

SNOW FALLING ON CEDARS

Screenplay by Ron Bass and Scott Hicks

Based on the novel by David Guterson

May 4, 1998

NOTE: THE HARD COPY OF THIS SCRIPT CONTAINED SCENE NUMBERS AND SOME "OMITTED" SLUGS. THEY HAVE BEEN REMOVED FOR THIS SOFT COPY.

EXT. THE SUSAN MARIE, SHIP CHANNEL BANK - NIGHT

Fog. Penetrated only by sound. The LAPPING of sea at a drifting hull. Tendrils of mist part, revealing...

...a face. Strong and blond and handsome.

We watch CARL HEINE, high on the cross spar of his mast. He has pulled a SHUTTLE of TWINE from his rubber overalls, and is LASHING a LANTERN in the cloud of mist.

INT/EXT THE SUSAN MARIE'S CABIN - NIGHT

A match is struck. CARL lights the wick of a second lantern. The cabin is meticulously neat. A tin COFFEE CUP on the counter's edge. The floor clear of any clutter. Carl

glances at his watch. It's 1:07. Then he hears...

...the pattering SOUND of an approaching boat...

EXT. THE SUSAN MARIE, SHIP CHANNEL BANK - NIGHT

...Carl stands on deck with his kerosene lantern and his air horn, watching as another BOAT comes slowly out of the mist. The silhouette of a FISHERMAN. As fragments of fog part, we CLOSE ON the figure's face, to see...

...his eyes. They are Asian.

VISUAL FX TRANSITION TO:

EXT. SHIP CHANNEL BANK - MORNING

An island landscape. Tilt to find our boat bobbing peacefully on placid water.

EXT. THE SUSAN MARIE - MORNING

Silhouetted against the morning sun, two figures slowly reel in the massive net onto the rotating drum. A few salmon slide across the gunnel. Hands methodically pick them out of the net and drop them into the hold.

ANGLE ON the cedar floats stretched across the water. A dark heavy shape in the net draws towards the surface.

One figure leans over to take a closer look. SHERIFF ART MORAN is thin, unimposing, methodical. Only the eyes reflect his disquiet.

Suddenly, a HAND looms from the tangled netting, stiff and grotesque.

MORAN lurches back in shock as the raveling net LIFTS from the water's surface...

...the face of Carl Heine. Turned to the sun.

Moran reels away as his young deputy, ABEL MARTINSON, turns to throw up over the gunnel behind him.

CUT TO:

INT. CORONER'S LAB - DAY

The face of HORACE WHALEY, coroner, gazing down. A shading of regret behind the professional mask. Carl's face is

reflected in his glasses. A series of QUICK CUTS...

...Whaley cuts through Carl's weatherproof overalls with large scissors...

...his hand pulls the SHUTTLE of TWINE from Carl's pocket...

...examines the open, empty KNIFE SHEATH at Carl's belt...

...the right palm is turned to reveal a long cut along the mound of the thumb...

...Carl's wrist, its WATCH stopped at 1:47...Whaley removes it, notes the time, and drops it into a manila envelope...

Whaley bends over Carl's body, presses on his solar plexus, watching pink FOAM rise from Carl's mouth and nose. And then. He sees something more. His forceps gently pull back the hair from above Carl's left ear, and...

...Whaley sees something startling. He beckons Moran over.

WHALEY

You want to play Sherlock Holmes, Art?

Reluctantly Moran takes a look. A sharp intake of breath.

MORAN

What the hell would have caused that?

WHALEY

I'll tell you what a head wound like this puts me in the mind of...

Whaley reaches for the instrument tray, and selects a sharp cut-throat razor.

CUT TO:

INT. CORONER'S LAB - DAY

CLOSE ON a DROP of BLOOD as it lands in SLOW MOTION on a white porcelain tray.

VISUAL FX TRANSITION TO:

EXT. SAN PIEDRO ISLAND - DAY

Snow falling on cedars.

The heavens descend softly onto our island. Exquisite,

silent, hypnotic. An epic snowfall inspiring awe at our frailness against the limitless scope of nature. As CREDITS BEGIN...

TRANSITION TO:

EXT/INT ISHMAEL'S APARTMENT - DAY

Through a snow covered window we see a pensive, sombre young man in his mid-20's. This is ISHMAEL CHAMBERS, lost in thought as he pulls on his coat. We see its left sleeve pinned up at the elbow of his amputated arm. He tucks his slim satchel under it.

TRANSITION TO:

EXT. STRAWBERRY FIELDS - DAY

...undulating strawberry fields of pure white, untouched and flawless...beyond the fields, against a backdrop of cedar forest, an old PICKUP TRUCK drives carefully through the snow.

Wipers swish slowly to reveal a slender woman of refined beauty. HATSUE MIYAMOTO stares ahead at the snow-clad road, her father HISAO at the wheel beside her.

CUT TO:

EXT. AMITY HARBOR/SAN PIEDRO ISLAND FERRY - DAY

...a view through another windscreen. This time of moving WATER. In the rear-view mirror, a dapper man in his 40's grooms himself carefully. ALVIN HOOKS glances out ahead at...

EXT. AMITY HARBOR - DAY

...the wharves and boats shrouded in snow.

EXT. AMITY HARBOR - DAY

The SAN PIEDRO ISLAND ferry approaches the docks, blanketed as if by volcanic ash. Behind HOOKS' late model Chevy, the deck is crowded with people, a number of other cars, and even a bus.

CUT TO:

EXT. NELS' HOUSE - DAY

A door opens to reveal a pair of dress shoes. Old-style galoshes are pulled over them.

An OLD CAT curls around the feet as a HAND that tells of its owner's age offers it a small treat.

The TIP of an UMBRELLA taps to dislodge some snow and ice from a PLANT POT. The pot CRACKS, scattering earth on the porch. Impatiently, the feet shuffle aside the debris, and start down the steps.

The umbrella UNFURLS to reveal NELS GUDMUNDSSON. He is 79, tall and lean. A little shaky. His body is winding down.

EXT. STREET - DAY

NELS walks carefully down the street, overtaken by kids on sleds, as WHALEY heads past in the other direction.

NELS

'Morning, Horace, Reminds you of 1930, doesn't it?

WHALEY

1929 actually, Nels. I believe you're thinking of 1929.

NELS

Of course it was, Horace. You're right. 1929.

EXT. STREET/COURTHOUSE - MORNING

A bank of powder snow. A boy falls backwards into frame. Nearby a girl does the same. They swirl their arms and legs. Laughing. Making angels...

Ishmael walks past, over the rise, the town behind him.

Ahead - a public building, cars gathering as best they can, people streaming up snow-laden steps to the entrance, and we FOLLOW...

ISHMAEL, seemingly oblivious to the crowd which jostles him, as he...

...disappears. Into the courthouse. Titles finish.

INT. COURTHOUSE CORRIDOR - DAY

Ishmael heads up the stairs, to the press balcony, away from

the throng. He catches a glimpse of a woman sitting alone, out of sight of the crowd.

It's HATSUE, on a wooden bench. Her stare impassive, empty.

PULL BACK to see Ishmael standing alone, in shadow. He stares with fixed intensity at Hatsue, as she gathers her thoughts. A moment of decision. He approaches.

ISHMAEL

Hatsue?

She turns her head only slightly.

ISHMAEL

Are you all right?

HATSUE

Go away, Ishmael.

Her voice is quiet and firm. There is no anger.

ISHMAEL

I just wanted to say...

HATSUE

(softer)

Go away.

CUT TO:

INT. BASEMENT - DAY

CLOSE on a large SHOVEL as it scoops up a load of COALS.

The coals fly off the shovel into the fierce flames of the boiler-room FURNACE. The DOOR clangs shut.

CUT TO:

INT. COURTROOM - MORNING (TRIAL DAY ONE)

A frosty WINDOW above an ancient steam RADIATOR. A HISS of steam escaping as we pull back to see...

A pair of Asian eyes. We have seen them before. KAZUO MIYAMOTO sits, ramrod straight, motionless, expressionless, as Abel unlocks his handcuffs. The eye of a storm of movement in...

...the assembling COURTROOM. A floor-level packed gallery of

buzzing locals, the scent of anticipation.

NELS approaches the defense table, greeting his client Kazuo. He reaches over to shake hands with HOOKS at the prosecution bench.

The JURY BOX. Truck farmers, grocers, fishermen assemble, in sober neckties. A waitress, a secretary, fisher wives in Sunday dresses. PAN UP now to...

...a BALCONY with its bank of wooden pews, and gathering in its front row...

...REPORTERS, cosmopolitan in attire, bearing themselves as jaded dignitaries from the civilized world. Behind them, Ishmael makes his way to a seat. As we PAN their ranks...

Snatches of conversation...

REPORTER #1

How 'bout that jury? What a bunch of yokels. Must make a good ten grand a year. Between 'em.

He laughs.

Ishmael, jots on a pad balanced precariously on his knee, until...

...it falls with a CLATTER of pages. He reaches with his right hand, replaces the pad on his thigh. Ishmael looks down through the balustrades to see...

...Hatsue, entering the courtroom.

The Reporters lean forward to ogle at her. A frisson of interest runs through the assembled crowd.

Ishmael watches HATSUE take her place in the first row of the floor-level gallery. And sensing her presence, Kazuo turns. Their eyes meet. Husband and wife.

Back in the balcony...

REPORTER #1

Have you seen this rag? The guy writes like this trial is the biggest thing that ever happened. You tell me why this is news down in Seattle.

