

Northern Latitude

by
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Based on a True Story

A headstrong, young 17th century Scottish woman from a wealthy family wants to wed a penniless, outspoken theology student. Certain her family will never approve of her marriage, she decides to elope, only to hear her love has been arrested, accused of blasphemy. Now, she must battle an intolerant church, her father and sister, the conniving suitor they matched her with, and two Machiavellian villains to save her love from being found guilty and hung. Her only allies are her own wits, an aging philosopher and his timeless words of toleration.

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OVER A BLACK SCREEN:

The CREAK of rope on wood joins the SIGH of a gentle breeze.

FADE IN ON:

EXT. TOLBOOTH YARD - DAY

An OLD WOMAN in a black dress sways from a gallows, days dead, stringy gray hair matched by blue-gray skin. A crow perched atop her shoulder pecks flesh from her swollen tongue. A sign proclaims "WITCH."

Her dead eyes watch horses pull carts and carriages along a cobblestone street below. PEOPLE dressed in black hurry to and fro; one carries over the gory spectacle.

A MOTHER stops; she points the old woman out to her horrified TODDLER.

MOTHER

What happens when ye stray from the
Lord's path.

MARY FLEMING, twenty and impossibly beautiful, hurries past and smiles in smug satisfaction at the sight of the dead witch. Red hair peeks from a white cap; her black dress flutters.

SUPER: EDINBURGH, 1696

EXT. STREET - DAY

Mary, book in hand, tiptoes over manure as she crosses the street. Dour-faced PASSERSBY in all shapes and sizes, but two GENTLEMEN tip their hat and smile.

She nears a shop. Above the door is a sign with golden mortar and pestle.

INT. APOTHECARY SHOP - DAY

A counter, set with urns, balance beam, mortar and pestle, fronts shelves laden with jars and bottles. Below the shelves are drawers with labels like LICORICE ROOT.

An APOTHECARY attends two CUSTOMERS, one a well-dressed gentleman, SIR JAMES STEWART, Lord Advocate of Scotland, sixty-one, heavy, with salt and pepper hair, and --

THOMAS AIKENHEAD, a handsome lad of nineteen, dressed in black breeches, waistcoat and hat. Thomas pays for a potion.

THOMAS

I fear I am a wretched theology student. In truth, I vex my professors roundly.

Stewart leans on a cane and regards Thomas with good-natured interest.

STEWART

There's much in the law for a lad's future.

APOTHECARY

Indeed, Sir James.
(to Thomas)
Might I recommend your father's trade. There's a good living to be had as an apothecary.

A doorbell TINKLES. Three heads turn.

THOMAS

(surprise)
Miss Fleming!?

Mary starts.

Stewart's brow rises at her name.

Clumsy, Thomas reaches to doff his hat but launches hat, books and potion floorward instead. All LAUGH, except a --

Red-faced Thomas, who stoops to retrieve the wayward items.

APOTHECARY

Ah, Miss Fleming, your father's powder is ready. Wait you, whilst I serve this gentleman.

Mary and Thomas drift to the front of the shop. Out of earshot, Mary casts a furtive glance to see the Apothecary still busy with Stewart. Playful, she nudges Thomas.

MARY

What a lovely surprise, Thomas.
And on a beautiful day for a walk.

Lost in thought, Thomas weighs his potion on the balance.

She looks the innocent and leans in.

MARY
A love potion? For me?

THOMAS
'Tis a tease you are, Mary.

He hefts the heaviest weight from the pan.

THOMAS
But a thousand such could not
balance my love.

Her eyes melt.

MARY
That deserves a kiss.

EXT. PARK BENCH - DAY

Mary CHUCKLES as Thomas chases DUCKS along the bank of a pond. They FLAP and QUACK just beyond his grasp.

A WOMAN and CHILD approach. Mary feigns interest in her book as she casts furtive glances in their direction.

In the distance, Thomas acts the innocent on the bankside.

EXT. PARK PATHWAY - LATER

Mary and Thomas stroll alone; he glances over his shoulder.

THOMAS
This miserable secrecy.

MARY
A burden we both must bear.

THOMAS
No longer! I will speak with your
father this very evening!

She takes his arm.

MARY
And tell him what? That his
daughter wishes to wed a student
with no income, no property --

THOMAS
It will not always be so.

MARY
... no title?

THOMAS
There's the ring of truth. Why
must love travel along High Street,
never across?

MARY
Am I not equally vexed?

THOMAS
Two years of silence.

MARY
Some mornings I wake and think I'll
burst if I keep our secret from my
mother and sister one day longer.
But what would happen if I didn't?
No ... when you take the cloth then
will we seek my father's approval.
I promise.

He grins.

THOMAS
You promised a kiss.

She LAUGHS, snatches his hat and pushes him.

MARY
When you catch me, slug.

EXT. TREE GROVE - MOMENTS LATER

Mary dodges behind a tree, but Thomas grasps a wrist and
pulls her into his arms.

She GIGGLES and turns her face away.

A kiss on her neck evokes a shudder. They kiss as two lovers
with long practice.

INT. STUDY - FLEMING TOWN HOUSE - DAY

SIR DAVID FLEMING, Mary's father, forty-two, handsome, clean
shaven, tall and slim, gazes out the window.

Her mother, LADY MARGARET FLEMING, forty-one, the wellspring
of Mary's beauty, frets behind him.

SIR DAVID
How long must a man wait for
grandsons, Margaret?

She hangs her head.

Mary strolls by the window, nose-deep in a book. He emits a deep SIGH.

SIR DAVID
Another book ... and in Latin, no
doubt. Must I forbid books to gain
her attention?

Icy glare.

LADY MARGARET
You would turn Mary against you,
David.

SIR DAVID
'Tis an heir I seek, not approval.
She must choose a match ... and
soon.

EXT. FLEMING TOWN HOUSE - NIGHT

A LAMPLIGHTER plies his trade as the Right Reverend THOMAS HALLYBURTON, sixty-five, Moderator of the Edinburgh church, chances by. Hallyburton slows, stops and scowls up at a --

Three story townhouse awash in light. Glowing windows frame PARTYGOERS. CHAMBER MUSIC and chimney smoke waft in the air.

A carriage passes Hallyburton and stops in the courtyard, attended by a FOOTMAN.

INT. ENTRY HALL - FLEMING TOWN HOUSE - NIGHT

JAMES, the white-gloved Fleming butler, hands LADY and SIR IAN HAMILTON'S cloaks to --

SOPHIE, twenty-five, a plump but blonde-pretty maid. She flashes a dimpled smile, curtsies and disappears.

Ladies Margaret and Hamilton share a superficial hug.

SIR DAVID
Welcome Sir Ian ... Lady Hamilton.
You'll remember my daughters, Mary
and Janet.

Mary and sister JANET, eighteen and even prettier than Mary, with long brown hair and infectious smile, curtsy.

SIR IAN

Indeed. Riper fruit could nay be had in all Edinburgh.

Lady Hamilton stomps her husband's toe.

SIR IAN

Ow!

(casts a dirty look)

Thank God for your invitation, sir. Thank God, I say. You saved me from the wardrobe.

Lady Hamilton CHUCKLES.

LADY HAMILTON

Only 'til the morrow. We must be packed by noon.

LADY MARGARET

A holiday trip? How exciting.

LADY HAMILTON

Four months cooped on Arran with Ian's family? Hardly a holiday, my dear.

(as an epiphany)

Perhaps Mary could watch over the house ... what with the servants gone.

MARY

I'd be happy to.

Another guest arrives -- PHILLIP BRANSTON, mid-twenties, a tall, fair, upper crust dandy. He doffs his hat for James.

JANET

Phillip!

Phillip's face lights up. Janet hastens to take his arm and lead him past the others.

JANET

I'm so happy you've come.
(to Sir David)
Enough of greeting duty.

Sir David scowls.

Janet flirts up at Phillip; she flutters a fan.

JANET

Why Mr. Branston, do regale me with
your latest legal adventures.

Mary rolls her eyes.

INT. GREAT ROOM - FLEMING TOWN HOUSE - MOMENTS LATER

Janet and Phillip enter to the CHATTER and LAUGHTER of
GUESTS. MUSICIANS play CHAMBER MUSIC.

PHILLIP

... defended a poor lad accused of
pilfering a chicken from one Mrs.
Wimple. What a row! The bailiff
chased the squawking fowl over
m'lord's bench. Just then ...

Janet feigns interest in the tale as she searches the crowd.

Most ignore the newcomers but one who doesn't is --

JOHN NEILSON, a well-dressed, strikingly handsome lad of
nineteen with wavy brown hair. He pops an hors d'oeuvre.

JOHN

Clerking for the Lord Advocate has
its advantages to ...

His companion, MUNGO CRAIG, a twenty-one year-old stoop-
shouldered man of average looks and crane-like build, follows
his gaze.

The sight of Janet and Phillip together kindle the pangs of
John's jealousy.

MUNGO

Quite the delectable morsel, is she
not? Though in truth, I much
prefer the sister.

Sir David, Lady Margaret and Mary step into the room.

JAMES

Your hosts, Sir David and Lady
Margaret Fleming ... and daughter,
Miss Mary Fleming!

John and Mungo press forward and bow to Sir David, but
Mungo's eyes undress and possess Mary.

Mary shudders and glances away.

SIR DAVID

Ah, Mr. Neilson ... do give my best to your parents. A shame they could not attend. And Mungo ...

Mungo's reverie is interrupted.

SIR DAVID

... fine chaffering today, lad. Five silver merks a head for good highland cattle. Best price in a year. Deserves a raise in salary, eh Mary?

Mungo beams and Sir David CLAPS him on the back, then follows after Lady Margaret. Mary looks trapped.

MARY

If each side could but choose a happy outcome. One best for all.

MUNGO

Happy? Is that not when the stronger side wins, Mary?

MARY

I wonder, Mr. Craig, are you certain who the stronger is?

He leers at her retreating form.

INT. GREAT ROOM - FLEMING TOWN HOUSE - NIGHT

Four young beaus surround Janet and vie for attention: John, Phillip, SIMS and FOX.

Janet wears a mischievous smile, a finger aside her chin.

JANET

Hmmm ... who should I ask to fetch a flower for my hair?

SIMS

Me, Janet. Choose --

FOX

But you promised me, Miss Fleming.

JANET

Why, Mr. Fox ... I think you're right. I did promise you. But I couldn't bear to disappoint you, Mr. Sims.

(and)

I know ... you shall both retire to the garden. When you return we shall all admire the bouquet together.

She wrinkles her nose in LAUGHTER.

Sims and Fox turn to their appointed task, happy men.

JANET

Phillip, would you be a dear and fetch a punch? I don't know when I've been so thirsty.

Phillip grins as he casts John a sympathetic shrug.

Coast clear, Janet leads John away.

INT. ENTRY HALL - FLEMING TOWN HOUSE - MOMENTS LATER

Flushed, Janet drags John into the hall and into her arms.

JANET

Alone at last.

They share a practiced kiss.

JOHN

I love you, Janet.

She rests her head on his shoulder, SIGHS and smiles, as if a giant weight has lifted.

INT. STUDY - FLEMING TOWN HOUSE - NIGHT

Mary stands aside Sir David at his desk.

SIR DAVID

The Hamilton key. Guard it closely.

MARY

Yes, Father.

SIR DAVID
 You're to water the greenery,
 collect the Hamilton's --

A KNOCK at the door. It cracks open; Janet peeks in.

JANET
 Father? May we speak with you?

SIR DAVID
 We?

Janet leads John, bound hand-to-hand.

Sir David's smile fades.

SIR DAVID
 You treat my daughter's hand as if
 it were your own, Mr. Neilson.

JANET
 John has something we ... he wants
 to ask you, Father.

Concern creeps over Mary's face.

JOHN
 We ... I love Janet deeply, Sir
 David. I was hoping ... that is,
 could you --

SIR DAVID
 Come, lad. It won't do for a
 future advocate to shilly-shally
 his words. Out with it.

JOHN
 ... would you allow me the infinite
 honor of wedding Janet?

Sir David smiles.

SIR DAVID
 A betrothal ... aye.

Janet's face lights up as John slips a dazzling RING on her
 finger. She ogles the ring.

JOHN
 My grandmother's.

Mary purses her lips.

SIR DAVID
Impressive ... but no wedding 'til
Mary weds first.

All eyes turn toward Mary.

Janet's grin fades.

JANET
How can that happen when she spends
all her time in books?

INT. DINING ROOM - FLEMING TOWN HOUSE - DAY

The Flemings take breakfast, attended by Sophie and James.

JANET
But Father, I could die an old maid
before Mary weds.

Mary aborts a retort.

SIR DAVID
Not 'til Mary weds first. That's
final. I'll not have all Edinburgh
thinking my eldest a spinster.

JANET
But --

SIR DAVID
Enough! Enough, I say!

Sophie and James exchange embarrassed glances.

LADY MARGARET
Janet, dear, your father but shows
concern for all our sakes. Seeks
to forestall the shame on us all.
(to Mary)
Is there something we haven't
heard? A beau perhaps?

Mary stares at her plate, shakes her head.

LADY MARGARET
Then, someone you admire? Someone
we could invite for tea?

Another shake.

Sir David glowers at Mary.

JANET

Now do you see, Mother? She's not even trying. No matter. I see what she cannot ... or will not. Mr. Craig hardly took his eyes off Mary all last night.

Mary looks at Janet, panic-stricken.

SIR DAVID

Wonderful. Mungo. Second son, but a fine lad from a good family ...

He gestures toward Lady Margaret with his fork.

SIR DAVID

... with an estate near Glasgow, I think. Anyway ... couldn't run the business without him. He'd make a good husband for our Mary.

MARY

I will not wed Mungo Craig!

CLANK, Sir David slams knife and fork on his plate.

Sophie and James slink from the room.

SIR DAVID

You have shirked your duty long enough! You'll do what I tell you!

Janet has a self-satisfied smile.

Mary bolts for the door.

MARY

I would rather die than marry him!

Lady Margaret chews her lip and stares at an empty doorway to the sound of fading FOOTSTEPS on stairs.

Unperturbed, Sir David and Janet resume breakfast.

INT. MARY'S ROOM - FLEMING TOWN HOUSE - DAY

Lady Margaret strokes her daughter's head as Mary CRIES into the comforter.

LADY MARGARET

Your father loves you.

Mary SNIFFLES.

LADY MARGARET
Wants you to be happy.

MARY
Then why that vile man? His eyes
... leech the soul from my body. I
would come to hate myself if I wed
him. In time, Father too. Can he
not see it?

Lady Margaret wipes Mary's tears away.

LADY MARGARET
You must promise what I tell you
will never leave this room.

Mary sits up wide-eyed; she nods, tears forgotten.

LADY MARGARET
When I was ... younger than you ...
I met Hamish, an earl's son. We
fell in love but his father, the
earl, would not approve of us ...
my family beneath his own.

MARY
What did --

Lady Margaret hushes Mary with fingertips.

