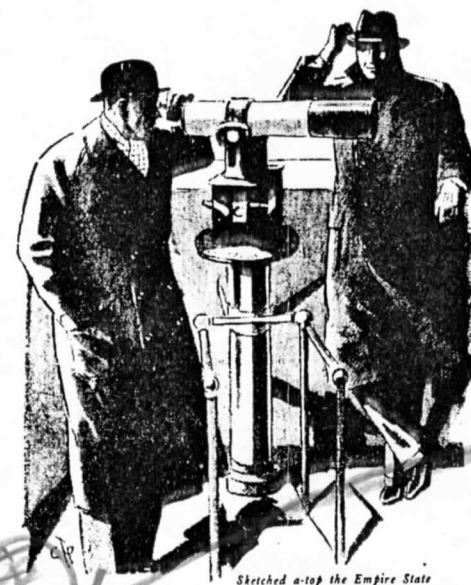


All our stores, uptown and downtown, are now open evenings until 9 o'clock.

The modern ROGERS PEET Makers of Fine Clothes



Sketched atop the Empire State

Rogers Peet
ROADSTER
Overcoats featured at
\$55

Look where you will in this great city of ours, you will find no greater value than our famous Roadster overcoat. Soft, light—and warm! Rich texture combined with long wear. Tailored in the workrooms of the modern Rogers Peet.

\$7.50
and
\$10



Smart! Comfortable!

Rogers Peet
**HANKACHIF* WEIGHT
DERBY by DOBBS**

For a pleasant change... wear a derby! Have you noticed how many well-dressed men do? Rogers Peet features the Hankachif-weight Derby by Dobbs. Try one. You'll hardly know you have a hat on... it's so light!

Being flexible, it shapes itself to your head.

**Rogers Peet
Company**

More R. P. news on pages 17 and 19

FIFTH AVENUE LIBERTY ST. WARREN ST. 13th ST. 35th ST.
at Forty-first St. at Broadway at Broadway at Broadway at Broadway
*Rep. U. S. Pat. Off. BOSTON: 104 TREMONT ST. at Bromfield St.

NANKING'S SILENCE TERRIFIES SHANGHAI

Appalling Casualties Among
300,000 Civilians Feared—
No News, Say Japanese

18 AMERICANS IN CAPITAL

Chiang Kai-shek Says Loss of
City Strengthened China's
Determination to Fight

Special Cable to The New York Times.
SHANGHAI, Wednesday, Dec. 15.—Japanese Army, Embassy and Navy spokesmen mysteriously profess an utter lack of information regarding conditions in Nanking, although nearly two days have elapsed since the city was completely occupied, according to their claims.

The only information offered was that aviators reported yesterday that most of the city was still ablaze but that fighting had ceased. The spokesmen said they were unable to give out any information concerning the fate of the foreigners remaining in Nanking, the condition of embassy properties, the possible slaughter of civilians, the number of prisoners taken and the extent of property damages.

Pressed for an explanation of this lack of tidings from the captured city, the spokesmen said transmission was slow because the headquarters of General Iwane Matsui, the Japanese commander in the Shanghai-Nanking area, had been moved a considerable distance from Shanghai.

When reminded that several Japanese warships had arrived in Nanking Monday night, the navy spokesman insisted they had not sent any wireless reports to the flagship Izumo here.

This incredible blockade of detailed information regarding Japan's great victory in increasing Shanghai's fears that the 300,000 civilians remaining in Nanking probably suffered appalling casualties during the siege.

In another air raid at Nanchang yesterday the Japanese Navy spokesman said bombers had destroyed twenty-eight Chinese planes of forty seen grounded there at two airdromes. Most of the planes were new Soviet-made craft, the spokesman said. None went aloft to meet the raiders.

No News of Eighteen Americans
SHANGHAI, Wednesday, Dec. 15 (AP).—The fate of eighteen Americans who remained in Nanking was in doubt as two days of silence passed after the Japanese occupied the abandoned capital. Fragmentary reports over disrupted communications channels told of dozens of casualties among Chinese troops and civilians in Nanking.

Generalissimo Chiang Kai-shek sent a message to the nation from "somewhere behind the Chinese lines" minimizing the importance of Japan's capture of Nanking.