Shows the next guy his newspaper. It's the SAN PIEDRO ISLAND

REVIEW. Our ANGLE includes Ishmael, listening.

REPORTER #2

Because he's a Jap. Simple as that.

On this, Ishmael gets up, and moves away.

BAILIFF (O.S.)

All rise...

People rise. Ishmael stands, looking down from the balcony.

CUT TO:

INT/EXT WAREHOUSE/DOCKS - DAY

ANGLE FROM ANOTHER BALCONY:

Ishmael walking through a net warehouse towards the wharf. Purpose in his stride. Up ahead, the Susan Marie is at dock. Moran stands with half a dozen FISHERMEN.

As he arrives, Moran smiles a thin greeting. Not happy to see him. Nor is anyone else.

WILLIAM GJOVAAG, a sunburned gill-netter, grunts to Moran.

GJOVAAG

You go fishing, it happens.

MORAN

(to Ishmael)

Figure you'da heard by now.

MARTY JOHANSSON

(to Sorenson, approaching)

Sheriff's been askin' who saw Carl out at Ship Channel Bank last night.

MORAN

Only to see if somebody talked to him.

JAN SORENSEN

Fishing went sour on me when the fog rolled in. I got the hell outta there.

GJOVAAG

No sense in hanging 'round the shipping lane in that fog.

MARTY JOHANSSON

(heavy Danish)
Okay we've got Ferry, Hardwell, Moulton,
Miyamoto...

GJOVAAG
(spits)
Japs.

MORAN
Anyone else?

There is a pause.

MORAN
All right, if you see any of those
guys...

GJOVAAG
(to the others)
Sheriff's sounding like a real hard-ass!
Ain't this just an accident, Art?

Moran finds his eyes drifting to Ishmael's. Which are right
there, waiting. Moran looks away.

MORAN
Course it is, but a man's dead, William.
I got to write my report.

EXT. WAREHOUSE/DOCKS - DAY

Ishmael and Moran, walking alone.

MORAN
I'm not gonna see some article about an
investigation, am I?

ISHMAEL
(quietly)
You want me to lie?

MORAN
No, I wanna be off the darn record,
that's what I want.

No answer. They keep walking.

MORAN
I mean, if there is a killer, why would
you want him all alerted?

Ishmael stops.

ISHMAEL

So this is a murder investigation?

MORAN

I didn't say that...

INT. COURTROOM - DAY

Our courtroom silent now, respectful. Court is in session. PAN the back of the courtroom. Twenty-four citizens of Japanese ancestry fill the last row, dressed in their most formal clothes. As one, the Japanese-Americans watch...

...the prosecutor, ALVIN HOOKS. There is a quickness about the eyes, a tendency to sharpness of manner, that he works carefully against...

HOOKS

Would you tell us please, Sheriff. What was your first impression as you and your deputy inspected the Susan Marie that fateful September morning?

JUDGE FIELDING, tall and gray, leans on his elbows. His eyelids droop slightly, a deceptive masking of keen attention.

The witness is Sheriff Moran.

MORAN

Mainly that it was so quiet out there. Things just didn't...add up.

Ishmael watching. Thinking on that.

HOOKS

Add up? What do you mean?

MORAN

Well, a fisherman drowning - that happens sometimes. But Carl Heine? I got to thinking. He was so...meticulous. He did things by the book.

EXT. LAUNCH, SHIP CHANNEL BANK - DAY

Moran's hand on the throttle, powering his launch towards the 'Susan Marie', becalmed in the channel.

ABEL

Lights are on, Art. Every last one,
looks like. And his net's out.

MORAN

(yells)
Hey, Carl!

ABEL

I got this bad feeling...

MORAN

Don't say that, Abel. Don't even think
like that.

EXT. THE SUSAN MARIE - DAY

Moran stands on the gently swaying deck. All is quiet except
for a curious rolling SOUND.

CUT TO:

INT. THE SUSAN MARIE, SHIP CHANNEL BANK - DAY

Moran looks in the cabin door. TILT DOWN to see, in our
foreground, the enamel COFFEE CUP rolling on the floor with
the boat's movement.

Moran enters. Sits on Carl's bunk. He takes in the tidy
cabin. With one large battery sitting on the floor.

ABEL (O.S.)

Nothing in the hold. Apart from fish,
that is. Should we pull in the net?

Moran's eye catches a photo of Carl's family. His pretty
blonde wife. Two little boys.

INT. COURTROOM - DAY

HOOKS

So, looking at the evidence there, you
determined that this was no accident,
didn't you?

MORAN

I didn't determine much of anything at
first. I kept wondering what I was going
to say to his family. After all, I knew
the guy. I knew his wife and children.

EXT. CARL JR.'S HOME - DAY

Moran climbs from his vehicle, as Carl's young SONS dash around the corner of the house. Seeing the Sheriff, they stop cold. Silent, shirtless, barefoot.

MORAN

Hey there, men. Is your mother home?

He spits his gum into a wrapper. The older boy nods towards the house.

MORAN

You go on and play, now.

They don't move. He goes to the front door. Calls out.

MORAN

Susan Marie?

INT. CARL JR.'S HOME - DAY

Pausing in the entrance, Moran calls again.

MORAN

Are you there?

SUSAN MARIE (O.S.)

Come on in. I'll be right down.

Moran takes in the room, neat and ordered, in a warm and comfortable fashion. On the wall, a collection of family photographs: earlier generations of blunt-faced Germans who never smiled for photographs.

Susan Marie comes in, spittle-marked baby's diaper across her shoulder, a baby's bottle in her hand.

SUSAN MARIE

What can I do for you, Art, Carl's not home yet. Is everything okay?

MORAN

That's...

Too quick. He stops himself. And she sees that.

MORAN

It's why I'm here. I'm afraid I have some...very bad news to tell you, the...worst...kind of news.

She looks at him, uncomprehending.

MORAN

Carl died last night. Out at Ship
Channel Bank.

SUSAN MARIE

No. No, Carl's fine...

MORAN

We found him, Susan Marie. Tangled in
his net.

And with these words, a slack, blank look crosses her face,
and she sits down HARD on a chair. The baby's bottle slips
from her grasp.

Moran doesn't know what to do. She begins to rock, very
slowly. Her face is more terrible than tears. It is
frightened. She murmurs to herself, so that we can barely
hear...

SUSAN MARIE

I knew this would happen. I warned
him...

INT. COURTROOM - DAY

Moran fidgets on the stand.

NELS (O.S.)

Now Sheriff, you've said there was no
sign of a struggle? Nothing out of the
ordinary?

SEE him now. NELS stands beside his impassive client.

MORAN

Well, as I said, with a fella as
particular as Carl, there were a coupla
things that struck me as odd.

And Nels begins to walk toward him.

NELS

Yes, you mentioned the coffee cup on the
floor. Was there anything else out of
place?

MORAN

Well, there was this dead battery just lying around. And the cover to the battery well didn't fit right.

NELS

A battery cover that didn't fit? What did you make of that?

HOOKS (O.S.)

Objection, asking the witness to speculate.

NELS

My gosh, Alvin, was I supposed to object every time you did that?

A real. Friendly smile.

JUDGE

(wearily)

That's quite enough horseplay, Nels, why don't you act your age?

NELS

If I did that Your Honor, I'd be dead.

Some gentle laughter. Judge Fielding doesn't even bother to look annoyed.

JUDGE

Proceed, gentlemen.

HOOKS

There's an objection, Your H...

JUDGE

And it's overruled. Answer the question. If you can recall it.

MORAN

I looked under the lid and found one of the batteries was bigger than the other.

NELS

Didn't that also strike you as odd that he would have a battery that didn't fit? A man as particular as Carl?

INT/EXT SUSAN MARIE CABIN, SHIP CHANNEL BANK - DAY

INTERCUT...Moran opens the battery well in the cabin...

MORAN (O.S.)

Yeah, I wondered. But he'd done some on-the-spot work, you see. The flange was kind of banged away to make room for the one that was too big.

We see the flange, and two distinguishably different batteries in place. The third resting on the cabin floor beside the well.

INT. COURTROOM - DAY

BACK TO the courtroom. Moran still on the stand.

NELS

Now tell me. Would this "too big" battery have fit, say, in Kazuo Miyamoto's battery well?

MORAN

It was the exact same type as Miyamoto's, that's for sure. But he had both his batteries in when we searched his boat later.

NELS

And no spare?

MORAN

Like I said. Carl was different than most. I mean, no one ever carries a spare.

INT/EXT SUSAN MARIE CABIN, SHIP CHANNEL BANK - DAY

Moran on his knees. Running his fingers along the flange of the well. He looks up at Abel.

MORAN

It's like you car. Who carries a spare battery for their car?

INT. COURTROOM - LATER

Horace Whaley, the county coroner, folds his arms. Searching for the appearance of ease in the witness box.

WHALEY

...prior to that, I served as a medical officer. In the Pacific.

HOOKS

So. In your profession as medical officer and coroner. I take it you would've had to deal with head injuries on many occasions?

WHALEY

Countless.

HOOKS

And does your experience allow you to determine the probable cause of a head wound?

WHALEY

Absolutely. You get hit with a crowbar. Or a hammer. Or fall off a motorcycle. The injuries look different. In this case, the injury had been inflicted by a long, narrow, flat object.

HOOKS

Like a fishing gaff, for example?

WHALEY

That's very possible.

HOOKS

(refers to Whaley's report)

You say it was..."a laceration about two-and-a-half inches long above the left ear, the bone under it fractured over a four-inch area"...Tell me, have you seen this specific kind of wound before?