LADY MARGARET
We were devastated. Before we knew
it, I was whisked away and found
myself at the altar with your
father ... forced to marry. That
night, I went to my marriage bed
with a stranger ... as frightened
of me as I was of him. Many a
night I cried myself to sleep, sure
that God had forsaken me.

MARY
Then ... you don't ...?

LADY MARGARET
... Love your father? If it isn't
love, what's it to be called after
twenty-two years and two children?

Mary shakes her head.

LADY MARGARET

... Yes, I love him ... but not like I loved Hamish.

MARY

(rapid)

How could you live without him? Why did you not refuse the vows with Father? Why must class be a barrier to love?

Her demeanor turns inward.

MARY

'Tis unfair. I want to marry for love. Nay, I *will* marry for love!

LADY MARGARET

... Is there something you want to tell me, Mary?

Mary picks at the comforter; she shakes her head.

Lady Margaret eyes her for telltale guilt.

LADY MARGARET

Your path must be different from mine. I would that you be happy ... and wed who you will. I will try to convince your father.

They hug.

MARY

I love you, Mother.

INT. MUNGO'S FLAT - NIGHT

Wing chairs flank a large globe. Firelight and candelabra illuminate a tapestry and a wall of books. Carved chairs and table line the wall opposite.

Mungo fixes an unwavering gaze on Thomas as he selects a thin volume from his library.

MUNGO

John Locke?

Thomas glances at the spine.

THOMAS

Aye. "A Letter Concerning
Toleration."

MUNGO

Dull, but mercifully short.
Careful who sees you with it. The
Kirk would name the books I lend
you blasphemous.

THOMAS

The Kirk would name my aunt's
muffins blasphemous.

They LAUGH.

THOMAS

I'll return it as soon as I can.

Mungo waves a dismissive hand.

THOMAS

How do you do all this ...
(gestures)
... on a salary?

Mungo pours decanted port into crystal glasses.

MUNGO

A stipend from my father. A small
share of the crofters rent ... to
ease his guilt.

He hands a glass to Thomas.

MUNGO

Something new from Oporto. Sweet
and smooth.

Thomas takes a precautionary sip; eyebrows ascend.

MUNGO

(bitter)
A second son gets nothing of the
real wealth. The land.
(softens)
But there is recourse.

THOMAS

... A dowry?

Mungo smiles.

THOMAS

Any prospects?

MUNGO

An eye for one. Her father has estates in the Borders and a prosperous Edinburgh business. Quite the beauty.

(muses)

... Can't get the vision of her naked in bed from my mind.

Disgust flickers across Thomas' face.

THOMAS

Would I know her?

Mungo regards Thomas.

MUNGO

I think not. Yourself?

THOMAS

Tell no one ... but I have the hope of a woman. I am beneath her but still she loves me, and I her. Someday perhaps ... we will wed.

MUNGO

Then ... to each obtaining his desire.

They CLINK glasses.

INT. THOMAS' ROOM - UNCLE SEUMAS' FLAT - DAY

Tiny. Room for a bed and desk. Thomas reads Locke's Letter as dappled sunlight filters through a window.

LOCKE (V.O.)

Nobody ... neither single persons, nor churches, nay, nor even commonwealths, have any just title to invade the civil rights and worldly goods of each other, upon pretense of religion.

FIONA (O.S.)

Thomas!

THOMAS

Coming!

LOCKE (V.O.)
 Those that are of another opinion,
 would do well to consider how
 pernicious a seed of discord and
 war ...

MEMORY FLASH

A SOLDIER drags Thomas' FATHER from an apothecary shop.
 YOUNG THOMAS, six, pummels an abetting MINISTER.

LOCKE (V.O.)
 ... how powerful a provocation to
 endless hatreds, rapines, and
 slaughters they thereby furnish
 unto mankind.

The Minister swings, SLAP. Young Thomas crumples to the
 muddy street and CRIES.

BACK TO SCENE

FIONA (O.S.)
 Thomas Aikenhead!

Thomas SLAMS the book closed.

INT. WARMING ROOM - UNCLE SEUMAS' FLAT - MOMENTS LATER

Thomas sits to a steaming stewpot on a rough-hewn table in a
 homespun common room: kitchen, dining and sitting. He
 snitches stew with an impish glance toward --

AUNT FIONA, a kindly weather-worn matron of thirty-eight
 years, who grins as she slices oven-fresh bread.

FIONA
 We're to be fillin' the *other* leg
 now, are we?

UNCLE SEUMAS, a frumpish forty-two, bristles in and cinches
 his belt. He opens a window, empties his chamber pot --
 hesitates -- peers below -- shrugs.

Thomas SNIFFS.

THOMAS
 Aunt Fiona, you are as God with a
 measure of flour and a bread oven.

She GIGGLES.

SEUMAS

I'll nay have yer blasphemous words
in this house, Thomas.

THOMAS

Is it blasphemy to tell my aunt she
bakes the finest bread in all
Edinburgh?

SEUMAS

We promised yer mother ...

Thomas' face fills with pain.

SEUMAS

... aye and yer father, God rest
them, to raise ye the proper
Christian. And that I mean to do.

Thomas grabs slices and heads for the door.

SEUMAS

Think ye we havna received reports
from yer professors?

Thomas casts a surprised glance over his shoulder.

FIONA

Sit lad. Eat yer meal.

THOMAS

I'll be late for class.

He unpegs his coat and shoulders a book pack.

Seumas shakes his head to an empty doorway.

SEUMAS

'Tisna books that boy needs ...
'tis honest work.

INT. CLASSROOM - DAY

Ten STUDENTS include Thomas and a sandy-haired lad, PAT
MIDDLETON, twenty.

PROFESSOR TRAILL, made older than his fifty-two years by a
full gray beard and academic robe, SLAPS his thigh with a
riding crop as his eyes flit amongst students.

No desks. Students lean, slouch, pace or sit on the floor.
Thomas sits on a sill. Each avoid eye contact with Traill.

TRAILL
Mr. Aikenhead.

Thomas starts.

TRAILL
A man walks across a frozen loch.
The ice breaks. He falls within
and drowns.

Traill places his crop in a Bible on a lectern and taps his chin in thought.

TRAILL
Thesis: God is the cause of death.
Pro or con?

Thomas caresses his topmost book, "ETHICS" by Benedict Spinoza.

TRAILL
Well ... pro or con?

Thomas flinches.

THOMAS
Con.

Students SNICKER.

Traill smiles.

TRAILL
Brave lad. Do you yield?

Thomas nods.

TRAILL
"God works all things according to
the counsel of His will."
Ephesians one, eleven.
(and)
Psalm one fifteen, three. "... our
God is in heaven; He does whatever
He pleases."
(and)
Our Lord Jesus revealed to Matthew
that God is in control of even the
smallest events ... not one sparrow
falls to the ground apart from our
Father's will.

A sympathetic smile.

Students smirk in Thomas' direction; others shake their head.
Thomas paces in thought, then faces Traill.

THOMAS
God is perfect. Agreed?

TRAILL
Agreed.

THOMAS
Chance, randomness would be
imperfect?

TRAILL
That is so.

THOMAS
Therefore, God must have caused the
man to drown to achieve an end?

Traill waves a hand.

TRAILL
Yes, yes. You but prove my side.

Thomas points an accusatory finger.

THOMAS
Then sir, you insult God.

Students GASP.

TRAILL
Certainly not.

THOMAS
To suppose that God drowned the man
to achieve a new end, or create
something that should already exist
but doesn't ... is to insult God as
imperfect.

Traill SPUTTERS. He twists his crop and shakes it at Thomas.

THOMAS
I say, and you agree, God is
perfect. Once perfectly created,
God need not improve upon His
creation. Ergo, God was not the
cause. Imperfect man was the cause
of his own death in the loch.

Students APPLAUD and WHISTLE. Pat CLAPS Thomas on the back.
Traill SNAPS the crop down on the lectern.

TRAILL

Enough!

A tiny smile, a nod Thomas' way.

TRAILL

A solid argument, Mr. Aikenhead.
Wrongheaded ... but solid.
(stern)
Now, who can offer counter from the
revealed Word? You, Mr. Middleton?

Pat gestures "Who, me?"

TRAILL

The Bible, Mr. Middleton. Only
from the Bible.

EXT. STREET - DAY

Three BOISTEROUS STUDENTS turn a corner: Thomas, Pat and ROB POTTER, sixteen, tall for his years but thin enough to fear strong winds.

All LAUGH as Thomas administers a brotherly knuckle burn to Rob and receives a retaliatory elbow in the ribs. They seem oblivious to --

A gaggle of GEESE, driven toward them on a collision course by a BOY with a staff. The inevitable occurs at a doorway under a sign that reads "CLERIHEUGH'S TAVERN."

Wedged amongst the panicked birds, Thomas finds the door blocked by a hefty gander; it FLAPS and HONKS at Thomas when he moves toward the door.

THOMAS

(with irony)
Precious fowl!

He shoos the gander aside with his foot; all three students squeeze into the tavern assailed by FLAPS and HONKS.

INT. TAVERN - DAY

Tavern MAIDS balance platters of ale and defend their honor as they wend through crowded tables of RAUCOUS YOUNG MEN.

Mungo and John thread their way through pandemonium toward the table where Thomas, Pat and Rob sit.

Mungo sweeps a BUXOM MAID into his arms and twirls, as if in dance. She SKIRLS, but spills not a drop. As she departs, Mungo elbows John and he gives her ample rear a SLAP.

INT. TAVERN - LATER

Thomas, Mungo, John, Rob and Pat surround a table with TWO EMPTY PITCHERS.

PAT

The old goat was this close ...
(two fingers)
... to drawing his crop on Thomas.

THOMAS

That reminds me, Pat.

Thomas hands a book to Mungo, who glances at the spine.

MUNGO

Battered poor Traill with my copy of Spinoza's Ethics, eh Thomas? I had the same thought once.

THOMAS

I could bear his pompous strut no longer.

ROB

Spinoza's Ethics?

THOMAS

God, the world and nature are but one thing... and God cares not what we do.

A STUDENT from an adjoining table glances at Thomas.

THOMAS

An intriguing idea, is it not, Rob? That man is his own master.

Mungo scowls, leans toward Thomas.

MUNGO

Shhh. Careful what you say.

Oblivious, Thomas gives another knuckle burn to Rob. All LAUGH, except John, who stares at Thomas, slack-jawed.

THOMAS

And best of all, he has a proof of
God's existence ... mathematical in
its precision.

The Buxom Maid bends over to serve a fresh pitcher of ale,
her breasts peek from a loose-fitting peasant blouse. Mungo
can't resist.

MUNGO

I need no further proof of God than
this.

LAUGHTER.

She slaps his hand, anger feigned.

BUXOM MAID

Keep yer hands to yerself, young
sir.

More LAUGHTER. She escapes his clutches. He grins.

MUNGO

Your name, my soft pretty?

BUXOM MAID

Mary, if it be the same to ye.

MUNGO

Have I not seen you somewhere
before, Mary?

She smiles back and winks.

INT. TAVERN - NIGHT

THREE EMPTY PITCHERS and another half full sit on the table.

THOMAS

... I tell you, man's imagination,
duly exalted by art and industry,
might create a world and produce
anything producible.

MUNGO

Aye, the Latitude Men.

To Rob and Pat --

THOMAS

Locke and Newton ... they progress
in England with philosophy and
science ... whilst in Scotland we
waste our time with theology.

INT. TAVERN - LATER

The Buxom Maid arrives with a fresh pitcher. Mungo draws her
onto his lap. She SHRIEKS, breaks free and looks down.

BUXOM MAID

Ooooh. My, but ye be a hard man to
pass near. Here, young sir, let me
soften ye.

She pours the pitcher on his crotch and HUFFS away.
Uproarious LAUGHTER by all. Mungo leers at her mesmerizing
hips and rises to follow her.

JOHN

He'll be up to the hilt within the
hour, I'll wager.

INT. KITCHEN - FLEMING TOWN HOUSE - DAY

Airy, mid-morning bright and filled with tables, baskets of
bread and produce, hanging utensils and pots.

With an occasional anxious glance toward a doorway --

Mary, rough-dressed in boots and calf-length skirts, gathers
a picnic lunch onto a red-checked cloth: bread, cheese, wine,
two metal goblets, knife and napkins.

Sophie blunders in, armed with a feather duster.

SOPHIE

A picnic is it?

Mary starts. A goblet CLATTERS to the floor.

SOPHIE

Here, I'll be fetchin' that.

Sophie polishes the goblet with her apron.

MARY

Uh ... aye ... I ... I thought I'd
read in the park ... with Janet.

Sophie's eyes flash; she smiles and sets the goblet next to its mate.

SOPHIE

Uh huh.

Mary blushes.

MARY

'Tis maddening. You see right through me. Please don't tell, Sophie.

Sophie winks.

SOPHIE

Give the lad a wee kiss for me. And if anyone asks ... Miss Mary is readin' in the park.

EXT. HILL - DAY

Thomas shoulders a pack as he and Mary climb near the top of Arthur's Seat, an eight hundred foot volcanic rock. The sky threatens; wind WHISTLES.

THOMAS

Wed Mungo!? Then, it must have been you he was --

MARY

'Tis the lot of women ... to be treated and bargained for as chattel. I have refused.

THOMAS

That whoreson! All he wants is the dowry and to bed you. Told me so himself.

Mary shudders; she draws his arm around her shoulder.

THOMAS

'Tis this damnable secrecy. We should defy them all and elope this very evening.

A forlorn SIGH.

MARY

A lass couldn't ask for a more romantic proposal.

THOMAS

I just meant --

MARY

I ken what you mean, Thomas. But must I choose between my family's love and your own?

He helps her up a steep step to the --

SUMMIT

A LARK FLUTTERS to a nearby outcrop and CHIRPS.

THOMAS

Would that I could be a lark ...
as carefree in love as he in
flight.

Mary SIGHS and leans back into Thomas' arms. She turns her face to meet his in a lingering kiss. A gust takes her cap; long red hair tumbles into the wind. THUNDER erupts.

Mottled sun sparkles on the spires of Edinburgh; rain clouds dance the landscape. His arms about her waist, they drink in the vista. She rests her head on his shoulder.

MARY

Cares are but misty shadows in your
arms.

She draws his arms tight about her waist.

EXT. HILL - LATER

Weather abated, Mary and Thomas picnic. He removes a thin volume from his pack. Mary lights up.

MARY

What have you brought me?
(sour)
Not from Mungo, I hope.

His face clouds.

THOMAS

The last. Locke's "Toleration."
Here, read this.

MARY

"... Absolute liberty, just and true liberty, equal and impartial liberty, is the thing that we stand in need of."

She searches his eyes.

MARY

Religious liberty?

He nods.

MARY

That passage ... taken of itself, it could mean more ... much more. Liberty to think and speak what you will. Or perchance, equal liberty between men and women.

THOMAS

Aye.

