTIGATE THE BOMBING AND SINKING OF THE U.S.S. PANAY. THESE FINDINGS HAVE BEEN APPROVED BY THE COMMANDER-IN-CHIEF, ASIATIC FLEET.

THE COURT FINDS AS FOLLOWS:

1. THAT ON DECEMBER TWELFTH NINETEEN THIRTY SEVEN THE U.S.S. PANAY A UNIT OF THE YANGTZE PATROL OF THE U.S. ASIATIC FLEET, WAS OPERATING UNDER LAWFUL ORDERS ON THE YANGTZE RIVER.

2. THAT THE IMMEDIATE MISSION OF THE U.S.S. PANAY WAS TO PROTECT NATIONALS, MAINTAIN COMMUNICATION BETWEEN THE U.S. EMBASSY NANKING AND OFFICE OF THE AMBASSADOR AT HANKOW, PROVIDE A TEMPORARY OFFICE FOR THE U.S. EMBASSY STAFF DURING THE TIME WHEN NANKING WAS GREATLY ENDANGERED BY MILITARY OPERATIONS, AND TO AFFORD A REFUGE FOR AMERICAN AND OTHER FOREIGN NATIONALS.

3. THAT DUE TO INTENSIVE SHELL FIRE AROUND NANKING THE U.S.S. PANAY HAD CHANGED BERTH SEVERAL TIMES TO AVOID BEING HIT, AND ON THE MORNING OF DECEMBER TWELFTH NINETEEN THIRTY SEVEN FORMED A CONVOY OF SOCONY VACUUM OIL COMPANY VESSELS PRINCIPALLY THE S.S. MEIPING, MEISHIA AND MEIAN AND PROCEEDED UP RIVER.

4. THAT ADEQUATE STEPS WERE TAKEN AT ALL TIMES TO ASSURE THAT THE JAPANESE AUTHORITIES WERE INFORMED OF THE MOVEMENTS OF THE U.S.S. PANAY.

5. THAT IN ADDITION TO HER REGULAR COMPLIMENT THE U.S.S. PANAY HAD ON BOARD AT THIS TIME FOUR MEMBERS OF THE AMERICAN EMBASSY STAFF, FOUR AMERICAN NATIONALS AND FIVE FOREIGN NATIONALS.

6. THAT AT 9:40 A.M. WHILE STANDING UP RIVER THE U.S.S. PANAY STOPPED IN RESPONSE TO A SIGNAL FROM A JAPANESE LANDING BOAT, A JAPANESE ARMY BOARDING OFFICER WITH GUARD WENT ON BOARD AND WAS INFORMED THAT THE U.S.S. PANAY AND CONVOY WERE PROCEEDING TO ANCHORAGE TWENTY EIGHT MILES ABOVE NANKING, NO WARNING WAS GIVEN OF ANY DANGER LIKELY TO BE ENCOUNTERED.

7. THAT AT ABOUT 11:00 A.M., DECEMBER TWELFTH, NINETEEN THIRTY SEVEN, THE U.S.S. PANAY AND CONVOY ANCHORED IN THE YANGTZE RIVER IN A COMPACT GROUP AT ABOUT MILEAGE TWO HUNDRED TWENTY ONE ABOVE WOOSUNG, TWENTY EIGHT MILES ABOVE NANKING.

8. THAT THE U.S.S. 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 GAFF.

9. THAT THE SOCONY VACUUM SHIPS MEIPING, MEISHIA AND MEIAN EACH DISPLAYED NUMEROUS HORIZONTAL AND VERTICAL AMERICAN FLAGS ALL OF LARGE SIZE.

10. THAT AT 1:30 THE CREW OF THE U.S.S. 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 1:38 P.M. THREE LARGE JAPANESE TWIN MOTORED PLANES IN A VEE FORMATION WERE OBSERVED AT A CONSIDERABLE HEIGHT PASSING OVERHEAD DOWN RIVER, 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, AND 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 THE 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 SHIP'S 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 UNMISTAKINGLY IDENTIFIED BY THEIR MARKINGS AS BEING JAPANESE.

17. THAT IMMEDIATELY AFTER THE FIRST BOMB STRUCK, AIR DEFENSE STATIONS WERE MANNED AND THE CALIBER MACHINE GUN 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 DRILL.

18. THAT DURING THE BOMBING MANY WERE INJURED BY FLYING FRAGMENTS AND CONCUSSION AND ALL SUFFERED SHOCK ON THE FIRST BOMB. THE CAPTAIN SUFFERED A BROKEN HIP AND SEVERE SHOCK, SOON THEREAFTER LIEUTENANT ANDERS, EXECUTIVE OFFICER WAS WOUNDED BY FRAGMENTS IN THROAT AND HANDS LOSING POWER OF SPEECH, LIEUTENANT, JUNIOR GRADE, GUEST ENGINEER OFFICER RECEIVED FRAGMENTS IN THE LEGS, ENSIGN BIWERSE HAD CLOTHING BLOWN OFF AND WAS SEVERELY SHOCKED, 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 GET UNDERWAY AND TO BEACH THE SHIP. EXTENSIVE DAMAGE PREVENTED GETTING UNDERWAY.

19. THAT AT ABOUT 2:00 P.M., 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,

