

BE IT RESOLVED by the Nashville Bar Association here assembled, that we acknowledge with grateful appreciation the service of Charles Akin Embry to this community; that we feel a keen sense of loss to our profession in his death; that we are thankful to the Supreme Judge of all Courts for his life and influence.

BE IT FURTHER RESOLVED that this resolution be spread upon the minutes of the Nashville Bar Association and that a copy of same be transmitted to the family as an added expression of our deepest sympathy.

This 26th day of March 1948.

Respectfully submitted,

(Signed)

Jack Norman,  
Byrd Douglas  
John J. Hooker.

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JOHN BELL KEEBLE, JR.

JOHN BELL KEEBLE, Jr., a member of this Association, died on October 14, 1947. He was born in Nashville on January 24, 1900, and was in his forty-eighth year at the time of his death. He was the son of the late John Bell Keeble, Sr., who for many years was a distinguished member of this Bar and Dean of the Vanderbilt Law School. His mother was Miss Emmie Frazer, of Union Springs, Alabama. He married Miss Margaret Simmons of Nashville, Tennessee, in 1928, and leaves surviving him his widow, Mrs. Margaret Simmons Keeble; his two children, John Bell Keeble, III, and Catherine Keeble; two sisters, Mrs. Andrew Ewing and Miss Emmie Keeble; and two brothers, Edwin A. Keeble and David M. Keeble, all of whom reside in Nashville, Tennessee.

Mr. Keeble received his early education in the public schools of Nashville and attended and was graduated from Wallace University School and then became a student at Vanderbilt University, from which institution he received his B. A. degree in 1921. While a student at Vanderbilt he enlisted in the Student Army Training Corps during World War I and was receiving military training when the Armistice was signed. During his college years Mr. Keeble was also an outstanding tennis player, in which sport he won a number of championship matches. After graduating from Vanderbilt, he studied law at Yale University, receiving the degree of LL.B. from that school in 1924.

Mr. Keeble then became associated in the general practice of law in Nashville with the well known and long established firm of Keeble & Seay, of which his father was a member. A few years later he was admitted to membership in that firm, which continued under the name of Keeble, Seay, Stockell & Keeble. In 1932 John Bell Keeble, Jr. and his brother, the late Sydney F. Keeble, formed their own partnership and engaged in the general practice of law under the name of Keeble & Keeble, into which firm another brother, David M. Keeble, was admitted on January 1, 1933. Some two years later Sydney F. Keeble became counsel for the Life and Casualty Insurance Company, retaining his connection with Keeble & Keeble, and this firm continued until 1944, at which time Dan E. McGugin, Jr. became associated with the firm and its name was changed to Keeble, Keeble & McGugin, and such was the name of the firm at the time of Mr. Keeble's death.

Mr. Keeble was a member of the Phi Delta Theta social fraternity and Phi Delta Phi legal fraternity. Post No. 5, American Legion, the Elks Club, the Belle Meade Country Club, the Nashville, Tennessee, and American Bar Associations. He was also a member of the

Immanuel Baptist Church.

These are the bare statistics that mark the course of his life, but to those who knew him best these facts and dates fall far short of an adequate description of his distinguished professional ability, his keen sense of justice, his quiet humor and friendly banter, and his deep humanitarian instincts, which, on several notable occasions, manifested themselves in the defense of helpless and unfortunate persons.

In the field of legal accomplishments his outstanding ability, his thoroughness of preparation, and his tenacity in pursuing a matter to its ultimate end when he felt that his position was correct, are well illustrated in the leading part which he took in the well-known case of Charles M. Thruston v. Fourth and First Banks, Inc., et al, 32 Fed. Supp. 929. In this case his perseverance, his infinite patience in assembling and analyzing a great mass of complicated accounting information, and his insistence upon basic principles of law applicable fiduciaries, resulted in a verdict in favor of his client in the amount of \$200,000.00, after which he was successful in obtaining a settlement without an appeal.

Further illustrative of his legal acumen and his ability to persuade an appellate court into a favorable decision in a field that was entirely unadjudicated is the recent case of American National Bank v. Embry, 161 Tennessee 392, where our Supreme Court held, in an opinion of Mr. Justice Gailor, that the beneficiary of a trust set up under a will was entitled to interest from the date of the death of the testator and to all income received by the executor during the period of administration. This decision is a landmark in the field of administration of trust estates created by a will.