WHALEY

Frequently. As a result of hand-to-hand combat with Jap soldiers.

He looks over at the Sheriff.

WHALEY

I even told Art "If you want to play Sherlock Holmes, you ought to look for a Jap with a bloody gun butt."

HOOKS

What led you to that conclusion?

WHALEY

I'd seen those kendo wounds many times.
Exactly like this one.

Whaley looks smugly at Kazuo.

HOOKS

Could you tell us what kendo is?

WHALEY

Japanese stick-fighting. They're trained
as kids you know. To kill with sticks.

And the prosecutor's eyes drift to the defendant. So that
the jury's will do the same. HOLD ON Kazuo's regal bearing.
His neutral mask.

HOOKS (O.S.)

No further questions.

EXT. FIELDS - DAWN

Mist of early light. Two dark figures, little more than
silhouettes, measuring their distance from each other with
their lethal shinai staffs. One is a full-grown man. The
other, eight years old. Dialogue plays in JAPANESE,
subtitled in English...

ZENICHI

Hips, stomach, cut. Stomach muscles
tighten as stroke advances.

And STRIKES a fearsome blow, which the child REPELS with
startling proficiency. We can see ZENICHI's stony face, now.
If he is impressed by his son, he does not show it.

WHAP! WHAP! WHAP! The boy LASHES fiercely, the man
parrying each stroke with blinding ease.

ZENICHI

(very quiet)

Zenshin. Is constant awareness. Of
dang...

CRASH! The father has sent a blow in mid-word, FLINGING the
child like a doll. The boy BOUNCES up, snatching his shinai
into ready position, his face scrunched with pain.

ZENICHI

Kazuo! Never show your pain. Don't ever
show your feelings. On your face. Or
anywhere.

WHAP! The child has unleashed a blow at the left side of his father's HEAD. It has been blocked just above Zenichi's ear. There is no anger in either warrior. That we can see.

ZENICHI

Elbow soft. A little better.

INT. COURTROOM - DAY

Whaley stares with the air of disdain of a man playing chess with an unworthy opponent.

NELS (O.S.)

But your report states it was death by drowning, not a kendo wound. How did you determine this?

WHALEY

As I testified, I found foam in the deceased's lungs.

NELS

Yes, this foam...I'm not sure I understand about that, Horace. What would cause that again?

WHALEY

It occurs when water, mucus and air are mixed by respiration. Breathing, that is. I believe I said that.

NELS

(slightly confused)

But you can see why I'm confused, because a drowned person doesn't breathe. So how...?

WHALEY

Of course now. The foam means that he went in breathing.

Ah. Nels holds the pause.

WHALEY

That's why the autopsy report identifies drowning as the cause of death.

NELS

I see. meaning that he wasn't murdered first, say on the deck of the boat, and

then thrown overboard.

WHALEY

Well you can always...

NELS

(quickly)

Thank you Horace. That's important.
That's good. But there's something else
I'd like to ask you about now. Something
in your evidence...

He picks up Whaley's report from the clerk's desk. Smiles at her.

WHALEY

Go ahead and ask.

NELS

About the wound to the deceased's head.
You say it was made by a "long, narrow,
flat" object. Is that what you saw? Or
is that your inference?

WHALEY

(really pissed)

It's my job to infer. That's what
coroners do. They infer. That's my area
of expertise. Inference.

Nels nods. He can be quiet now. The witness distracted from volunteering opinions Nels did not wish for.

NELS

Of course it is, Horace. Now can you
infer whether an object was propelled
against the head of the deceased, or his
head moved against an object? Or would
both look the same?

WHALEY

The same.

NELS

So if his head struck something narrow
and flat, like the gunnel of the boat, a
net roller, a fairlead, could that
have...

WHALEY

If the head was moving fast enough, but I

don't see how it could be.

NELS
Nonetheless, is it possible?

WHALEY
Sure, anything's poss...

NELS
Is it fair to say that you do not know
for certain which it was.

WHALEY
Didn't I just say that? I already said
that, but...

NELS
But you are certain that he died by
drowning.

WHALEY
For the third time, yes.

Nels nods. Whaley is beyond frustrated.

WHALEY
Can I say something, here?

NELS
No thank you, Horace. You've been more
than helpful. No further questions.

Horace wants to say more. Doesn't immediately move.

JUDGE
We'll take our lunch recess. Reconvene
at...one-thirty sharp.

The gavel CRACKS onto the block. Judge Fielding stands to
leave, and the BAILIFF begins to usher the jury from its box.

Abel Martinson, the deputy, puts his hand gently on Kazuo's
arm, as the defendant turns...

...to face his wife. Standing at the rail. Nels gestures to
Abel to give them some space. Hesitantly, the deputy steps
away a few feet. And beneath the courtroom buzz...

KAZUO
How are the kids?

The voice so colloquially American, we are taken aback.
Having envisioned Kazuo as a silent Samurai.

HATSUE

They're excited. They love the snow.

KAZUO

(softly)

Well, that's great.

Abel looks uneasily around.

KAZUO

Anyway. Just a few more days.

And for the first time, KAZUO smiles at her. She stares back, her heart in her eyes.

KAZUO

You look beautiful.

ABEL

Look, Art's gonna want me to...

KAZUO

I'm not going until you smile.

HATSUE

(hurriedly, in Japanese)

Don't sit so straight like Tojo's soldier. I think it's dangerous with this jury.

That does it for Abel. He grasps Kazuo's arm and tugs, but he can't budge the defendant.

But she doesn't smile. So his fades. And he lets Abel lead him away.

HOLD ON her. Watching him go.

Over her shoulder, up in the balcony, Ishmael stares at her.

In his mind, the memory of her voice begins...

EXT. SOUTH BEACH - DAY

Muddy legs splash through the shallows. Two thirteen-year olds have the beach to themselves. Hatsue carries a leaky bucket full of clams.

HATSUE

Oceans don't mix--the Atlantic, the Pacific, Indian, Arctic...they're different.

ISHMAEL

How are they different?

HATSUE

Just because. It's not one ocean.

ISHMAEL

They are too one ocean. They're really just part of the same one. They mix underneath.

HATSUE

No, they don't mix. They're different temperatures.

ISHMAEL

How do you know?

HATSUE

I just do.

CUT TO:

EXT. SOUTH BEACH - DAY

LATER. Digging in the sand. Ishmael reaches his arm deep into a muddy hole, almost to his shoulder.

HATSUE

Take it easy! Slow is best.

She reaches into the hole beside him. Her fingers explore the shell of the dug-in geoduck clam. Ishmael studies her closely, her muddy knee just inches from his face, as she focuses on her task.

HATSUE

He's too deep. We need to keep digging.

They are digging now, together. Carefully.

ISHMAEL

Here he comes. We've got him now.

Gently, Hatsue begins to dislodge the clam from its lair. She lifts it clear. She admires its size and roughness with

her fingertips. Washes it in the shallows. He watches her movements intently.

ISHMAEL

(quietly)

I like you. Do you know what I mean,
Hatsue? I've always liked you.

The words make her turn. Not startled, exactly. Alerted.

There is no answer. He leans slightly closer, and she looks down. This is the moment. Afraid and driven, he moves slowly to her face. And puts his mouth against hers. She lets him and, encouraged, he pushes harder, making Hatsue...

...lose her balance, and planting a hand beneath the water to support herself, eyes closed too tightly, she kisses Ishmael for a long moment, before...

...leaping up, snatching her clam pail and running AWAY down the beach like a deer. He stands slowly. To watch her go.

His face is unsmiling, but he is helpless with happiness. Contemplating the kiss.

INT. SCHOOL BUS - MORNING

Ishmael boarding a crowded school bus. Kids are chattering, arguing. Racial separation is fairly evident. Up the aisle, he sees...

...Hatsue sitting with her Japanese friends. He walks slowly past, trying not to look at her. He can't help himself.

He sits. She never looks back.

EXT. IMADA HOME - DUSK

Ishmael crouching at the edge of a farm, in near-darkness.

Across the distance, the screen door opens, light slips across the porch. Hatsue appears with a wicker basket, to take the laundry from the line.

He watches, rapt, as she unpins and folds the clothes, clenching the clothespins in her teeth. Then reeling the line again, elegant hand over elegant hand. She corrals the long sweep of her hair, knotting it deftly, before heading inside. HOLD ON Ishmael watching, and...

CUT TO:

EXT. IMADA HOME - NIGHT

last light. Insects thrum in the stillness. Ishmael is walking away from the house when he hears the sound of a FLUTE. He looks back to see...

Hatsue's face appears through a lighted window, a FLUTE to her lips. She plays.

Ishmael scarcely breathing. Transfixed for a moment. Then continues on his way.

EXT. STRAWBERRY FIELDS - DAY

Children working fields in sunlight. Kneeling in the rows. Hatsue with a half-dozen Japanese girls, her hair loose, her face lightly sheened with sweat. She works with efficiency and grace, filling her flats.

Three rows away. Ishmael watches. The fear not far beneath the surface of his quiet features. He sees Hatsue slip a berry into her mouth and watches her eat it.

Hatsue's gaze drifts slightly in this direction, and Ishmael looks DOWN rapidly at his work. Cheeks burning, certain she is watching. Which she is not.

CUT TO:

EXT. STRAWBERRY FIELDS - LATE AFTERNOON

LATER...end of day. The young pickers turning in their flats as a gentle rain begins. Hatsue slips her money into her pocket without counting it, and...