MARY

I think I shall enjoy this little book.

INT. POTTER FLAT - NIGHT

A smile disappears from MR. POTTER, forties, balding and well-fed. He points his fork at Rob and leans forward.

MR. POTTER

God, the world and nature are one thing? Blasphemy!

Dinner comes to a halt. MRS. POTTER and SISTERS glance between Rob and Mr. Potter.

MR. POTTER

Incorruptible God canna be one with corruptible man. Where did you hear that blasphemy, boy?

Rob swallows hard.

ROB

From a school friend.

INT. TRON CHURCH - DAY

Mr. Potter whispers to a MINISTER with brown beard, black robe and hat. Potter shakes his bowed head.

MINISTER
(incredulous)
A student?

INT. HALLYBURTON RECTORY - DAY

Hallyburton strokes his beard and fixes his piercing eyes on the Tron Minister.

MINISTER
A matter for deep concern,
Moderator Hallyburton.

EXT. CORRAL - DAY

A row of pens with sheep or cattle adjoin an open pathway, where a fire burns.

Mungo counts highland cattle as he stands astride the topmost rail of a pen.

MACGREGOR, twenty-five, a bedraggled clansman drover with a flaming red beard and layer of trail dust awaits below.

MUNGO
I make it two score and eight,
MacGregor. Your count as well?

MACGREGOR
Aye. We lost two beasts to the
ford at Stirling.

MUNGO
Two hundred forty silver merks
then. Agreed?

MACGREGOR
Two hundred ...? 'Twas thrice that
a year past.
(sotto voce)
Lowland bastard.

Mungo jumps down and leers at the clansman.

MUNGO

Same price I paid not a week past.

MACGREGOR

'Tis robbery, man!

Mungo's face flashes anger. He whips his dirk under MacGregor's chin.

MUNGO

Robbery, is it? If it be too little, take them back across the Forth to Crieff ... if you can do it without the loss of more beasts.

MacGregor stomps away.

Mungo sheaths his dirk and stares after MacGregor as --

Sir David rounds the corner of the corral. Mungo nods toward the retreating clansman.

MUNGO

Insolent highland beggars. Give them a fair price and they as soon dirk you in the back.

AT THE FIRE

A THIN HERDER takes a cauterizing iron from the flames, turns to a male calf, its rear legs spread by two other HERDERS.

A TALL HERDER approaches with a scythe-like BLADE and grasps the calf's testicles. The calf BLEATS.

AT THE CORRAL

SIR DAVID

Mungo, lad. About Mary.

A gruesome SIZZLE joins the calf's SCREAMS and BLEATS.

Mungo and Sir David glance over their shoulders.

SIR DAVID

I'm told you find the lass to your liking.

MUNGO

She is most pleasing to the eye.

SIR DAVID

Good ... good. If you agree, you
have my permission to court her.

A deep SIGH.

SIR DAVID

A wee high strung perhaps. But you
may be the man to tame her. I'll
expect you for the evening repast.

Sir David turns on his heels as Mungo smirks "Yes!"

INT. PARLIAMENT HOUSE - DAY

Stewart limps with a cane to his window.

Hallyburton BANGS his fist on Stewart's paper-strewn desk.

HALLYBURTON

Blaspheming Latitudinists! In
Scotland!

STEWART

This Aikenhead. A student, you
say. How old?

HALLYBURTON

(mercurial calm)
Eighteen ... perhaps nineteen.

Stewart SNORTS and hobbles toward his desk.

STEWART

Hardly a threat to the Kirk.

HALLYBURTON

Where there is one, more will
arise. A cancer that must be cut
from the body of the Church.

Stewart gestures toward the top of his desk.

STEWART

There are other matters.

Hallyburton jumps up and sweeps paper from the desk.

HALLYBURTON

Property squabbles! Title mongers!
This matter is for your immortal
soul, Stewart.

He stalks to the door, turns and points an accusatory finger.

HALLYBURTON

God makes the law ... not man.
'Tis your simple duty to prosecute
trespassers. See you to it.

STEWART

I'll keep an eye on young
Aikenhead. You keep yours to the
Kirk.

INT. GREAT ROOM - FLEMING TOWN HOUSE - NIGHT

Mary bristles into the room, followed by Mungo, dressed in
his finest.

MUNGO

Your father and I have spoken.

MARY

Really? How fortunate for you.

MUNGO

He gave me permission to court you.

Mary GASPS; her face turns ashen.

MUNGO

Did he not tell you?

MARY

We speak but sparingly of recent.
Perhaps he thought better of it.

MUNGO

When he told me I was ... You
cannot know how happy it made me.
I've much admired you since we met.

He reaches out, puts his hand on her shoulder. She shrugs it
off and dances away. A scowl flickers across his face.

MUNGO

The arrangement. 'Tis agreeable?

MARY

Arrangement? You sound as if you
barter for cattle, Mr. Craig. I am
no highland drover to be cheated
from his due. Are you not
proposing marriage?

MUNGO

Aye. That I am, lass.

MARY

And what of love? Is that not a necessary prerequisite?

MUNGO

I do love you, Mary.

MARY

But I do not love you, sir. Where does that leave us?

MUNGO

You are cold to me, Mary. Why? Have I offended in some way?

MARY

'Tis your manner, Mr. Craig.

Mungo reaches out and grasps her shoulders.

MUNGO

You are mine, Mary Fleming. I see it. Your father sees it. In time ... you will see it.

She turns her head; Mungo forces her chin for a kiss. She breaks away, SLAPS him and wipes her lips with the back of her hand. She eyes him with disgust.

MARY

Never! I love another ... will never be yours.

Mungo rubs the sting and storms toward a garden door.

EXT. GARDEN - FLEMING TOWN HOUSE - CONTINUOUS

Mungo SLAMS the door and steps onto the terrace, his face in anguish. A silvery FIGURE glides beyond in the moonlight.

Mungo investigates, but the closer he approaches the more confused he appears.

MUNGO

Mary? But ... how did --

The figure turns and smiles.

JANET

Mr. Craig.

MUNGO

Janet. I swear, in the moonlight
you looked ...

She sweeps her arm.

JANET

The garden. Is it not beautiful?
Did you enjoy the evening's repast?
(and)
You seem troubled, sir. Tell me,
how goes it with my bookish sister?
Well, I hope.

MUNGO

Mary is ... a hard woman to be
near.

JANET

How well I know. But ... do not
tell her I said this ... worth the
effort.

MUNGO

She says she loves another ... that
I have no hope with her.

Janet's eyes widen.

MUNGO

We'll see about that.

He turns on his heels.

She grins like the cat that ate the canary.

JANET

(to herself)
Secret love? Not for long, dear
sister.

INT. DINING ROOM - FLEMING TOWN HOUSE - DAY

Mary, Sir David and Lady Margaret are seated for breakfast.

Janet bounds through the door with a huge grin. She leans
down as she passes Mary.

JANET
 (sing-song)
 Somebody's in love.

Mary stares in dismay at Janet, who circles and sits.

Sir David scowls at Janet and bows his head.

SIR DAVID
 Lord God, bless this the bounty of
 Your Almighty Hand, and thine, the
 servants of Your Word.

ALL
 Amen.

Lady Margaret raises an eyebrow toward Janet.

JANET
 Oh, yes. I met Mr. Craig in the
 garden last night. He was most
 despondent ... said that Mary told
 him she loved another. Imagine.

Sophie serves; she smiles at Mary across the table. Mary
 peers back, a deer caught in headlights.

Lady Margaret regards Mary in open-mouthed surprise.

Clueless father --

SIR DAVID
 I should stir this pot more often.

Janet leans across as to a fellow conspirator.

JANET
 Confess, Mary. Who is it? Mother,
 we could have a double wedding.
 Would that not be wonderful?

SIR DAVID
 Aye. It would save money.

Lady Margaret sees Mary is distraught.

LADY MARGARET
 Mary?

Mary throws her napkin down and bolts from the room.

SIR DAVID
 What is wrong with that girl?

INT. GREAT ROOM - FLEMING TOWN HOUSE - MOMENTS LATER

Mary gazes into the fireplace, back to Lady Margaret.

LADY MARGARET

Mary?

MARY

I cannot bear this any longer.

She turns into her mother's arms.

MARY

I am in love ...
(sotto voce)
... like you and Hamish.

LADY MARGARET

Thank God.

Janet appears at the entry, then Sir David.

MARY

You don't understand. I love
Thomas.

LADY MARGARET

Who?

MARY

Thomas Aikenhead.

JANET

What!?

Mary, startled, turns from her mother.

JANET

But ... you cannot wed him. He's
as common as Tuesday's porridge.

DINING ROOM

Sophie's eyes widen.

GREAT ROOM

Sir David appears puzzled.

SIR DAVID

My bookkeeping apprentice these two
summers past?

MARY

Yes, Father.

SIR DAVID

I forbid it! Do you hear me, girl!
I forbid it!

MARY

Please, Father ... please. I love
him.

SIR DAVID

I will not have this family shamed.
You are not to see that boy again.

LADY MARGARET

David, No!

Lady Margaret comforts Mary.

SIR DAVID

You will wed Mungo, as I have
arranged!

MARY

No, Father! I will not!

Janet holds her head and looks heavenward.

Mary CRIES as she bristles up the staircase.

INT. FLEMING TOWN HOUSE - NIGHT

MARY'S ROOM -- Mary dons her cloak, cracks the door, peeks
out and steps into the dark --

HALLWAY -- Mary eases her door closed. CLICK. Frozen, she
listens, then creeps. Four feet to the steps ... two ... but
in --

JANET'S ROOM -- A soft SQUEAK, SQUEAK.

Janet tenses, then tiptoes to the door and listens. She blows
out her candle, then peeks out to see Mary on the stairs.
She throws on her cloak and steps into the --

HALLWAY -- Janet flattens herself against the wall. She
watches Mary creep down, stop, glance over her shoulder and
continue to the door.

EXT. HAMILTON TOWN HOUSE - NIGHT

Mary climbs the front steps and whispers.

MARY

Thomas?

A RUSTLE. Thomas steps from the shadows. Startled, Mary sees him and throws herself into his arms.

EXT. STREET - CONTINUOUS

Hidden, Janet watches Mary and Thomas embrace, then enter the Hamilton residence. Flint strikes, then candle, glow within.

INT. KITCHEN - HAMILTON TOWN HOUSE - NIGHT

A lifeless hearth, large heavy tables and cooking utensils in jars; pots hang from ceiling hooks.

Thomas follows Mary into the room like a wayward puppy. The fresh candle Mary sets on the center table casts an ethereal glow. They look at each other for awkward seconds.

Mary removes gloves and loosens her cloak.

Thomas gawks, lost on another planet.

THOMAS

Let me.

Thomas removes her cloak and inhales her fragrance. He wavers a moment, intoxicated.

THOMAS

We've not been alone. At night, I mean.

MARY

(timid)

Uh ... this notion of substance. I find it a perplexing one indeed.

Relief. Familiar ground.

THOMAS

Aye. Spinoza's definition was as gibberish to me. 'Twas only after I was deep into his work that I began to understand what he meant.

(MORE)

THOMAS (CONT'D)
That there is only one substance
... God.

Mary considers the bowl of a SOUP LADLE for a moment, then fixes a coquettish smile on Thomas.

MARY
But, that would mean ...

Her eyes flash as she takes the ladle from the jar.

THOMAS
Aye, lass. God is ... in
everything ... all around us.

MARY
Even this ladle?

Mary caresses her abdomen with the ladle, simmering eyes riveted on his face. It slides side to side, ever upward, teasing ... torture ... Thomas glued to its progress.

THOMAS
Uh, well ...

The ladle finds Mary's breast. It's a perfect fit.

MARY
If God ... Heaven, is in
everything, Thomas, then He must be
in you and me. Even in this ladle.
Is that not so?

She caresses the bowl with a fingertip, as in a dream.

THOMAS
Mary ... 'tis not ... that is ...

Her eyes open into his; they smolder together.

THOMAS
(croaks)
Mary ...

Frantic embrace.

The ladle CLATTERS to the floor.

They kiss, desperate for each other. Mary tears the waistcoat from his shoulders; he fumbles with the lacings on her bodice. They kiss again.

BANG, they hit a table. THUNK, a doorway.

INT. BEDROOM - HAMILTON TOWN HOUSE - NIGHT

A half-consumed CANDLE in the kitchen bathes a cook's quarters in feeble light. A bed, wardrobe, table and chair compete for crowded space.

Thomas grins at the ceiling. Mary kisses his chest and teases a nipple with her fingertip. Her brow wrinkles.

MARY

My family knows of us. I'm sorry.
It just ... slipped out.

THOMAS

Sorry? Now I can see your father.

MARY

It will do no good. He has
forbidden me to see you.

THOMAS

Forbidden? But --

MARY

(bitter)

Love does not happen by fatherly
decree. How can he think to choose
a life for me?

(and)

I won't think of it now. I want to
lie in your arms ... speak of
better things. Tell me more of
Master Spinoza's philosophy. I
find it ...

Her eyes flash a mirthful grin.

MARY

... very stimulating.

THOMAS

Well ... we are but aware of the
one true substance through two of
its infinite attributes ... thought
and extension.

MARY

Extension? That sounds
interesting.

She reaches under the blanket; a SIGH escapes his lips.

MARY
Tell me more.

THOMAS
You're not making this easy.

She GIGGLES.

THOMAS
(ragged)
Extension is what we see ... what
we can feel.

A lingering kiss. She mounts him; the blanket slips.
Two HANDS find each other and grasp together.

MARY (O.S.)
Let me feel your extension again,
my love.

INT. KITCHEN - HAMILTON TOWN HOUSE - DAY

The CANDLE flame flutters out. Smoke wafts.

INT. BEDROOM - HAMILTON TOWN HOUSE - CONTINUOUS

Lit by the first light of dawn through a small window, Mary dons a petticoat and stay. She glances over her shoulder, moves her hair aside and smiles.

MARY
Lace me, please ... Thomas?

He throws off the blanket, arises naked, then fumbles with the lacings for a time.

THOMAS
How do you do this yourself?

She LAUGHS.

MARY
I untie the front, silly.

He nods an unspoken "Oh."

THOMAS
I'm all thumbs.

A GIGGLE.

MARY

You didn't have any problem last night.

THOMAS

Ah, now I have it. When can I see you again?

MARY

In two days time? But not all night. I took a terrible chance tonight.

He ties the lace off; she faces him.

MARY

But 'twas ...

Her eyes wander.

MARY

... worth it. God, you are beautiful.

THOMAS

You know not beauty 'til you look upon your own self, Mary.

MARY

But ... I am just a woman.

Thomas enfolds her.

THOMAS

Just a woman? The most beautiful of all women... in the arms of the man who loves her.

They kiss ... then he holds her at arms length.

THOMAS

We must not continue, lass ... or I will be practicing with the lace again.

She looks down and LAUGHS.

