

WHITEOUT: family of privilege

*Negro Soldier Kills Conductor
Features Motorman*



Handwritten note on a small piece of paper.



Large, faint, mirrored text at the bottom of the page, possibly bleed-through from the reverse side.

Our human compassion binds us the one to the other -
not in pity or patronizingly, but as human beings who
have learnt how to turn our common suffering into hope
for the future.

Nelson Mandela

Dedicated to The Equal Justice Initiative
and those working for deep cultural change
and truth-----

thanks to: Rebekah Merrill Callaway, Staci Pratt, Jeannette Powers

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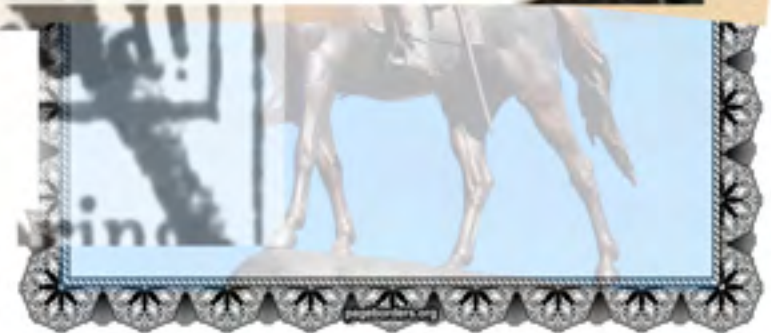
Full White Heritage
whiteout age

Merrill's of Alabama



WHITEOUT: family of privilege

... a 30-minute speech...
... the crowd...
... the man...
... the woman...
... the child...
... the death...
... the courage...
... the end...



Merrill: A Journey of Privilege

My family arose from a line that defines white privilege and power, in a place of authority that has twisted the lives of many. Over generations, my family helped shape the Jim Crow laws in Alabama, convict the innocent and protect the guilty. They profited from slavery, racial terror, the labor of hired convicts, the prison leasing system and took full advantage of all the other perks that go with wealth and easy access to the powerful.

This is not a story of the past. My distant cousin, John Merrill, is the current Secretary of State of Alabama (2018). He helped craft voter ID laws to disenfranchise people of color, immigrants and the poor from their ability to vote. You most likely saw him interviewed on national TV-- CNN and FOX during the special senate campaign of 2017. Thankfully, Doug Jones, the moderate and sane Democrat, won the vacant senate seat. John Merrill had to go on TV and certify the vote.

My great-grandfather was an officer in the cavalry of the Confederate States of America under General Jeb Stewart. He fought at the battles of Gettysburg, Yellow Tavern and others. He came to Alabama after the Civil War, to set up the Pinetucky goldmine and a law practice in Anniston. From this the family gained influence in politics that has lasted well over 100 years.

My grandfather, Hugh D. Merrill was a state judge and once the Lieutenant Governor. He was also the judge in a very famous trial in 1918 that ended with the "legal lynching" of an innocent Black soldier, Sergeant Edgar Caldwell.

The trial, a mockery of justice, inspired prominent leaders to call on the Judge and Alabama's Governor for clemency. W.E.B Dubois, one of the founders of the NAACP, and President Woodrow Wilson wrote the Alabama Governor directly. Thousands of others tried to stop this act of racial terror and save the life of Caldwell.

To no avail, my grandfather (Big Daddy) sentenced him to death in a trial that was a sham, with hardly a veneer of due process. So that the centuries old practice of violent intimidation might assume the patina of legality. "legal lynching" was simply a more socially acceptable way to enforce the south's cultural of segregation and white supremacy. Lynching had moved from the streets and mob to exist as false judicial procedure dished out under the direction of the State.

Bryan Stevenson, Executive Director of the Equal Justice Initiative, has supported the treatise, *Lynching in America: Confronting the Legacy of Racial Terror*. EJI has tied the decline in lynching to the emergence of capital punishment.

The decline of lynching in the states relied heavily on the increased use of capital punishment imposed by court order following an often accelerated trial. That the death penalty's roots are sunk deep in the legacy of lynching is evidenced by the fact that public executions to mollify the mob continued after the practice was legally banned.

A process that continues today in Alabama and other states, especially those from the old confederacy.