"The chief significance of Nanking's fall," the generalissimo declared, "is the strengthening of China's determination to continue the campaign of resistance because, the seat of government having been moved elsewhere, Nanking no longer possesses political or military importance."

Japanese, however, appeared to view the capture of Nanking as a triumph of the Japanese army's authority.

Chinese acknowledged that the Japanese had occupied Fukow, terminal city of the railroad to Tientsin and the last avenue of overland escape from Nanking. From Fukow, across the Yangtze River from Nanking, they said Chinese forces had withdrawn to Puchen, the next station, about one mile north.

The Japanese said they had no information of military operations beyond Nanking.

A new outbreak of fighting at Hohsein, upriver from Nanking, and between retreating Chinese and Japanese advance forces against the survivors of the United States gunboat Panay, which was bombed and sunk Sunday.

Texts of Notes on the Panay Attack

WASHINGTON, Dec. 14 (AP).—The text of the United States note to Japan formally protesting the bombing of American war and commercial ships follows:

The government and people of the United States have been deeply shocked by the facts of the bombardment and sinking of the U. S. S. Panay and the sinking or burning of the American steamers Melping, Molan and Melsan by Japanese aircraft.

The essential facts are that these American vessels were in the Yangtze River by uncontestable right; that they were flying the American flag; that they were engaged in their legitimate and appropriate business; that they were at the moment conveying American official and private personnel away from points where danger had developed; that they had several times changed their position, moving up-river, in order to avoid danger; and that they were attacked by Japanese bombing planes.

With regard to the attack, a responsible Japanese naval officer at Shanghai has informed the commander-in-chief of the American Asiatic Fleet that the four vessels were proceeding up-river; that a Japanese plane endeavored to ascertain their nationality, flying at an altitude of 300 meters, but was unable to distinguish the flag; that the three Japanese bombing planes, six Japanese fighting planes, and two Japanese bombers attacked the vessels, resulting in the sinking of one of the American steamers and the sinking of the U. S. S. Panay and the other two steamers.

Since the beginning of the present unfortunate hostilities between Japan and China, the Japanese Government and various Japanese authorities at various points have repeatedly assured the government and authorities of the United States that it is the

intention and purpose of the Japanese Government and the Japanese armed forces to respect fully the rights and interests of other powers.

On several occasions, however, acts of Japanese armed forces have violated the rights of the United States, have seriously endangered the lives of American nationals and have destroyed American property. In several instances the Japanese Government has admitted the facts, has expressed regrets and has given assurance that every precaution will be taken against recurrence of such incidents.

In the present case acts of Japanese armed forces have taken place in complete disregard of American rights, have taken American life and have destroyed American property, both public and private.

In these circumstances the Government of the United States requests and expects of the Japanese Government a formally recorded expression of regret, an undertaking to make complete and comprehensive indemnifications, and an assurance that definite and specific steps have been taken which will insure that hereafter American nationals, interests and property in China will not be subjected to attack by Japanese armed forces or unlawful interference by any Japanese authorities or forces whatsoever.

The Japanese Note

Written to The New York Times.
TOKYO, Dec. 14.—The text of Foreign Minister Koki Hirota's note, handed to the United States Ambassador Joseph C. Grew, regarding the sinking of the United States gunboat Panay follows:

Regarding the incident of Dec. 12, in which the United States gunboat Panay and three steamers belonging to the Standard Oil Company were sunk by bombing of Japanese naval aircraft at a point about twenty miles above Nanking, I had the honor, as soon

as unofficial information of the incident was brought to my knowledge, to request Your Excellency to transmit to the United States Government sincere apologies from the Japanese Government.

From reports subsequently received from our representatives in China it has been established that the Japanese air force, acting on information that Chinese troops, fleeing from Nanking, were going upriver in steamers, pursued them and discovered such vessels at the above-mentioned point. Owing to poor visibility, however, the aircraft, although they descended to fairly low altitudes, were unable to discern any mark showing any one of them was an American warship.

Consequently the United States gunboat Panay and the vessels of the Standard Oil Company, being taken for Chinese carrying fleeing Chinese troops, were bombed and sunk.

While it is clear, in the light of the above circumstances, that the present incident is entirely due to a mistake, the Japanese Government regret most profoundly that it has caused damage to a United States man-of-war and ships and casualties among those aboard, and desire to present hereby our sincere apologies.