...runs lightly off, into the growing rain. Ishmael sees. Stricken to his soul with longing. And indecision.

EXT. CEDAR FOREST - DAY

Ishmael runs through the cedar forest in the rain. Ahead of him, we see a glimpse of Hatsue disappearing through the trees. Ishmael pursues her at a distance. Suddenly he stops, looking intently ahead.

Through the rain, we see an ancient cedar, a large hollow in its base. A fallen tree and the thick, ferny underbrush obscure it and add to its sense of secrecy.

Ishmael approaches tentatively. He stops again.

Hatsue's face appears in the entrance to the hollow.

HATSUE

You followed me, huh?

Rain pelts off Ishmael's soaked form.

ISHMAEL

Sorry. It sort of...happened, I just...I followed you. I'm sorry.

She pulls her hair behind her ears.

HATSUE

You're getting wet...

She starts refastening her hair now, looking away. He comes inside...

CUT TO:

INT. CEDAR HOLLOW - DAY

...and crouches as respectfully far from her as he can. Which is close. He watches her, watches her, and...

ISHMAEL

I'm sorry I kissed you on the beach.

No reaction. As if she hasn't heard. Now his heart is beating straight through his chest.

ISHMAEL

Let's just forget about it. Forget it happened.

HATSUE

Don't be sorry. I'm not.

His heart bursts within him. And he struggles to keep it from his cafe. Even though she isn't watching.

ISHMAEL

Me neither.

She turns her face to him, and offers a small smile. It is genuine, and therefore dazzling to the boy. She lies back on the ground.

HATSUE

Do you think this is wrong?

He swallows. Staring at her lying there so comfortably.

ISHMAEL

Your friends would. Your dad would kill me.

HATSUE

He'd chop you up with a Samurai sword.

Ah. Better. They are both grinning now.

HATSUE

My mom is the problem.

ISHMAEL

Why? We're only talking.

They look at each other for a lingering moment of silence.

INT. IMADA BEDROOM - DAY

Hatsue sits at a bedroom mirror. FUJIKO watching analytically, as Hatsue weaves her hair into a thick plait.

FUJIKO

(in Japanese)

No, you must never look at a man directly. This is part of grace.

The girl smiles a small sour smile. Speaks quietly in English...

HATSUE

Boys on this island don't care about grace.

Her mother studies her with some irritation. She sighs.

FUJIKO

(in Japanese)

The boys on this island are hakujin. They don't see grace, and they are full of lust. They will seek to destroy your virginity.

Hatsue's eyes widen slightly.

FUJIKO

(in English)

Stay away from white boys. Marry one of your own kind whose heart is strong and gentle.

Hatsue sighs as she works on her hair. The older woman reads the young face in the mirror.

FUJIKO

The pin. Could be better placed.

INT/EXT HOLLOW CEDAR - DAY

The teenagers are sprawled on the ground, sheltered in the hollowed-out base.

HATSUE

She teaches me. To be Japanese.

He laughs.

ISHMAEL

What does that mean...

HATSUE

Dances, calligraphy. How to do my hair.

He is enthralled. Lost in being with her.

HATSUE

How to sit without moving.

ISHMAEL

What's the point of that?

HATSUE

It's a part of grace. You boys don't understand.

ISHMAEL

Try me...

HATSUE

She doesn't let me get away with anything.

ISHMAEL

It's the same for me. Except it's my Dad.

INT. ISLAND REVIEW PRINTING PRESS ROOM - DAY

A horrific CLANGING noise, the clash of metal on metal.

See ARTHUR CHAMBERS now, at the printing press, an enormous cast iron contraption, shrieking like an ancient locomotive.

Thirteen-year-old Ishmael is assisting him, feeding paper into the press. His shirtsleeves are rolled up, but one is loose, its cuff dangling.

Arthur is a strong featured, intelligent man, with round gun-metal rimmed spectacles and garters on his shirtsleeves. He gracefully ducks in and out of the machine, inspecting plates and printing cylinders.

Arthur pauses to take off his spectacles. Polishes them on the fabric of his shirt. Carefully, puts them back on. It's a characteristic gesture of his.

Ishmael reaches over the machine to feed it, his loose sleeve precariously close to the meshing gears.

Suddenly, Arthur's hand...

...STABS OUT in a LIGHTNING move to GRASP the boy's arm.

ARTHUR

You know what would happen to an operator who got his sleeve caught in the press?

The boy's eyes widen. What? Arthur smiles.

ARTHUR

He'd be popped open in one instant. Like a balloon. And splattered across the walls.

Ishmael flicks a look to the machinery. Gently, Arthur turns the boy's face to look him in the eye.

ARTHUR

(dramatically)

Even his bones would disappear. To be discovered later on the floor. Like strips of white confetti.

Ishmael tries to look unimpressed. Arthur smiles.

INT/EXT HOLLOW CEDAR - DAY

The teenagers safe in their haven. Ishmael lies close to Hatsue. Staring at her with absorption. She nestles her

head in the crook of his arm.

They kiss. Ignoring the drips of water that find their way in.

Outside, the rain POUNDING down. A wall of water sealing them from the world.

INT. COURTHOUSE CORRIDOR - DAY

Feet hurry up the stairs. People jostle past Hatsue who sets her own pace, unhurried. As she reaches the landing she notices...

...Ishmael looking down the stairwell at her.

Her gaze flicks away from him as she passes into the courtroom. No acknowledgement.

HOLD on Ishmael as we HEAR A BRASS BAND...

MUSIC ADVANCED FROM:

EXT. MAIN STREET, AMITY HARBOR - DAY

A modest parade of floats is passing. On the sidewalk, a genial crowd of farmers, fishermen, families of both races.

In the Island Review office, Ishmael (now 17) reloads Arthur's camera. Outside, an elderly Japanese farmer, NAGAISHI, approaches Helen and Arthur with a basket of strawberries. A gift. Ishmael dashes out to join them.

NAGAISHI

Five sons. That's my secret, Mr. Chambers. That's important!

ARTHUR

Well we've tried, Mr. Nagaishi. We've tried hard!

(puts an arm around Ishmael)

But my Ishmael here, he's a match easily for two lads. Three! We have high hopes for him.

NAGAISHI

Oh yes, your son is a very good boy. A strong heart like his father. We wish him good fortune.

Nagaishi bows and takes his leave.

The STRAWBERRY PRINCESS float approaches, bearing a gigantic papier-mâché STRAWBERRY at one end and the Strawberry Princess and her attendants at the other.

ARTHUR

Did you ever wonder why the Strawberry Princess is always a Japanese girl?

ISHMAEL

Not really.

HELEN

I'm sure your father will explain it to you anyway.

The Strawberry Princess turns in Ishmael's direction. It's Hatsue, tiara on her head, scepter in her hand...

ARTHUR

She's sort of an unwitting virgin sacrifice. To the concept of racial harmony. And you know what? For a moment, it seems to work.

Ishmael watches Hatsue closely. Looking radiant, she demurely acknowledges the cheers of the crowd. Nearby, FUJIKO looks on approvingly as she watches with Hatsue's sisters.

ARTHUR

That's the Fujita girl, isn't it?

ISHMAEL

No, Dad. It's Hatsue Imada.

ARTHUR

Oh, yes. She's lovely.

Helen glances at Ishmael, noticing his interest.

Arthur raises his camera and takes a shot of the Strawberry Princess.

CLOSE ON Ishmael, eager to catch Hatsue's eye. Helen watches him discreetly.

Hatsue's head turns toward him, and although she sees him, she gives him no acknowledgement.

INT. COURTROOM - DAY

CLOSE ON Ishmael, once more in the row of reporters. He's looking at Hatsue down below, though he can only see the side of her face and her hair, bound up securely at the back of her head.

HOOKS (O.S.)

Mrs. Heine, you were acquainted with the defendant and his family, were you not?

ETTA HEINE is in her early fifties. Her voice bears traces of her German accent. She warily pulls her hem down tight below her knees.

ETTA

Him and his folks worked our land. Lived in one of the cabins at first.

HOOKS

So the defendant knew the deceased, your son, even then.

ETTA

They fished together. Went to school. My boy Carl treated him like a white person. Like any friend.

Said not with pride, but regret.

HOOKS

So where did things go wrong?

ETTA

My husband went and sold his father
(points at Kazuo)
seven acres of our land. That's where
all this trouble started.

INT/EXT CARL SR. FARMHOUSE - DAY

Etta fifteen years younger, watches stoically from the parlor window, as her husband CARL SENIOR strolls the strawberry fields with young Kazuo and his father, Zenichi. Carl is a well-weathered man, and puffs a pipe as Zenichi stops, sweeps his arms this way and that. The boy looks from the men to the vistas of the land itself, as if trying to piece together what all this means for him.

The two men clasp hands in a firm shake of agreement. Etta knows trouble when she sees it.

INT. COURTROOM - DAY

Hooks pacing, slow and calm.

HOOKS

But how can this be, since we all know it's against the law for Japanese-born to own land?

ETTA

Carl held it for 'em. Called it a lease. They made payments every June and December.

HOOKS

But, even leasing is illegal. And as Japanese-born, they could never legally take title.

ETTA

Their kids was born here. So when the oldest, that one there, was twenty...last payment gets made, and he could own it.

She folds her hands. Looks Kazuo squarely in the eye.

ETTA

But they missed their last two payments. So that was that.

HOOKS

Missed their last two payments. After years of not missing one?

ETTA

It was the war. They were gone. Sent off to the camps. With all the other Japs.