INT. FLEMING TOWN HOUSE - DAY

The entry door cracks open and lets in dawn light. Mary peeks in, enters and eases the door closed.

DINING ROOM -- Sophie sets the table for breakfast. She hears a soft RUSTLE and looks toward the --

ENTRY HALL -- as Mary in soft light, cloak in hand, passes the dining room door.

DINING ROOM -- Sophie starts.

SOPHIE
Miss Mary, is that you?

INT. DINING ROOM - FLEMING TOWN HOUSE - CONTINUOUS

Mary slumps against the jamb; her eyes droop.

MARY
I did not think to find the house
astir.

SOPHIE
Oh, no Miss. Just me and Master
James with breakfast.

Mary yawns.

MARY
I couldn't sleep.

Sophie smiles.

SOPHIE
I should say not.

Mary blushes and steps into the room.

MARY
Dear Sophie. I can never hide
anything from you.

A far-off CLICK. Staccato FOOTSTEPS on stairs.

Sophie snatches the cloak from a panic-stricken Mary.

MARY
(mouths)
Thank you.

Sophie hurries into the kitchen just as --

Sir David appears in the doorway.

SIR DAVID

Oh ... Mary. You're up early.
 Couldn't sleep?

INT. DINING ROOM - FLEMING TOWN HOUSE - DAY

The Flemings eat breakfast in strained silence, attended by Sophie. At last --

JANET

Is that not the same dress you wore
 yesterday, Mary?

Sophie catches Janet's eye, shakes her head imperceptibly.

Mary ignores Janet.

JANET

You so seldom wear the same dress
 two days in a row.

Sophie fills Janet's already full water glass.

JANET

My sister ... ever the fashion --

The water spills into Janet's lap. Janet GASPS, jumps up.

Mary LAUGHS, then smirks.

SOPHIE

Oh! I'm sorry, Miss Janet. How
 clumsy of me.

Janet looks from Sophie to Mary and back.

JANET

You did that on purpose.

MARY

She didn't.

LADY MARGARET

Janet.

JANET

(to Mary)

You think I don't know what's going
 on? You're both covering up.

LADY MARGARET

What on earth are you talking
 about?

JANET

She saw Thomas last night. By the look of it ... spent the night with him.

MARY

You can't know that.

JANET

I followed you last night ... to the Hamilton's ... saw you with him.

A look that would kill from Mary.

SIR DAVID

What! Is this true!?

MARY

Yes! All of it!

Sir David's face turns red.

SIR DAVID

You are not to leave the house, Mary. Does everyone hear that?

He sweeps his fork around the table to end with Sophie.

SIR DAVID

Except for devotions, Mary is bound to the house.

LADY MARGARET

David, you cannot mean that.

SIR DAVID

Can I not? I will see this girl safely wed to Mungo, or I am not the man in this house.

Mary bolts up.

MARY

Remember, Father, 'tis I who answers the minister's question, "Will you take this man ..."

She throws her napkin on the table.

MARY

And I will never answer "yes" to that question for Mr. Craig.

INT. STUDY - FLEMING TOWN HOUSE - DAY

Lady Margaret, livid, SLAMS the door.

LADY MARGARET

Mary is my daughter as well as your own. I will not risk losing her over your pigheaded male ego.

SIR DAVID

Pigheaded?

LADY MARGARET

Pigheaded. Have you not noticed yet? Your daughter has a head on her shoulders. She is no woman --

Sir David scowls.

LADY MARGARET

... No woman to be coddled and fawned over ... or over-protected. She can make her own decisions. If she finds something good about Thomas, then I trust her judgement.

SIR DAVID

You think I erred restricting her to the house? Even though she spent the night with him?

LADY MARGARET

And why? You're the one who told her she could not see him. What did you expect her to do? She is obviously very much in love with the lad.

She eyes him, her face impassive.

LADY MARGARET

In her place, I should have done the same thing.

His eyes betray pain. He knows.

INT. GREAT ROOM - FLEMING TOWN HOUSE - NIGHT

Janet and John are alone. She stares at him, surprise and shock on her face.

JANET
Thomas said that? Are you sure?

JOHN
At Cleriheugh's.

She paces, shoots him a disgusted glance.

JANET
Men and their taverns. What he
said ... that could be taken as
blasphemy.

JOHN
I suppose ... but 'twas just among
friends. No harm done.

JANET
Do you not see? If Thomas was
accused of blasphemy he would be
jailed. There would be a trial.
Then, Mary would have to turn from
him ... or be caught in a scandal.

JOHN
But ... who would accuse him?

She glares at him.

JOHN
Me?

JANET
Are you not the Lord Advocate's
clerk?

She smiles, embraces him and yields her body; she kisses her
way to his ear and whispers.

JANET
Do you want me?

She kisses his lips before he can answer. He melts, kisses
her back and croaks.

JOHN
Aye.

She turns her back, arms folded.

JANET
Well ... you will not have me 'til
we are wed. And wed we cannot be
... 'til Mary is.

INT. PARLIAMENT HOUSE - DAY

John sets a sealed NOTE on Stewart's desk.

EXT. CORRAL - DAY

Janet nods.

JANET
'Twas Thomas all along.

Mungo's face morphs from anguish to amazement.

MUNGO
Thomas?

JANET
Aye. For two years. Even I didn't
know.

INT. MARY'S ROOM - FLEMING TOWN HOUSE - DAY

Mary paces. There's a KNOCK.

SIR DAVID (O.S.)
Mary ... can I come in?

She stares at the door.

SIR DAVID (O.S.)
Lass?

MARY
Come in, Father.

Awkward seconds.

SIR DAVID
You are ... comfortable, Mary?

MARY
In my prison?

SIR DAVID

What was I to do, lass? You disobeyed me ... forced me to act in a way I did not want.

MARY

I know, Father. I was ... impulsive. But true to my heart.

They share a restrained hug. She sits at a desk and thumbs a stack of writing paper.

MARY

Could you not accept Thomas?

(and)

He is a fine young man ... you know yourself. Intelligent, hard-working, good temperament. He will go far. I am sure of it.

He runs fingers through his hair and SIGHS.

SIR DAVID

I have nothing against Thomas. 'Tis just ... hard for a father to give up his dream.

(and)

He builds and works for years to see his daughters wed to men of good family ... his grandsons with good names ... his lands and property in firm hands for his posterity.

MARY

And what of my dream, Father? Am I never to marry the man I love? I could no more wed Mungo than ... than this paper could fly.

He takes a sheet and folds a glider ... throws ... it sails out the window.

She watches, mouth agape.

He opens the door.

SIR DAVID

Sometimes we need do what we must.

CLICK.

She stares at the door, dips a quill and writes.

MARY (V.O.)
 Thomas, my heart. I am convinced
 my father will never relent on
 marriage to Mungo. Although I come
 without dowry, I pledge you my love
 as long as we both draw breath ...

INT. HALLYBURTON RECTORY - DAY

Stewart, John's NOTE in hand, hobbles behind a CLERK.

MARY (V.O.)
 ... and pray that we enjoy a long
 life together as husband and wife.
 Let us begin our new life at the
 Hamilton's this very night. 'Til
 then, your Mary.

The Clerk KNOCKS on a door and opens it. They are greeted by
 Hallyburton's black scowl from behind a desk.

EXT. UNIVERSITY - DAY

Mungo leans against a column.

Thomas and two other STUDENTS bound up steps. LAUGHTER and
 CHATTER. Thomas catches sight of Mungo and slows.

THOMAS
 (to Students)
 I'll catch up.

Thomas and Mungo eye each other.

MUNGO
 It seems we have more in common
 than family problems and books.

THOMAS
 Mary.

MUNGO
 Promised to me. And rightly so ...
 you with nothing to offer.

THOMAS
 She loves me.

MUNGO
 A temporary inconvenience.

THOMAS

Temporary?

MUNGO

Aye ... because you will stop seeing her.

THOMAS

No.

Mungo leers.

MUNGO

Thomas, Thomas ... we were schoolmates for years. Did you ever win a fight between us? Don't make me do something you'll regret.

He slides his waistcoat aside.

Thomas glances down at the dirk.

THOMAS

All you want is the dowry.

An evil smile.

MUNGO

Find a lass to suit your station, man.

(and)

I can recommend the tavern maid ... our own Mary's namesake. Not as fine a roll, I'll wager ... but still, she'll warm your cockles on a cold night.

THOMAS

You bastard!

Thomas swings, CRACK. Mungo teeters and falls to a yard below.

Thomas is on him in an instant. They grapple and roll, Thomas on top. They scramble up; Thomas swings and misses.

The dirk flashes to Thomas' throat. Frozen.

Mungo backs a helpless Thomas to the wall. They both PANT.

MUNGO

Stay away ... from Mary ... she's mine. Or, so help me ...

(MORE)

MUNGO (CONT'D)

Thomas ... the next time ... I'll
kill you ... friend or no.

EXT. CLASSROOM HALLWAY - DAY

Sophie fidgets, letter in hand. Male STUDENTS and PROFESSORS
amble past and stare with a mixture of curiosity and affront.
One HELPFUL STUDENT stops with a smile and tips his hat.

HELPFUL STUDENT

Can I help you, Miss?

SOPHIE

Might ye know, sir, when Professor
Traill's class will be done? I am
charged by my mistress to deliver
this --

An outside door BANGS open.

A BAILIFF and four SOLDIERS scatter student tenpins as they
march toward Traill's classroom.

Sophie cowers against a wall.

The Bailiff throws the classroom door open ...

INT. CLASSROOM - CONTINUOUS

CLUNK. In mid-argument Traill and students flinch.

TRAILL

What is the meaning of --

A wave of the Bailiff's hand; four poleaxes ground in unison,
BANG, BANG. A booming voice.

BAILIFF

Silence! Thomas Aikenhead!?

Heads turn toward Thomas.

The Bailiff finds his target.

BAILIFF

Thomas Aikenhead. You are arrested
in the name of their graces King
William and Queen Mary.

A corporate MOAN from onlookers.

BAILIFF

You are to be taken to the city
Tolbooth. There to answer to the
charge of blasphemy.

HALLWAY

Sophie GASPS.

CLASSROOM

Thomas is dazed as irons CLICK on his wrists.

INT. GREAT ROOM - FLEMING TOWN HOUSE - NIGHT

Sir David sips wine as he reads. Lady Margaret embroiders
and Janet looks through wedding dress patterns.

Sophie hurries up the stairway.

INT. MARY'S ROOM - FLEMING TOWN HOUSE - MOMENTS LATER

Mary packs. KNOCK, KNOCK.

SOPHIE (O.S.)
(breathless)
Miss Mary?

MARY
Come in, Sophie.

Sophie slumps against the door.

MARY
'Tis strange. Now that my mind is
... free ... I am happy at last.

Mary glances up to see --

Sophie shake her head, her face streaked from tears.

MARY
What is it? Did he read the note?
Will he be there? Tell me, Sophie,
I must know.

SOPHIE
Oh, Miss Mary. I'm so sorry.

INT. FLEMING TOWN HOUSE - CONTINUOUS

GREAT ROOM -- A filtered SOB.

MARY (O.S.)
God, no! Please, not now!

All crane upward.

HALLWAY -- Mary's door BANGS open. She stumbles out in tears and leans on the banister. Sophie comforts her.

GREAT ROOM -- Lady Margaret rushes toward the steps.

LADY MARGARET
Mary?

HALLWAY -- Mary eyes her family as she staggers to the stairway.

MARY
'Twas one of you! I know it!

GREAT ROOM -- Janet smirks.

LADY MARGARET
What is it, Mary?

STAIRWAY -- Mary sees Janet's face, races down, past her mother ...

GREAT ROOM -- to Janet.

MARY
You bitch!

A vicious round-house SLAP. Janet crumples.

LADY MARGARET
Mary! Stop! This instant!

Mary stands over Janet and winds for another. Sir David grabs her wrist. Janet scampers up; she rubs the sting.

SIR DAVID
Enough ... Mary.

MARY
Yes ... 'twas her alright. So eager for marriage she had Thomas arrested to clear him away.

MARY
Mr. Craig.

He falls in step.

MARY
I am on urgent business, sir.

MUNGO
To see Thomas, no doubt. At the
Tolbooth?

She stops.

MARY
You know?

MUNGO
'Tis a bonny sister you have, Mary.

She shakes her head, then continues. Mungo keeps up.

MARY
What is it you want?

MUNGO
To barter. Something I desire for
something you desire.

MARY
To what end? There is nothing you
have that would interest me.

MUNGO
No?

He stops her.

MUNGO
Would Thomas' life interest you?

Blank stare.

MUNGO
Good Lord. You don't know? 'Tis
not to be simple sackcloth and
jail. The Lord Advocate claims
special circumstance. Thomas is to
be tried for his life.

Mary GASPS. Tears well.

MUNGO

Does my ... arrangement ...
interest you now?

Tentative nod.

MUNGO

I will testify that I lent books to
Thomas, that his statements were
innocent discussion of passages
within ... no purposeful blasphemy.
In turn ...

Her eyes search his stony face.

MARY

Wed you?

An evil smile.

MARY

Why should I? There were others.
They could testify to the truth.

MUNGO

Others, yes ... lads really. None
who will stand up to the Kirk.

MARY

John?

MUNGO

... or Janet's charms. Consider
wisely, Mary. Thomas' life could
depend on it.

INT. PARLIAMENT HOUSE - DAY

Stewart stares out a window.

ROB (O.S.)

But sir, 'twas tavern talk amongst
school friends ... no more than
that.

STEWART

Still, you don't deny what is
written?

Stewart hobbles toward his desk.

Rob sits in front of the desk, head hung.

ROB
No ... but --

BANG. Stewart's cane crashes.

Rob flinches.

STEWART
Sign, boy!

He TAPS the document with his cane.

STEWART
Or you will find the Crown to be
exceedingly unforgiving.

Rob dips a quill, then SCRATCHES his signature.

STEWART
That's a good lad. Now ... get out
... and send in your friend,
Middleton.

Rob reaches the door and turns the handle.

STEWART (O.S.)
One more thing, Potter. Make no
mistake ... I'm watching you.

INT. CELL - TOLBOOTH - DAY

CLICK. Thomas, alert, stands. C R E A K ... the heavy door
swings open.

Two FIGURES, one hooded, another tall in top hat, stand
silhouetted. They step into the room; a PORTLY GUARD closes
the door.

Mary doffs her hood and blinks in dim light.

MARY
Thomas, my love. THOMAS
Mary.

They rush into each others arms.

Phillip stares at the floor in embarrassment.

THOMAS
Forgive me.

MARY

Shhh. There are no sins in your arms. Hold me. I love you. Will never stop loving you.

Phillip clears his throat. Mary and Thomas step apart.

MARY

This is Mr. Branston ... an advocate.

Thomas nods.

PHILLIP

Have you seen the indictment?

Thomas shakes his head.

THOMAS

I am innocent.

