

(Name of Project)

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in Order of Work Performed)

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1 EXT. BEACH. DAY 1.

1

Strewn along the beach, several dark objects. As we come in closer we see they are the washed up bodies of drowned black MEN, WOMEN and CHILDREN, some chained together, face down.

CUT TO:

2 EXT. COACH. DAY 1.

2

A coach rattles through the English countryside. Alone.

CUT TO:

3 INT/EXT. COACH. DAY 1.

3

FOUR COACH PASSENGERS, including GARROW, at the point of a pistol aimed at them as they warily, fearfully even, remove their valuables and hand them over. We open out to see the HIGHWAYMAN, impatiently gesturing with the pistol to hurry them along. As he takes their valuables, the HIGHWAYMAN stops, pulls down his mask and enquires:

HIGHWAYMAN

Mr Garrow...?

GARROW

You know me?

The HIGHWAYMAN's tone suddenly friendly, convivial.

HIGHWAYMAN

Know you? Why I'd know you even if
you was boiled up in soup!

GARROW smiles awkwardly at the scrutiny of the other PASSENGERS.

HIGHWAYMAN

You was for me at the Bailey. Highway
robbery and not guilty. You do not
remember?

GARROW

The memory is all too vivid now.

The HIGHWAYMAN, delighted, hands him back his valuables.

HIGHWAYMAN

I paid you out before and I am
grateful once again. Lord bless you
and save you!

The HIGHWAYMAN withdraws. GARROW acutely aware of the other PASSENGERS looking at him. They are put out. They didn't get their valuables back.

CUT TO:

4 SCENE OMITTED

4

5 EXT. STREET. DAY 1.

5

GARROW stepping down from the coach, luggage in hand. He hurries along the street.

CUT TO:

6 EXT. SOUTHOUSE'S OFFICE. COURTYARD. DAY 1.

6

GARROW contemplating SOUTHOUSE's office. He goes in.

CUT TO:

7 INT. SOUTHOUSE'S OFFICE. DAY 1.

7

GARROW standing in SOUTHOUSE's office (with luggage) looking around curiously at its chaotic, fly blown appearance.

GARROW

Mr Southouse...? Mr Southouse...!

SOUTHOUSE'S head appears from below the desk behind which he has obviously been hiding.

SOUTHOUSE

You are within.

GARROW

The door was unlocked.

SOUTHOUSE

Damnation.

GARROW

You wished it so?

SOUTHOUSE

You think I would wish to give my creditors an opportunity?!

GARROW

You have debts?

SOUTHOUSE

Merely accounts that I have yet to settle.

GARROW, dismayed by SOUTHOUSE's words, appearance and demeanour as his mentor hurries to the door to lock the door.

GARROW

It burdens me to see you looking so...if I could have come back from the Northern Circuit sooner to keep company with you...

SOUTHOUSE

I am sure of it.

GARROW

It seems the life of a widower is not easy.

SOUTHOUSE

It is altogether hard to take. The
loss of her is hard to take.

A tender moment between them. GARROW sees that SOUTHOUSE has been drinking, is drinking now. He's concerned.

GARROW

It seems you have found some other company...

SOUTHOUSE, ironic, rueful:

SOUTHOUSE

I have made myself a sacrifice at the shrine of Bacchus.

GARROW

If you are sometimes prostrate there I hope at least your profession keeps you upright still?

SOUTHOUSE doesn't respond.

GARROW

Mr Southouse...? (beat) Mr Southouse you have established clients. If you have served them well then they are repaying that service surely?

Pause. An admission:

SOUTHOUSE

I have not had appetite to provide that service. Nor gone about it.

GARROW

You have lost your grip.

SOUTHOUSE

I am still at these offices but...not quite in my office.

GARROW

Mr Southouse we can remedy this...

He takes his jacket off and fills a bowl with water.

GARROW

Firstly we will improve your appearance by some shaving to your face, I will send out for some coffee and thus enlivened you will venture into the coffee shops, converse with the Merchants and anyone else in need of an Attorney...

SOUTHOUSE looks at him with fondness.

SOUTHOUSE

I had reckoned your absence longer
than two months.

CUT TO:

8 EXT. HILL'S HOUSE. DAY 1.

8

LADY SARAH makes her way from a carriage with a retinue in her wake - her maid, MARY CHRISTIE, who is carrying SARAH's son SAMUEL, followed by FOOTMEN and BUTLER carrying in chests of clothes and belongings.

CUT TO:

9 INT. HILL'S HOUSE. DINING ROOM. DAY 1.

9

SIR ARTHUR HILL, in the middle of breakfast, surprised and not altogether happy at Sarah's entrance with SAMUEL.

HILL

You did not send word of your return
to London.

SARAH

I did not expect my confinement to
last six months.

HILL

Bramber is hardly a confinement.

SARAH

Bramber is not my home, it is your
borough and my dear Arthur you are
never there.

HILL

And so when we are united it is a
happy occasion.

SARAH

And when we are not it is a less than
happy separation. Now I am come home.
To you.

HILL

But I am engaged in Parliament and at
the Admiralty.

SARAH

You are second Assistant Secretary
there - how engaged can you be?

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HILL

Samuel is well.

SARAH hands SAMUEL to HILL.

SARAH

You see how he does respond to you? I
am glad of it because I must take my
leave of you....

HILL

You go where?

SARAH

I have urgent business to attend to.
Mary...

HILL

It requires the presence of your maid?

SARAH, lightly, affectionately.

SARAH

As your son requires you.

SARAH leaves. HILL looking ambivalently at SAMUEL.

CUT TO:

10

INT. OLD BAILEY. COURTROOM. DAY 1.

10

A woman called ANNIE CHRISTIE is in the dock. Judge BULLER presiding. YARDLEY, a Parish Constable, is giving evidence against her. SILVESTER is prosecuting. At the Counsel's table GARROW - uninvolved in the case - is reading a newspaper:

YARDLEY

I insisted on knowing what she had in
her apron. There I found two gowns, a
scarlet cloak and a sheet....

*

SILVESTER

Were there any other things found but
these?

YARDLEY

This key I found on her which opens
the Prosecutors door.

He holds it up. GARROW glances up. SILVESTER, satisfied. The
case seems cut and dried.

SILVESTER

No more questions my Lord.

JUDGE BULLER

Do you have anything to say in your defence?

ANNIE CHRISTIE

I buy and sell old clothes. I bought
these things of a woman. As for the
key, it is the key of my door.

*

GARROW suddenly compelled to stand up.

GARROW

My Lord as this poor woman has no
counsel will you permit me as Amicus
curiae to ask Mr Yardley a thing or
two?

JUDGE BULLER

Very well.

SILVESTER and GARROW share a look.

GARROW

Did you ever try this key you say
opens the prosecutors door?

YARDLEY

No.

GARROW

Then how do you identify it as such?

*

YARDLEY

Because the prosecutor tells me her
key was eat up with rust.

*
*
*

GARROW, incredulous:

GARROW

Is it by a key being worn with rust
sir that you affect to identify it in
a court of justice?

GARROW takes a key out of his pocket.

*
*
*

GARROW

I have the key to my chambers here. It
too is eat up with rust.

Laughter from the court.

*

CUT TO:

11

INT/EXT. CARRIAGE. DAY 1.

11

SOUTHOUSE is travelling in a carriage with two men - the GILBERTS. PETER GILBERT more tentative, diplomatic, drier. HUGH, unapologetic, to the point. They give the impression of being busy with little time to waste.

PETER GILBERT

Ship called the Zong. The owners claimed for
the value of their..of their cargo.

HUGH GILBERT

133 slaves thrown overboard. On the
grounds of necessity.

PETER GILBERT

The Captain deemed they were running
out of water supplies. The action
purportedly taken to save the ship.

HUGH GILBERT
Purportedly.

PETER GILBERT
We honoured the loss.

HUGH GILBERT
Thirty pounds each Negro. Three thousand nine hundred and ninety pounds.

PETER GILBERT
As we undertook the risk of loss, capture and death of the slaves or any other unavoidable accident to them.

SOUTHOUSE
And now you dispute the claim?

HUGH GILBERT
We do more than that. We challenge fraud.

HUGH GILBERT hands him a journal.

SOUTHOUSE
The ship masters log?

PETER GILBERT
No, that was apparently lost.

