

Obituaries

JOHN HENRY MEAGHER

Although the Massachusetts Superior Court was established as a statewide circuit court, Worcester's, under the Honorable John Henry Meagher, was exceptional. Judge Meagher was once referred to as the 'Chief Justice of Worcester County' by Chief Justice Edward Hennessey of the Massachusetts Supreme Judicial Court and Meagher's fellow judges often referred to Worcester County as 'Meagher County.' During his thirty-two-year tenure, Judge Meagher sat in the criminal and civil assignment sessions, heard jury-waived equity matters, and presided over criminal-capital cases and complex civil jury trials. Judge Meagher reduced the waiting time for civil trials in Worcester County from ten years to one year and for criminal cases from eighteen months to zero. To this day, Judge Meagher is vividly remembered as a strong administrator and capable trial judge who insured that cases be adjudicated promptly. Frequently, at the request of the chief justice, he undertook assignments in other counties to help them reduce the backlog of civil and criminal cases.

In 1978, for the second time, during a problem period in the court's administration, Judge Meagher was called upon by the Supreme Judicial Court to become the acting chief justice of the Superior Court. In that capacity he used his wisdom, experience, and common sense to keep the court together as a cohesive, functioning body until matters became stabilized.

He was a pioneer on a number of legally related issues. In the celebrated O'Coin's Case, he recognized the necessity for the ju-

dicial branch to assert its financial independence as one of the three co-equal departments of government. Early in his career, he had the prescience to recognize and speak out on the problems regarding mandatory sentences. He was not afraid to voice his belief that parole boards were ineffective. He was particularly prophetic when he observed that there is more form in the courts than substance. He observed that the courts have become more concerned with deciding motions than with trying cases on the merits. In addition to his many duties as a trial judge, he served on many court committees and rendered other notable service to the Superior Court. In 1978 he was recalled by the Supreme Judicial Court to sit as an active judge following his mandatory retirement at the age of 70. In 1983 he retired at the age of 75.

Beneath a gruff exterior, Judge Meagher was a warm and compassionate man with a contagious smile and a gregarious laugh. When he sat on criminal dispositions his empathy would reveal itself as he would temper justice with mercy. With imagination, persistence, and an occasional extra-judicial arm twist, he helped restore and mold the Worcester County Courthouse into a public place of local historical significance and interest. He led the fight to preserve and maintain the Worcester County Law Library, located in the Worcester County Court House.

The son of John Henry Meagher, a noted criminal lawyer and Worcester alderman, and Margaret Ronayne Meagher, who served as an Army nurse in the Spanish American War, Judge Meagher transferred to Harvard College from Georgetown University when his father died. After graduating from Harvard Law School in 1934, he joined a Worcester law firm and in 1936 married Elizabeth McDermott, with whom he had five sons and a daughter, John Jr. (Sean), Dermot, Andrew, Padric, Timothy, and Mary. In 1949 he was president of the Worcester County Bar Association.

Judge Meagher saw himself as he saw the courts. 'All human institutions have failings.' He once said: 'I think I've accomplished a little and made some progress.' From a trial lawyer's perspective,

this claim is excessively modest. His portrait, which hangs in Room 12 in the Worcester County Courthouse where he presided for so many years, is a memorial to his unique blend of pragmatism, compassion, and fairness.

Judge Meagher was born December 7, 1908. He served as a major in the U.S. Army Air Corp during World War II, and received seven bronze stars and two presidential unit citations. He was elected to membership in the American Antiquarian Society at the 1976 annual meeting and died January 6, 1996, at the age of 87.

James C. Donnelly, Jr.

ALAN EDWARD HEIMERT

Alan Edward Heimert, Powell M. Cabot Professor of American Literature at Harvard University, died November 1, 1999, in Washington, D.C. A renowned scholar and teacher of early American literature and culture, Heimert introduced thousands of undergraduates to the complexity and beauty of the texts that described the 'complex fate' of being an American. In addition, he trained two generations of graduate students to carry on his life's work of decoding the implications of the American experience of authors ranging from Captain John Smith to those who grappled with the horror of the Civil War. He is survived by his wife, Arline, of Winchester, Massachusetts; a son, Andrew, of Washington, D.C.; a daughter, Larisa, of New Haven, Connecticut; and a sister, Marion Rees, of Los Altos, California.

Born in Oak Park, Illinois, on November 10, 1928, Heimert attended York Community High School in Elmhurst, Illinois, and then matriculated at Harvard College in the class of 1949. He received his A.B. in government, writing on the political theory of Abraham Lincoln; his M.A., in history, from Columbia a year later; and his Ph.D., in the history of American civilization, from Harvard in 1960, where he worked with Perry Miller, the forma-

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