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DEPARTMENT OF STATE

Memorandum of Conversation

DATE: April 20, 1940

ADVISER ON POLITICAL RELATIONS MR. DUNN APR 30 1940 DEPARTMENT OF STATE

SUBJECT: Authority of the Danish Minister here.

PARTICIPANTS: The Danish Minister, Mr. Henrik de Kauffmann;
Mr. A. A. Berle, Jr.

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SECRETARY OF STATE APR 29 1940 NOTED

ASSISTANT SECRETARY'S OFFICE MAY 7 1940 MR. BERLE

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The Danish Minister called today, at my request.

He said that he had retained Dean Acheson as Counsel, on the recommendation of Mr. Justice Frankfurter. He was accordingly examining the legal questions raised by the seizure of Denmark, and with respect to his own authority here.

I said that this was one of our preoccupations. As we saw it, his authority was the authority of the Minister of Denmark; nothing could be done to enlarge that authority by any act of the United States government; accordingly, he would have to proceed cautiously and in the light of the best counsel he could get.

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I said that the legal questions would undoubtedly be raised in connection with the blocked Danish funds here; and in connection with Danish ships; and in other similar matters.

The Minister agreed that this was so. He said that it was clear that authority could not be derived from any "recognition" of the United States government beyond that of normal diplomatic functions; as to the rest, he had to feel his way as well as he could.

A. A. Berle, Jr.