U. S. WOULD INVOKE SANCTIONS TO HALT WAR IN PALESTINE
By THOMAS J. HAMILTONSpecial to THE NEW YORK TIMES.
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U. S. WOULD INVOKE SANCTIONS TO HALT WAR IN PALESTINE

Asks U. N. Council to Order End of Hostilities Under Chapter VII of Charter

MEDIATOR FOR FIRMNESS

Bernadotte Seeks Economic and Diplomatic Moves at First to Enforce Peace

U. S. resolution and excerpts from Bernadotte plea, page 18.

By THOMAS J. HAMILTON
Special to THE NEW YORK TIMES.

LAKE SUCCESS, N. Y., July 13—Dr. Philip C. Jessup, United States representative, today introduced a resolution under which the Security Council would invoke Chapter VII of the United Nations Charter and would order Israeli and Arab forces to stop the fighting in Palestine within three days.

The resolution termed the existing situation a "threat to the peace" and stated that if the order was disobeyed the Council would give immediate consideration to the enforcement measures authorized by the Charter to deal with a "breach of the peace."

The resolution did not specify what action the Council would then take. However, Count Folke Bernadotte, United Nations Mediator for Palestine, urged the Council this morning to begin with steps under Article 41 of the Charter, which authorizes an economic and diplomatic boycott.

Holds Article in Reserve

If these proved ineffective, the Mediator said, the Council should then take action under Article 42, which authorizes the Council to "take such action by air, sea, or land forces as may be necessary to maintain or restore international peace and security."

A similar resolution was introduced by the United States last May but got only five votes, two short of the seven required. Instead, the Council adopted on May 29 a resolution calling upon the two sides to agree to a cease-fire and stating that the Council would consider action under Chapter VII if either side rejected the request or violated or repudiated it after accepting it.

The milder version was largely based upon a British proposal, but this afternoon Sir Alexander Cadogan, British representative, said he would support the United States resolution, subject to three relatively unimportant changes.

Gen. A. G. L. McNaughton, Canadian representative, also has pledged his support for the United States resolution, it is understood. This would give it the necessary seven votes if the delegates who supported the earlier attempt to invoke Chapter VII do not change. The United States, the Soviet Union, Ukraine, France and Colombia supported the earlier proposal, which was first introduced by the United States and then was reintroduced by the Soviet Union.

U. S. Softens Resolution

In some ways the new United States resolution was not so strong as its predecessor, under which the Council would have termed the existing situation a breach of the peace and ordered an immediate and unconditional cease-fire. Today's resolution would put a stop to the fighting by ordering that the previous four-week truce, which expired last Friday, "shall remain in force, in accordance with the present resolution and with that of 29 May 1948, until a peaceful adjustment of the future situation of Palestine is reached."

In addition, it would order an immediate and unconditional cease-fire in Jerusalem within twenty-four hours and would instruct Count Bernadotte to continue his efforts to arrange for the demilitarization of Jerusalem and both protection of and access to holy places.

Israeli representatives had been urging the United States to call for an unconditional cease-fire, since a revival of the truce would revive the restrictions on the admission of war material and fighting personnel to Israel. A spokesman for the Israeli delegation said tonight that "the four-week truce is dead" and that there was "no justification for that part of the United States proposal which would maintain a world-wide arms embargo upon the defenders of Israel against Arab aggression or restrictions upon the Jews entering Israel."

The spokesman indicated that Israel would reject the cease-fire order unless the Arabs were or-

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U. S. WOULD INVOKE SANCTIONS BY U. N.

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dered to comply unconditionally. He argued that it would be "unjust and unnecessary" to appeal to the world to "impose restrictive conditions on attackers and defenders alike, and to suggest that such restrictions should be continued indefinitely."

Faris el-Khouri, the Syrian representative, criticized the United States resolution point by point, asking where Dr. Jessup, as a Professor of International Law, had found the justification in the Charter for using the word "order." He contended that the Arab states would have agreed to an extension of the truce if Count Bernadotte had given them assurances against violations by Israel. Then Mr. el-Khouri revived the Arab proposal that the World Court be asked to determine whether the United Nations has jurisdiction over Palestine.

Mr. el-Khouri insisted also that the Israeli forces, not the Arabs, had invaded Palestine, declaring that the Jews in the Holy Land were "foreigners" who had gone there to establish an independent state. He indicated that the Arab states would agree only to the demilitarization of the walled city of Jerusalem and to the protection of the holy places, and that otherwise "no government in the Arab world can now yield to such detrimental actions or behavior" because of the pressure of Arab public opinion.

At another point, however, he told Dr. Jessup that "the Arabs are not going to fight you" or any great power. He then added:

"Do you expect your forces to remain there [in Palestine] forever? As soon as you remove them the disturbances will be renewed."

Mr. el-Khouri ridiculed the existing United States embargo on arms shipments to the Near East as "a paper embargo," declaring that this had been shown by the unauthorized departure from the Westchester County Airport this week of a B-17 bomber that was thought to be en route to Palestine but was compelled to land at Halifax, Nova Scotia.