My uncle, long time State House Representative Hugh Merrill, was a friend and close advisor to Governor George Wallace. (famous for standing in the door of the University of Alabama to

Sergeant Edgar Caldwell



prevent the enrollment of James Hood one of the first Negro students to attempt to break this racial barrier.)

Uncle Hugh, defended the KKK terrorist that burned the Freedom Riders bus in Anniston Alabama in 1961. On May 14, Mother's Day, in Anniston, a white mob marched on the bus terminal, many still in church attire, and attacked one of the buses carrying civil rights protesters. The Freedom Riders were attempting to enforce the federal law *Baynton v. Virginia* that outlawed racial segregation in the restaurants and waiting rooms in terminals serving buses that crossed state lines.

The bus driver tried to leave the Anniston station, but was blocked and KKK members slashed its tires. The mob forced the crippled bus to stop several miles outside of town and then firebombed it. As the bus burned, the mob held the doors shut, intending to burn the riders to death. Either due to an exploding fuel tank or a state investigator firing and waving a revolver, the mob retreated. The Freedom Riders then escaped the bus, but the mob attacked and severely beat them. Only warning shots fired into the air by a highway patrolmen prevented the riders from being lynched.

That night, the hospitalized Freedom Riders, most of whom had been refused care, were removed from the hospital at 2 AM, because of the danger posed by the mob outside the hospital. The local civil rights leader Rev. Fred Shuttlesworth organized several cars of armed black citizens to rescue the injured Freedom Riders in defiance of the KKK. The KKK defendants were tried and received only a slap on the wrist from the court and were set free.

After World War II my father, James W. Merrill, left Alabama for Washington D.C. he became a major player in the Agriculture Department in Washington DC. He was in charge of peanuts for the Southeastern United States. His decision to leave the South stemmed from hints of abusive behavior—most likely sexual in nature. A theme that would continue for the remainder of his life. He would return to Alabama over the years to screw his brother's soon to be wife and produce my half-brother David, an act he bragged about, even in front of my mother. I was called "dratsab" as a nick-name, which of course is bastard spelled backwards.

As a child, I grew up traveling through the violent segregated south of the 1950s and 1960s. I saw the southern apartheid system. I visited many small towns with their confederate monument. I saw the signs on the drinking fountains and bathrooms, on hotels and in cafe and stores. I saw the poverty of the sharecroppers and drove by chain gangs cleaning ditches and repairing roads.

My father and mother were part of the upper crust of the Democratic Party and worked with and were known by their first name by folks like Senator John Sparkman of Alabama, Lyndon Johnson, Robert Kennedy, Werner Van Braun the Nazi scientist, Hubert Humphrey and the list goes on and on. My childhood was like a Forest Gump narrative, only darker and true.

I am all of my ancestors and they are me, there is no separation. It is from them that I come to exist, from my mother's side, from my father's side, all adds up to be me. A line of existence, a stream of life, that goes far beyond a written history and family tree. It continues back beyond our ability to trace family lines. I accept all of them and all are less than perfect, I connect to them all because of my own shortcomings and weaknesses. I am no different than them. Like them I am human and always striving toward something, striving to understand, and failing along the way. This history is to my knowledge factual, and it is only through truth that we reach a deeper understanding of self and reconciliation with the world.

Negro Soldier Kills Conductor and Badly Injures Motorman Of Anniston Street Car Sunday

(Special Telegram) A Negro soldier, Constable United States Army, killed the conductor and badly injured the motorman of an Anniston street car Sunday.

New Evidence to Be Required to Prevent Caldwell's Execution

Gov. Kilby, informed by Attorney H. D. Merrill, who is in charge of the Caldwell case, has announced that he will require new evidence to be presented before he will sign the execution order for the Negro.