HUGH, recriminatory to PETER:

HUGH GILBERT
Its loss should have been a disqualifying clause in the policy and we would have been discharged by it.

PETER GILBERT
Well now we are here to remedy it! (to SOUTHOUSE) This is a diary written by the only passenger on board the ship. Robert Stubbs. It contradicts the captains account.

SOUTHOUSE
And has only since come to light?

PETER GILBERT
Mr Stubbs almost succumbed to the fever that gripped him aboard ship.
(MORE)

PETER GILBERT (cont'd)

He was in no position to co-operate in
our assessment of the claim but now
recovering, saw fit to forward the
documentation.

SOUTHOUSE

Well Gentlemen I am very happy to accept the case. Grateful in fact.

HUGH GILBERT

Your engagement is conditional on you instructing Mr Garrow.

SOUTHOUSE

I see.

PETER GILBERT

We are underwriters averse to risk Mr Southouse. And in Mr Garrow we see fewer. Goodbye.

The coach has stopped and HUGH GILBERT opens the door to let SOUTHOUSE out. He's a little dismayed by his abrupt dismissal.

CUT TO:

12 EXT. STREET. DAY 1.

12

SOUTHOUSE dumped somewhere in the middle of London, he's not even sure where. He's trying to retain some dignity.

CUT TO:

13 INT. OLD BAILEY. COURTROOM. DAY 1.

13

JUDGE BULLER

(To ANNIE CHRISTIE) Who is this woman you brought the clothes from?

*

ANNIE CHRISTIE

I did not know her.

JUDGE BULLER

Then where did this sale take place?

ANNIE CHRISTIE

In the Blue Boar.

BULLER, repeating the answer sceptically, world wearily and critically.

JUDGE BULLER

In the Blue Boar.

GARROW realizes that his intervention has not been decisive. SILVESTER smiles at BULLER's response and then at GARROW - because he knows it too.

JUDGE BULLER

Do you have any witnesses to speak on your behalf?

ANNIE CHRISTIE

I have no friend in the world but God and...

ANNIE glances up into the public gallery, as if looking for someone.

JUDGE BULLER

And who Madam?

ANNIE CHRISTIE

But God and you Gentlemen and I beg for mercy.

GARROW looks at ANNIE apologetically as if to say 'I did my best'. She looks disconsolate.

JUDGE BULLER

Members of the Jury, you may...

Suddenly a voice rings out, interrupting him:

SARAH (O.S.)

I will speak for her!

SARAH (with MARY alongside) has appeared in the public gallery. GARROW looks up, astonished and utterly dismayed.

JUDGE BULLER

Lady Sarah! I do not normally take kindly at being interrupted in my own court but your appearance or should I say your re-appearance gives me an altogether different humour.

SILVESTER

I think you are not alone my Lord.

JUDGE BULLER

Swear her.

SARAH comes to the witness box. The CLERK hands her a bible. SARAH, glancing at GARROW as she gives the oath, can't bring herself to make proper eye contact with him. It's mutual.

CUT TO:

14

INT. VASSA'S ROOM. DAY 1.

14

GUSTAVUS VASSA, a black man (late thirties) is sitting in a bath tub. He's distracted, lost in thought, in some kind of haunted remembrance as he washes himself.

CUT TO:

15

INT. OLD BAILEY. COURTROOM. DAY 1.

15

SARAH, giving evidence, a little uncertain, acutely aware of GARROW's presence.

SARAH

She...she was formerly house maid to me and I still employ her sister Mary as my personal maid.

JUDGE BULLER

What character does she bear?

SARAH

Honest, hardworking, conscientious. In her three years of service I only had cause to invest my trust in the prisoner.

SARAH addresses this to the Jury. It goes down well.

GARROW

Lady Sarah, I do not represent the prisoner but ask questions on her behalf as amicus curiae - a friend of the court.

SARAH

Then she is truly befriended.

GARROW

And by you too I think.

JUDGE BULLER

Mr Garrow do you have a question to
put to this witness? Well?

We see SOUTHOUSE making his way into the public gallery. (GARROW unaware) GARROW aware of BULLER's impatience becomes gauche, awkward:

GARROW (TO SARAH)
You...you are well I hope?

SILVESTER rolls his eyes. BULLER frowning. And SOUTHOUSE looking dismayed by this 'reunion'.

CUT TO:

16 INT. VASSA'S ROOM. DAY 1.

16

In front of a mirror, VASSA dressing himself. Purposeful, intent. We see from his clothes that he is a 'Gentleman'.

CUT TO:

17 INT. OLD BAILEY. CORRIDOR. DAY 1.

17

ANNIE and MARY hug each other in relief at the verdict.

SARAH is talking to GARROW.

SARAH
I hope my appearance did not cause you
any discomfort.

GARROW
It was only your previous
disappearance that caused me any
difficulty.

SARAH
I will not pity you. Especially when I
suspect that you have lately met
several young women who do walk
chaperoned beside you. And not because
good manners demand it but lest they
swoon and are in want of someone to
lean on!

GARROW
Alas I am only in demand at the bar.

SARAH

I have been in the country. I have a son now. Samuel.

GARROW

I wish you well in your happiness.

They hold each others gaze for a moment or two and she goes. SOUTHOUSE approaches, looks on at SARAH's departure.

GARROW

Coincidental Mr Southouse.

SOUTHOUSE

Not serendipitous then?

GARROW

The only good fortune in this is the outcome of the trial. Do not enquire after my heart.

SOUTHOUSE

I make no judgement.

GARROW

You do not? Most unlike you.

SOUTHOUSE

I wish to instruct you in a case. I hope it will be of interest. I...

GARROW, picking up on SOUTHOUSE's vulnerability.

GARROW

Mr Southouse...

SOUTHOUSE

I venture that it must.

CUT TO:

18

INT. HILL'S HOUSE. DRAWING ROOM. DAY 1.

18

HILL challenging SARAH:

HILL

A lady bears witness at the Old Bailey to a former scullery maid? That does not happen!

SARAH

You should know of me that I care not for convention.

HILL

I hope you do make an exception for
the conventions in your marriage.
(beat) Who did defend her?

SARAH
Mr Garrow.

HILL
Garrow?

SARAH pre-empting the conclusion he thinks he's coming to.

SARAH
I had no more expectations of seeing Mr Garrow than he had of seeing me.

CUT TO:

19 INT. SOUTHOUSE'S OFFICE. DAY 1.

19

SOUTHOUSE is outlining the case to GARROW.

SOUTHOUSE
The insurance claim declared the ship was rendered 'foul and leaky, having been retarded by perils of the sea'. Contrary winds and currents and other 'mistakes'.

GARROW
Affecting the safe passage of its cargo?

SOUTHOUSE
440 Africans on board from west Africa to Jamaica. 133 thrown into the sea, 60 dead from fever. Now...

SOUTHOUSE rolls out a map and lays it flat on the desk.

SOUTHOUSE
....Liverpool Assurance covered the loss of £30 per negro because although Captain Collingwood may have been 'in want of common care' he was not negligent. However, Robert Stubbs diary suggests very strongly that the loss arose not from 'perils of the sea' but from Collingwood's poor judgement.

GARROW
How so?

SOUTHOUSE using the map to show the journey.

SOUTHOUSE

On the voyage he mistook Jamaica for Hispaniola - Spanish territory - so they did not dare venture there.

(MORE)

SOUTHOUSE (cont'd)

Belatedly realizing his mistake he is then committed to the necessity of having to sail back to Jamaica against the prevailing winds. The ship, according to Stubbs, was 300 miles leeward.

GARROW

The wrong side?

SOUTHOUSE

And subsequently the journey took 112 days instead of the 60 days of most Middle Passage journeys.

GARROW

As a consequence of which they ran out of water.

SOUTHOUSE

And the slaves jettisoned.

GARROW

How grievous this mistake?

SOUTHOUSE

Enough to suggest negligence, that he was not fit to command. Enough to suggest the insurers were misled. 'The want of skill in a Commander is not a risk for which the underwriters are responsible'.

GARROW looking at STUBBS journal/diary:

GARROW

The account finishes before any throwing over of slaves.

SOUTHOUSE

Stubbs words still compel the prosecution of this case.

GARROW

There is an appalling loss of life in this.