PHILLIP

The Lord Advocate has two complaints against you ... even now he will be gathering depositions. This is serious, Thomas. They seek your life.

Thomas' jaw drops.

PASSAGEWAY

The Portly Guard eavesdrops.

CELL

PHILLIP

In this I find our best defense. The law is clear in this matter. Only the third such blasphemy offense is punishable with death.

MARY

That's all you offer?

PHILLIP

No ... there is his youth. The court will be reluctant to send a lad of nineteen to the gallows.

Mary SIGHS and stares at the floor. A hint of tears.

MARY

Then ... there is more. Mungo
Craig ...

Anger floods Thomas' face.

MARY

... admits lending Thomas offending
books. Says they merely discussed
the contents in all innocence. He
is willing to testify.

Anger morphs into confusion.

Excitement.

PHILLIP

That could do it. With Craig's
testimony, Thomas would likely be
acquitted. I must see him ...
before Stewart does.

He BANGS on the door.

PHILLIP

Jailer!
(muses)
What I wouldn't give to beat James
Stewart.

MARY

Wait for me? In the yard?

CLICK, C R E A K, the door opens. The guard peers in.

PORTLY GUARD

Time, lass.

MARY

For pities sake. A minute longer?

He disappears.

MARY

What I didn't say is that Mungo's
testimony comes at a price.

Thomas searches her eyes, then SLAPS the wall.

THOMAS

The bastard! If I get out ...
Do not accede to this evil. Rob,
Pat and John will tell the truth.

MARY

I fear the Lord Advocate may
already have tainted them.

Thomas slumps on the bed, head in his hands.

THOMAS

If I had just listened to you, I
wouldn't be in this mess.
Follow your heart. Well it will
lead you.

Mary draws him into her arms.

EXT. TOLBOOTH YARD - DAY

Mary and Phillip huddle to escape a cold drizzle.

PHILLIP

We must be cautious, Miss Fleming.
Stewart would not try the case
himself were he not sure he would
win.

MARY

Mr. Craig's testimony ... 'tis
important?

PHILLIP

Vital. His or another's.

MARY

'Tis just that ...

PHILLIP

What?

MARY

Nothing. We do what we must, Mr.
Branston.

She throws her hood up.

MARY

We do what we must.

PHILLIP

Miss Fleming ...?

(and)

Please give my best to your sister,
and tell her ... tell her how happy
I was to hear of her betrothal.

MARY

Sister, Mr. Branston? I have no
sister. And if I did ... you would
be well advised to remain faraway.

Puzzlement creeps over his face.

INT. GREAT ROOM - FLEMING TOWN HOUSE - NIGHT

Lady Margaret and Sir David sip wine.

Numb, Mary descends the stairway, face streaked from tears.

MARY

Mother ... Father. I must marry
Mr. Craig.

Sir David leaps to his feet.

SIR DAVID

Wonderful news, Mary. I knew --

LADY MARGARET

David! Don't!

They exchange angry glances. She shakes her head, then
hurries to Mary's side.

HALLWAY

Janet peers over the banister.

GREAT ROOM

Lady Margaret comforts her daughter.

LADY MARGARET

I know your heart is elsewhere.

MARY

'Tis the only way to save Thomas'
life.

STAIRWAY

Janet wrinkles her brow.

GREAT ROOM

LADY MARGARET

I don't understand, dear.

MARY

Thomas will be tried for his life.
Mr. Craig will testify for Thomas
... on condition that I marry him.

JANET

But that is ... is --

SIR DAVID

Despicable is what that is. Mungo
said that?

Mary nods.

SIR DAVID

To get his way in that manner ... I
misjudge the boy.

MARY

Yes, Father ... both. But you will
not stand in the way of this
marriage. You will not.

She glares at her sister and SOBS.

MARY

I will wed Mungo. Oh, Mother ...

Lady Margaret draws Mary into her arms and casts a venomous
glance at her husband.

LADY MARGARET

Can you recognize love when you see
it now, David?

He exhales; his shoulders slump.

EXT. GARDEN - HALLYBURTON RECTORY - DAY

Hallyburton leans forward as the Portly Guard, hat in hand,
murmurs. Hallyburton nods, nods again, looks at the Guard in
surprise. He places a coin in the Guard's hand. The Guard
bows and pockets the coin.

EXT. STREET - DAY

Stewart and Hallyburton stroll.

STEWART

Innocently repeated passages from
books? How ...?

HALLYBURTON

Someone must look to the Kirk's interest. I have sources.

Stewart scowls.

STEWART

I fear that would be persuasive to the court, given the boy's age.

HALLYBURTON

Profane, Latitudinist books ... banned by the church and Privy Council.

(sugary)

And what has the Lord Advocate done about it these past months?

(and)

Nothing. Too busy he is with property disputes. Have you done so much as harry the brothels? No.

STEWART

Your lack of respect grows wearisome, Moderator.

HALLYBURTON

I yield respect where earned.

STEWART

I remind you, sir, the Kirk is not above the Crown. Leave Aikenhead to me ... and your sources at bay.

HALLYBURTON

And I remind you, God is above us all ... even lord advocates. He and I are watching, Sir James.

Stewart glares at Hallyburton.

HALLYBURTON

Be at vespers on the morrow whilst I take steps to forestall the book defense.

INT. ST. GILES - NIGHT

A CHOIR SINGS.

In the CONGREGATION, faces smile, toes tap and heads nod. The Flemings sit midway in the church.

Hymn over, the vestry door BANGS open. Hallyburton, in vestments, mounts the pulpit and glowers at the congregation.

HALLYBURTON

Friends, we are under attack by the auld enemy.

Collective GASP. A SOLDIER bolts up.

Hallyburton raises his hands.

HALLYBURTON

No ... no English army with sword and cannon assail our borders. Far worse than an army. Vile, profane and atheistic thoughts have taken root in England.

Mary's brow wrinkles.

MURMURS.

HALLYBURTON (O.S.)

There are even English who counsel toleration of blasphemers.

Mary leans close to Lady Margaret.

MARY

Counsel toleration of beliefs other than your own.

HALLYBURTON

Like the serpent, these evil ideas insinuate their heathen way into our Scottish Eden. Even now, a blasphemer awaits justice in the Tolbooth.

MARY

(sotto voce)

Thomas.

HALLYBURTON (O.S.)

Some say ... "but he's just a lad."
No! An agent of Satan Himself!
Come to lead us from the Lord's path!

PARISHIONERS stand.

PARISHIONERS

Hang him! Hang him!

MURMURS, nods of assent.

HALLYBURTON

The boy was abetted by blasphemous
books ...

Mary stands, her head ashake; their eyes connect. She
hastens from the nave.

HALLYBURTON (O.S.)

... long banned by the Kirk and
Privy Council. I invite your
witness after service of a long
overdue ...

INT. ALCOVE CHAPEL - ST. GILES - NIGHT

Her face aglow, Mary kneels in prayer at a simple altar,
distant MURMURS of Hallyburton behind her.

EXT. ST. GILES - NIGHT

Mary joins her family at the edge of a CROWD. They ROAR.

MARY

What are they doing?

Another ROAR. She cranes to see over or around the crowd.
Tears stream down Lady Margaret's face.

LADY MARGARET

Mary, don't.

Mary sluffs her mother's grasp to insinuate her way toward
the center.

HALLYBURTON (O.S.)

The Principia. By the blasphemmer,
Newton!

The crowd ROARS again.

She reaches the center and sees --

A PYRE, fueled by BOOKS!

HALLYBURTON

A letter that tolerates blasphemy
by another Latitudinist, Locke!

She GASPS.

Near Hallyburton, Stewart stands chagrined. With maniacal glee, Hallyburton flips the thin volume on the pyre and reaches for the next. ROAR.

Flames lick the binding.

MARY

No!

She races to the pyre ... too late! Tears overrun her eyes as she watches fire consume the seminal book.

MARY

You had no right.

STEWART

Every right, Miss ... Fleming, is it?

Her eyes question, as if she has seen him before.

MARY

Aye.

STEWART

Sir David's daughter?

Mary nods. Her gaze returns to the flames.

MARY

Did you even bother to read this before you burned it?

STEWART

The Lord Advocate doesn't break the law, young lady. He prosecutes those who do.

MARY

You're James Stewart?

STEWART

Sir James.

She takes his measure, then meets his eye.

STEWART

You forget your manners, girl.

MARY

If that book be against the law, sir, then the law is an ignorant half-wit ...

Mary pushes out of the circle.

MARY
(sotto voce)
... and you with it.

Stewart's eyes narrow as he stares after her.

INT. TAVERN - NIGHT

Mungo and John sit with TWO EMPTY PITCHERS.

MUNGO
... So, Mary saw the sense of it.

He grins and quaffs the dregs.

JOHN
Methinks Thomas ill-served.

MUNGO
Where's the hurt? The Kirk makes their point. Thomas is footloose, learns to hold his tongue. The Fleming sisters marry well, Sir David happy, and we ...

He fills both mugs.

MUNGO
... we both profit from the transaction. Not to mention other pleasures.

They CLINK mugs together and John smiles.

JOHN
When you put it that way ...

EXT. STREET - NIGHT

John and Mungo stagger. Mungo squeezes John's shoulders.

MUNGO
Good brother, we need celebrate our braw fortune. And I know just the place ... Miss Marple.

JOHN
I thought her a rumor. Her establishment really exists?

Mungo LAUGHS. They tip their hats to acknowledge a MINISTER.

MUNGO

If you know where to find it.

JOHN

But what would Janet say? Or Mary?

MUNGO

Who cares? They're not here.

They turn up a narrow close, filth everywhere. DENIZENS of the night compel them to hold their purses secure.

EXT. BROTHEL - NIGHT

Mungo BANGS his fist on a door. A peep hole opens, two beady female eyes smile out. The peep hole SLAMS shut.

The door CREAKS open to reveal MISS MARPLE, an over-dressed middle-aged woman with scraggly hair and hook nose, her smile a tooth short.

EXT. STREET - NIGHT

The Bailiff and six SOLDIERS in formation, poleaxes shouldered, CLOP, CLOP on cobblestones.

Night PEOPLE and dogs scatter.

INT. BROTHEL - NIGHT

Mungo and John stagger into a warming room. A fire CRACKLES. Two young PROSTITUTES, wares displayed by loose shifts, recline on couches and cast seductive smiles at John.

MISS MARPLE

Mr. Craig 'tis ... and a friend.
Come in, young sirs. Warm
yerselves by the hearth.

John manages a silly grin.

JOHN

Another warmth, perhaps?

Miss Marple LAUGHS.

MUNGO

John ... my good brother to be.

MISS MARPLE

Yer to be married, are ye? Aye then, 'tis a special night. My best ... Colette and Frances.

COLETTE and FRANCES slink to fawn over John. Colette pushes her rival away.

COLETTE

This one's mine.

Mungo frowns.

MUNGO

Mary?

MISS MARPLE

Och. With another customer, she is.

MUNGO

My life story of late. I'll bide here.

He flops on a couch, leans back and closes his eyes. Frances does her best to score the trick.

EXT. STREET - NIGHT

The Bailiff's retinue CLOP, CLOP'S in unison on the cobblestones. They turn up Miss Marple's close.

INT. COLETTE'S ROOM - BROTHEL - NIGHT

Colette's shift drops. She lifts John's hand to fondle her breasts. She SIGHS, eyes dreamy.

INT/EXT. BROTHEL - CONTINUOUS

WARMING ROOM -- Frances, shift at her waist, massages Mungo's crotch. A faint CLOP, CLOP. Mungo's eyes pop open.

DOOR -- The Bailiff pummels. BANG, BANG.

BAILIFF

Open in the King's name!

WARMING ROOM -- Mungo bolts up and looks for escape. Frances covers her breasts, SCREAMS and runs for the stairway.

COLETTE'S ROOM -- John dances on one leg with his breeches. Colette, eyes terror-filled, covers herself, while at the --

DOOR -- Poleaxes hack. THWACK, THWACK. Chips fly.

ALLEYWAY -- Mungo dives headfirst out a window ... into garbage filth. Rats scurry. A faint THWACK. He runs.

DOOR -- It bursts open, BANG. Soldiers rush in, fan out, two up the stairway, just as on the --

STAIRWAY -- John rushes down and comes face-to-face with the business end of a poleaxe.

INT. PARLIAMENT HOUSE - DAY

Stewart writes. At last, he seats his quill and frowns up at John, his wrists shackled and head hung.

STEWART

My own clerk. A year from the bar
and without the sense God gave a
midge.

JOHN

I'm sorry, Sir James.

STEWART

Of that, I doubt not. What would
Sir David think? Or his daughter.

(muses)

I could have you flogged.

John looks up, eyes moist.

STEWART

Still ... you have given good
service these two years past.
Perhaps an agreement ... quid, pro,
quo?

JOHN

Agreement?

STEWART

I have it on authority that you are
acquainted with one Thomas
Aikenhead.

INT. CELL - TOLBOOTH - DAY

Fiona jumps up and curtsies to Mary. Taken aback, Mary lifts Fiona up and hugs her, then Thomas.

EXT. FLEMING TOWN HOUSE - DAY

Mungo at his side, John reaches for the knocker. The door jerks opens, revealing a startled Mary.

MARY

Mr. Neilson ... and Mr. Craig.

Both tip their hats.

JOHN

Good day, Miss Fleming, we've come to call. You're not leaving?

MARY

Alas, Hamilton duty calls. But Janet is within ... no doubt spinning her web. Do come in.

(over her shoulder)

James!?

As they pass, Mary leans in, whispers.

MARY

Might you be in over your head, Mr. Neilson?

John glances back, puzzled.

MUNGO

Could I accompany you on your inspection, Mary? There's much we need to speak of.

She fixes her gaze ahead as Mungo dogs after.

INT. KITCHEN - HAMILTON TOWN HOUSE - EVENING

Lit by the last rays of daylight, Mungo drinks in the room's ambience as Mary lights a candle.

MUNGO

'Twas here.

MARY

What?

MUNGO

You ... Thomas. I have a nose --

MARY

No affair of yours. Who ...?

He leers.

MARY

Janet.

MUNGO

By my word ... I do believe your sister a kindred spirit to my own.

MARY

Then marry her and leave me be.

He spies the cook's bedroom.

MUNGO

It started here ... ended there.

She grabs the candle and bolts for the door; he blocks her.

MARY

Let me pass.

MUNGO

We need to talk, lass.

MARY

To what effect?

MUNGO

We are to be wed.

She turns her back to rest the candle on a table.

MARY

If Thomas goes free.

MUNGO

Aye ... precious Thomas. I think I can guarantee that ... if Stewart be a measure.

Puzzled, she looks him in the eye.

MUNGO

The gouty old coot's no fool. He's close, that one. I'm sure of it. Threatened me with the Kirk and my soul.

(chuckles)

As if that would do him any good.

(and)

So you see, lass.

She gazes sidewise.

MARY

Talk about what?

MUNGO

Us. Our future. Together.