The Japanese Government will make indemnification for losses and deal appropriately with those responsible for the incident. Furthermore, they already have issued strict orders to the authorities on the spot with a view to preventing recurrence of a similar incident.

The Japanese Government, in fervent hope that the friendly relations of Japan and the United States will not be affected by this unfortunate affair, have frankly stated as above their sincere attitude, which I beg Your Excellency to make known to your government.

I avail myself of this opportunity to express my sincerest consideration.

NOTE BY HULL ASKS JAPAN FOR REDRESS

Continued From Page One

interference by any Japanese authorities or forces whatsoever."

A striking sentence in the note left no doubt of the intensity of feeling here concerning what had every aspect of a deliberate attack on the American ships.

Detailing the circumstances preceding the attack and recalling that the Panay and the other vessels had a perfect right to be where they were, Secretary Hull emphasized through repetition of the adjective "Japanese" where this government places responsibility for the incident.

On the authority of a responsible Japanese naval spokesman at Shanghai, he declared "that three Japanese bombing planes, six Japanese fighting planes, and two Japanese bombers attacked the vessels, resulting in the sinking of one of the American steamers and the sinking of the U. S. S. Panay and the other two steamers."

Mr. Hull cited evidence that the Japanese flew at an altitude of only 300 meters (about 984 feet). He had nothing to say at his press conference today concerning the explanation of Mr. Hirota that mist obscured visibility so that the aviators did not recognize the craft as American.

Veteran diplomats here remarked that they had never known Japan to move so promptly in response to protests, but they were frankly doubtful whether assurances of good behavior in the future necessarily would mean much in practice.

Their attitude was that in a situation such as that existing in the Sino-Japanese warfare about the only assurance for the future against repetition of such incidents would be for Japan to stop her invasion.

No Sign of U. S. Withdrawal
Not only is there no indication here that that will occur, but there is no sign that the United States intends to withdraw her forces or nationals from China. They are there under treaty rights and in pursuit of legitimate interests.

President Roosevelt, who continued to direct personally the government's policy in the crisis today, said in response to a question at his press conference this afternoon that there were no new plans under consideration for evacuating American nationals from China.

The statement in Shanghai of Admiral Harry E. Yarnell, commander-in-chief of the Asiatic Fleet, that the navy would stay there as long as necessary to protect Americans stood unchallenged.

Asked whether he had requested a response from Emperor Hirohito, President Roosevelt replied non-committally, saying merely that his message stood for itself.

Secretary Hull conferred with the President at noon for an hour. Afterward he said he had brought Mr. Roosevelt up to date on the situation.

Meanwhile close contact was maintained through diplomatic channels with Great Britain, but there was nothing to indicate that Japan was in prospect. Rather, it appeared that as in the past in reference to the Far East the two governments were taking similar and parallel but separate steps.

Aviators Not Yet Punished
Special Cable to The New York Times.
SHANGHAI, Wednesday, Dec. 15.—Asked this morning whether the aviators guilty of having sunk the gunboat Panay had been punished, a Japanese spokesman replied that an investigation was still proceeding.

Asked if any Japanese aviators had been punished for any of their "mistakes" involving foreigners and foreign property since the beginning of hostilities last summer, the spokesman said he was unable to give information because these matters were in the confidential military and naval files. Finally, after instant questioning, the spokesman said he would try to have information about past punishments later today or tomorrow.

READ

The Hundred Needles.

Admiral Yarnell Bars Gunboat Withdrawal As Yangtze Solution Suggested by Japan

SHANGHAI, Dec. 14.—Japanese naval authorities issued this afternoon an informal suggestion directed to the United States and British naval chiefs in China waters to the effect "that since an extension of hostilities along the Yangtze corridor was possible" it might be found that the most practical method of avoiding further tragic incidents would be for all American and British vessels to be removed from the danger zone.

United States naval vessels will not be withdrawn from the Yangtze, Japanese naval authorities have not made any request for such withdrawal, and they should make such a request it would not be met. This is a summary of a statement issued from the flagship Augusta tonight as coming from Admiral Yarnell, commander-in-chief of the United States Asiatic Fleet.

The United States gunboat Oahu, which was wounded and other survivors of the bombing of the gunboat Panay. Afterward the Oahu will return to her station up the river.