INT. CARL SR. FARMHOUSE KITCHEN - DAY

Carl Sr. and Zenichi sit at the table. Carl smooths out a poster which Zenichi has brought. We read: EVACUATION INSTRUCTIONS TO ALL PERSONS OF JAPANESE ANCESTRY.

Carl lights his pipe. Compassion in the broad weathered face. Etta watches by the stove.

ZENICHI

...if you like, you can work our fields, sell berries, keep the money. Otherwise,

they just rot.

Zenichi produces a neat stack of bills. Puts them on the table.

ZENICHI

Today, I have half money toward next paym...

CARL SR.

Absolutely not, Zenichi. I'm not gonna take your savings at a time like this.

Zenichi spreads the bills out. On the table.

ZENICHI

Please, you take. One hundred and twenty-five dollars. Then, I send more from where I'm going. If not enough, you sell my seven acre berries, and keep the money.

ETTA

Thought you was givin' us those.

And everything. Stops.

ETTA

Didn't you come in here givin' them away? Now you want to make up the other half in berries you expect us to tend and pick. Is that what you come here hopin' on?

Zenichi keeps his anger within. His face is set.

ETTA

You want more coffee?

ZENICHI

No, thank you. Take money, please.

But Carl is staring at his wife. She stares right back. Carl turns, slides the money toward Zenichi.

CARL SR.

(staring at Etta)

Etta's been rude to you, and I apologize for that. You keep this money, and those payments will work out fine. Somewhere down the road.

INT. COURTROOM - DAY

ETTA

Road ended when my husband passed away.
I couldn't run the farm by myself, so...
I sold all thirty acres to Ole Jurgensen.
Got a fair price, this time. And...

Straightens her spine. To deliver the clincher...

ETTA

Sent their equity back to those Japs,
down to that camp in California. Which I
didn't have to do.

Hooks pauses. As if drinking this in. But Nels' attention
is drawn to Kazuo as he stares at Etta.

HOOKS

So they got all their money back? And
that was that. Or did you hear from the
defendant's family again?

ETTA

Oh yes, I heard from them alright. That
one there. Sitting over there.

She points to Kazuo who stares back at her with eyes as hard
as her own.

ETTA

He just showed up at my door.

EXT/INT ETTA'S APARTMENT, AMITY HARBOR - DAY

Kazuo stands at the open door, in his army uniform. No one
is inviting him inside.

ETTA

Carl's overseas, fighting the Japs. What
is it you want?

KAZUO

(quietly)
I came to get our land back.

He looks her squarely in the eye, fearlessly. Etta is a
little unnerved.

ETTA

It isn't yours. It's Ole Jurgensen's

now. Got talk to him about it.

She goes to shut the door. Kazuo stops it with his foot.

KAZUO

I just did. He didn't know it was our land. You didn't tell him Mr. Heine promised my fath...

ETTA

I was s'posed to tell him there's some illegal contract muddling things up? You folks didn't make your payments. In America, bank comes in and repossesses your land. I didn't do anything wrong.

Kazuo stands. Calm, unblinking.

KAZUO

Nothing illegal. Wrong is a different mat...

ETTA

Get out of here.

KAZUO

You sold our land out from under us, Mrs. Heine. You took advantage of the fact that we were gone. You...

SLAM. The door has closed in his face. And Kazuo stands there. As if deciding.

Whether to break it down.

EXT. AMITY HARBOR STREET - DAY

Kazuo heads down the steep, wooden steps from the house. He stops, momentarily unsteady. He holds the handrail as if to brace himself.

EXT. WOODED HILLSIDE - DAY

A wooded European hillside. A summer's afternoon. The droning of bees...CLOSE ON a SOLDIER, in U.S. Army uniform. It's Kazuo, his eyes searching ahead. A burst of machine gun fire rips the air. Then stops. Just as suddenly.

Kazuo signals a fellow soldier, also Japanese. A flurry of action. Half a dozen men run from cover to cover up a hill. All are Japanese-Americans. Across the valley more bursts of

firing. Some explosions. Two soldiers fall. Others drag them to cover.

Now alone, Kazuo inches around a tree. He continues cautiously up the slope. Now we see his objective: a crude bunker-like construction near the ridge top.

Carefully, Kazuo approaches the machine-gun nest. Taking out a grenade, he draws the pin. He holds it briefly, then suddenly stands and tosses it into the opening.

He throws himself down behind a fallen tree. A muffled EXPLOSION. Clods of earth rain down on Kazuo.

CLOSE ON the entrance. Legs visible inside, lying on the ground. Not a hint of movement.

Cautiously, Kazuo maneuvers for a better sightline. He carefully works his way into the SMOKING wreckage. Now he can see three German soldiers inside, clearly dead. The fourth is just a boy, barely sixteen, and already badly wounded. He sees Kazuo, and his hand reaches with difficulty behind some rubble. Swiftly, Kazuo steps on the boy's wrist to stop him. Then sees the boy's left arm moving in the darkness near the booted feet of one of his dead companions.

In a reflex action, Kazuo smashes his rifle butt to the side of the boy's head. A lightning quick coup de grace. Kendo style. From the boy's hand drops: a water canteen.

EXT. AMITY HARBOR STREET - DAY

Kazuo resumes walking down the street away from Etta's house.

WIDE SHOT...we see him angrily pull his army cap from his head.

INT. COURTROOM - LATE AFTERNOON

Hooks swivels, pointing his forefinger at Nels.

HOOKS

Your witness.

Remaining seated, Nels slouches back a little in his chair. Gazing benignly into Etta's hostile glare.

NELS

Just three questions. The Miyamoto family bought your seven acres for \$4500?

ETTA

Tried to. Defaulted on their payments.

NELS

Second question. What did Ole Jurgensen pay you per acre?

ETTA

A thousand.

NELS

I guess that makes \$4500 into \$7000, doesn't it? If you sent the equity back, you had a profit of \$2500.

ETTA

Is that your third question?

NELS

It is.

ETTA

You done your math right.

The old man wears a thin, cold smile.

NELS

You, too. Mrs. Heine. No further questions.

THE JUDGE glances at Hooks. Then:

JUDGE

You may step down, Mrs. Heine.

ANGLE ON Kazuo. As he watches Etta rise from the box.

Judge Lew Fielding leans his frame toward the jurors...

JUDGE

It's a shame to keep you folks from your families in a storm like this. I do hope you'll be reasonably comfortable in the hotel tonight. And one more thing...

He smiles softly. And turns directly to the press balcony.

JUDGE

This Court takes judicial notice of the fact that tomorrow is the anniversary of the attack on Pearl Harbor.

Slight pause. To make sure they are listening.

JUDGE

Which has no relationship to this trial.
Which is why I mention it.

Gavel CRACKS down.

JUDGE

Nine-thirty tomorrow morning. Stay warm.

EXT. COURTHOUSE - DUSK

It's already dark, as Ishmael emerges into the snow. People hurry across the street. Cars pull away from the curb.

Through the lamplight, Ishmael sees Nels, shoulders hunched against the cold. Walking away from the courthouse. Alone.

EXT. TORGERSON SERVICE STATION - EVENING

A set of SNOW CHAINS are wrapped around a tire.

DAVE TORGERSON is pumping gas for Ishmael while his teenage son hooks up his chains. It's busy around the gas pumps.

DAVE

Let it snow, let it snow!

He laughs heartily.

ISHMAEL

Biggest snowstorm I can remember.

DAVE

Where were you in '29? Now that was a snowstorm. A real blizzard.

Ishmael shrugs noncommittally. Island gossip.

DAVE

Don't believe me! Go check the coastguard weather records if you want proof.

ISHMAEL

I suppose there might be a story in it.

DAVE

Scribble, scribble, scribble! While the

rest of us have to work for a living!

Ishmael smiles, tolerating the usual jibe.

INT. NELS' APARTMENT - NIGHT

Nels in shirtsleeves at his table. Brooding over the remnants of his meal. He looks out the window, assessing the weather. Coming to a decision, he reaches for his coat.

By the door, he hesitates a moment. Then steps to the table and picks up a CIGAR BOX and CHESSBOARD. He goes out.

EXT. COAST GUARD LIGHTHOUSE, POINT WHITE - NIGHT

...the LIGHTHOUSE, slicing its shaft of light through the snow, across the shore, across the water. A foghorn SOUNDS.

The Chrysler pulls up. Ishmael gets out and trudges towards the concrete tower...

INT. LIGHTHOUSE RECORDS ROOM - NIGHT

A filing drawer opens. Weather reports, month by month.

LEVANT

Everything's dated. That's how we do things - by dates mainly. Radio transmissions, shipping logs, weather reports, the whole nine yards.

The young Coast Guard radioman indicates the crates and boxes stacked floor to ceiling in the cramped room.

LEVANT

Those boxes go clear back to Noah. Not that anyone ever pays them any mind.

Ishmael nods, contemplating the mountain of information. A thought occurs to him.

ISHMAEL

You monitor all radio activity?
Fishermen, that sort of thing?

LEVANT

Pretty much. Anything significant that is. Some of those guys don't know when to shut up.

He heads for the door.

LEVANT

Just yell if you need me.

Ishmael considers the drawer open at "December." He pulls open another one, and hunts out the file marked "September."

CUT TO:

INT. JAIL - NIGHT

Kazuo lies on his cot. The sound of a key in the lock. He sits up, as Abel Martinson steps in, followed by Nels.

Abel leaves, locking the door. Nels opens the cigar box, takes out a cigar. Offers one to Kazuo.