She studies the floor. He reaches out and touches her cheek. She flinches.

MUNGO

I have loved you from that first day. Even before I knew your name.

MARY

You show it oddly, sir.

His face clouds in pain.

MARY

Always your gaze undresses ... discomferts me. That awful night at my house. The little regard for a friend. Now this ... arrangement, you call it. Think you I forget?

MUNGO

You never use my given name, Mary. Why? Is it so hurtful? Say it.

She hangs her head.

MARY

(mumbles)

Mungo.

MUNGO

Louder.

MARY

Mungo.

She turns her back; he reaches for her.

MUNGO
Always you turn away.

Spins her around.

MUNGO
Why?

He backs her into the table and kisses her. Her face turns away. He continues on her cheek and neck.

Her HAND grasps the table, KNUCKLES white.

MARY
No.

Cups a BREAST.

MARY
No!

Inches her DRESS upward ... upward. HAND on her THIGH.
Struggle. He holds on. Pinned! Knee between her legs.

MUNGO
(ragged)
Mary.

MARY
Stop!

Bent backward, she reaches ... searches ... anything!
Whimpers.

MARY
Please God, make him stop.

A JAR. Spills! Fumble ... fumble. The SOUP LADLE.

She swings -- DONG.

Mungo pulls back, dazed.

MARY
Bastard!

Mary swings again, two-handed, full force -- THUD.

Blood spurts.

Again -- THUD.

MUNGO

Damn you!

He SLAPS her ... hard. She teeters, sprawls.

The ladle CLATTERS.

Mungo staunches blood, staggers toward the front door.

MUNGO (O.S.)

Deal off, bitch!

Mary slumps with uncontrollable, racking SOBS.

MARY

Thomas ... Thomas.

SLAM.

INT. GREAT ROOM - FLEMING TOWN HOUSE - NIGHT

Janet, John and Lady Margaret discuss nuptial plans.

LADY MARGARET

The garden would be perfect. The two of you will make such beautiful brides.

JANET

But Mother ... that means June at the earliest.

Eyes plead. She wheedles to John.

JANET

Seven months?

He shrugs.

LADY MARGARET

Really, Janet. We need at least that much time. The two of you? We have to order the dresses, arrange for --

The front door SLAMS. Mary stumbles in, eyes red and cheek swollen.

LADY MARGARET

Mary! What happened?

Lady Margaret hurries to embraces her.

MARY
I'm sorry, Mother ... I can't. I
just can't do it.

Janet's face questions.

JANET
You didn't.

Mary nods.

MARY
'Tis over. Everything.

JANET
Not again!

Janet pulls John up and drags him toward the entry. She eyes Mary in passing.

JANET
You're a ... a witch.

SLAM.

MARY
'Twas Mungo ... he tried to take
me. I wasn't strong enough to let
him.

Lady Margaret rocks her.

EXT. FLEMING TOWN HOUSE - MOMENTS LATER

Lamplight bathes Janet and John in soft light. She CRIES on his shoulder as he comforts.

JANET
If it depends on her, I'll never be
wed. I hate Mary.

JOHN
You don't mean that. She is blood
of your blood.

JANET
Can we go?

JOHN
Where?

JANET
Anywhere ... away from her.

JOHN
Maybe ...

She shivers.

JANET
What?

He wraps her in her cloak.

JOHN
Maybe there's still hope.

INT. STUDY - FLEMING TOWN HOUSE - NIGHT

Lady Margaret paces. Sir David's head hangs.

SIR DAVID
How could I have been so wrong
about Mungo?

LADY MARGARET
Too blinded you were by a high born
name. 'Tis time you learned
character is no gift of birth, but
be earned from life.
(and)
What will you do?

SIR DAVID
Craig's worked his last for me.

LADY MARGARET
That's all he gets for trying to
rape our Mary? The sack? 'Tis a
sorry day I learn my husband has
such little regard for his own.

She storms out.

INT. MUNGO'S FLAT - NIGHT

Mungo holds a blood-soaked rag to his head as he opens the
door. Janet covers her eyes to the sight.

JOHN
What happened?

JANET
Oh, no.

MUNGO
Her sister's what happened. She's
a curse.

Mungo swigs from a bottle.

INT. MUNGO'S FLAT - LATER

Mungo sits, Janet poised above, needle and thread in hand.
He takes a hit from the bottle.

MUNGO
Ye know what ye are at?

John drains the dregs from a glass as he staggers to inspect.
She removes the rag with her pinkies; her face contorts.

JANET
Aye ... if this were the hem of my
dress. On three now. One ...

JANET (takes a stitch) Two ...

MUNGO Ouch! Ye lying cheat!

She LAUGHS with maniacal glee.

JANET
I always wanted to do that.

Mungo fills John's glass.

MUNGO
Who taught ye that wee trick?

JANET
My mother.

She continues to stitch.

MUNGO
Ow!

JANET
Why are men such bairns?

John leans in and wavers.

JOHN
A right yeoman's job. Ye should be
an apoth ... apotha ... apothecary.

MUNGO
Easy for ye to say.

John GIGGLES and chug-a-lugs. Mungo refills, then takes a swig himself.

JANET
You had enough, John.

MUNGO
Quiet, my dear.
(waves the bottle)
Man's work.

John slumps in a chair. His eyes droop ... droop ... close. He slides to the floor in a heap.

JOHN
Eh?

SNORT ... SNORE.

Mungo LAUGHS.

MUNGO
The lad's nay one to hold his
spirits.

Janet SIGHS, ties the stitches tight and bites thread, her BREASTS inches from his face. Thread severed, she straightens to see where he gazes.

He drags her onto his lap. Struggle.

JANET
Let me go.

He LAUGHS.

MUNGO
I just want to thank ye, lass.

He kisses her neck. SNIFF. Intoxication. Lust.

JANET
Stop!

BREASTS strain her bodice. He grabs. RIP. SKIRL.

She stabs his leg with the needle. GRUNT.

MUNGO
Damn Flemings!

He reaches for the needle. Free! Run!

He catches her wrist, drags and throws her. THUD.

Dazed.

Stands over her, eyes lust-glazed. Releases breeches.

She SOBS.

JANET
John! Help me! John!

Between her legs. RIP. RIP!

His FACE near ... nearer. SCREAM. His EYES roll back.

MUNGO
Mary. Oh, Maarrry.

INT. MUNGO'S FLAT - LATER

Janet SNIFFLES, her face red, puffy. She throws on her wrap and looks down at John. He SNORES.

She kicks him in the stomach, THUD.

JOHN
Huh?

Again, hard, THUD.

JOHN
Uh. What?

SNORE.

JANET
How could I have loved you?

INT. MARY'S ROOM - FLEMING TOWN HOUSE - NIGHT

Mary, propped in bed, reads Locke's Letter.

LOCKE (V.O.)
... no private person has any right
in any manner to prejudice another
person in his civil enjoyments,
because he is of another church or
religion ...

MEMORY FLASH

A HANGMAN kicks the ladder from under a terrified gray-haired old WOMAN in a black dress. Her neck SNAPS; body sways.

LOCKE (V.O.)
 ... All the rights and franchises
 that belong to him as a man ... are
 inviolably to be preserved to him.
 These are not the business of
 religion ...

The CROWD and Mary CHEER; they throw rotten fruit.

A MINISTER nails "WITCH" to the gibbet.

LOCKE (V.O.)
 ... No violence nor injury is to be
 offered him, whether he be
 Christian or pagan --

Soft KNOCK, KNOCK.

BACK TO SCENE

Mary, eyes misty with shame, glances to the door.

JANET (O.S.)
 (tremulous)
 Mary? Are you awake?

MARY
 Janet? What --

Filtered SOB.

JANET (O.S.)
 Please?

Mary races to the doorway.

Janet, her dress a shambles, tumbles in and SOBS. She hugs Mary. Mary ... taken aback ... hesitates ... hesitates ... enfolds her sister ... strokes her back and rocks her.

MARY
 'Twas Mungo.

JANET
 You were right about him.

Mary leads her toward the bed.

MARY
'Tis my fault. I should have
warned you.

Mary cradles Janet's head and strokes her.

MARY
Did he ...?

Janet nods, SNIFFLES.

MARY
It must have been awful for you.
Your first time ... like that.

JANET
I was stitching his head. What did
you use? It made a terrible gash.

MARY
Soup ladle.

Janet GIGGLES through her tears.

MARY
You'd be surprised what you can do
with it.

JANET
Oh, how I wish I'd had one.

She SNIFFLES.

JANET
What will I do, Mary? What's to
become of me?

MARY
Where was John during all this?

JANET
Drunk on the floor. Useless
bastard.

Janet bolts up.

JANET
Don't tell Father ... or Mother. I
couldn't bear them to know my shame
before God.

MARY

No, no ... do not think it. You are not shamed by God. 'Twas Mungo ... Mungo alone. That is why we must tell. 'Tis the only way that he will receive his due reward.

Janet nods. They hug.

JANET

I love you, Mary. Can you forgive me for what I've done?

A beat.

MARY

I love you, too. Now ... let's get you to bed.

INT. STUDY - FLEMING TOWN HOUSE - DAY

Lady Margaret gazes out the window. Sir David paces.

LADY MARGARET

Is there nothing we can --

KNOCK, KNOCK.

MARY (O.S.)

May we come in, Father?

Their eyes question, lock together.

The door swings open. Two battle-worn sisters hold tight to each other.

Lady Margaret GASPS, but her eyes smile.

LADY MARGARET

Mary, Janet ...?

MARY

Father, Mother ... there's something you must know.

INT. FLEMING TOWN HOUSE - MOMENTS LATER

Paintings ... Bass Rock ... Leith Harbor ... Arthur's Seat ... hang on a wall. MURMURS from the study. Filtered SOB.

LADY MARGARET (O.S.)
 God, No! Janet, dear!

INT. STUDY - FLEMING TOWN HOUSE - DAY

Sir David sits alone, head hung. His FIST opens, closes tight and shakes; KNUCKLES turn white. He pounds the desk, BAM ... a candelabra CLATTERS.

He eases open a drawer. A DIRK. He pulls it from the scabbard; the BLADE flashes in sunlight.

Determination creeps over his face.

The Tall Herder appears at the doorway, hat in hand.

TALL HERDER
 Ye sent for me, sir?

EXT. UNIVERSITY - DAY

Mary and Phillip wait below steps in cold, cloudless sunshine.

MARY
 Thomas showed me the depositions.
 You have read them?

PHILLIP
 Aye. I fear they leave little room
 for doubt. Unless we --

MARY
 You noticed nothing amiss?

He shrugs.

She stares heavenward.

MARY
 What color would you say the sky
 was?

He follows her gaze, puzzled.

PHILLIP
 Why ... blue. Yes, deep blue.

She indicates the skyline.

MARY

Yet, there it be ... nearly white
with black chimney smoke.

PHILLIP

Your point ...?

MARY

That the two of us could not agree
on the color of the sky set fresh
upon our eyes ... yet, days later,
those two boys remember everything
Thomas said ... in the same order,
with much the same words.

(and)

Do you not find that peculiar?

In the distance, St. Giles TOLLS the hour.

PHILLIP

Are you suggesting the Lord
Advocate would stoop to chicanery?

MARY

A man who burns books is a man a
weasel could call brother.

BOISTEROUS STUDENTS tumble out, amongst them, Pat and Rob.
They see Mary and Phillip, hesitate, then speed by.

PHILLIP

Mr. Potter, Mr. Middleton ... a
word? Please?

Phillip dogs after Pat.

Mary catches Rob's arm.

MARY

Rob ... you're his friend.

ROB

There's nothing I can do, Lady
Fleming.

MARY

You would let Thomas die an unjust
death?

Tears well in his eyes.

ROB
 Please, ma'am ... they are too
 powerful. My father ...
 (shakes his head)
 There's nothing I can do.

He breaks away. To his back --

MARY
 Tell the truth?

INT. GREAT ROOM - FLEMING TOWN HOUSE - NIGHT

Mary and Janet stand as James leads John, all smiles, into
 the room.

JAMES
 Mr. Neilson to see you, Miss Janet.

JOHN
 Janet ... and Mary? You have
 reconciled? A happy day.

JANET
 You bast --

Mary stops her.

His smile wanes.

MARY
 How good of you to call, Mr.
 Neilson.

JOHN
 Uh ... 'twas unforgivable of me to
 fail in my duty to escort you home,
 Janet. Can you forgive me?

Janet brushes past Mary.

SLAP.

MARY
 Janet, no!

JANET
 That's for not escorting me home.

Again. SLAP.

JANET
That's for being drunk on the
floor. And this ...

Knuckles to his nose, CRACK. John slumps. Blood oozes.

JANET
... is for doing nothing whilst
Mungo ...

Janet WEEPS.

JANET
... whilst he ...

JOHN
No ... it can't be.

He scampers to his feet, reaches for her.

JOHN
Janet ...

She sluffs his hand away.

JANET
Leave me alone.

JOHN
I didn't know. I'll kill him.

MARY
No, John ... no. 'Tis taken care
of. But you can aid us in another
way. You --

JANET
You can testify for Thomas at his
trial. The things you told me.
About his words just being talk
amongst friends at the tavern.

JOHN
But ... but I can't do that ... not
now.

MARY
Can you not tell the truth?

JOHN
Stewart is forcing me to testify
against Thomas.

Mary GASPS.

JANET

But how can that be? He didn't
know who left the note.

JOHN

No, I ... I was arrested ... at ...

He hangs his head.

JOHN

Miss Marple's. He holds my future
in his hands, Janet.

JANET

Get out. Get out, you snake ...
and stay out. I never want to see
you again.

Janet embraces her sister.

MARY

There is no one, now. Thomas ...
my heart ... I have failed you.

INT. CELL - TOLBOOTH - DAY

Mary and Thomas kiss in a tender embrace for long seconds.
At last, Mary turns away and frets.

MARY

Not one of your friends will stand
with you against the Kirk.

THOMAS

Even Rob?

MARY

None.

THOMAS

Then I am a dead man.

MARY

No. We need have hope.

THOMAS

What we need is a miracle ... or
Locke himself to plead my case.

She is thunderstruck.

MARY

That's it.

THOMAS

A miracle?

MARY

No ... John Locke.

THOMAS

The trial is little more than a fortnight away. Even if you could find him in time, he would never agree to come to Scotland ... the backwater of the universe.

MARY

I love you, Thomas. I won't give you up to zealots and book burners.

They embrace.

IN THE PASSAGEWAY

The Portly Guard listens.

EXT/INT. HALLYBURTON RECTORY - NIGHT

Hallyburton stares through his rain-spattered window. KNOCK, KNOCK.

HALLYBURTON

Come in.

The door opens to reveal SAMUEL BARTON, an unkempt man in his thirties, with vacuous dark eyes and frumpy hat in hand.

HALLYBURTON

Ah, Mr. Barton ... do come in. A task I have to match your ... talents.

He gestures toward an empty chair.

