

expressed on more than one occasion by word of mouth and in writing to the author of this brief note. At the time of his death, on July 29, 1913, he was the choice of the Institute of International Law for honorary president to succeed Professor Westlake, his lifelong friend and colleague in creating the *Revue de droit international et de législation comparée*—the first journal of international law—and the Institute of International Law, organized in 1873.

Mr. Asser was also well known as an arbiter of international disputes, and as a member of the Permanent Court of Arbitration he took part in the decision of the first case, the Pius Fund Dispute between the United States and Mexico, submitted to and decided by a special tribunal of the Permanent Court, which he had as delegate to the First Hague Conference helped to create. Mr. Asser was an admirable linguist, speaking German with ease and grace, French with the accent, fluency and precision of a native, and English with little or no trace of a foreign accent. Leaving out of consideration the value of his contributions to international law, public and private, he created or was associated in the creation of agencies both calculated to develop and to popularize his favorite studies. *The Revue de droit international et de législation comparée*, of which he was one of the founders, supplied both branches of international law with an organ for their scientific treatment and exposition. As initiator of the Conferences on Private International Law, which have been held from time to time at The Hague, he created an instrument for its development and codification. As one of the founders of the Institute of International Law he called into being an instrument for the scientific development of both branches of the subject, and by his activity in the establishment of the Academy of International Law at The Hague, he provided an institution for their scientific exposition. It is not given to many men to take part in such important creations, and the evidences of his constructive imagination and his well directed zeal will long survive him and make his name one to conjure with in the international world.

#### EMANUEL VON ULLMANN

Emanuel von Ullmann, professor of international law at the University of Munich, was born in Pertowitz, Bohemia, on February 28, 1841, and died at Vienna on April 14, 1913. For many years his interest lay in constitutional and in criminal law rather than in the law of nations, and it was only from 1889, when he succeeded von Holtzendorff at

Munich, that he turned his chief attention to international law, in which subject he became a specialist and a recognized authority. It was natural that a man born in Austria or in an Austrian possession, and still a young man when the compromise was reached with Hungary, should have devoted himself primarily to constitutional law, for the situation of the dual monarchy opened up many and inviting questions of theory as well as practice. The training thus had in constitutional law was later to be of great service to him in international law. At the same time he devoted much thought and attention to criminal law and before he became an internationalist his reputation was that of an authority on criminal law, and he has to his credit not only a treatise on Austrian criminal procedure (1874–1879, second edition 1882) but also a treatise on German criminal procedure published in 1893, but four years after his transfer from Vienna, where he was professor, to the University of Munich. It is, however, as a teacher and writer on international law that he was chiefly known in his later years. It was to be expected that von Holtzendorff's successor would feel obliged to lecture on international law, and von Ullmann not only complied with the obligation but welcomed it. His interest in the subject was of long standing, for early in his academic career he had lectured on international law at Innsbruck. He devoted five hours a week to international law in each semester, and often gave additional lectures in the university on various phases of the law of nations. In 1898 he made his formal appearance as a writer on international law considered as a system by the publication of his "Völkerrecht" as a part of the *Handbuch des öffentlichen Rechts der Gegenwart*. This work gave him an assured position among internationalists, although it was far from easy reading. A second edition, thoroughly revised and in part rewritten so as to become practically a new work, appeared in 1909. The second edition is especially remarkable for its warm appreciation of the Hague Conferences at a time when they were looked upon in Germany as somewhat Utopian and their vast importance in the development of international law overlooked, and it is understood that he contemplated and had in preparation a third edition of this work.

Without neglecting any part of the international field, von Ullmann was especially interested in neutrality, particularly that part of the subject dealing with maritime warfare, as shown by his rector's address entitled *Der deutsche Seehandel und das Seekriegs- und Neutralitätsrecht* (1900), and his recent monograph entitled *Die Fortbildung des Seekriegs-*

*rechts durch die Londoner Deklaration vom 26. Februar 1909.*<sup>1</sup> It has been stated that he believed in the Hague Conferences when such belief was neither general nor popular, and he confessed his faith in a monograph, *Die Haagerkonferenz von 1899 und die Weiterbildung des Völkerrechts.*<sup>2</sup> More recently he allowed himself to be drawn from the study and the university to take part in the *Verband für internationalen Verständigung*, of which he was a founder and the first president.

Professor von Ullmann became an associate of the Institute of International Law in 1898 and a member in 1904, and, although he attended its sessions and took great interest in its proceedings, as is evident by the use of them which he made in his treatise on international law, he was nevertheless what might be called a silent member. Gentle and dignified in bearing, sympathetic and courteous in intercourse, deeply learned in his chosen profession, he has passed away regretted alike by his friends and co-workers in international law.

#### LUDWIG VON BAR

Professor von Bar, born in Hanover in 1836, began his academic career at the University of Göttingen in 1863, and after professorships at the University of Rostock (1866) and Breslau (1868) returned (1879) to Göttingen, from which university he received the doctor's degree and with which he was connected at the time of his death, on August 20, 1913, while returning from the session of the Institute of International Law at Oxford. Essentially a professor, he nevertheless took an active part in politics, was a member of the Reichstag from 1890 to 1893, and was both then and thereafter an advanced liberal. A member of the Institute of International Law from its foundation, he was president of it in 1891 and took during his long membership an exceedingly active and important part in its proceedings. He was also a member of the Permanent Court of Arbitration of The Hague.

Thoroughly versed in international law, or, as it is sometimes called, especially on the continent, public international law, it was as a writer on international private law that he is chiefly known. His *Das internationale Privat- und Strafrecht* appeared in 1862 and was translated into English in 1883 by G. R. Gillespie, under the title *International Law, Private and Criminal*. His second great work, *Theorie und Praxis des*

<sup>1</sup> *Jahrbuch des öffentlichen Rechts*, Vol. 4 (1910), pp. 1-55.

<sup>2</sup> *Ibid.*, Vol. 1 (1907), pp. 82-136.