SOUTHOUSE

The case would answer to that.

GARROW

Would it? It is a case about liability for the loss of cargo.

(MORE)

GARROW (cont'd)

That the declaration was true or
false is all it will answer to.

SOUTHOUSE

It would also answer to my...
difficulty! (beat) I am in want of
this brief Will.

GARROW receptive but troubled and conflicted, leaves. SOUTHOUSE left frustrated and worried.

CUT TO:

20

EXT. STREET. DAY 1.

20

VASSA making his way to see GARROW. He passes a BLACK SLAVE in the street, his neck fastened with an iron collar. The BLACK SLAVE stops to look at VASSA with a curiosity as acute as VASSA's discomfort at the sight of a fellow 'Guineaman'. With a nod of acknowledgement VASSA turns and walks on.

CUT TO:

21

INT. GARROW'S CHAMBERS. DAY 1.

21

VASSA in with GARROW and SOUTHOUSE.

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VASSA

Fifty four women and children thrown singly through the cabin windows. One after the other. The rest from the quarter deck, shackled together two by two and weighed down with iron. Eleven jumped into the water voluntarily. Death becomes the best friend you have on such a voyage. You wish its relief.

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GARROW

You should know that I am already requested in this cause. Liverpool Assurance wish to prosecute the owners of the Zong for insurance fraud.

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GUSTAVUS VASSA

You are wrong if you think that is the same cause. That is merely a mercenary business about the pecuniary value of Negroes. Not their right to live. And being deprived of their right to live I will prosecute for murder.

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GARROW

But forgive me Mr Vassa, you were not aboard this ship, you lost no relative on it. I mean to say that no crime has been committed against you.

VASSA, sardonic, indignant.

GUSTAVUS VASSA

Because I was not murdered myself?!
Because I survived my own passage,
must I stand aside and venture only my
good fortune? I am them Mr Garrow, I
am them!

SOUTHOUSE

But a prosecution for murder cannot
succeed! Either at the old Bailey or
the Admiralty Court!

GUSTAVUS VASSA

Its success will depend on the Jury.

SOUTHOUSE

I mean it cannot even be begun because
cargo cannot be murdered! Africans are
viewed as no different from other
forms of property, like horses and
cattle.

GUSTAVUS VASSA

If you are an Attorney then you should
know your law! The Somerset ruling
gave it out that 'property' can have
rights.

SOUTHOUSE

For a freed slave in England like
yourself perhaps. But not maritime
cargo. It is inanimate!

GUSTAVUS VASSA

Slaves have 'agency' in the way of
insurrection at sea! And when they are
killed for it, the owners claim!

SOUTHOUSE

Horses can rear up and be shot for it
and the owners claim! But that does
not make them human!

VASSA angry with Southouse, glances at GARROW.

SOUTHOUSE (CONT'D)

African slaves do not have the status
of personhood. I merely make the point
in law. As an Attorney.

GUSTAVUS VASSA

(POINTEDLY) In want of a brief.

GARROW

Hear me...both of you!(BEAT) I think
we can proceed in a way that will
satisfy us all.

GUSTAVUS VASSA

If Mr Southouse is to be satisfied
then you will prosecute an insurance
fraud...

GARROW

It will help you in your cause! Lose a
prosecution for murder then a
definitive precedent is set that
slaves can be killed at will. But if I
can prove the claim to be fraudulent,
if I can prove the plea of necessity
for those deaths to be false then...

GUSTAVUS VASSA

Then the insurers interests will be
served.

GARROW

Yes but more than that! Because in
future, because of this case, they may
find a better way to see those
interests served. By providing the
least possible indemnity for slaves
murdered in passage.

GUSTAVUS VASSA

Instead of thirty pounds for a negro's
head they will only pay out twenty?
That is your idea of progress Mr
Garrow?

GARROW

If it will inhibit the murder of
slaves then yes.

GUSTAVUS VASSA

So you will inch towards justice and
not demand it?

GARROW

If we go in its direction then yes!

GUSTAVUS VASSA

I cannot allow myself your patience.

VASSA goes. SOUTHOUSE to GARROW:

SOUTHOUSE

I shall begin preparation of the case
by visiting Liverpool. I just wish it
were not such a long way to venture.

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*

GARROW

But it will provide some distraction
from...other matters that press you.

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SOUTHOUSE

I shall work assiduously and all the
time complain.

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CUT TO:

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22	SCENE OMITTED.	22	*
23	SCENE OMITTED	23	*
24	SCENE OMITTED	24	*
			*

25 EXT. COACH. DAY 2.

25 *

A coach trundles through the English countryside.

CUT TO:

26 INT. COACH. DAY 2.

26

SOUTHOUSE, on a long, uncomfortable, sweaty journey finds himself squashed in his seat amidst his fellow PASSENGERS who are either snoring, staring at him or eating loudly and greasily in his ear. He is trying to read (the muster roll).

CUT TO:

27 EXT. STREET. LIVERPOOL. DAY 2.

27

SOUTHOUSE searching the unfamiliar street for his destination.

CUT TO:

28 INT. INN. LIVERPOOL. DAY 2.

28

SOUTHOUSE approaches a GROUP OF MEN who are drinking.

SOUTHOUSE

I enquire after James Kelsall, First mate on the Zong. I understand he lodges here.

JAMES KELSALL

You have found him. And who enquires
after him.

SOUTHOUSE

John Southouse, Attorney.

The GROUP moves away at this. SOUTHOUSE sits down opposite
KELSALL and as the SERVING MAID approaches he tells her:

SOUTHOUSE

Water.

JAMES KELSALL

Your business sir?

SOUTHOUSE

I act for Liverpool Assurance.

JAMES KELSALL

Then you have no business with me.

SOUTHOUSE

You will be called by the defence and
then you shall do business with the
Prosecution's counsel. So it may be as
well for you to hear what may be put to
you.

JAMES KELSALL

I have already sworn that there was
only enough water for four days but
ten to thirteen days would be required
to regain Jamaica.

SOUTHOUSE

Which knowledge caused Captain
Collingwood to call his crew about him?
To begin the throwing over of the
slaves? Women and children first?

JAMES KELSALL

29th November. Eight o'clock in the
evening. Coinciding with the changing
of the watch. When the maximum numbers
of crew members were available...for
the task.

SOUTHOUSE

How did it feel to commit such an act?

KELSALL hesitates, trying to disguise any conflict.

JAMES KELSALL

I will not reproach myself for my
obedience.

SOUTHOUSE

And does your conscience reproach you?

JAMES KELSALL

If the charge were murder it might be so but as it is fraud it does not figure.

SOUTHOUSE

Robert Stubbs wrote a journal of his time on the ship. You know of it?

JAMES KELSALL

The man was in a fever.

SOUTHOUSE

And his view of Captain Collingwood - did his agitation only come from the typhoid or from what he had seen?

KELSALL is troubled and not willing to answer.

JAMES KELSALL

You will not make a case with me...I must make my living.

SOUTHOUSE

From the pushing of slaves into the sea? And then to swear for Collingwood?

JAMES KELSALL

On a voyage such as that, men succumb. I cannot suffer for all of them.

SOUTHOUSE

Who do you suffer for?

KELSALL will not respond.

SOUTHOUSE

I have already obtained the muster roll. There were two Kelsalls on board. Yourself and...?

JAMES KELSALL

It does not signify. Besides I know what I must answer.

SOUTHOUSE

What you must not what you ought? But then you are first mate and practiced in doing the bidding of Captain Collingwood.

KELSALL, provoked.

JAMES KELSALL

I am not so easily bidden! I stand by
my opinions!

SOUTHOUSE

Then you have been in dispute with
him? Concerning?

JAMES KELSALL

I admire the way you seek to gain sir
but you will not profit from me.

SOUTHOUSE

As you profit from your silence?

KELSALL doesn't respond. SOUTHOUSE goes. A MAN has been watching
this encounter - CAPTAIN COLLINGWOOD. He approaches.

CAPTAIN COLLINGWOOD

Show as much resolve at the Old Bailey
and you will find no quarrel with me.

JAMES KELSALL

Thank you Captain Collingwood. Still
at your service.

A hint of 'needle' .

CUT TO:

29

INT. OLD BAILEY. CORRIDOR. DAY 2.

29

STUBBS is with GARROW. He is weak, his breathing laboured.

