

(Name of Project)

by
(Name of First Writer)

(Based on, If Any)

Revisions by
(Names of Subsequent Writers,
in Order of Work Performed)

Current Revisions by
(Current Writer, date)

Name (of company, if applicable)
Address
Phone Number

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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

2

A coach rattles through the English countryside. Alone.

CUT TO:

3

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!

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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

4

5

5

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

CUT TO:

GARROW contemplating SOUTHOUSE' s office. He goes i n.

CUT TO:

SOUTHUSE

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.

SOUTHOUSE

I had reckoned your absence longer
than two months.

CUT TO:

HILL
Samuel is well.

SARAH hands SAMUEL to HILL.

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

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.

SOUTHUSE
And now you dispute the claim?

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

HUGH GILBERT hands him a journal.

SOUTHUSE
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 SOUTHUSE) This is a diary written by the only passenger on board the ship. Robert Stubbs. It contradicts the captains account.

SOUTHUSE
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

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! I have no friend in the public gallery.

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

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

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

16

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

CUT TO:

17

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.
SOUTHUSE approaches, looks on at SARAH's departure.

GARROW

Coincidental Mr Southouse.

SOUTHUSE

Not serendipitous then?

GARROW

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

SOUTHUSE

I make no judgement.

GARROW

You do not? Most unlike you.

SOUTHUSE

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

GARROW, picking up on SOUTHUSE's vulnerability.

GARROW

Mr Southouse...

SOUTHUSE

I venture that it must.

CUT TO:

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.

18

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

19

SOUTHUSE is outlining the case to GARROW.

SOUTHUSE
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' .9cCd seayhe sea'. was g

SOUTHUSE

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

(MORE)

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?

SOUTHUSE

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.

SOUTHUSE

And the slaves jettisoned.

GARROW

How grievous this mistake?

SOUTHUSE

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 (cont'd)

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

SOUTHUSE

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

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:

SOUTHUSE

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

*
*
*
*

GARROW

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

*
*
*

SOUTHUSE

I shall work assiduously and all the
time complain.

*
*
*

CUT TO:

*

22

22 *

23

23 *

24

24 *

*

25

25 *

A coach trundles through the English countryside.

CUT TO:

26

26

SOUTHUSE, 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

27

SOUTHUSE searching the unfamiliar street for his destination.

CUT TO:

28

28

SOUTHUSE approaches a GROUP OF MEN who are drinking.

SOUTHUSE

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

JAMES KELSALL

SOUTHUSE

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.

SOUTHUSE

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

JAMES KELSALL

The man was in a fever.

SOUTHUSE

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.

SOUTHUSE

KELSALL, provoked.

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

SOUTHUSE
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.

SOUTHUSE
As you profit from your silence?

KELSALL doesn't respond. SOUTHUSE 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

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

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

CUT TO:

30

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

31

SOUTHHOUSE and GARROW walking together

SOUTHHOUSE
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.

SOUTHHOUSE
And Stubbs?

GARROW
Determined to convince a Jury.

SOUTHHOUSE
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 assignment 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:

HILL
I shall speak with Liverpool
Assurance.

CUT TO:

*

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.

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

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

40A

GARROW and SOUTHOUSE on the street.

GARROW

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

SOUTHHOUSE Looking at GARROW a little sheepishly.

SOUTHHOUSE
I thought it suitable... maritime.

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

SOUTHHOUSE
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?

SOUTHHOUSE
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.

SOUTHHOUSE not quite sure what this means.

CUT TO:

41

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

SARAH is looking at SAMUEL - she has been crying.

42

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

CUT TO:

43

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

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

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.

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

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 nettings.

GARROW

Nettings?

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.

Jump? GARROW

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

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 amiably 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 amiable.

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

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.

Elaborate. HILL

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

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:

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.

SOUTHHOUSE Looks to GARROW.

SOUTHHOUSE

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

SARAH

I do not wish delicacy Mr Southhouse. Enlighten me.

SOUTHHOUSE

He means to cut you off financially.

GARROW

What has provoked him in this way?

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

SOUTHHOUSE

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.

SOUTHHOUSE

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

52

*

52A

52A

*

*

53

53 *

54

54 *

55

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

56 *

56A

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

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.

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

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

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

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

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)

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

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

Even 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

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.

SOUTHUSE
It is of no matter.

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

*

SOUTHUSE

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

JAMES KELSALL

I know I choose it.

SOUTHUSE

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.

SOUTHUSE

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.

SOUTHUSE

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.

SOUTHUSE

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!

SOUTHUSE

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.
SOUTHUSE leaves him and approaches GARROW.

SOUTHUSE
Kelsall is in some difficulty...

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

GARROW
And are you?

SOUTHUSE shaking his head, a half smile.

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

CUT TO:

68

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.

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, enoughu arec5Di on.

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

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

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.

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:

GARROW smiles.

GARROW

It is even less pretty than when you are curmudgeonly.

SOUTHHOUSE, mock aggrieved.

SOUTHHOUSE

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