On May 1, 1935, the old Nashville Gas & Heating Company defaulted on its unguaranteed bonds aggregating \$775,000.00, thereby precipitating bankruptcy reorganization proceedings in the Federal District Court at Nashville. These bonds were widely held by small investors. They immediately declined from a price of 87 to a final low of 32. The company was a wholly owned subsidiary of United Gas Improvement Company. The firm of Keeble & Keeble was retained by the Bondholders Protective Committee and John Bell Keeble, Jr. made a most exhaustive study of the entire history of the Nashville Gas & Heating Company beginning with the purchase of the properties by the United Gas Improvement Company in 1912. On the basis of this study he prepared a memorandum of fact and law which pointed out the inequity of the reorganization plan proposed in the bankruptcy proceedings by UGI. As a result of this memorandum and negotiations conducted by Mr. Keeble with the officials of UGI the reorganization plan was amended so that ultimately new bonds were issued and guaranteed by UGI and the holders of the bonds were able to realize substantially the full value on their securities. Mr. Keeble's memorandum of law and fact, which became the basis of the amended reorganization plan, was widely regarded by institutional holders of these bonds all over the country as a most masterful and brilliant piece of work. Because of his perseverance and keen analytical powers Mr. Keeble was able to sustain his position in the face of a most determined opposition.

The foregoing cases quite adequately illustrate the superior quality of Mr. Keeble's professional ability. These resolutions, however, would not be complete without reference to another outstanding characteristic - his willingness at all time to give his time and efforts to aid unfortunate individuals helplessly involved in the meshes of the law. Two outstanding incidents will suffice to illustrate this phase of the character and makeup of John Bell Keeble, Jr.

During the late war two members of the armed forces who had been in the Nashville area on leave were indicted and tried for a crime which carried the penalty of death by electrocution. In a trial that lasted but a short time and practically on the unsupported testimony of a woman whose character was involved, these two young soldiers were found guilty by a jury and were sentenced to death in the electric chair. They were young, inexperienced, away from home, in a strange land and among strangers. The late Governor A. H. Roberts, a distinguished member of our Bar, and John Bell Keeble, Jr. voluntarily offered their services to the convicted soldiers and many long and tedious hours and days were spent in obtaining new evidence and affidavits relating to the moral character of the principal witness on whose testimony the conviction was based, and on this evidence Governor Roberts and Mr. Keeble, aided by O. V. Myers, were successful in having the conviction set aside. A new trial was granted, the case was subsequently dismissed, and these two young soldiers returned to the Army. They owed their freedom, - perhaps their very lives, to the humanitarian instincts of both Governor Roberts and John Bell Keeble, Jr. Undoubtedly many lawyers at the Nashville Bar shared these same humanitarian instincts - but it was Governor Roberts and John Bell Keeble, Jr. who stepped forward with the willingness to carry their feelings into action.

In January 1945, John Bell Keeble, Jr. happened to be present in the Second Circuit Court on some legal matter just at the time when Judge Byrd Douglas was hearing a pitiful case involving a contempt proceeding against a father who had failed to make provision for his wife and nine children, all of whom were in desperately destitute circumstances. The nine children had been placed temporarily in the Municipal Home by the Juvenile Court. The father had been adjudged in wilful contempt and was confined to the Davidson County jail. Although Mr. Keeble was busy on another matter, when Judge Douglas asked him to represent the defaulting father, without a moment's hesitation he accepted the appointment and immediately went about investigating the facts and at a subsequent hearing filed an answer for the defendant and most ably defended his involuntary client, at the same time assisting the Court with the greatest of care in looking after the welfare of the children. He contacted social workers of both the City and State and his efforts ultimately lead to the placing of all of the children in acceptable homes and friendly institutions. His indefatigable work and zeal in this particular case and his unceasing efforts for the welfare of these unfortunate children, without the slightest hope of any remuneration, were so praiseworthy that Judge Douglas publicly thanked him from the Bench for his work. Mr. Keeble's reply was that the service which he had rendered had given him more pleasure than almost any professional employment which he has ever had.

The foregoing incidents well illustrate the character and the abilities of our friend and associate in the daily practice of the law. It is with profound regret that this Association records his death on its Minutes.

BE IT RESOLVED by this Association that:

- (1) A copy of these Resolutions be spread upon the Minutes of the Association; and
- (2) That a copy of these Resolutions be furnished to his family as a token of the respect and affection of his brother lawyers.

Respectfully submitted,

(Signed)

Cecil Sims,  
Laurence B. Howard  
Paul L. Williams.

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