GARROW

Mr Stubbs I am indebted that you
journey here despite your health.

ROBERT STUBBS

I think the cause worth any discomfort.

GARROW

Good. And so in support of your
journal you will testify Mr Stubbs?

ROBERT STUBBS

As Liverpool Assurance prosecute this
case largely on my account I shall
answer to it in court.

GARROW encouraged, smiling.

GARROW

God wish you strength.

ROBERT STUBBS
You have a drop of wine, sir? That
will indeed fortify me.

CUT TO:

30 INT. HILL'S HOUSE. NURSERY. NIGHT 2.

30

MARY is attending SAMUEL. HILL is looking on. MARY, aware of his scrutiny.

MARY CHRISTIE
You wish to have hold of him, sir.

HILL
No....no. Just....look upon him.

Pause.

HILL
What do you think of his appearance?

MARY, taking the question at face value.

MARY CHRISTIE
Very handsome, sir. And very much in
the way of his father.

HILL ambivalent, smiles stiffly.

CUT TO:

31 EXT. PARK. DAY 3.

31

SOUTHOUSE and GARROW walking together

SOUTHOUSE
He would go no further but that there
had been some disagreement.

GARROW
If the blood was bad between Kelsall
and Collingwood we shall have it out
in court.

SOUTHOUSE
And Stubbs?

GARROW
Determined to convince a Jury.

SOUTHOUSE
And with yourself to take him through
his evidence, certainly!

Approaching them from the opposite direction is SARAH and MARY with SAMUEL. SOUTHOUSE looks to GARROW. GARROW looks uncomfortable, troubled.

SOUTHOUSE

Lady Sarah.

SARAH

Mr Southouse. And my child Samuel to introduce...

SOUTHOUSE

A healthy boy. A cement to conjugal affection!

Pause.

SOUTHOUSE

I mean a further cement.

SARAH, teasing:

SARAH

Mr Garrow - you are mute as a mackerel. You are not taken with this infant?

GARROW (LIGHT)

I stand back merely in order not to distress it.

SARAH

Or it to distress you?

GARROW

It is your child Lady Sarah - how could that ever be?

The baggage is not lost on a discomfited SOUTHOUSE. Both parties withdraw. GARROW aware of SOUTHOUSE's scrutiny.

GARROW

You think I would engineer an assignation involving an Attorney, a nurse maid and a baby?

SOUTHOUSE

I said nothing.

GARROW

I have long since relinquished all such feelings in the matter.

He looks back in the direction of SARAH. She is looking back at him. It's obvious they still love each other.

CUT TO:

32

EXT. ADMIRALTY. DAY 3.

32

Establish the Admiralty building. Imposing.

CUT TO:

33

INT. ADMIRALTY. CORRIDOR. DAY 3.

33

LORD MELVILLE makes his way purposefully - a retinue following behind him - a sign of his importance.

CUT TO:

34

INT. ADMIRALTY. HILL'S OFFICE. DAY 3.

34

HILL ensconced with MELVILLE.

HILL

You wish me to intervene? *

LORD MELVILLE

I merely ask you to persuade Liverpool Assurance to withdraw. Unless you wish the abolitionists to gain encouragement from this trial? *

HILL, 'getting' it. *

HILL

The Commander of a British slave ship hanged?

LORD MELVILLE

And the economies of the French and Dutch much improved. (beat) It is paramount that EVERYBODY involved in the slave trade can make assurances that conditions on board the ships are acceptable. Who acts for Liverpool Assurance in this prosecution? *

HILL

Mr Garrow.

LORD MELVILLE

Garrow. In every case he smells out a cause and a challenge to our laws. He is as malignant as any spy that moves in our society. *

HILL
I shall speak with Liverpool
Assurance.

CUT TO:

*

VASSA undressing, about to wash from a china bowl. When he takes off his shirt we see the scars on his back from the floggings he has experienced. He looks into a mirror. Raises water to his face in his cupped hands.

CUT TO:

36 INT. SHIP'S HOLD. DAY (FLASHBACK). 36

VASSA's face, feverish, drenched in sweat, close up, glancing fearfully alongside him at the SLAVE he's chained to. The SLAVE is upright but dead.

CUT TO:

37 INT. VASSA'S HOUSE. NIGHT 3. 37

VASSA allows the water to fall through his fingers. It pours into the bowl.

CUT TO: *

38 INT. HILL'S HOUSE. DINING ROOM. NIGHT 3. 38

Dinner. SARAH looks up at HILL, askance:

SARAH
Your valet?

HILL
He had...occasion to be there. In the park. And did report...

SARAH

HILL
Then was it hoped for? Did you wish to re-unite Garrow with what is his?

SARAH
Samuel? I have been faithful to you!

HILL
I cannot believe it to be so. I have given my thoughts over to this constantly. I will not condemn you for my spurious offspring.

HILL (CONT'D)

I will accept the child as my own. He will be heir to my entire estate, my title and my property. At least I will keep my dignity in society. With you alongside me.

SARAH looks at him appalled.

SARAH

So you will arrange our marriage according to your delusion? You will 'allow' me to have deceived you when I have never been anything but constant to you? And all this in the cause of your 'dignity'?

HILL

You cannot be glad that I forgive you?

SARAH

I cannot be glad that you believe it so! And that you think to tolerate your son as a bastard.

She gets up and walks out on him.

CUT TO:

39

INT. ADMIRALTY. HILL'S OFFICE. DAY 4.

39

HILL is trying to persuade the GILBERT BROTHERS.

HILL

The unsavoury aspect of this case may well lead to pressure in Parliament to regulate slave insurance.

HUGH GILBERT

How so?

HILL

By specifying along the lines that NO loss shall be recoverable against the throwing over of living slaves ON ANY ACCOUNT WHATSOEVER. Underwriters like yourself will lose business and slaves will become uninsurable.

PETER GILBERT looks anxious at this. HUGH is bullish.

HUGH GILBERT

Sir Arthur we do not intend to sustain
or accept any loss in this case by
abandoning it.

HILL

You deal in risk? How will you
underwrite the end of your business?
You are of this trade. You cannot
undermine it.

HUGH GILBERT

We do not predict history, we follow
policy. And we are £4000 out of pocket
because of a fraudulent claim.

PETER GILBERT

Slaves overboard or not Sir Arthur I
am afraid that has been our most
grievous discovery.

HILL doesn't like being thwarted in this way but realizes he
cannot dissuade them.

CUT TO:

40

INT. CARRIAGE. DAY 4.

40

PETER and HUGH GILBERT are meeting with GARROW and SOUTHOUSE.
The carriage throws them around a little.

PETER GILBERT

Naturally we resisted Sir Arthur's wish for
us to adopt a 'political' view.

GARROW

What view do you take?

HUGH GILBERT

We wish our money back. And proving the
claim falsely made you will obtain it.

He considers the meeting over and raps on the carriage roof,
signalling that it should stop. SOUTHOUSE, glances at GARROW who
is obviously not impressed. SOUTHOUSE tells the GILBERTS
reassuringly as he gets out:

SOUTHOUSE

If Captain Collingwood was not a true
commander of his ship, Mr Garrow will
have it out. For he can steer the Old
Bailey to his will.

They exit the carriage.

40A

EXT. STREET. DAY 4.

40A

GARROW and SOUTHOUSE on the street.

GARROW

'For he can steer the Old Bailey to
his will'?

SOUTHOUSE looking at GARROW a little sheepishly.

SOUTHOUSE
I thought it suitably...maritime.

GARROW
(As he begins to walk)
I shall not tell you what I thought it.

SOUTHOUSE
They are clients to us both.

GARROW
Cargo, negro, our fellow creatures- it is mere noise to them. Profit is their trumpet blast and I am to blow it for them. Is this what it means to act as counsel for the prosecution? That I do enrich those who do engage me in it?

SOUTHOUSE
And you think I would not wish a brief more deserving of our service! I am merely grateful that preparation for the case helps restore me to my previous humour. As for the Gilberts intention I hold my nose to it!
(PAUSE) Will, does not the meddling of the Admiralty show that it is about more than mere insurance?

GARROW
I should make it so.

SOUTHOUSE not quite sure what this means.

CUT TO:

41

INT. HILL'S HOUSE. DRESSING ROOM. NIGHT 4.