Anonymous Letter Sent To Judge H. D. Merrill Carries Threat On Life

REPUBLICANS WIN FIGHT FOR SEAT

Caldwell Held Without Bail For Murder

Negro Soldier's Execution Trial Is Considered Late

Caldwell Trial To Have Night Session

Jury Grand gathers at Courthouse Near Evidence in Murder Trial

Interim Funeral Held Tuesday at Lineville

Funeral Services Held at Lineville

Trial of Negro Caldwell Is Started

Former Soldier Is Arraigned on Charge of Killing Constable

Sergeant Caldwell To Die on the Gallows

Army Officer Who Killed Street Car Conductor Must Pay Death Penalty

Caldwell's Death

Attorneys Ask Gov. Kilby to Save Life of Army Sergeant

Will Ask New Trial for Negro

Attorneys ask for new trial for Caldwell

Sheriff Asks for Bids on Death Trap

Preparations for Execution of Sergeant Edgar Caldwell

Nob. The Naughty Wife At Noble Tonight

Comedian's New Play

Copy of Opinion in Caldwell Case Is Received Here

Supreme Court Holds That Negro Is Not a Slave

Caldwell Thinks He May Go to the Pen, Not Gallows

Condemned Negro Writes Friend in Coal Mines He May Join Him There

Lawyers Argue to Save Life of Sergt. Caldwell

Attorneys argue for life of Caldwell

Gov. Kilby Will Not Interfere in Case of Caldwell

Kilby will not interfere in the case

Negro Pastors Write Merrill

Not yet having realized that the case involved the trial of a Negro soldier, an appeal of the case

State Board of Pardons Declines to Recommend Clemency for Caldwell

Board declines to recommend clemency

Supreme Court Refuses Rerearing of Caldwell Case; To Hang Dec. 5

Supreme Court refuses to rehear Caldwell case

Petitions Urge No Interference with Execution

Governor is asked to let Caldwell sentence be carried out

Scaffold Built and Tested for Negro Caldwell

Condemned man says he is ready to pay penalty

Rope Purchased for Hanging of Negro Caldwell

The rope to be used in the hanging

Caldwell Busy with Speech to Be Made Friday

Caldwell will give a speech on Friday

Negro Caldwell Is Resigned to Impending Fate

Caldwell resigns to his fate

Unique Appeal from Chicago to Merrill

Appeal from Chicago to Merrill

Edgar Caldwell Dies on Gallows

Edgar Caldwell dies on gallows



Parents Weep



From Mayor Stride To His Room

Caldwell's Widow Fined on Charge of Having Near Beer

Widow of Caldwell fined for having near beer

Programs Slated

WHITEOUT: family of privilege

states ramped up their construction of Confederate symbols. The second spike started in the mid-1950s and lasted through the 1960s, which just happened to coincide with the Civil Rights Movement.

IMPRESSIVE SCENE
HELD AT TALLADEGA
BY THE KLAN



Merrill: a graphic journey

My family arose from a line that defines white privilege and power, in a place of authority that has treated the lives of many for the worst. Over generations, my family helped shape the Jim Crow laws in Alabama, convict the innocent and protect the guilty. They profited from slavery, lynching, racial terror, the labor of hired convicts from the prison leasing system and took full advantage of all the other perks that go with wealth and easy access to the powerful.

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*Negro Soldier Kills Conductor
and Injures Motorman*



My great-grandfather was an officer in the cavalry of the Confederate States of America under the renowned General Jeb Stewart. He fought at the battles of Gettysburg, Yellow Tavern and others. He came to Alabama after the Civil War, to set up the Pinetucky gold mine and a law practice in Anniston. From this place, the family gained influence in politics that has lasted well over 100 years.

WHITEOUT: family of privilege



JUDGE HUGH D. MERRILL

CALDWELL IS HELD WITHOUT BAIL FOR MURDER CALDWELL WRITES TO OFFICER OF HIS ARREST

Negro Soldier's Examination Trial is Concluded Late Wednesday.

Under the provisions of the law that hold the defendant for the great jury without bail, the examination of the defendant, Edgar Caldwell, in the murder of a white woman, was held late Wednesday in the courtroom of the United States district court here. Caldwell, who is charged with the murder of a white woman, was held without bail for the great jury to be held on Monday. Caldwell, who is charged with the murder of a white woman, was held without bail for the great jury to be held on Monday. Caldwell, who is charged with the murder of a white woman, was held without bail for the great jury to be held on Monday.

Says "It Gives Me Great Pleasure to Say I Am in Trouble."

The negro was given pleasure in the fact that he was held without bail for the great jury to be held on Monday. Caldwell, who is charged with the murder of a white woman, was held without bail for the great jury to be held on Monday. Caldwell, who is charged with the murder of a white woman, was held without bail for the great jury to be held on Monday.

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20,000 ITALIAN SOLDIERS WANT TO GO TO U. S.

