

BY MR. EASTERLING:

The State elects to use Mrs. Hawkins, the prosecuting witness in this case. She has requested that the court room be cleared while she testifies, and in deference to her request, the State asks at this time that that be done.

She will not be on the witness stand over ten of fifteen minutes, then, so far as the State is concerned, why the people may return to the court room. But we do ask that it be cleared while she testifies.

BY THE COURT:

I want to say to everybody that out of deference to the prosecuting witness, who will embarrassed to testify before the public in this case, I am going to request that everybody withdraw from the court room. When she is through testifying, you may come back. Now will everybody orderly withdraw.

(HERE COURT ROOM IS CLEARED).

MRS. TROY HAWKINS, THE PROSECUTRIX, HAVING BEEN FIRST DULY SWORN, TESTIFIED AS FOLLOWS:

DIRECT EXAMINATION

BY MR. PITTMAN:

Q Mrs. Hawkins, what is your name, please?

A Mrs. Troy Hawkins.

Q Mrs. Hawkins, where do you live?

A 435 South Magnolia.

Q How long have you lived here in Laurel?

A ~~All my life, just about it.~~

Q All your life?

A A couple of years I was away, in Indiana.

Q You are a married woman, I believe you said Mrs. Troy Hawkins?

A I did.

Q Do you have any children?

A Yes, I have three little girls.

Q Three little girls?

A Yes, sir.

Q And where do you live here in Laurel?

A South Magnolia, 436. We have lived there ever since we have been married besides the two years we were in Indiana.

Q Talk just as loud as you can so these men can hear you, please Ma'am. We are engaged in the trial of the case of the State against one Willie McGee, charged with rape on you. Did this man, or a man invade your home back last month sometime?

A Yes, sir.

Q Do you remember the date?

A ~~It was on Friday morning, I believe it was December 2nd, or the 1st.~~

Q ~~December of this year?~~

A Yes, sir.

Q Do you mean November 2nd?

A Yes, sir, November, I - -

Q That's all right- 1945?

A That's right.

Q And you were living then on Magnolia Avenue, or Magnolia Street here in the City of Laurel, Second Judicial District of Jones County, Mississippi?

A That's right.

Q Is that right?

A That's right.

Q And that is where the act took place?

A Yes, sir.

Q And do you recall about what time of day or night that it was?

A ~~It was after four o'clock in the morning.~~

Q Now I believe, Mrs. Hawkins, without questioning you, I will just let you tell your own story, just what happened. I will ask you this, though, before you start. Did you have a sick child down there that night?

A I did. We had been up until four o'clock in the morning.

Q You say "we", who do you mean?

A My husband and I.

Q You had been up all night?

A All night.

Q Until about four o'clock in the morning?

A That's right.

Q Your home that you live in, how many bedrooms do you have?

A Three bedrooms, and the one to the rear is quite some distance back, and the house is ceiled with Masonite, and all you fellows know it is hard to hear from one room to the other.

Q Now where did you sleep, or start to sleep that night, in the front room, middle room or back room?

A In the front bedroom, that is our room.

Q Tell the jury how your house faces. Does it face West or East-
It is on the left side---

A It faces just like this courthouse, exactly.

Q Now as you go into your home, tell the jury which one of the rooms do you enter, as you go in the front door?

A You enter the living room, then to the right as you come in is my bedroom.

Q All right, go ahead and describe your house to them.

A The next room is the childrens' room, bedroom, then there is a bath and hall, and then the back bedroom, that is right straight back on this side of the house, and on the other side is the living room, dining room and kitchen, and in the living room I have two short windows by the fireplace and anyone could look in the window there and see me in the bed room.

Q Could they see in your bedroom from the street or from the front of the house also?

A You could, I think, through the window in the living room, the way my bed was placed.

Q Was anyone else with you that night in your bed room when you retired? When you went to bed?

A When we went to bed? Well, Troy worked until midnight and he came in and went to bed with me and we tossed with the baby and then we got up with her- He stayed in bed with me -- he had worked at night the night before, he was up until one-thirty, and he was very tired, so we lay there in bed with the baby until 20 minutes to four, or we were up and down, rather, and I had been begging him-- my window was up--- there's a window right at my head and the window was up and we lay there and discussed whether or not he should go to the back bedroom. He didn't want to leave me, but we were tired and exhausted from having to look after the baby all night, and I knew he needed the rest and I said "Well, go on back there and that will give us all a chance to sleep" because the baby had tossed in bed and was crying and fretting- that was 20 minutes to four, and I well remember getting up, and my blinds were up all on this side in the living room and dining room, I had no blinds in the kitchen, and I went to that side of the house to fix the baby's bottle,

the baby's bottle, and around four Troy left me and went to the back bedroom, and I had put my lamp down on the floor, I don't know why but I did, it was a little table lamp by the bed and I put the lamp down on the floor. Troy called me from the back twice after he left me and said "Honey, turn the light out", and I never heard him say that, but he did call me and then he thought "what difference does it make if the light is on, the baby is sick anyway", but I fell asleep right away and so did the baby- Do you want me to go on?

Q Yes, Ma'am, just tell what happened now.