NELS

I should've thought of this weeks ago.
I've been looking for someone with the
free time to play chess for fifty years.
My guess is you play a mean game.

He sets up the board.

NELS

White or black?

KAZUO

Advantages to both. You choose.

NELS

Most players prefer to open. Why is that
anyway?

KAZUO

Must believe in taking the offensive.

NELS

And you don't?

Kazuo takes a pawn in each hand. Offers them.

KAZUO

This is the best way.

NELS

If we're going to leave it to chance,
left is as good as right.

Kazuo looks at him. Which will it be?

Nels taps one hand. Kazuo opens it, black.

NELS

Your move.

INT. LIGHTHOUSE RECORDS ROOM - NIGHT

Ishmael stares at the folder. Open on the table.

CLOSE ON the report he's reading.

"SEPTEMBER 16TH.

1:41 A.M. FOG HEAVY. FREIGHTER S.S. WEST CORONA OFF COURSE.
REQUESTED SIGNAL.

1:42 S.S. WEST CORONA CORRECTING COURSE VIA SHIP CHANNEL
BANK."

Ishmael pulls his courtroom notepad from his pocket. Thumbs
through it. Finds what he's looking for. He puts the
notebook next to the open report on file.

His finger compares two details.

"1:42 A.M." and "1:47 A.M. CARL HEINE'S WATCH STOPS."

Ishmael considers this. Puts away the notebook.
Contemplates the report.

ISHMAEL

(calls out)

Hey. Levant!

CUT TO:

INT. LIGHTHOUSE RECORDS ROOM - NIGHT - LATER

ANGLE ON a chart table.

Ishmael and Levant lean over a map. Levant explains.

LEVANT

There's the shipping channel. Any
freighter off-course can dogleg back
through here.

His finger bisects "SHIP CHANNEL BANK."

LEVANT

But that only happens if we're really

socked in.

ISHMAEL

Don't the gillnetters work off the bank?

LEVANT

Not even those guys're crazy enough to hang around in a bad fog! They get the hell out of there.

He looks up at Ishmael.

LEVANT

What's it got to do with your snowstorm story?

ISHMAEL

Nothing. Just curious that's all.

Levant goes to return the file to its drawer.

ISHMAEL

Here, I'll do it.

As he returns the file to the drawer, he deftly removes the radio report and pockets it.

INT. JAIL - NIGHT - LATER

The chess game has progressed. More black pieces than white. Kazuo studies the board silently. A small smile. He gently topples his king on its side. Conceding defeat.

A match STRIKES. Nels puts it to his cigar. Kazuo puts his aside.

NELS

Jury sees what I see more often than not.

KAZUO

And what do you see?

NELS

What do I see? I see a guilty man.

KAZUO

Maybe. Ask the men I killed in the war.

NELS

But that was war.

KAZUO

You don't understand.

Nels takes a puff. Considers Kazuo's face.

NELS

But...that jury's asking themselves what was your reason? To kill Carl Heine. Well, first there's the land itself.

Kazuo says not a word.

NELS

Then there's prejudice. Your people locked in a concentration camp. Your father never returns. You go off to fight the Nazis. Come back to this.

Nels leans back against the wall. Weary.

NELS

Then there's fairness and honor. You were cheated by that old bitch. Boy, she is something.

KAZUO

She's not alone.

NELS

You're right there.

Nels shakes his head.

NELS

But I'll tell you something. Hooks has missed the one reason. One reason. You coulda done it.

A flicker. Behind the defendant's eyes.

NELS

I watched you while Etta Heine was testifying. And you weren't thinking about her. Or about land. Or about you. No, it wasn't you she dishonored.

He sighs.

NELS

Your father was a man of honor. He chose his own death rather than...

KAZUO
(abruptly)
What's your point?

There is a silence. And then...

NELS
My point is, you're on trial, Kazuo. For murder. In the first degree. And unless you want to hang...

The word sits between them. Kazuo's face shows nothing.

NELS
Now tomorrow. Just like today. That jury will be looking at the evidence with one eye. And at you with the other. You'd better show them an innocent man.

A pause. Kazuo considers this.

KAZUO
You know what I learned from my father? "Fate favors the courageous." That's what he used to tell me.

NELS
Your father. Would have wanted you to return to your family. There's no shame or dishonor in that.

Kazuo draws himself up. Back straight. His face returning to its neutral mask. Nels sighs. He gets up to leave.

NELS
The courageous can also be fools.

INT. IMADA HOUSE - LIVING ROOM - NIGHT

Carrying two cups of tea, Sumiko joins her parents at the table.

SUMIKO
She's asleep.

INT. IMADA HOUSE BEDROOM - NIGHT

CLOSE ON Hatsue. Her head on a pillow. Eyes open.

PULL AWAY to reveal her two children in bed beside her. All

asleep. Hatsue lies there. Wide awake. Through the gauze curtains, snow falls softly outside.

A candle flickers at the bedside. CLOSE ON the flame to find WE ARE IN...

CUT TO:

INT. BUDDHIST CHAPEL - NIGHT

...a makeshift sanctuary. Candles, offerings of fruit. A young COUPLE together before a BUDDHIST PRIEST. Kazuo, now in U.S. Army uniform, and Hatsue, her best dress. Becoming one.

EXT. MANZANAR INTERNMENT CAMP/EXT. BUDDHIST CHAPEL - NIGHT

A searchlight sweeps barbed wire, rows of dark barracks blurred by swirling dust.

Our young couple and their wedding party tumble out into the windy night, laughing. Running to escape the dust.

INT. IMADA BARRACKS - LATER

A cramped, ramshackle room. Dust blowing through gaps in the flimsy walls. FUJIKO IMADA hangs the last of the woolen army blankets to divide the room in half, as on the other side, we see...

Kazuo, on a box, unscrewing the lightbulb to turn it off.

Now the newlyweds stand at a window in their wedding clothes. Kissing. Slow and full. Until she whispers into his ear...

HATSUE

They'll hear everything.

And her young husband turns. Speaks to the curtain.

KAZUO

(louder)

Wouldn't some music be nice?

And in a moment. The MUSIC begins. A wind-up 78 gramophone.

He takes her hand, places it on his top button. Encourages her to undo his shirt.

HATSUE

Why do you have to volunteer...

KAZUO

I have to. Don't you see?
(turning to curtain)
Can the music be louder, please? We
can't hear so good in here!

The girl laughs soundlessly. And as the music BLARES, he brushes a strand of hair off her cheek. He kisses her face and unclasps her dress.

On the other side of the curtain, Sumiko lies in bed. Below the curtain she glimpses Hatsue's dress fall to the floor.

INT. IMADA BARRACKS - NIGHT

LATER...the newlyweds on their cot now. Close together. Naked and hungry for each other.

KAZUO

Have you ever done this before?

HATSUE

Never. You're my only.

As he enters her. She holds him close with all her strength. And with whispered intensity...

KAZUO

(in Japanese)

Now I understand the deepest beauty.

INT. IMADA HOUSE BEDROOM - NIGHT

Hatsue turns on her side and cuddles up to her daughter. Her eye catches a newspaper beside the bed.

It's a copy of the ISLAND REVIEW. Its headline: "First Island Murder Trial in 31 Years Begins."

INT. SCHOOL BUS - DAY

Hatsue sits with the Japanese kids. Ishmael with his friends. The bus filled with stone-faced teenagers listening to the DRIVER, who brandishes his copy of the ISLAND REVIEW at the Japanese side of the bus...

DRIVER

...not just Hawaii, they're attackin' all
over the Pacific, the whole fleet's
destroyed. The FBI's in Seattle right

now...

And pauses. His eyes moving from one Japanese face to the next. Are you listening?

DRIVER

...arresting Jap traitors, spies and everything. There'll be a blackout tonight, so make sure you paper up your windows. So the Japs can't find us. You get the message?

Stares them down. Until, from across the bus...

ISHMAEL (O.S.)

Hey, Mr. Lamberson.

The driver's eyes snap around.

ISHMAEL

We get the message.

Hatsue and most of the others have turned to look at him. For a brief, rare moment their eyes lock. In public.

INT. ISHMAEL'S APARTMENT - NIGHT

The door opens. Ishmael comes into his apartment. He shrugs off his coat. Hangs it up.

He takes the lighthouse report notes out of his pocket. Spreads them on the desk in the window.

Outside the snow falls in endless cascades on main street. Ishmael considers the information he's found. Turning it over in his mind. His hand idly tapping his antiquated typewriter.

SOUND OF a sudden flurry of rapid typing, AND WE ARE IN...

CUT TO:

INT. ISLAND REVIEW FRONT OFFICE - LATE AFTERNOON, RAIN

...as Ishmael types furiously. Arthur paces around him, shirtsleeves rolled. Suspenders, no tie. Composing the day's editorial aloud to his son.

ARTHUR

These people are our neighbors, they have sent their sons to the United States

Army...they are no more an enemy than our fellow islanders of German descent...

Hesitates briefly. Then...

ARTHUR

...of German or Italian descent. Let us live that, when it is over, we can look each other in the eye. And know we have acted honorably.

He leans across and RIPS the page out. Reads it swiftly, then hands it to Ishmael.

ARTHUR

Set that for me, would you?

He leaves the office, polishing his spectacles.

INT. ISLAND REVIEW PRINTING PRESS ROOM - NIGHT

Ishmael works at typesetting the editorial. The SOUND of the press CLATTERS from next door. Ishmael reads the copy aloud, dramatically. A politician on his soapbox.

