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In the Fall of 1932 my class, like many another before and afterward, started through law school with an hour in Agency under Professor Keedy. On the blackboard he had written in a firm, precise hand $\frac{4}{2}$. We stared at this hieroglyph uncomprehendingly, and at the trim stern figure on the platform insistently demanding solution of the problem. An eager novice called out "Six!"; but he was waved aside imperiously. A second scholar volunteered "Two!" but the professor's restless glance passed on. A long moment's silence, while the tension generated on the platform spread from mind to mind. "Eight" hovered in the collective consciousness and was voiced confidently by several men in the rear. It was rejected with a quick, almost angry, shake of the head. There was a nervous titter at the periphery of the puzzled crowd. Was this what one had come to Law School for?

"What is the problem?" Ned Keedy asked them. When they had compounded their errors by successively proposing "addition," "subtraction," "multiplication," he triumphantly demonstrated that, for want of a plus, minus, or other sign of the operation to be performed, they could not know what the problem was. "And, gentlemen, unless you know exactly what the problem is, you cannot possibly give the right

answer!" He had removed his pince-nez, and was smiling now, gesturing with his glasses in rhythmic emphasis of his words.

This was the initial exercise of a generation of law students in the lean hard logic of Ned Keedy's legal world. It was a carefully structured world in which each word meant one thing, and only one word was the right one. For some that world was an absurdity, for others a torture; for most it was a place of clarity, unearthly perhaps, like a plain on the moon, but what one saw one saw with that piercing sharpness that is almost painful to the eye. For all it was unforgettable.

Those who were occasionally cramped or beheaded on the Procrustean bed of Keedy's logic knew not the whole man. There was the other Keedy who, in mind and person, ranged free in many different worlds. First year Agency or Criminal Law might be rigidly Aristotelian. Liability of the master for the torts of the servant might be characterized as "not law but economics." *Isham v. State*¹ might be presented as the epitome of legal analysis of the problem of *mens rea*. But once he was sure that the young minds had toughened and could be trusted to distinguish between "law" and "sociology," he could happily guide a Third Year Seminar in Criminology. No one was more concerned than he with improving criminal administration by practical action² as well as scholarship,³ and he had a connoisseur's relish for dramatic trials that took him across half a continent to see an Eskimo primitive tried under the white man's law for killing and eating a missionary.⁴

Learned men from many lands join their contributions in the following pages to honor the memory of the complex and vital Scholar

¹ 38 Ala. 213 (1862). This case was included in MIKELL, CASES ON CRIMINAL LAW, which Ned Keedy used when he took over from his beloved friend and colleague, Dean William E. Mikell, the course in Criminal Law. *Isham*, a slave, was convicted of intentionally shooting Haygood, a white man. (Alabama law at that time prescribed higher penalties for homicide of a white man.) Haygood had disguised himself as a Negro. It was argued on behalf of *Isham* that he did not realize or believe that he was shooting a white man. The Mikell-Keedy analysis proceeded: Haygood was a white man; *Isham* shot him intentionally. Therefore, *Isham* shot a white man intentionally. The statute says nothing of belief, but requires only "intent," which was present.

² For a quarter of a century he helped to guide and finance the Philadelphia Defender Association, often enlisting his former pupils as volunteers in defense of the indigent.

³ See KEEDY & KNOWLTON, ADMINISTRATION OF THE CRIMINAL LAW (1955); CODE OF CRIMINAL PROCEDURE OF THE AMERICAN LAW INSTITUTE (1930), for which William E. Mikell and Edwin R. Keedy were the Reporters; Keedy, *A Problem of First Degree Murder: Fisher v. United States*, 99 U. PA. L. REV. 267 (1950); Keedy, *History of the Pennsylvania Statute Creating Degrees of Murder*, 97 U. PA. L. REV. 759 (1949); Keedy, *The Third Degree and Legal Interrogation of Suspects*, 85 U. PA. L. REV. 761 (1937).

⁴ Keedy, *A Remarkable Murder Trial: Rex v. Sinnisiak*, 100 U. PA. L. REV. 48 (1951); cf. Keedy, *A Petition of Right: Archer-Shee v. The King*, 87 U. PA. L. REV. 895 (1939).

and Teacher that was our friend, Ned Keedy. We, whose minds and character he helped to form, and who, starting with the problem of $\frac{4}{2}$ finally began to understand the greater problems of criminal law and administration, are grateful to him and to those who here carry on in his tradition.

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