A Well, it seemed like I hadn't been asleep very long, and I had turned over like this (indicating) and had my arm over the baby, and I heard something crawling along by the bed whispering, and I thought "My goodness, what could this be? Has Troy lost his mind?" because no other man had ever been in the house and the doors were locked, I felt sure, and I just never dreamed of such a thing, just imagine, and I smelled whiskey, or I smelled beer or something, and I said "That's not Troy" and I reached out and I said "Oh, Troy, what do you want?" and I put my hand on a bushy Negro head, oh,-----

Q Go ahead, please Ma'am.

A Well, this is an awful thing, it is terrible to have happened to anyone- I said "What do you want? Why are you here?" and he was on his knees and hands, I could see nothing, that was the darkest place I have ever seen, and he says "Miss, Miss, I come for you, I want your pussy and I am going to have it" and I said "No, no" and he said "Shut your mouth, I will cut your throat, shut your mouth", well, I was just scared to death, that's all, not so much for myself, if he had killed me I never would have felt it, because I was just petrified, but I had that baby, my two year old baby girl in the bed with me, and in the next room my two

little girls, one eight and one ten, and one of them awoke so easily I was so afraid she would get up, and I didn't know what he would do to them or what he would do to the baby, and he said "Shut your mouth" every time I called Troy. I called him, not loud, because I didn't want to wake the children up in the next room, and I didn't know but what he had already killed Troy, and when I called Troy he said "He's back there asleep, Miss." I said, "Why did you come here?" and he said "I came to fuck you". Well, then, I thought, "Well, if that's all I can take it" well, he got on the bed- Do you want me to tell--?

Q Well, Mrs. Hawkins, he told you what he came for, and then did he rape you?

A Yes, and all the time he was there he was talking, talking, whispering to me, telling me what he wanted to do and what he was going to do, and he did it, he did it all.

Q You say he did it all?

A He did it all.

Q He actually had sexual intercourse with you?

A He actually did.

Q During the time did he threaten you that he would cut your throat if you made an outcry?

A He did, he said, he said "Shut your mouth, I will cut your throat, keep your damned mouth shut", that great big old negro.

Q Did he or did he not force you to take your clothes off?

A Yes, he did, he stood over me, he said "unbutton them clothes, take them off, take them off, I will cut your throat."

Q You were afraid of him, of course?

A I was afraid he was going to wake the children and I didn't know but what he would kill all of them, that is my idea, but I could never have gotten away from him, because there is a little space there on this side, just about this much space (indicating) be-

tween our bed and where the baby bed was, just about this far, (indicating), just big enough for somebody to crawl in. I reached up to turn the bed light on, I had a bed light on the bed and I reached up to pull it on and he said "No need to do that, I have cut the wires, it won't turn on."

Q Mrs. Hawkins, I believe you told the jury you had smelled whiskey or some intoxicating---

A Yes, I smelled something.

Q Now, this is personal, but it is a matter that I will have to ask you about. Were you just menstruating at that time a little?

A I was. It was right about the end of my period- I was not menstruating a great deal, but I had to take that off, and he mentioned that.

Q He mentioned that?

A He said "You lied to me, why did you lie to me? Why did you tell me that lie? and he was laying up there just as if he was- - - - -"

Q He finally, though, penetrated your female organs with his male organ? He did that?

A Yes, and that wasn't all.

Q And that wasn't all- Now, Mrs. Hawkins, about how long did he stay in your room after you were awakened?

A I don't think he stayed there long, of course it seemed like a million years to me, but I don't---

Q What did you do immediately afterwards? How did you get rid of him?

A How did I get rid of him? This may sound awful to you people for me to sit here and tell you this, but I want justice done, and I am going to tell you just what he did. He crawled up there and he said "Stick your tongue in my mouth, stick your tongue in

my mouth" and I said "No, no!" Anything but that, if you will go away I will do anything, or give you anything." He said, "Will you promise me -- all I want now is one thing. I want you to promise me you will never tell it." I said "I will never tell it if you will go, please go, I will never tell it" and he said "If you never tell it things will be all right, otherwise, I will cut your head off. I won't just cut your throat, I will cut your head off" and I said "Oh, I will never tell it" and he jumped up and ran. I was never so surprised to see a person get out as fast as he did. He had the door propped open so that he could get out in a hurry, and I don't know whether I sat there a few minutes -- it seems that I did, or maybe just a second or so before I got up and went to the back and woke Troy.

Q Immediately after he left you woke Troy, your husband?

A Yes, I walked back, tipped through the girls' room so they would still sleep and when I went back there Troy was asleep and I awoke him. I said "Troy---" I whispered because I still thought I had promised the Negro I wouldn't tell it, and I thought maybe he had someone else with him and maybe he was still there, and I knew Troy didn't have a gun or a knife, not the first thing, and I told Troy, I said "Troy, get up, wake up, the worst thing in the world that ever happened has happened to me."

Q So you conveyed to your husband what had happened to you?

A Yes, sir.

Q After your husband got up did he take you to a doctor?

A I don't know whether you know what happened or not. He did, and I had two doctors.

Q You had two doctors, one here in Laurel?

A Yes, sir.

Q Then you were taken to the South Mississippi Infirmary in Hattiesburg?

Q How long did you remain there in the infirmary?

A A week.

Q And Dr. Cook, I believe, treated you there?

A Yes, sir.

You may take the witness.

BY MR. BOYD:

No questions.

WITNESS EXCUSED.

0-0-0-0-0-0-0-0-0-0