STOVE WOOD

Post Toasties



My grandfather, Hugh D. Merrill was a state judge and once the Lieutenant Governor. He was also the judge in a very famous trial in 1918 that ended with the "legal lynching" of an innocent Black soldier named Sergeant Edgar Caldwell.

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Racial terror was part of life and culture in the post-civil war south.

I was told that good folks did not know about these terrible abuses yet lynchings and klan rallies were often in the newspaper.

WHITEOUT: family of privilege

SHERIFF ASKS FOR BIDS ON DEATH TRAP

Preparations for Execution of Sergeant Edgar Caldwell to Begin Soon

Shirley W. K. Parker is asking...

Noble

The Naughty Wife At Noble Tonight

Bellevue and Company have put over another... The Naughty Wife... At Noble Tonight... The fruits of the matter is that the comment was most deserved... No one firm of managers have produced more successful forces than Bellevue and Company... In some manner fashion they have like knack of doing the sort of play to put the way the public wants it done.



VISITORS FROM VIRGINIA—Among the attractive visitors to the prison this summer were Mrs. James W. Merrill and children, Jimmy, (standing) and Hugh Jordan, who returned to their home in Arlington, Va. Their annual visit with Justice Hugh Merrill is always anticipated with pleasure by their friends and her relatives here.

Hugh D. Merrill May Return To Bench As Judge

BY EDGAR B. WOODRUFF



WHITEOUT: family of privilege



my father recruited women for the women's army corps during WWII



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*Negro Soldier Kills Conductor
Features Motorman*



HAPPY OVER VERDICT—Kenneth Adams, right, smiling broadly after being acquitted here Thursday of charges growing out of the burning of a Freedom Rider bus, shakes hands with Defense Counsel Hugh Merrill just outside the federal courtroom here last night. Adams was freed upon the recommendation of Federal Judge Hubert Craven after a motion for acquittal of all defendants was rejected. Following his release, Adams joined his wife in the speaker's position of the courtroom. The defense rested its case without calling witnesses.

VISITORS FROM YORK
Annie this summer with
her Jimmy (standing) and
other home in Arlington. It
Merrill is always anticipated
his relatives here.

YORK
land in
with a



Uncle Hugh, defended the KKK terrorist that burned the freedom riders bus in Anniston Alabama in 1961. On May 14, Mother's Day, in Anniston, a white mob marched on the Bus terminal, many still in church attire, and attacked one of the buses carrying civil rights protesters. The Freedom riders were attempting to enforce the federal law *Boynton v. Virginia* that outlawed racial segregation in the restaurants and waiting rooms in terminals serving buses that crossed state lines.

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My Uncle Hugh Merrill defended the KKK from bus burnings and got them off with a...
 He was... George Wallace...
 ...

Member of the Alabama House, my Uncle, got the Klan off in the Freedom Riders Bus burning,



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and Injures Motorman*



My father had sex with his brother's
She got pregnant and I have a half brother
My father liked to brag about it
even in front of my mother

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Negro Soldier Kills Conductor
And Badly Injures Motorman
Of Amriton Street Car Sunday

Headline from a newspaper clipping, likely from the early 20th century, detailing a violent incident on a street car.



My father the man with the drink
was head of oils and peanuts for the
agriculture department he wore confederate
flag boxer shorts

John S. ...

January Twentieth 1961
Inauguration Ceremonies
admit bearer
to the Inaugural Platform
East Front of Capitol

DO NOT
CAPTIVE BUILDING



WHITEOUT: family of privilege



at 12 I went to the snow covered Kennedy Inauguration
saw Kennedy point and jab the air with his ungloved hand