ISHMAEL

Let us LIVE that, when it is OVER, we can look each other in the eye. And KNOW we have acted HONORABLY!

He looks up to see Arthur watching him from the doorway. One eyebrow raised.

ARTHUR

(dryly)
Finished?

His deadpan look doesn't fool Ishmael. He grins.

ISHMAEL

Just about!

Arthur's face doesn't change. Just a wrinkle of humor gives the game away.

INT. IMADA HOUSE - DUSK

A bustle of activity. Fujiko hangs a blanket to blackout the windows. Hisao takes down a shotgun, placing it on the table next to a box of shells.

EXT. CEDAR FOREST - TWILIGHT

Hatsue is out of breath, panting from running through the forest. Ishmael tries to calm her.

HATSUE

They've arrested Mr. Shirasaki, and his family can't leave their house. They say he planted his strawberry rows like an arrow to guide bombers to some navy base.

She is outraged.

HATSUE

Those rows have been there since before we were born.

He wants to lighten her. Leans in and kisses her.

ISHMAEL

Diabolical. See, that's what makes you people so cunning.

She pushes him away. Agitated.

HATSUE

Look at my face. It's the face of the people who bombed Pearl Harbor. We're in bad trouble, you have to see that.

He puts a finger on her lips. Brushes aside a strand of her hair.

ISHMAEL

Everything's going to be fine.

She reaches out and touches his face gently.

EXT. IMADA HOUSE - NIGHT

HATSUE nearing her house, some berries gathered in her apron. She looks up. A black car approaches the house. Headlights covered. Hatsue freezes, watching. Two men in suits get out. Chatting, oblivious to Hatsue. They put on their hats and go to the front door.

INT. IMADA HOUSE - NIGHT

CLOSE ON Hatsue, staring with silent anger greater than her fear.

HISAO (O.S.)

(shaky)

We are loyal. It is for our defense.

PULL BACK to see the room. Hatsue and her sisters side by side, staring at the table. On it rests the shotgun, four boxes of shells, a ceremonial sword. FBI AGENT CRAWFORD, is tagging each item. He wears an insincere smile.

FUJIKO

Everyone on the island has these things.

Fujiko at her husband's side. She is quietly indignant.

AGENT CRAWFORD

(overly casual)

Well, they'll hold this stuff for a little bit, then ship it back to you. It's nothing to worry about.

And walks over to the tansu, a chest of drawers, and begins to remove items...

AGENT CRAWFORD

You folks have been real polite, and we'll be outta your hair in just a second...

...a silk kimono with gold brocaded sash...

AGENT CRAWFORD

That's very nice. From the old country, it appears. Very high class.

And lays it on another table, next to a stack of Japanese sheet music, and a bamboo FLUTE. The flute Ishmael had once watched Hatsue play through the window.

AGENT CRAWFORD

These are real nice things. They'll take special care of 'em.

He LIFTS the flute now, toward his lips, as if he intends to play it. Then, his eyes cut playfully to Hatsue. Only a joke. Hatsue won't give him the satisfaction of reacting.

SUMIKO

You have to take her flute?

Fujiko is outraged. Hisao's face masks fear and anger...

AGENT CRAWFORD

...oh yeah, any old country stuff, we have to take.

And sees on the sofa, an open album. Strolls over. Picks it up. Doesn't see Hatsue stiffen with revulsion, as he wanders, thumbing through it, toward the doorway...

AGENT CRAWFORD

(calling out)

Wilson? Stop pawing through the underwear!

And chuckles. He knows they appreciate a joke. It means there's nothing to be afraid of. Stops turning pages now. Looks up, his eyes moving until they find Hatsue.

AGENT CRAWFORD

Strawberry Princess, huh? You musta been flattered by that.

A screen door slams. FBI AGENT WILSON enters with a crate.

AGENT WILSON

(quiet triumph)

Dynamite. Twenty-four sticks.

And the crate BANGS onto the table. Just beside the kimono.

HISAO

This for tree stumps. For clearing land.

The agent's smile fades now.

AGENT CRAWFORD

Maybe. Maybe. But this is still bad, y'see.

Fujiko slips her hand into her husband's. To give him strength.

AGENT WILSON

It's illegal contraband, you were s'posed to turn this stuff in. We, uh...

Slight shrug.

AGENT CRAWFORD

Now we gotta arrest you. Have to take you to Seattle.

Fujiko's breath catches. One of the daughters whimpers. Wilson unhooks a pair of handcuffs from his belt, but...

AGENT CRAWFORD

Naw, you don't need those. Mister Eee-ma-da-san here is a class act, a real gentleman.

The younger girls are crying now, clinging to their sisters.

HATSUE

You can't do this. He's done nothing wrong.

Fujiko gestures to Hatsue for silence.

AGENT CRAWFORD

Best for an honest man to clear his name for good and all. He'll be back soon.

They gather up the confiscated goods and escort Hisao to the door.

HISAO

(to Fujiko)

Call Kenji Yamamoto. Tell him I am arrested.

AGENT CRAWFORD

I wouldn't bother. We've got him too.

EXT. IMADA HOUSE - NIGHT

Hisao between them, the two agents cross the porch. Wilson's hat bumps into the wind chimes. A sudden jangling. He glances at them, then reaches up and takes them down.

The family watches from the doorway. The younger girls sobbing.

The oddly soothing tinkle of the chimes accompanies the men out to the waiting black car.

EXT. WOODS - NIGHT

Lantern light. A pile of dirt. Zenichi jabs a shovel into it. Kazuo watches as he kneels down, removing objects from a burlap sack. Places them into an open strongbox...

...wooden swords, hakama pants, a shinai, scrolls written with care. Dialogue plays in Japanese, subtitled in

ENGLISH...

ZENICHI

Your great-grandfather was a samurai, a
good soldier.

The father never looks at the son. Only at his work.

ZENICHI

He killed himself. On the battlefield.
At Kumamoto.

The young man knows this. Yet his entire being is focused on
every word.

ZENICHI

He went to battle with a sword. Against
guns. Knowing what honor required.

An elegant SWORD. Its curved blade gleaming in the lantern
light.

ZENICHI

He was angry. Crazy. But he knew what
what honor required.

A separate sack, just for this. Folded with respect.

ZENICHI

Honor can require loyalty. Revenge.
Death.

It goes into the ground. With the others.

ZENICHI

Honor is the only scale. In which our
worth. Is weighed. Every life ends.
And if it ends dishonored. It is as
if...

KAZUO

...as if we have never lived.

INT. CHAMBERS' HOUSE, ARTHUR'S STUDY - LATE AFTERNOON

The phone rings. Arthur reaches over and picks it up. A
shrill squawking voice penetrates the room. Expressionless,
Arthur hangs up.

Now we see: Helen, at Arthur's huge, cherrywood desk,
recording advertising receipts in a ledger. Opposite her,

Ishmael reads their paper. Its headline: ISLAND JAPANESE
ACCEPT ARMY ORDER TO EVACUATE.

HELEN

It's unbelievable to me...

ISHMAEL

(refers to paper)

I don't know, Mom. Here's twenty-three
ladies honored by the PTA and Dad singles
out three names. And they're all
Japanese. That's not journalism.

Helen glances at her husband. He smiles. A familiar debate.

ARTHUR

Because?

ISHMAEL

Because journalism. Is just the facts.

ARTHUR

Which facts? You can't print them all.
Journalism is making choices. Culling
out what's important.

The phone rings again. This time Arthur holds the receiver
toward them:

PHONE VOICE

"You know what happens to Jap lovers?
Jap lovers get their balls cut off and
stuffed down their..."

Arthur hangs up again.

HELEN

This is dangerous, Arthur.

ARTHUR

It'll blow over.

HELEN

Did you see the letters?

She hands him one. Arthur leans back. He reads aloud.

ARTHUR

"Seems like you're favoring the Japs,
Art....Your newspaper is an insult to all
white Americans. Please cancel my

subscription..."

ISHMAEL
What are you going to do?

ARTHUR
Send him a refund.

Ishmael flicks through the paper.

ISHMAEL
Where's the Petersen's ad I put together?

ARTHUR
He pulled out.

HELEN
So did Lottie Opsvig, and Larson. And
the Cafe.

A pause.

ISHMAEL
Now what?

Arthur thinks for a moment. Helen continues working.

ARTHUR
Print four pages instead of eight?

INT. MONTANA SCHOOL GYMNASIUM - WORK CAMP DORM - NIGHT

CLOSE ON HISAO. Writing a letter. Cross-legged on a bunk
bed.

HISAO (O.S.)
(subtitled Japanese)
"...we are digging trenches for a water
system. I am folding and ironing
clothing in the laundry..."

PULL BACK and UP to see that he is in a cavernous GYMNASIUM,
hundreds of bunks, each with its Japanese male occupant. The
effect is soulless and demeaning.

HISAO (O.S.)
(subtitled Japanese)
"...thank you for sending the
photographs..."

INT. IMADA HOUSE LIVING ROOM - AFTERNOON

Eight pages of his letter, carefully written in Kanji characters. Some lines have been blacked out by the censors. Fujiko reading aloud in English...

FUJIKO

"...Do not forget to spread the weevil bait and cut the runners on the yearling plants..."

Fujiko is momentarily overcome. She stops reading.

PULL BACK to see mother and three daughters around the table. Sumiko goes to comfort her mother.

SUMIKO

The hakujin...They're no better than animals.

HATSUE

(blurts)
Not all of them.

SUMIKO

How would you know?

A moment of eye contact between the sisters.