EXT. DOCK - DAY

Cold dawn sunshine bathes the clouds and a TWO-MASTED BRIG, the North Star, in red and orange.

A carriage pulls astride the bustling ship. Sir David helps Lady Margaret and Mary down. Breath frosts.

SIR DAVID

A fortnight ... less I expect. We should return well before the trial.

Janet hops down. She gawks as OFFICERS SHOUT and COMMAND.

Sir David nods in her direction.

SIR DAVID

(to Mary)

'Twas a fine idea to bring Janet.

STEVEDORES busy themselves with baggage, the Fleming women an attractive diversion.

Lady Margaret clings to her husband's arm.

LADY MARGARET

I've been so worried about her these past days. The sea air and travel will do her good ... help her forget.

Janet joins her family.

JANET

Our first ocean voyage ... and to London. Will there be time to shop ... I mean once you find Mr. Locke?

MARY

Aye, I think so.

JANET

What can we get you for Christmas, Mother?

She leans in, ogles Lady Margaret's bonnet.

JANET

I know ...

SIR DAVID

'Tis time ye lasses say your good-byes and board the Star.

Lady Margaret embraces both her daughters.

MARY

Look in on Thomas whilst I am gone? He is alone, save his aunt.

LADY MARGARET
 I will, dear. Good luck, and
 Godspeed.
 (to Janet)
 And you ... do not give your father
 and sister too much trouble.

Janet looks the innocent as she hands her mother a package.

JANET
 Give this to Thomas for me?
 Perhaps he will find some comfort.

Lady Margaret opens the package.

LADY MARGARET
 Your Bible.

The two sisters amble toward the gangway arm-in-arm.

Sir David embraces his wife. They kiss ... but not like an
 old married couple.

SIR DAVID
 Hold that thought? For my return?

She LAUGHS, then looks after her daughters. He follows her
 gaze.

LADY MARGARET
 'Tis good to see them sisters
 again. No mother could be prouder.

EXT. NORTH STAR - LATER

Sir David and Mary watch the dock pull away. Lady Margaret
 waves in the distance. They wave back.

MARY
 Thank you, Father. I don't know if
 I could have done this myself.

Their eyes lock together.

SIR DAVID
 I do.

Mary smiles and hugs his arm.

SIR DAVID

Besides, 'tis a chance to find new markets in England ... whilst you visit Locke.

Just as they turn from the railing --

Barton smiles, tips his frumpy hat.

BARTON

Seems we're to be shipmates, sir ... miss. Barton's the name.

(and)

Fine day for a sailin', is it not?

EXT. OATES MANOR - DAY

Mary steps from a carriage, takes in the expanse of the main house and dependencies. She sucks in a breath, as if to gather courage, then to the DRIVER --

MARY

Wait?

DRIVER

Yes, mum.

She mounts the steps and BANGS the knocker.

INT. DRAWING ROOM - OATES MANOR - DAY

JOHN LOCKE, sixty-four, pasty white, prominent nose and intelligent dark eyes reclines with blanket in a settee, quill poised above paper, attended by --

Damaris Cudworth, LADY MASHAM, thirty-seven, handsome if not pretty, dressed and wigged in fashionable style.

LADY MASHAM

I don't care what you say.
Worcester's Discourse doesn't
deserve ...

HAROLD, a servant, appears at the doorway.

LADY MASHAM

... a response. Especially in your
condition.

(and)

Yes, Harold?

HAROLD

Lady Masham ... a Miss Mary Fleming
to see Mr. Locke. Shall I show her
in?

Locke and Lady Masham exchange questioning glances.

HAROLD

And if I may say so, sir ... a
right bonny Scottish lass she is.

LADY MASHAM

By all means, Harold, let us see
this young lady. And we shall take
tea I think.

Harold bows.

She cocks an eyebrow at Locke.

LADY MASHAM

Whatever have you been up to, John?

Locke shrugs, then shakes his head.

LOCKE

Met an Andrew Fletcher ... of
Saltoun I believe ... whilst exiled
in Holland. Don't believe I know a
Fleming.

Harold appears with Mary.

HAROLD

Lady Masham, Mr. Locke, may I
present Miss Mary Fleming ...
daughter of Sir David Fleming of
Edinburgh.

Mary curtsies.

Lady Masham rises. Locke struggles to get up.

MARY

Oh please, sir. You are ill. Do
not arise on my account.

Lady Masham smiles, gestures toward a chair as Locke slumps
back into the settee.

LADY MASHAM

Come, join us for tea, Mary. And tell us the reason for your most agreeable visit.

MARY

I had come in hope of persuading Mr. Locke to accompany me to Edinburgh ... but now ...

LOCKE

For what purpose ... this journey?

MARY

You were ... are ... my last best hope of saving my love from his accusers.

LADY MASHAM

Love ...?

MARY

Thomas ... on trial for his life. In nine days time ...

She hangs her head.

MARY

... for blasphemy ...

She looks Locke in the eye. Words tumble.

MARY

... but he is guilty only of reading books on philosophy ... and then discussing them forcefully with his classmates.

LOCKE

These books he read ... did they perhaps include ...?

MARY

Yes ... your Essay and Letter Concerning Toleration.

LOCKE

In Scotland, therefore, I am a blasphemmer?

Mary nods.

LOCKE

Reason enough, I think, were there
not another, to forbear in this
journey. Why did you think that I
could help?

MARY

Toleration. 'Twas your Letter
Concerning Toleration.

Harold arrives with tea. Lady Masham pours.

LOCKE

You read it?

MARY

Every word. Twice.

Locke and Lady Masham glance at each other.

LOCKE

(Latin w/subtitles)

Indeed. Then perhaps you could
tell me the part you esteem most
highly.

Lady Masham smiles as she hands a cup to Mary.

Mary stirs a lump of sugar and meets Locke's eyes.

MARY

(Latin w/subtitles)

"Absolute liberty, just and true
liberty, equal and impartial
liberty, is the thing that we stand
in need of."

LADY MASHAM

Here, I think ... is a young woman
to my own heart.

(to Mary)

You must stay the night, my dear
... so we may talk more fully.

Mary smiles.

INT. OATES MANOR - DAY/NIGHT/DAY

MONTAGE - MARY LEARNS FROM THE MASTER

- In the drawing room, Mary points out a passage from the Letter to Locke. He nods, gestures, then expounds. Lady Masham enters the discussion as she pours tea.
- Locke throws off the blanket, rises on shaky legs and paces as he expounds. Mary takes notes in her copy of the Letter.
- They take dinner at an elegant candlelit table. Mary questions as Harold serves. Locke and Lady Masham are attentive but share a timeless glance. Mary notices.
- Mary rereads the Letter by candlelight in bed.
- Mary kneels in prayer at her bedside. She gets in bed and blows out the candle.
- Locke shakes a fist as he explains a point to Mary at breakfast. Lady Masham laughs. Locke blushes.

EXT. RIVERSIDE - DAY

Bundled against morning cold, Mary and Locke saunter a pathway in unheard conversation.

They sit at a bench; PIGEONS gather at their feet. Lost in thought, Locke searches his coat to find a bag of bread. He tosses crumbs to the COOING flock.

LOCKE

I envy Thomas. Were I forty years younger, I'd hang him myself and snatch you for my own.

Mary takes his arm and LAUGHS.

MARY

Lady Masham would have something to say about that.

LOCKE

A nurturing friend ... and colleague.

MARY

Something much more, I think.

He smiles and hands the bag to Mary.

LOCKE

I've had many students over the years, Mary. None better than you.

Pigeons feast on crumbs she cups in her hand.

EXT. OATES MANOR - DAY

Mary watches as Harold loads her baggage in a carriage. Mary hugs Locke and Lady Masham.

LADY MASHAM

You and Thomas will be in our prayers.

LOCKE

I wish I could come with you. I should have enjoyed doing battle with your Lord Advocate. But you are ready, Mary. Ready in my stead.

MARY

Words cannot say how much I am indebted to you both.

LADY MASHAM

Nonsense, girl. Your only debt is a letter.

Mary climbs in the carriage.

MARY

(mouths)

Thank you.

Whip SNAP -- the carriage pulls away. Mary waves.

INT. CELL - TOLBOOTH - DAY

Lady Margaret's hooded form stands in the doorway, silhouetted. She peers into gloom.

THOMAS (O.S.)

Mary?

LADY MARGARET

Searching for Locke. I come in her place ... at her behest.

She throws her hood down. The door CLUNKS closed.

Thomas drops to his knees at her feet.

THOMAS

Forgive me, Lady Fleming ... please
... forgive me. I could not help
but love your Mary.

She reaches ... tentative ... remembrance ...

LADY MARGARET

I know, Thomas ...

Her HAND on his head -- a single TEARDROP splashes.

LADY MARGARET (O.S.)

I know.

EXT. CORRAL - DAY

Mungo climbs to stand astride the topmost rail of a pen. He counts sheep.

A HAND reaches up -- yanks him flat. Struggle.

CLUB swings. THUD. Dazed.

Two HERDERS drag Mungo -- to the FIRE.

Breeches yanked. Knee in the chest. Another to the neck. Arms pinned.

A BLADE flashes.

EYES filled with terror.

MUNGO

No!

A blood-curdling SCREAM. Gruesome SIZZLE. Smoke wafts.

Mungo MOANS and writhes in agony.

TALL HERDER

Yer rapine days are done, Mr.
Craig. Oh ... and Sir David says
to say yer sacked, and if ye come
within an arm of his family again
ye'll be dead the next noon.

Bloody testicles THUMP in the fire -- SIZZLE.

INT. DRESS SHOP - DAY

Janet stands in front of a full-length mirror, turns side-to-side, studies a royal blue dress she holds against her. Eyes plead with her father.

Sir David smiles.

INT. BOOK SHOP - DAY

Mary runs her finger down a row of books, stops and GASPS. She draws John Locke's "ESSAY CONCERNING HUMAN UNDERSTANDING" from the shelf.

Mary looks heavenward as she clasps the book to her breast.

EXT. MILLENARY SHOP - DAY

Amongst the bonnets in the window, a blue one with scarlet ribbon. The SHOPKEEPER points to the bonnet; Janet smiles and nods. The Shopkeeper lifts it from the display.

INT. KITCHEN SHOP - DAY

Janet and Sir David stroll an aisle. Janet stops and gawks upward in wonder.

JANET
Father ... look.

Sir David stares up in puzzlement at -- an iron SOUP LADLE.

EXT. STREET - DAY

Mary ambles near a carriage adjacent to an alley, lost nose-deep in Locke's book.

In the distance, Janet and Sir David window shop.

EXT. ALLEY - MOMENTS LATER

A MAN in a frumpy hat creeps in stealth toward the street, Mary ahead. He reaches under his coat and draws a DIRK. Ten feet to the street ... five --

EXT. STREET - CONTINUOUS

Mary looks up to see Janet wave. She waves back.

Frumpy Hat charges, the dirk raised high.

JANET

Mary!

Janet and Sir David sprint.

A stick SNAPS. Mary looks, ducks.

SWISH. Missed!

Uppercut with Locke's book. THUD. He staggers back.

Janet unwraps a package as she runs.

Frumpy Hat recovers, closes, back to a charging father.

THUNK -- Impact. Head snaps. They sprawl. Dirk CLATTERS -- Frumpy Hat scrambles after.

Sir David draws his dirk, but --

WHOOSH -- the SOUP LADLE plunges -- DONG.

JANET

What you get ...

WHOOSH, DONG. Blood spurts.

JANET

... when you menace ...

A mighty wind-up. WHOOSH, THUD! He collapses face down.

JANET

... my sister!

Sir David turns the attacker over, knee in his chest.

SIR DAVID

Barton!?

Sir David menaces Barton's throat.

SIR DAVID

Who sent you?

Dazed, Barton opens his eyes.

Janet considers the business end of her weapon.

JANET

I see what you mean, Mary.

EXT. NORTH STAR - DAY

Mary, Janet and Sir David watch by dawn light as the dockyard recedes. A COOK passes by with a GUTTED FISH.

Mary SNIFFS, turns woozy.

Janet glances at her sister.

JANET

You don't look well.

Mary GAGS, hangs her head over the side. BRACK. BRACK.

SAILORS SNICKER.

JANET

Ewww. How can you be seasick already?

INT. COURTROOM - DAY

SPECTATORS include the Flemings, Fiona, and CHURCHMEN, headed by Hallyburton. CHATTER, MURMURS.

THUMP. THUMP. THUMP. The Bailiff's staff crashes.

Silence. Booming voice of Clerk COCKBURNE.

COCKBURNE

All rise for the High Court of Justiciary!

Lord Justice General CAMPBELL, a puffy-jowled sixty, leads three other LORDS to a semi-circular bench.

Campbell BANGS a gavel. All sit.

He shuffles paper, then peers at the JURY.

CAMPBELL

Is the Crown ready, Sir James?

Stewart bows.

STEWART
It is, m'lord.

CAMPBELL
And you, Mr. Branston?

Phillip bows.

PHILLIP
Ready, m'lord.

CAMPBELL
Sir James, you may pro ... uh ...

He regards Thomas.

CAMPBELL
This is the defendant ...
(glances at indictment)
Thomas Aikenhead?

Stewart nods.

Campbell leans forward and beckons.

CAMPBELL
Approach the bench.

Phillip follows Stewart.

CAMPBELL
This indictment makes it sound like
we have Satan himself on trial.
All I see is a lad of ...

Peers around Stewart.

CAMPBELL
What? Twenty?

PHILLIP
Nineteen, m'lord ... just.

STEWART
I remind your Lordship that neither
blasphemy act sets an age limit.
"Whosoever not being distracted in
his wits."

CAMPBELL
Aye, aye ... but parliament had no
intention of hanging bairns.
(cocks an eyebrow)
(MORE)

CAMPBELL (CONT'D)
Have you nothing better to do with
your time, Sir James?

Stewart SIGHS.

STEWART
The Kirk, m'lord.

Campbell searches Hallyburton's eyes. A black scowl answers.

CAMPBELL
Very well. We'll see where this
leads.

He sits back. BANG.

CAMPBELL
You may proceed, Sir James.

INT. COURTROOM - LATER

Stewart limps along the jury box.

STEWART
... Finally, I will show that the
defendant, Thomas Aikenhead ...

He indicates Thomas with his cane.

STEWART
... knowingly railed against God,
the Holy Trinity, scriptures and
revealed religion ... and,
therefore, deserves the full and
complete penalty of the law.

INT. COURTROOM - LATER

Stewart grimaces, sits on the bar and leans on his cane.

STEWART
Well? The court is waiting.

Nervous, Rob glances at Thomas.

MEMORY FLASH

In the tavern, Thomas pours the last of a pitcher, sets it
down with a CLUNK.

BACK TO SCENE

ROB

He ... Thomas said the scriptures
have as many contradictions as
pages.

STEWART

There now. Is the truth so hard,
Mr. Potter?