Pro-Israeli supporters connected the demand by the United States delegation for speed in handling its resolution with the move in the Democratic convention today to write into the party platform a plank calling for the removal of the embargo on arms shipments to Israel without regard to Security Council action. Dr. Jessup wanted the Council, which had met morning and afternoon, to meet tonight, but other members objected, and it will resume discussion of the United States resolution at 11 A. M. tomorrow.

In expressing his support for the United States resolution, Sir Alexander said that he would introduce amendments to remove any reference to the Provisional Government of Israel, which Great Britain has not recognized, and to declare instead that "the other party" had accepted appeals by Count Bernadotte and the Security Council for a cease-fire.

The third British amendment would give Count Bernadotte the right to investigate breaches of the truce agreement that had occurred since its expiration last Friday.

This afternoon Dr. Jessup forwarded to the Security Council a message from the chairman of the Security Council's Truce Commission, composed of the Consuls in Jerusalem of the United States, Belgium and France, assailing the behavior of Israeli forces there following the resumption of hostilities. The message, which was dated last Friday, apparently was sent by the Belgian Consul General, Jean Niewenhuys, via State Department communications facilities.

The text follows:

War of position resumed in Jerusalem.

Arab batteries shelled New City and King David Hotel occupied by Jewish forces. Jews announce their own guns shelled Old City. Two Egyptian Spitfires alleged to have bombed western suburbs city; mortar duals and increasing activity from snipers noted everywhere.

We observe in Jerusalem Jews appear to be increasingly inclined to ignore most elementary rules of international war. Following their attempt to seize King David Hotel Thursday night during cease-fire period, some of their forces tried last night to occupy pontificial and biblical institution property of Holy See. Only due to last minute intervention of the French Consul General were they compelled to give up their design.

Stressing the Christian world seemed almost indifferent to shelling Jerusalem by Arab Legion before truce, Jews boast that it would not take them more than a fortnight to conquer whole city nine-tenths of which they hold already. If they don't claim Jerusalem et as capital city of their state it will no doubt be an essential instrument for bargaining during peace negotiations.

In conclusion I am convinced that unless Security Council intervenes immediately and with greatest energy to stop fighting in Jerusalem, the international character of city stipulated in decision of assembly on November 29 last appears to me to be dangerously threatened.

Aubrey S. Eban, Israeli representative, told the Council this afternoon that "while aggression is being committed against it. Israel can hardly be expected to listen to Arab proposals concerning a peace settlement." He said that Israel did not share Count Bernadotte's confidence that he had found a "common denominator" in the belief of both Jews and Arabs in Palestine in the necessity of peaceful relations.

In fact, unless Mr. el-Khouri's statement indicated that the Arabs might now give way there was little sign of a compromise spirit in today's lengthy proceedings. The dominant question is whether King Abdullah of Trans-Jordan, who favors a moderate course, or King Farouk of Egypt, who seems to have been mainly responsible for the refusal of the Arab League to an extension of the truce, will now prevail.

Reports concerning the impending United States resolution, which was introduced after frequent consultations with the British delegation, became known early in the afternoon and diverted the attention of the crowded Council chamber from Count Bernadotte. The Mediator, who was accompanied by his American wife, the former Estelle Manville, dominated the morning session with his forthright demand that the Council make it plain to both sides that "the use of force in achieving one solution or another is not to be tolerated."

According to veteran United Nations observers, the Count's demand that the Council order economic or diplomatic sanctions and, if necessary, military force, was the first time that the use of specific enforcement measures had been demanded at the Security Council table. Otherwise he was careful to follow the middle way of his native Sweden, and replied with calm self-possession to leading questions addressed to him by members of the Council.

Andrei A. Gromyko and Dmitri Z. Manulsky, Soviet and Ukrainian representatives, already had attacked the Mediator on the ground that he had exceeded his powers by advancing "suggestions" for a permanent settlement in Palestine that did not coincide with the General Assembly resolution on partition, and they questioned him intensively on his statement.

Mr. Gromyko first demanded that the Mediator name the side that was "guilty," and Count Bernadotte replied that party which had refused to prolong the truce had to take the responsibility. Mr. Gromyko complained that this was not "sufficiently clear," and then criticized Count Bernadotte's proposal that a plebiscite eventually might be held to help determine a final settlement.

Both Mr. Gromyko and Mr. Manuilsky made it plain that they considered such a proposal as intended to alter the partition settlement.

According to well-informed sources, Count Bernadotte has in mind mainly a plebiscite to determine whether the Palestinian Arabs want to be merged with Trans-Jordan, as he proposed in his "suggestions" for a lasting settlement, not a change in the boundaries, but this was not made clear in his statement.

Sir Alexander later came to Count Bernadotte's defense, declaring that the Mediator had been sent to Palestine because it was impossible to obtain consent of both sides to partition. The Mediator then said that if it had been intended that he should be "100 per cent bound" by the partition resolution, no mediator would have been necessary.

Count Bernadotte refused to agree with the implications of questions from Mr. el-Khouri and Mahmoud Bey Fauzi, Egyptian representatives, emphasizing the number of Jews of military age who arrived in Israeli territory during the truce.

He said that he had allowed between 260 and 270 Jews of military age to come to Israel during the truce, on condition that they went to camps and did not receive military training. It would have been "rather cruel" to turn them back, he said, and he emphasized his belief that neither side obtained enough men or materials to alter the military balance substantially.

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