WHITEOUT: family of privilege



MY MOTHER AND FATHER WITH WERNER VON BRAUN,
& SENATOR SPARKMAN. I SHOOK HIS HAND
HE SHOOK HANDS WITH HITLER MANY TIMES

WHITEOUT: family of privilege

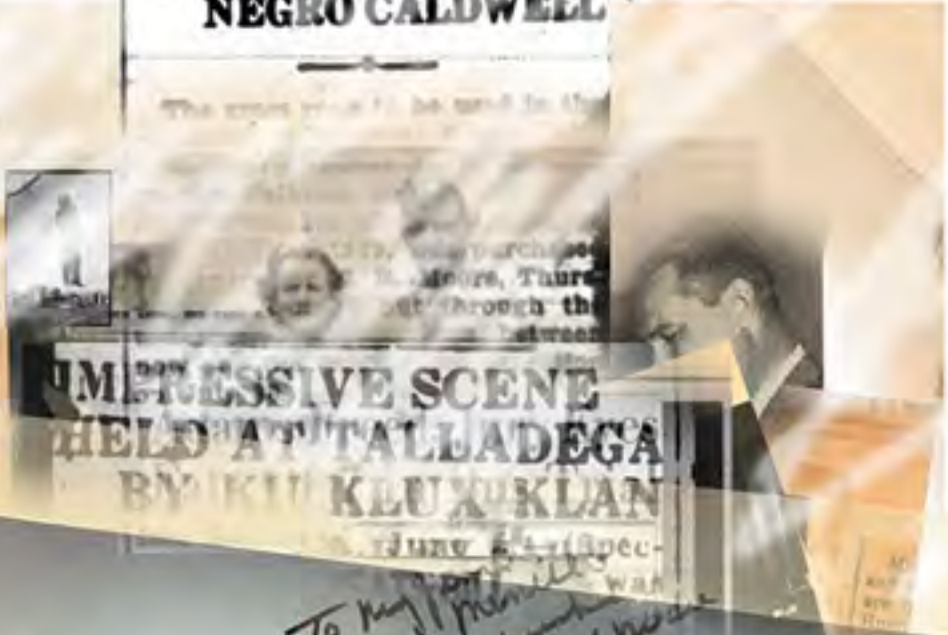


As a child I visited Robert Kennedy's home in Virginia and played with his kids and dogs.

Section C

WHITEOUT: family of privilege

ROPE PURCHASED
FOR HANGING OF
NEGRO CALDWELL



IMPRESSIVE SCENE
HELD AT TALLADEGA
BY KLU KLUX KLAN



secretary of state
john merrill 2018

K K K
MR. PRESIDENT
WE ARE NICK &
TIED UP YOU
ARE ADDING
MINUTES
TO OUR
LIVES

...that's sold
...to avoid a crisi

WHITEOUT: family of privilege

*Negro Soldier Dan
Laird* *White Man
Mourner*

Veterans Exec- utive Committee.

EDITOR THE REPUBLIC:

At the Confederate reunion held at Sulphur Springs 1902 the following were appointed as the executive committee for Calhoun county: A. J. Cross, E. T. Clark, M. T. Ledbetter, John B. Palmer, Ettowah, Abel Christopher, H. Herzberg, Abe Shoenton, Thos. Jeff Walker, St. Clair, Noah Hood, John W. Elzer, James Johnson, Cherokee, John Blair, Thos. Blair, Jack Whorten, Cleburn, W. P. Howell, J. B. Merrill, J. L. Roberts.

Suggestions from each and all relative to holding the reunion, August 5th and 6th, 1903, will be gladly received by the undersigned.