The Japanese suggestion was coupled with assurances that the Japanese Navy and Army were "taking all possible steps against a recurrence" of such tragic errors as the sinking of the Panay and the bombing and shelling of the British gunboats Cricket, Scorpion, Ladybird and Bee.

About five hours before this suggestion was made Admiral Yarnell had decided that the Oahu should come to Shanghai and so notified the Japanese Navy, which promised immediate mine sweepings in an effort to provide safe channels around the wreckage of the Chingkiang and Kiangyin boats.

Asked if this suggestion for removal of foreign vessels meant a call for a general evacuation as far as Hankow or all the Yangtze, which would be tantamount to a surrender of treaty rights in the navigation of China's inland waters, a Japanese Embassy spokesman denied such an intention, saying he lacked definite information, but that he believed the Chinese were already constructing several booms above Wuhu and below Hankow.

Therefore, a general evacuation of the river was impossible.

It was understood the British gunboat Ladybird was already bound for Shanghai, possibly carrying wounded, and would arrive here Friday.

port tacitly the British attitude that the leadership in the whole affair must be taken by the United States since the European situation demands that Great Britain conserve her forces on this side of the world.

Cuba Backs American Peace Pact
Special Cable to The New York Times.
HAVANA, Dec. 14.—The Cuban Senate ratified last night five conventions of the Buenos Aires-Pan-American peace conference, held last year. The ratifications included pacts for the consolidation of peace in the Americas, the principle of non-intervention, fulfillment of and strict compliance with all existing treaties among American countries, prevention of controversies and establishment of good offices and mediation to settle disputes among all American countries. The Senate also gave final approval of the Cuban-Chilean treaty.

The French regard the incidents and the manner in which these incidents are covered up by Oriental excuses as extremely dangerous first, to white prestige throughout Asia and Africa and second as encouraging disrespect everywhere for international law. They have always regarded the American aloofness from any concrete form of international cooperation in the preservation of peace as the weak link in the whole system. Such an error as American abstinence, they have felt, was sooner or later bound to be paid for and today there is considerable anxiety lest for reasons of immediate interest or policy Washington's attitude should be too lenient.

"If the series of acts which has characterized the Far Eastern war continues, American prestige, which already is much diminished, like that of European countries, will be totally ruined in the Pacific," says the Journal des Debats.

At the same time the French support

the French support

the French support

the French support

the French support

the French support

the French support

the French support

IMPORTED
POPLINS

LUXURIOUS
SILK AND WOOL
LARGE AND CAREFULLY SELECTED
ASSORTMENT OF FALL
COLOURINGS

\$1.50

Finchley

New York, Fifth Ave. at 46th St. Chicago, 19 E. Jackson Blvd.

Check Gift Lists here
A. G. Spalding & Bros.

PUTT OR BOWL GAME! FOOTBALL and BOOK

Roll the balls... will they catapult into the scoring rings?

Official size ball plus instruction book by "Four" Clark

PIPES
\$3.50
Keynote
Yule Ball
\$1
Keynote
Supergate
\$5

PEN and PENCIL SETS
\$5
In a variety of sizes... all beautifully designed. We also carry separate pens and pencils.

CLOTHES BRUSH KIT
\$4.95
Includes brush, comb, shaving cream, razor, tooth brush, deodorant, nail file, scissors.

OXFORD SHIRTS
\$2
3 for \$5.50
Famous Olympia, sanforized, shrunk, long wearing, smart.

BOXING GLOVES
Set of 4
\$3.45
For boys. Made to stand plenty of punishment.

LEATHER JACKETS
\$7.45 UP
Designed for freedom and comfort. Good looking.

**Dr. Scholl's
FOOT COMFORT SHOPS**
345 FIFTH AVE. (Opp. Empire State Bldg.)
40 West 34th St. 62 West 14th St.
BROOKLYN 100 231 Lexington St.
Next to Lane Bryant

GIVE THIS LASTING LUXURY!
La Cross
MAIL
POLISH SETS
\$4.50
The VOYAGER—holds everything needed for a smart manicure in a soft leather case closed with a zipper. Opens upright. Other sets from \$2 to \$20.

SPALDING
518 FIFTH AVE. • 28 NEW ST. • 105 NASSAU ST.
Stores also in Housatonic, Newark, Bridgeport