41

HILL has come to seek SARAH out. He's conciliatory, gentle.

HILL
All I ask of you...all I ask is some gesture to me, some thought or deed or word that means you reciprocate the feeling I have for you.

SARAH is in front of the mirror looking levelly at him.

SARAH
What can I ever do in such a way that will convince you of my constancy?

HILL

Mr Garrow... (PAUSE) I am in want of information about a trial he is prosecuting.

Pause. SARAH can't help hide her disappointment at this.

SARAH

I see. (Beat)

HILL

I am your husband. You can convince me you are truly my wife.

SARAH

And if I am truly your wife you will believe Samuel is truly your son?

HILL sincere, heartfelt

HILL

It is my most fervent wish Sarah. It would... it would break the spell I have fallen into.

HILL's intent, conviction gives SARAH real difficulty.

CUT TO:

42

INT. HILL'S HOUSE. NURSERY. NIGHT 4.

42

SARAH is looking at SAMUEL - she has been crying.

SARAH, touches Samuel's head. She doesn't know what to do.

CUT TO:

43

INT. GARROW'S CHAMBERS. NIGHT 4.

43

GARROW is reading STUBBS journal. He's obviously frustrated and keeps flicking back and forth across then pages as if to find something more.

CUT TO:

44

EXT. PARK. DAY 5.

44

GARROW is walking with SARAH.

GARROW

I had not thought that we would come
to be in each others company again. Or
that you might wish it and request it.

SARAH

You object to the cause of friendship?

GARROW (LIGHT, TEASING)

I cannot object. It is a favour you
bestow on me and I am truly grateful.

SARAH (RESPONDING)

And that you find time to indulge me I
am also thankful. You are the scourge
of venal prosecutors still?

GARROW

And soon to be their advocate also.

SARAH

I cannot imagine it.

GARROW

An insurance fraud.

SARAH

Not heard at the Kings Bench?

GARROW

It is a criminal trial. A slave ship
threw its captives overboard. They
claim out of necessity. I must prove
negligence.

SARAH

There is evidence?

GARROW

Southouse is assiduous.

SARAH

Enough to prove the claim false?

GARROW

You are curious.

He looks at her and smiles. She is troubled by her intent.

SARAH

Forgive me. We shall not talk of it. I
have been too long out of society and
stilted in conversation.

GARROW

As for me I am not listening very well.

GARROW says this lightly but looks at her for longer than he
should. They both know it.

GARROW

The case presses me. I must go.

SARAH

I wish you well.

CUT TO:

GARROW

"Thursday 3rd April 1791. Light breezes with very hazy Westerley and heavy dews. A great number of sharks attend the vessel. At 6pm Collingwood amputated a man's finger that was begun to mortify, having been bitten by another slave. At 8pm he departed this life"

Pause.

GARROW

Stubbs journal is full of such entries
and most pertinent on Captain
Collingwood's wayward navigation...

GUSTAVUS VASSA

Then you have your case.

GARROW

I know how to argue this case, I know how to prosecute it but I know nothing of the tragedy that is at the heart of it. I am all legal knowledge yet shamed by my ignorance. 133 souls should be in this case. Massacre is not anywhere in the indictment or Stubbs journal but it may come to find itself in the evidence I shall present.

GUSTAVUS VASSA

How so?

GARROW

If you will appear as a witness.

GUSTAVUS VASSA

But I was not there.

GARROW

Not on the Zong. But you and those 133 souls may be concealed in another vessel altogether.

GUSTAVUS VASSA

A Trojan horse?

GARROW smiles. VASSA responds.

CUT TO:

46

INT. HILL'S HOUSE. DRAWING ROOM. DAY 5.

46

HILL is working. SARAH comes in. He looks up.

SARAH

I will not do it. I cannot.

HILL

Cannot?

SARAH

It would be unjust. A betrayal.

HILL

Your loyalty is to me.

SARAH
I must be true to myself!

HILL

And true to him because you love him?

SARAH cannot, will not, respond. He takes this as an admission.
And vindication.

HILL

You accused me before of delusion. But now
it is proven. It is all proven!

SARAH

Your judgement is all wrong!

HILL

I see you make your decision!

CUT TO:

47

INT. GARROW'S CHAMBERS. DAY 5.

47

GARROW is taking notes.

GUSTAVUS VASSA

The sharks would always accompany the
ship in expectation of dead bodies
being thrown over. They were never
disappointed.

GARROW

And you would wish to be thrown over
yourself?

GUSTAVUS VASSA

If I could have gotten over the
nettles.

GARROW

Nettles?

GUSTAVUS VASSA

The assembly of ropes placed along the
sides of the ship to prevent that
particular redemption. And then we
were truly delivered Mr Garrow.

GARROW

In Barbados?

GUSTAVUS VASSA

The merchants and planters came on
board and examined us most attentively
and then they made us jump.

GARROW

Jump?

GUSTAVUS VASSA

Those who could jump the highest
fetched the best price. A sign of
health and strength.

Pause. VASSA, distracted, elsewhere...

GUSTAVUS VASSA

Like this...

VASSA jumps. GARROW, uncomfortable:

GARROW

Mr Vassa...

VASSA jumps again.

GUSTAVUS VASSA

You see Mr Garrow? How high...

GARROW

Gustavus please...

GUSTAVUS VASSA

Like this, like this!

VASSA breaks down. GARROW holds him by the shoulders.

GARROW

You will take your place in the witness
box Gustavus. You will take your place.

CUT TO:

48

INT. ADMIRALTY. HILL'S OFFICE. DAY 5.

48

LORD MELVILLE

You will initiate proceedings?

HILL

At least I will be master of my fate
in that.

LORD MELVILLE

A parliamentary divorce is expensive
and...highly public.

HILL

Public? Tell me that you have not
already heard rumours about my wife's
conduct, that the House does not
already enliven itself with gossip at
my expense?

LORD MELVILLE
Involving a certain barrister?

HILL

There! I have no secret to hide from Westminster!

LORD MELVILLE

A parliamentary Divorce would amicably allow both sides to remarry. But I cannot think you could contemplate Garrow as Sarah's new husband. I cannot think you would wish it amicable.

HILL

Then what is there for me to do Lord Melville?

LORD MELVILLE

I think you are in want of the services of a particular Attorney.

LORD MELVILLE wants something done and hands it to him.

LORD MELVILLE

Mr John Farmer.

CUT TO:

49

INT. ADMIRALTY. HILL'S OFFICE. DAY 5.

49

JOHN FARMER is in with HILL. FARMER is an Attorney who also acts as a private Investigator.

FARMER

Separation from Bed and Board, as a legal dissolution of the marriage, forbids either party from re-marrying.

HILL

It is not my desire to exclude myself from future happiness.

FARMER

But it may be that your most express wish is to prevent such happiness coming the way of your wife.

HILL

If I am inclined to being vengeful?

FARMER

If you are inclined to being vengeful then separation from Bed and Board will answer to it.

HILL

Elaborate.

FARMER

If you seek the greater scope for 'punishment' then your wife will find herself in a ruinous state of limbo where she is neither respectably married or free to remarry and salvage her reputation. Disgraced, she would have to rely on the charity of... the third party, Mr Garrow.

HILL considering all of this.

*

HILL

Thank you Mr Farmer. I shall...

FARMER

I am at your service.

FARMER withdraws. HILL left to mull it over.

CUT TO:

50

EXT. HILL'S HOUSE. DAY 5.

50

As SARAH leaves the house she finds herself confronted by FARMER and an OFFICER. He sees immediately that there is something threatening about their stance.

FARMER

Lady Sarah Hill?

SARAH

You have identified me. May I ask the same of you?

The OFFICER steps forward and hands her a document.

FARMER

You are served with a citation from the Court of Doctors Commons.

She takes the document, nonplussed, wondering. We see HILL watching from a window.

CUT TO:

51

INT. GARROW'S CHAMBERS. NIGHT 5.

51

SOUTHOUSE is going over the Zong case with GARROW.

SOUTHOUSE

Negligence. Collingwood was negligent.
Not evil, not a murderer, not cruel. And
if you can prise Kelsall apart on the
cause of the dispute that may answer to
it.

GARROW

I wish to introduce another stratagem...

SOUTHOUSE

You will enlighten me?