Rob shakes his bowed head.

Stewart nods toward Phillip.

PHILLIP

Were you corrupted by Thomas'
discussion that night?

ROB

Sir?

PHILLIP

I mean, did his talk make you want
to turn from the church?

Rob smiles. Relief. He glances at Thomas.

ROB

Why ... no, sir. We had debates
such as these every evening. Just
tavern talk 'twas. Nothing more.

Stewart frowns.

INT. COURTROOM - LATER

Stewart limps toward the bar.

STEWART

Then Mr. Aikenhead railed against
the Holy Trinity, did he not?

John wipes sweat from his brow, then glances with wistful
eyes over his shoulder at Janet.

Janet returns his glance with an icy glare.

Stewart TAPS the bar with his cane.

STEWART

The court is on this side of the
bar, Mr. Neilson.

JOHN
Sorry, sir. Then Thomas ... Mr. Aikenhead said the notion of Jesus as the Son of God ... a God-man ... was as contradictory as a square triangle.

GASPS. MURMURS.

JOHN
But --

Stewart waves him off.

CAMPBELL
Cross-examine, Mr. Branston?

Phillip bristles to the bar.

PHILLIP
How are you employed, Mr. Neilson?

JOHN
As a law clerk.

PHILLIP
Oh? Who do you clerk for?

Helpless, John glances at Stewart.

JOHN
The Lord Advocate.

Phillip smiles, glances at the Jury.

PHILLIP
No further questions, m'lord.

INT. COURTROOM - LATER

Mungo regards Sir David with eyes brimmed with hate. Sir David's eyes return Mungo's hate with impassive resolve.

Stewart leans against the Jury box and TAPS the railing with his cane.

Mungo winces in pain as he turns.

STEWART
Mr. Craig, was there a time that evening when the defendant mocked theology?

MUNGO

Aye, sir. He said ... theology was a rhapsody of feigned and ill-contrived nonsense.

(and)

I remember thinking it strange, Sir James ... because theology is Thomas' field of study.

STEWART

Indeed. One last question, Mr. Craig. Did the defendant relate God The Almighty with nature?

Mungo leers at Mary.

MUNGO

He did, sir. His exact words were "God, the world and nature are but one thing ... and God cares not what we do."

JURY members GASP.

A CHURCHMAN bolts up.

CHURCHMAN

Blasphemer!

Spectators CHATTER as they nod. MURMURS.

THUMP. THUMP.

BAILIFF

Quiet in the court!

EXT. PARLIAMENT HOUSE - DAY

The Flemings gather on the courthouse steps, Sir David in animated discussion with Mary.

Stewart pushes through the doors and limps down the steps.

Sir David looks up, sees Stewart and breaks away from his family. He meets Stewart in heated discussion. Stewart's eyes grow wide in anger. He turns to see --

Hallyburton coming down. His cane CRACKS on the steps.

STEWART

I should be trying that meddling fool ... not Aikenhead.

INT. COURTROOM - DAY

Mary at the bar, Bible in hand. Phillip smiles at Mary and turns away.

PHILLIP

No more questions, m'lord.

Stewart leans on his cane to rise. An assistant ADVOCATE tugs his arm.

ADVOCATE

Be careful, Sir James.

Stewart SNORTS, leans over and whispers.

STEWART

Of a woman?

He limps to the bar.

STEWART

You testified you have known the defendant for two and half years. That he was intelligent, hard working and ... as I recall ... of a good temperament. Is that right, Miss Fleming?

MARY

Aye.

STEWART

Tell me. How much of that time have you been in love with Thomas Aikenhead?

A collective GASP in the courtroom.

MARY

Two and a half years.

She gazes into Thomas' eyes.

MARY

I could love no other.

Stewart smiles at the Jury.

STEWART

Why should the jury believe the testimony of a woman who wants to save her love from the gallows?

MARY

Because I have sworn before God to tell the truth. You, sir ... have not.

MURMURS from Spectators. Flash of anger.

STEWART

You imply --

MARY

Nothing. I merely observe the facts, which everyone can see. I have a Bible here. Would you care to swear now?

LAUGHTER from Spectators and Jurors.

Campbell leans to the lord on his right.

CAMPBELL

One for the lass.

STEWART

Officers of the court are presumed truthful.

He softens.

STEWART

Methinks you read too many books, Miss Fleming. An occupation unbecoming a woman. Knowledge is enemy to faith.

MARY

No, sir. Faith is all we have left when knowledge fails us.

MURMURS.

MARY

As for the truthfulness of advocates, sir. They are not motivated by truth, but by one thing alone ... to win their case.

(MORE)

MARY (CONT'D)
 You would not be the first, Sir
 James, to bend the truth in his
 favor.

Spectators CHATTER. MURMURS.

STEWART
 Outrage!

THUMP. THUMP.

BAILIFF
 Quiet!

CAMPBELL
 I warn you, Miss Fleming. Confine
 yourself to answering the Lord
 Advocate's questions.

Stewart seethes, limps opposite Hallyburton, breathes out,
 then calms. His eyes lock with Hallyburton's. A tiny smile
 creeps over Stewart's face.

STEWART
 However you may think I have
 twisted the truth, Miss Fleming,
 four witnesses have written
 depositions and testified that your
 beloved blasphemed God and the Holy
 Trinity. How do you explain that?

MARY
 I do not. Thomas was merely
 discussing what he had read in
 books with his classmates. And if
 it were otherwise ... it would
 matter not.

Eyes still locked with Hallyburton, Stewart nods, smiles.

Now Hallyburton seethes.

STEWART
 He discussed these books with you?

MARY
 Aye ... and I have read many of
 them myself. 'Tis how I know what
 happened that night in the tavern,
 though I was not there.

STEWART

Perhaps you could pick one and explain it to the court, Miss Fleming.

Hallyburton bolts up.

HALLYBURTON

This is a trial, not a debate!

STEWART

You are in my church now, sir! Sit down and shut up!

He motions to the Bailiff, who menaces Hallyburton.

Mary glances over her shoulder at Hallyburton.

MARY

Aye, I know just the one he needs to hear about ...

Gazes at Stewart.

MARY

... one the two of you burned that dreadful night. Written by a man I spent a day with not a fortnight ago ... John Locke.

Campbell leans forward in his seat.

Mary fixes Campbell in a forceful gaze.

MARY

Men boast of the pomp of their worship, the reformation of their discipline, the orthodoxy of their faith. But I tell you now that these are marks of men striving for dominion over one other, rather than the Church of Christ.

She turns contemptuous eyes upon Hallyburton.

MARY

Ask yourself why 'tis you seek the blood of men who do not believe as you. Is it for their salvation? No. True salvation comes through the inward persuasion of the mind, without which nothing can be acceptable to God.

To Stewart.

MARY

Nor can the magistrate be in the care of souls. For 'tis one matter to persuade a man in your beliefs, another to command, one thing to press with arguments, another with penalties.

Back to Campbell.

MARY

You have no right to try Thomas for blasphemy because parliament has no sovereignty over a soul ...

Spectators TALK and MURMUR.

Tears streak Lady Margaret's cheeks. Her eyes shine at Mary.

MARY

... the care of which is given to each man by God alone!

INT. CELL - TOLBOOTH - NIGHT

A miniature YULE TREE decorated with ribbons.

MONTAGE - CHRISTMAS CELEBRATION

NOTE: Music of the ancient carol "Joseph Dearest, Joseph Mine" builds during this scene and continues in the next.

-- Mary, Thomas, Janet and Fiona laugh and giggle over a board game.

-- A Christmas feast of meat, bread and wine.

-- Thomas opens a present from Mary, the book she bought in London. He weeps.

-- Janet hugs Thomas at the door, pecks him on the cheek.

-- Mary and Thomas share a lover's kiss alone.

EXT. FLEMING TOWN HOUSE - NIGHT

The Fleming family listens to STREET CAROLERS sing.

CAROLERS

... "Peace to all that have
goodwill! / God, who heaven and
earth doth fill, / Comes to turn us
away from ill, / And lies so still /
Within the crib of Mary. /

(and)

He came among us at Christmastide, /
At Christmastide, in Bethlehem; /
Men shall bring Him from far and
wide / Love's diadem: Jesus, Jesus, /
Lo, He comes, and loves, and saves,
and frees us!" / ...

INT. COURTROOM - DAY

Cockburne opens the verdict.

COCKBURNE

The jury does unanimously find it
proven that the defendant, Thomas
Aikenhead, has railed against God
and the Holy Trinity ...

Lady Margaret enfolds Mary.

MARY

No ... no ... no ...

COCKBURNE (O.S.)

... and further finds that he
has denied the Savior and
scoffed at the Scriptures.

Campbell shakes his head as he hands Dempster RITCHIE one of
two notes.

RITCHIE

Thomas Aikenhead. Ye are to be
taken to the gallows betwixt Leith
and Edinburgh, upon Friday the
eighth day of January next at two
o'clock ... and there to be hanged
on a gibbet till ye be dead.

INT. PASSAGEWAY - TOLBOOTH - DAY

Sir David and Mary follow the Portly Guard. They stop at the
door to Thomas' cell. Keys JINGLE. CLICK. C R E A K.

Her eyes plead.

MARY

Alone?

Sir David nods, his head hung.

INT. CELL - TOLBOOTH - MOMENTS LATER

The door swings shut behind Mary.

Thomas and Mary fall into each other's arms, their kisses urgent, desperate.

THOMAS	MARY
I love you.	I love you. I love you.

Tears flow.

MARY

I love you, Thomas. God help me, I
love you so.

They embrace as if one fades into the other.

THOMAS

I feared you would not come ...
that you could not bear it. Half
hoping you wouldn't ... fearing I
could not myself.

MARY

Leave you ... alone? That I would
not do. Will never do.

They kiss again, now as lovers.

THOMAS

I am afraid, Mary. Of death.
More. Afraid my life meant nothing
... as if I had never been.

She gazes into his eyes.

MARY

You must never think it. To me you
are more than everything.

She kneels -- pulls Thomas down. His eyes question.

MARY

Will you marry me, Thomas? Now?
Here?

THOMAS

But ... we have no minister ... no
witness.

MARY

You once told me God was
everywhere. In you and me.

(gestures)

In these stone walls ... even the
air we breathe.

THOMAS

Aye.

MARY

Then, we have God Himself to
minister to our love and ... and
our child as witness.

Thomas caresses her abdomen, then takes her hands in his own.

THOMAS

I take thee, Mary, for my wife ...
in the sight of God, to love and
honor as long as I ... as I ...

PASSAGEWAY

Gut-wrenching SOB.

Sir David peeks through the peep hole and sees them on their
knees. He sucks in a breath.

Thomas takes a RING from his finger and places it on Mary's.

Sir David breaks; tears well. The Portly Guard arrives.

CELL

MARY

I take thee, Thomas, for my
husband, in the sight of God, to
love and honor ... longer than I
breathe life.

A kiss of pure sweetness. They embrace one last time.

MARY

You will never die for me. Always
you will live as you are ... this
moment.

The door CREAKS open.

SIR DAVID

'Tis time ... son Thomas.

Mary, in the arms of her husband, smiles at her father through her tears.

EXT. LEITH ROAD - DAY

The mournful SKIRL of a PIPER'S lament leads --

A procession -- Thomas, masked HANGMAN, Bailiff, all flanked by SOLDIERS. All the Flemings and ONLOOKERS, including CHURCHMEN, led by Hallyburton, trail behind.

EXT. GALLOWS - DAY

Thomas, eyes teary, arms shackled behind him, wavers -- noose cinched tight around his neck.

The CROWD CHEERS.

A dirk prods Thomas up a short ladder. He stumbles, but regains balance.

The Hangman removes slack, then ties Thomas' legs.

The Bailiff nods to Thomas.

THOMAS

'Tis from the pure love of truth,
my own happiness and salvation,
that I believe what I believe. No
man, no society, no church --

JEERS. Near Mary and Sir David, Hallyburton throws --

An egg spatters Thomas.

Sir David turns -- right cross -- CRACK. Hallyburton slumps into the mud. Janet kicks him in the nuts.

THOMAS

... no church can take that from
me!

BAILIFF

Quiet! 'Tis his right!

SOLDIERS press the surging crowd.

THOMAS

'Tis a principle inbred in every
man to have an insatiable
inclination to truth ...

(MORE)

THOMAS (CONT'D)
 and to follow reason where it
 leads. This I have done ... and it
 now costs me my life.

CHEERS. BELLS from St. Giles announce the hour.

Thomas' and Mary's eyes meet.

THOMAS
 (mouths)
 I love you.

He nods to the Bailiff.

Mary buries her face in her mother's shoulder.

LADDER kicked away!

ONLOOKERS GASP, then SILENCE ... but for Mary's SOBS.

LEGS kick ... stillness.

Sir David and Janet join Lady Margaret and Mary in embrace.

Mary looks heavenward, as if to pray, but sees a LARK wing
 its way over the gallows. A smile creeps over her tear-
 streaked face as she follows its flight into the ...

Far, far distance.

Thomas Aikenhead was free at last.

FADE TO:

EXT. PARK BENCH - DAY - TWO YEARS LATER

A beautiful spring day. Birds CHIRP; flowers glow.

Mary reads a book and looks up as --

LITTLE THOMAS, a lad of two, plays at the edge of a pond, his
 GIGGLES met by the QUACK of DUCKS. They stay a step ahead.

MARY
 Thomas! Be careful, dear.

She CHUCKLES.

LOCKE (V.O.)
 Hallyburton died in 1712, no longer
 a minister of the Kirk.
 (and)
 (MORE)

LOCKE (V.O.) (CONT'D)
 Sir James Stewart died the next
 year, but not before sponsoring
 Scotland's first law of habeas
 corpus, limiting the power of the
 Lord Advocate's office.

(and)

As for Thomas' so-called friends,
 they all slipped into the mist of
 history, never to be heard from
 again.

Thomas LAUGHS. The pesky ducks waddle just out of reach.

She stands, concern on her face.

MARY

Thomas!

(sotto voce)

Just like your father.

LOCKE (V.O.)

After Thomas Aikenhead's death, the
 Scottish ayatollahs lost their grip
 on the throat of Scotland.

Thomas bolts, SHRIEKS and dives for a fat mallard. Success!

Mary gives chase but a HANDSOME MAN, book in hand, scoops
 Thomas up in his arm first. He tips his hat to Mary and
 LAUGHS.

HANDSOME MAN

Did you lose this?

Mary smiles ... searches his eyes ... a moment shared ...

LOCKE (V.O.)

Freed from religious tyranny,
 Scotland burst forth into a new age
 of art and science unparalleled in
 human history.

FADE TO:

SUPER: HISTORY DATES THE DAWN OF THE SCOTTISH ENLIGHTENMENT
 WITH THE DEATH OF THOMAS AIKENHEAD, THE LAST PERSON IN GREAT
 BRITAIN TO BE EXECUTED FOR BLASPHEMY.

FADE OUT.