H. L. STEVENSON,
Assistant Commander Camp W.
H. Forney,
Jacksonville, Ala

Mr
and
are
Hug
Avan

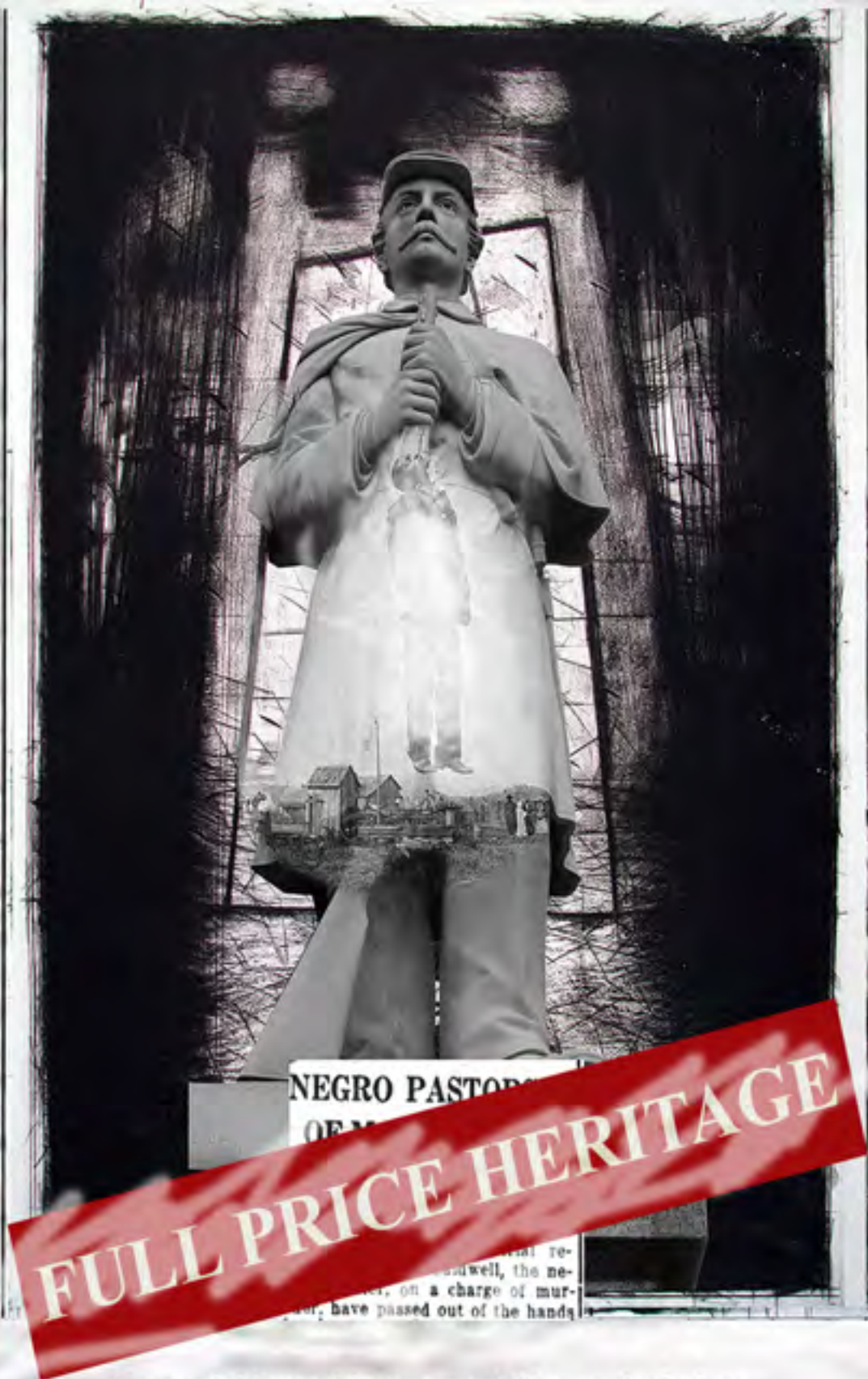
GEORGE
C. HALL

land
fish
and





WHITEOUT



FULL PRICE HERITAGE

After the end of slavery and the premature end of Reconstruction, Southern whites who had fought to keep slavery regained power of their state governments. The convict leasing and sharecropping systems were used to restore white economic dominance, and discriminatory laws deprived black people of political rights. Violent intimidation was the method of enforcement.

Lynching emerged as a vicious tool of racial control in the South after the Civil War, as a way to reestablish white supremacy and suppress black civil rights. At the end of the 19th century, Southern lynch mobs targeted and terrorized African Americans with impunity.

Equal Justice Initiative

WHITEOUT

reunion

I do not remember him at all

he is a bastard

no a real one, a good man in Alabama

with a kind and deep feeling for his family

a good man

I do not remember him

my half-brother

the seed of my father runs in his body

like in mine

that man, our father, who art thou? raised neither of us

hugh merrill

Negro Soldier Kills Conductor And Badly Injures Motorman Of Anniston Street Car Sunday

Shooting Taken Place Shortly Afternoon, Conductor Killed Being Killed
and Motorman Seriously Injured. Negro Is Arrested
and by Members of Military Police.

Anniston, Ala., Sunday, Sept. 10. — A shooting took place on the Anniston street car Sunday afternoon, resulting in the death of the conductor and the serious injury of the motorman. The perpetrator, a Negro soldier, was arrested by members of the military police.

The shooting occurred on the Anniston street car Sunday afternoon, shortly after 4 o'clock. The conductor, James H. Smith, was killed, and the motorman, John W. Smith, was seriously injured. The perpetrator, a Negro soldier, was arrested by members of the military police.