GARROW

Gustavus Vassa.

SOUTHOUSE

What evidence will he provide? *

GARROW

You did say yourself that this case
was about more than insurance.

SOUTHOUSE

There may be consequences is what I
meant. But I will not have this
prosecution sabotaged by
pamphleteering and agitation!

GARROW

And I will not have this prosecution
ignore murder!

Suddenly there's a rapping at the door. GARROW answers it to
find SARAH there. She's upset and distracted.

GARROW

Sarah...?

SARAH seeing SOUTHOUSE.

SARAH

I apologize for any intrusion. I did
not have the wits to consider where
else I may seek help.

GARROW

Help?

She hands him the writ she's been served. He reads it, looks at her, then hands it SOUTHOUSE.

SARAH

If he means to dissolve the marriage
then I cannot say I am surprised by it
but I must confess myself ignorant of
the nature of it.

SOUTHOUSE looks to GARROW.

SOUTHOUSE

This means of action...it is a sad
thing...

SARAH

I do not wish delicacy Mr Southouse.
Enlighten me.

SOUTHOUSE

He means to cut you off financially.

GARROW

What has provoked him in this way?

SARAH looks at GARROW. SOUTHOUSE, taking the cue, decides to withdraw but needing to make a point:

SOUTHOUSE

I fear you will be terribly detained
by this Lady Sarah and I hope Mr
Garrow will find time when he is not
so detained himself by his pressing
duties in the law...

GARROW, explaining to SARAH:

GARROW

I am prosecuting in the Zong case tomorrow.

SOUTHOUSE

The session begins early.

Smiling stiffly, he goes but not without a final, pointed look at GARROW. SARAH and GARROW left alone.

GARROW

So you will tell me why your husband
seeks to disown you?

SARAH

He is in the grip of an idea that our
son is not his, that I am not
faithful. And most of all he insists
that I love you.

GARROW

Despite how you must have refuted
every accusation?

SARAH

His fancies have pushed me here. But
from such fancies a truth comes Will.

She looks at him intently. Garrow doesn't want to hear this,
know this. He's conflicted, tormented by it.

GARROW

I asked you once in vain to leave him.
Your refusal exhausted every hope I
ever had of you. Now you declare your
love for me as Hill seeks to banish
you?!

SARAH

(ANGRY) I do not come to you seeking
refuge, to hide from the disgrace he
is determined to put upon me. In fact
I have come to say that I will own it.
If the disgrace be my feeling for you
I will gladly own it!

*

Pause. He looks at her then goes to her, kisses her. She
responds. Garrow stops, pulls back.

GARROW

You must not.

CUT TO:

52 SCENE OMITTED

52 *

52A SCENE OMITTED

52A *

*

53	SCENE OMITTED	53	*
54	SCENE MOVED TO 56A	54	*

55 INT. OLD BAILEY. CORRIDOR. DAY 6. 55

VASSA arrives at the Old Bailey for the first time. A sense of the duty he must perform, knowing that the reception he may receive will be hostile. Everything around him - the barristers* with briefs, the waiting witnesses, the public, feels alien - * intimidating. But he is resolute. GARROW joins him. *

CUT TO:

56 SCENE OMITTED 56 *

56A INT. HILL'S HOUSE. DRESSING ROOM. DAY 6. (OLD SCENE 54) 56A *

HILL coldly civil towards SARAH.

HILL

I hope that you have made arrangements to live elsewhere. I attend the old Bailey today. I think on my return it is as well you are no longer here.

SARAH

Why does your instigation of the end of our marriage require only my punishment?

HILL

If I am amicable then I collude in my own dishonour.

CUT TO:

57 INT. OLD BAILEY. COURTROOM. DAY 6. 57

STUBBS is in the witness box. COLLINGWOOD is in the dock. GARROW has realized to his dismay that STUBBS 'infirmity' now owes itself to drink as much as recovering from a fever. In other words, he has been drinking.

GARROW

What do you think induced Captain Collingwood to mistake Jamaica for Hispaniola?

ROBERT STUBBS

He identified it at nine leagues out.

GARROW

Nine leagues?

ROBERT STUBBS
Twenty seven miles.

GARROW
Twenty seven miles! Captain Collingwood made a wrong identification from a distance of twenty seven miles?!(beat) No more questions my Lord.

GARROW glad to have got through this examination without mishap. SILVESTER stands up to cross examine.

SILVESTER
Mr Stubbs why is your account of the journey incomplete?

ROBERT STUBBS
I was taken ill...

SILVESTER
Were you ill while you were writing your journal?

ROBERT STUBBS
I had a fever.

SILVESTER
Would that explain why your hand- writing deteriorates page by page, why your sentences cease to hold together in any way that is sensible?

ROBERT STUBBS
The pen shook in my hand is all...

SILVESTER
And your judgement Mr Stubbs - was that very shaken also?

Laughter. GARROW knows this is going badly, and may get worse.

SILVESTER
Mr Stubbs - why were you a passenger on board the Zong?

ROBERT STUBBS
I was in need of passage.

SILVESTER
Why?

ROBERT STUBBS

I had been appointed Governor of
Annamboe by the African company but had
left there...

SILVESTER

Why?

STUBBS hesitating:

SILVESTER

You are under oath Mr Stubbs...

ROBERT STUBBS

I had been suspended.

SILVESTER

Why?

ROBERT STUBBS

Abusing my position.

SILVESTER

Abusing your position? In what way?

ROBERT STUBBS

Seeking to make private profit.

STUBBS character is exposed and his credibility dying.

SILVESTER

So you found yourself dumped on the coast

of Guinea? Until picked up by the Zong.

And then picked up once again by the
insurance Company as a witness!

GARROW looks wounded. SILVESTER has killed STUBBS credibility.
HUGH GILBERT looks to PETER GILBERT with grim dissatisfaction,
even blame. PETER GILBERT looks embarrassed.

JUDGE BULLER

Mr Garrow - any more witnesses for the
prosecution?

GARROW

My Lord - I call Gustavus Vassa.

The GILBERTS look at each other. VASSA comes to the witness box
as STUBBS departs it. The novelty of a black witness is not lost
in the public gallery. His appearance provokes much observation
and conjecture. GARROW and VASSA share a look.

CUT TO:

The Court listen to VASSA in solemn silence.

GUSTAVUS VASSA

The whole ship's cargo is confined
together in the hold. So many that there
is no room even to move your head...

It's difficult for him and he falters.

CUT TO:

59

INT. SHIP'S HOLD. DAY 6.

59

A glimpse of a Black FEMALE SLAVE's FACE - too tired, too defeated, too weak to actually cry.

GUSTAVUS (V.O.)

You cannot breathe. You would not wish to....the smell....

CUT TO:

60

INT. OLD BAILEY. COURTROOM. DAY 6.

60

One of the COURT USHERS is swinging incense/nosegays from a chain in the courtroom. VASSA fixating on the swinging chain, distracted by it. It's a reminder of his capture. GARROW anxiously aware of this.

GUSTAVUS VASSA

The smell of perspiration is only outdone by the stench of the latrines. It is unforgettable. Children fall into the tubs of excrement. They suffocate in it.

CUT TO:

61

INT. SHIP'S HOLD. DAY 6.

61

The fevered shivering of a body. A sudden blast of light as the hold is opened up and FIGURES recoiling, hands up to protect their faces, eyes raw and pained from the exposure.

CUT TO:

62

INT. OLD BAILEY. COURTROOM. DAY 6.

62

GUSTAVUS

In this pestilential stew, if you are fortunate you succumb to smallpox or gaol fever.

There's no doubt about the impact of this testimony - because it has never been heard before and therefore SILVESTER is quick to object to it.

SILVESTER

My Lord what is the relevance of this testimony in a prosecution for insurance fraud?

GARROW

This fraud involves a journey across the Middle Passage. You would not wish to have a narrative upon it?

JUDGE BULLER

Only if it bear some relation to the indictment.

SILVESTER

Slaves thrown over - necessity or not?

VASSA, a passionate outburst:

GUSTAVUS VASSA

It is never a necessity to murder us!

JUDGE BULLER

Mr Vassa you must curb your temper.

GUSTAVUS VASSA

If I am angry I am a savage. If I am sanguine I am not a man.

BULLER discomfited but acknowledging this:

JUDGE BULLER

Yes...quite possibly.

GARROW

Mr Vassa will you please give us some idea of your experience at sea?

GUSTAVUS VASSA

I served in the British navy for seven years with my Master; I have worked on merchant ships in voyages to North America, the West Indies and the North Pole.

GARROW

And as such a veteran of the seas you are familiar with the notion of a ship rendered 'foul and leaky'? The Zong itself described and claimed so. 'By perils of the sea and contrary currents, the ship rendered foul and leaky. And therefore retarded in her voyage. Captain Collingwood and the ship's owners claim this was because there was crippling worm damage to the bottom of the boat. Can you comment?

GUSTAVUS VASSA

Ship worm. Teredo worms. In fact, salt
water clams.

(MORE)

GUSTAVUS VASSA (cont'd)

They bore into submerged timber. Marine bivalve molluscs in the family Teredinidae. Hence Teredo worms.

GARROW

And if I tell you that the Zong was copper bottomed. What say you then?

GUSTAVUS VASSA

Any ship that is filled with copper plating on the underside of its hull is impervious to Teredo worms.

GARROW

So the claims by Captain Collingwood and its owners that the ship was rendered foul and leaky?

GUSTAVUS VASSA

Impossible.

GARROW

Thank you Mr Vassa. No more questions.

VASSA has undermined the defence in a quite unexpected way. SOUTHOUSE looks delighted. We pick out MELVILLE telling HILL:

LORD MELVILLE

Garrow excels himself with the Negro.

HILL, unhappily acknowledging this.

CUT TO:

63

EXT. HILL'S HOUSE. HALL. DAY 6.

63

As SARAH is about to leave, MARY approaches.

MARY CHRISTIE

Ma'am...?

SARAH

I shall find a hotel...

MARY CHRISTIE

And Samuel? And myself?

SARAH

We shall be reunited yet.

64

INT. OLD BAILEY. COURTROOM. DAY 6.

64

SILVESTER is examining CAPTAIN COLLINGWOOD.

SILVESTER

Captain Collingwood, I am sure you are as distressed as I am that this case has been represented in some quarters as murder, a policy no doubt to inflame a jury. But let us be clear so that emotions do not undermine deliberation. Let us part company with any claim that actual persons have been thrown overboard. This is a case of chattels or goods. Blacks be goods and property. The case is the same as if horses had been thrown overboard.

We pick out VASSA.

GARROW

My lord my learned friend is not allowing the prisoner to speak in his own defence he is addressing the Jury in how they should feel.

JUDGE BULLER

Mr Silvester - refrain. And Captain Collingwood - if you will?

COLLINGWOOD speaks in his own defence.

CAPTAIN COLLINGWOOD

It was NOT the case that the slaves were thrown overboard in order to throw the loss onto the underwriters. Do you not think the apprehension of necessity justified when my crew themselves suffered so severely? Seven out of seventeen died on their way to Jamaica or after their arrival there. The cargo of the ship and its crew died from want of sustenance. They did not die from want of a commander!

COLLINGWOOD's words in his own defence have struck a chord with the Jury.

JUDGE BULLER

Mr Garrow?

GARROW

Captain Collingwood - you were, until you took this command, a slave ship surgeon?

CAPTAIN COLLINGWOOD

Eleven voyages as doctor.

GARROW

But none of them as Captain of a
slaver?

CAPTAIN COLLINGWOOD

No.

GARROW

Your inexperience did not trouble you?

CAPTAIN COLLINGWOOD

Nor the owners of the ship. In fact they
were reassured that the welfare of all
those on ship would be safeguarded by my
previous experience.

GARROW, disgusted irony:

GARROW

'The welfare of all those on ship'.
(beat) After your wrong identification
of Jamaica for Hispaniola and the
necessity of sailing back three
hundred miles to the windward, what
did you do?

CAPTAIN COLLINGWOOD

I chose to hold a consultation with
the crew subsequently.

GARROW

And what decision taken?

CAPTAIN COLLINGWOOD

To destroy part of the slaves and to
put the rest and the crew to short
allowance.

GARROW

That is how you 'rectified' your
mistake?

CAPTAIN COLLINGWOOD

To save the ship!

GARROW

Because the situation had become
catastrophic?

CAPTAIN COLLINGWOOD

Yes.

GARROW

The ship retarded by perils of the sea?
The strong currents hindering your
already belated journey to Jamaica. A
state of emergency no less?

CAPTAIN COLLINGWOOD

Sufficient for the throwing over to be
a necessity.

GARROW

So presumably you seized the goods
nearest to hand?

CAPTAIN COLLINGWOOD

I beg your pardon?

GARROW

In the dire circumstances in which you
found yourself you jettisoned at
random?

COLLINGWOOD hesitates, not sure how to answer.

CAPTAIN COLLINGWOOD

No...

GARROW

Then who did you choose first? The
women and children? The sick? Those
who would sell for least money?

CAPTAIN COLLINGWOOD

We were in want of water! The
healthiest would need least, would
survive best on short allowance.

It's a good response.

GARROW

The healthiest also fetching the best
price at market? Was that not the only
real necessity here?! Not that you were
in want of water but that you were in
want of the market! And you decided, as
the fastidious servant of your
shareholders to get rid of any slave
you deemed to fetch a price of less
than the cost of insuring them!

CAPTAIN COLLINGWOOD

I am a fastidious servant, sir. Of my
ship.

GARROW

If you are so fastidious what became
of the ship's log?

CAPTAIN COLLINGWOOD
Left with the agent in Jamaica. Now
lost.

GARROW
How convenient.

JUDGE BULLER
Anything else Mr Garrow?

GARROW
No my Lord.

JUDGE BULLER
Then we shall adjourn until tomorrow.

We pick out MELVILLE close to HILL:

LORD MELVILLE
It may be possible that you have it in
your power to ruin the preening Garrow
entirely.

HILL bitterly ironic:

HILL
I may employ a pistol.

LORD MELVILLE
You do not have to challenge him a duel
to seek your satisfaction. Aim at him in
another way. Undo Garrow the man and we
shall see the noisome barrister removed
from the Old Bailey.

GARROW aware that MELVILLE and HILL are talking about him.

CUT TO:

65 EXT. STREET. DAY 6.

65

GARROW walks in the rain. He looks at the sky, a realization. The rain no longer an inconvenience. GARROW smiles. It's a 'eureka' moment.

CUT TO:

66 INT. GARROW'S CHAMBERS. NIGHT 6.

66

GARROW with STUBBS journal, looking feverishly. He comes across a page - curled up and yellow - where STUBBS stopped his entries and the ink has run. GARROW knows that it's not what's written that's important but the journal itself.

CUT TO:

67 INT. OLD BAILEY. CORRIDOR. DAY 7.

67

The next day. HILL, MELVILLE, FARMER closeted together.

FARMER

The writ is already drawn.

MELVILLE to HILL:

LORD MELVILLE

On your behalf I took that liberty.

HILL

And so it merely needs serving?

SOUTHOUSE and GARROW walk in. SOUTHOUSE brushing off rain.

SOUTHOUSE

Foul weather.

GARROW

I could not hope for better.

SOUTHOUSE looking at him uncertainly. GARROW, aware of the 'confederation' closeted together.

GARROW

Who is the man with Hill and Melville?

SOUTHOUSE sees Farmer for the first time. They share a look. They recognise each other.

*
*

SOUTHOUSE
It is of no matter.

SOUTHOUSE indicates KELSALL - waiting in the corridor - to GARROW. It's also a way of deflecting GARROW from FARMER. SOUTHOUSE goes and sits beside KELSALL. GARROW suspicious. *

SOUTHOUSE

You know you are not bound to be character witness for Captain Collingwood.

JAMES KELSALL

I know I choose it.

SOUTHOUSE

Come, be honest, the owners of the Zong choose it.

KELSALL doesn't respond. We pick out COLLINGWOOD, watching this from the dock. Clearly not happy.

SOUTHOUSE

The muster roll of the ship. It is your late nephew's name alongside you. Daniel was his name?

KELSALL - this is raw, hard.

JAMES KELSALL

I had made assurances to my sister of his welfare.

SOUTHOUSE

And hard to bear knowing he may still be alive but for Collingwood's command. Was that the cause of your dispute?

JAMES KELSALL

No.

SOUTHOUSE

No? Daniel's unnecessary death did not distress and vex you? Or was it that there had already been so many unnecessary deaths?

JAMES KELSALL

I cannot answer you!

SOUTHOUSE

I was not in attendance when my wife died. I was engaged in some case of theft. I should have been at her bed but she left this place alone. And I did drink to forget that.

(MORE)

SOUTHOUSE (cont'd)

But Mr Kelsall you have an opportunity
to attend to your nephew again. If you
think the truth to suffice.

KELSALL doesn't respond - because he finds it too hard to.
SOUTHOUSE leaves him and approaches GARROW.

SOUTHOUSE
Kelsall is in some difficulty...

GARROW looking at SOUTHOUSE, sees that he's troubled by something(MELVILLE, HILL, FARMER).

GARROW
And are you?

SOUTHOUSE shaking his head, a half smile.

COURT CLERK (V.O)
The court session is resumed!

CUT TO:

68 INT. OLD BAILEY. COURTROOM. DAY 7.

68

SILVESTER is examining KELSALL or rather listening to him speak of COLLINGWOOD.

JAMES KELSALL
I have served with Mr Collingwood when he was ships surgeon and under him when he was Captain.

SILVESTER
And your opinion of him Mr Kelsall?

KELSALL, not entirely convinced in his response - or convincing. He looks nervously at COLLINGWOOD in the dock.

JAMES KELSALL
Captain Collingwood is an able man and a good commander.

SILVESTER
And an honest one?

JAMES KELSALL
I am...I am sure of it.

GARROW stands up to cross examine KELSALL.

GARROW
My Lord, if I may...?

GARROW, taking in the 'conspirators' beside BULLER at the bench and then up in the public gallery - the GILBERTS and VASSA. He won't flinch from his duty.

GARROW

"An honest man"? As you are Mr Kelsall?

JAMES KELSALL
I should like to think so.

GARROW
Did you have cause to dispute with
Captain Collingwood on any occasion?

KELSALL, not keen to answer, hesitates.

JAMES KELSALL
There was none.

GARROW
I remind you you are under oath Mr.
Kelsall. (beat) Did you think Captain
Collingwood's misidentification of
Jamaica for Hispaniola a 'mere'
mistake, an unavoidable accident?

SILVESTER, objecting:

SILVESTER
My Lord, Mr Kelsall is here to bear
witness to Captain Collingwood's
character....!

GARROW
My Lord, this is pertinent..

JUDGE BULLER
Allowed.(beat) Answer the question.

JAMES KELSALL
The mistake having been made Captain
Collingwood took measures as
Commander...there were only five and a
half Dutch butts, 3 full of sweet
water, enough for only 4 days. Hence
the jettisoning. And everyone put on
short allowance.

GARROW
And for some sickly members of the crew -
like your nephew - that proved a fatal
development did it not?

SILVESTER
My Lord what is this to do with the
character of Captain Collingwood?!

GARROW
I am trying to get at Mr Kelsall's
proper estimation of the man!

JUDGE BULLER

Then ask a question that demonstrates
it.

GARROW

Did you feel Captain Collingwood's actions were ultimately responsible for the death of your nephew? Was that the reason for the dispute you will not own to, is that the reason you were suspended as first mate?!

JAMES KELSALL

It was none of that!

GARROW

Then what was it?! What was it you found so hard to take, that you could not contemplate?!

JAMES KELSALL

Sir...

GARROW

Some change? Some change that made all the difference Mr Kelsall....

Pause. KELSALL, making a decision to tell the truth regardless of the scrutiny of COLLINGWOOD.

JAMES KELSALL

It rained sir. It rained.

GARROW

(Rhetorical. For the Court)

It rained.

This revelation electrifies the court. See COLLINGWOOD - he knows it's disaster.

JAMES KELSALL

A Heavy downfall on 30th November. We collected hundreds of gallons of rainwater. But despite this, on 1st December, more slaves were thrown overboard. That was the reason Captain Collingwood suspended me as First mate. Because I would not go along with it. There was no need to throw over any more blacks. There was no want of water.

We pick out VASSA looking on, saddened at the emergence of this but heartened by its emergence all the same. SILVESTER, needing somehow to rescue the case.

SILVESTER

My Lord, I wish the jury and the Court
to note that this witness may have
perjured himself and therefore any
evidence...

JUDGE BULLER

How so Mr Silvester?

SILVESTER

He describes Captain Collingwood as an able commander and then condemns him!

GARROW

My Lord I would submit that Mr Kelsall does not perjure himself. Captain Collingwood IS an able commander. If, as the Captain of a slaver his duty was to make a profit. He did so - by ridding himself of slaves unlikely to fetch what they were insured for or were simply unrecoverable. In that he has been most able.

GARROW, at this final flourish, cannot resist looking defiantly in the direction of HILL and MELVILLE.

CUT TO:

69

INT. OLD BAILEY. COURTROOM. DAY 7.

69

JUDGE BULLER in his summing up to the jury.

JUDGE BULLER

It is certainly worthy of observation that our Legislature can every session find time to enquire into and regulate the manner of killing a partridge, that no abuse should be committed and that he should be fairly shot yet... Well we shall let that be. And I am not required to direct you on the slaves as goods but merely whether these goods were jettisoned voluntarily or in necessity. That the claim of necessity was false and fraudulent if they were indeed thrown over after the rain. About which you must decide.

As the JURY confer and deliberate, MELVILLE shoots a look of displeasure at BULLER.

COURT CLERK
You have reached a verdict.

JURY FOREMAN
We have.

COURT CLERK
And how do you find the prisoner on
the indictment - guilty or not guilty?

JURY FOREMAN
Guilty.

GARROW looks immediately to VASSA who reacts with some satisfaction. THEN:

JURY FOREMAN
But we humbly make recommendations to
mercy My Lord.

VASSA shakes his head in dismay.

The GILBERTS approach the bench (from the public gallery)

PETER GILBERT
My Lord. We also wish to make a recommendation to mercy. Liverpool Assurance do not wish to take a ...moral position in this action.

HUGH GILBERT
We were only ever in the business of recompense.

Pause.

JUDGE BULLER
Very well. Captain Collingwood I sentence you to two years imprisonment. You will be put on a Hulk ship.

SILVESTER looks to GARROW. He's pleased at the outcome. GARROW solemn. BULLER leans into MELVILLE.

JUDGE BULLER (QUIETLY)
The law will not do your bidding. Or confound Mr Garrow for you.

LORD MELVILLE (SHARP)
I do not need the law when I have the consent of decent Englishmen.

GARROW approaching VASSA who is bitterly disappointed, disgusted.

GUSTAVUS VASSA

A man who made a massacre on board a ship will now simply languish on one for a short time? A Man who showed no mercy now receives the mercy of his English peers?

GARROW

There was but twelve men there. Not a country. And I hope the country will make its own verdict.

CUT TO:

70 EXT. STREET. DAY 7.

70

VASSA walking away. Still so much to do...

CUT TO:

71 INT. OLD BAILEY. CORRIDOR. DAY 7.

71

SOUTHOUSE and GARROW are being thanked by the GILBERTS.

HUGH GILBERT

Very satisfactory Mr Garrow, very satisfactory.

GARROW

You are easily satisfied I think.

PETER GILBERT picking up on GARROW's tone:

PETER GILBERT

Is not fraud discouraged here?

SOUTHOUSE

And murder also I would venture.

He and GARROW turn away from them. The GILBERTS look on and at each other.

GARROW

You are no longer mindful of your opportunities in the North?

SOUTHOUSE

I am too mindful of how I have scraped, bowed and pleased these last few weeks.

GARROW smiles.

GARROW

It is even less pretty than when you
are curmudgeonly.

SOUTHOUSE, mock aggrieved.

SOUTHOUSE

I know nothing of that.

They laugh. GARROW is approached by FARMER.

*

FARMER

William Garrow?

GARROW

You have business with me sir?

FARMER

You are served with a writ from the
Court of Kings Bench. In the name of
an action for damages by Sir Arthur
for the act of Criminal Conversation
with the plaintiff's wife.

GARROW looks to SOUTHOUSE. HILL, MELVILLE look on with grim *
satisfaction as FARMER goes to join them. GARROW wondering what
is about to befall him.

END OF EP ONE