HATSUE

Because I live here. Among them.

Her voice so loud, so insistent. Her sisters are afraid for her. To have shown such disrespect. They look down at their hands. Or away, as if not hearing.

FUJIKO

You speak with great assurance, Hatsue. The words fly from your mouth.

HATSUE

I don't care what you say! Do you hear me? I don't want to be Japanese!

She rushes from the room. The room is still as the grave.

FUJIKO

(quietly, slowly)
These are difficult times. Nobody knows who they are. She does not mean what she says.

The mother's eyes burn silently.

INT. HATSUE'S BEDROOM - NIGHT

Hatsue lies on her bed, face to the wall. Fujiko puts away some clothing, trying to hide her agitation.

FUJIKO

You are grown now, Hatsue. Your life is yours. I hope you will carry your purity with you always. And remember the truth of who you are.

Hatsue remains silent. Unresponsive.

EXT. CEDAR HOLLOW - DUSK

They lie so close. Their bodies touching, not moving. Their faces inches apart, so that every word is a murmur...

ISHMAEL

Now look. What you do is write to my house, with Kenny Yamashita's name on the return address. No one will suspect a thing.

HATSUE

You're like me. We're both liars. It's one lie after another.

He's never seen her this fragile, this scared. He knows he has to be strong for her.

ISHMAEL

It's not lying. It's what we have to do.

He unties her hair. Removes a HAIRPIN. So gently. He slips the hairpin into a crevice in the cedar. Tries to keep his smile calm, steady...

He brings his face to her hair. Kisses it.

ISHMAEL

You smell like cedar.

Her eyes are wide. They move over his face. A murmured...

HATSUE

So do you. It's your smell I'll miss as much as anything.

He looks in her eyes. And words come from his heart, before he can stop them...

ISHMAEL

Marry me, Hatsue. We'll leave here.

Her eyes brim.

ISHMAEL

I want to marry you.

Her face so still. One tear falls, and he kisses it.

HATSUE

(softly)

Are you crazy?

ISHMAEL

(a whisper)

Please say yes.

No answer. Not knowing what to say, she winds an arm behind his head, and brings him nearer. His mouth opens into hers, with more force, more of his heart, than he has ever given. Deep and tender. His hands reach beneath her dress...

...she arches off the moss to make room for his hands. He unclasps her bra...

...as they breathe into each other, he undoes all eleven buttons on the front of her dress...

...she feels his hardness with her hand. His breathing stops. She unclasps his pants...

He peels her panties down her thighs...

Suddenly, he is OVER her, drawing her legs up around him. Her head tilts back, her eyes squeeze closed. And as he enters her...

HATSUE

Ishmael...

ISHMAEL

(whispers)

Please...

Her face registers a sudden certainty.

Her hands GRASP his upper arms. And push away gently.

HATSUE

(softly)

No, Ishmael

And he blinks. As if waking from a dream. Everything has stopped. Her face is strong and yet overflowing with regret. She scrambles away. Starts to dress herself, tearfully.

Ishmael draws away, buttoning his pants. Stunned, uncomprehending.

ISHMAEL

I'm sorry.

In a sudden burst of rage...

HATSUE

I don't know anything anymore.

She scrambles out of the hollow and...

EXT. CEDAR HOLLOW - DUSK

...BOLTS away, through the forest. And is gone.

Ishmael watches her disappear.

Devastated.

INT. IMADA BEDROOM - DAWN

An open SUITCASE is flung onto a bed. Items of clothing are hastily packed.

Hatsue closes the lid and shuts the clasps.

EXT. IMADA HOUSE - DAWN

Fujiko locks the front door. Together with her three daughters, each with a suitcase, she walks over to an ARMY TRUCK on the dirt road outside their house. In the distance, the FERRY WHISTLE sounds.

Two SOLDIERS assist them into the truck. It drives off.

EXT. AMITY HARBOR STREET - EARLY MORNING

A small convoy of three trucks passes through the main street. Silent onlookers watch from the sidewalk. A tiny hand waves a miniature flag from the back of a truck.

A line of JAPANESE EVACUEES, file down towards the docks.
All are carrying bundles of luggage.

Hatsue watches them as her truck bumps towards the harbor.

EXT. AMITY HARBOR FERRY DOCK - MORNING

The army trucks pull up. Hesitantly, Fujiko, Hatsue, and her two sisters climb from the truck, to see...

...a ferry, the KEHLOKEN, stands waiting. Soldiers are patrolling, organizing, watching. The evacuees, mostly women, children, and elderly men stand or sit in the cold, waiting with a poignant blend of dignity and uncertainty...

...Those who have registered at the official table wear large TAGS on their coats, as if they themselves were baggage. Others patiently stand in line.

...a FATHER unstraps huge parcels of belongings tied to the family car. His CHILDREN watch...

...nearby, on top of an enormous pile of bundles and suitcases, sits a glum THREE-YEAR OLD GIRL, clutching her little purse, as if she is herself a parcel...

Arthur's car pulls up. Arthur and Helen get out. Ishmael watches from the back.

And against the dockside building...

...a cluster of white islanders, including Helen & Arthur Chambers, silently watching as their Japanese neighbors file toward the ferry. Arthur busies himself with camera and notebook as...

...there's a sudden flurry of noisy protest from an irate OLD JAPANESE MAN, in full U.S. Army dress uniform complete with World War I campaign medals, as he's escorted from a vehicle by two young soldiers...

...another soldier takes a mewling kitten away from a little girl. His reassuring words to her are in vain. She's heartbroken.

...A middle-aged woman waves to Fujiko, who casts her eyes down, refusing to acknowledge the greeting. And just as they reach the gangway...

...Hatsue sees Ishmael, who stands at an unobtrusive

distance, among a group of students. She pauses.

Their eyes meet, and HOLD for a heartbeat...

And she is gone.

...the ferry whistle blows again...the ropes are cast off...

...a CREWMAN hurries onto the bridge as the FERRY MASTER sets the engines in reverse. Silent tears run down his face...

As the ferry pulls away from the dock, individual cries of farewell go up from the crowd. Some onlookers weep...

...Ishmael waves, and from a distance we see Helen has been watching him, her suspicions confirmed...

...while small children on board wave little paper Stars and Stripes...

...and from up on the dock pilings, a NATIVE AMERICAN hurls a bouquet of red roses into the water...where they are churned in the boiling wake...

EXT. ON THE AMITY HARBOR FERRY - DAY

...Amid a throng of people and piles of belongings on board, Hatsue sits withdrawn, in a world of her own, oblivious to the hubbub surrounding her.

INT. CEDAR TREE - DAY

The silent forest.

Ishmael sits alone in the tree in troubled contemplation, his profile silhouetted against a crack of light.

EXT. IMADA HOUSE - DUSK

...Ishmael passes a homemade sign on the fence: EVACUATION SALE - FURNITURE, ALL BELONGINGS. He looks at the familiar Imada home: windows now broken, vandalized with racist graffiti: "DON'T LET THE SUN RISE ON YOU HERE, JAPS."

INT/EXT BUS - DAY

Ishmael sits in his usual place as the school bus bumps along the road out of town. He looks at one side of the bus where Hatsue and her friends used to sit. Almost all the seats are empty.

INT. BUS - DAWN

On another bus, far away, the Imada women huddle together for comfort. The bus is crammed full of people and belongings. Everyone looks desperately uncomfortable, after an endless journey, though a number of people are asleep. All the window blinds are pulled down even though it is light outside.

Hatsue is awake, enveloped in her brooding. DUST swirls around her.

A few rows back across the aisle from Hatsue, a YOUNG MAN is also awake. It's KAZUO.

The Bus slows down to make a turn. Kazuo glances back to check the SOLDIER on the rear seat is still asleep. Then he raises his window blind a few inches to look outside.

EXT. MANZANAR INTERNMENT CAMP - DAWN (KAZUO'S POV)

The bus enters the gate of a fenced COMPOUND. Military vehicles sweep past.

A sign etched in timber: MANZANAR WAR RELOCATION CENTER - FOR ALIENS AND NON-ALIENS. Barbed wire, barracks, dust.

CUT TO:

EXT. MANZANAR INTERNMENT CAMP - DAWN

The convoy of BUSES pulls up by the ADMINISTRATION BLOCK. Nearby, some SOLDIERS are raising the flag.

Befuddled groups of Japanese-Americans alight from the buses with their belongings, into the unpleasant bite of wind and dust.

CUT TO:

EXT. MANZANAR INTERNMENT CAMP - DAWN

HIGH ANGLE ON...The flag unfurling at the top of the pole. As it flaps, it drops like a curtain to reveal...

ROW UPON ROW of BARRACKS as far as the eye can see...the vast compound of MANZANAR.

CUT TO:

INT. KAZUO'S CELL - LATE NIGHT

A LIGHT flickers on. A hand screws in the lightbulb. It's Kazuo, standing on his cot.

...the bare bulb swings. Its light throws shadows of castles and horses across the chessboard.

Kazuo stares at the pieces.

INT. MIYAMOTO LIVING AREA - NIGHT

A heavy, muddy STRONGBOX is dumped on the kitchen floor.

It's 2:00 A.M. Kazuo is soaked to the bone. Mud-spattered. He struggles with the strongbox lid. He picks out some objects, placing them on the table.

Then, with reverence, he takes up the ceremonial sword.

Hatsue appears, dimly lit in the doorway.

HATSUE

Kazuo?

Kazuo examines the sword. Remembering.

KAZUO

This belonged to my great grandfather.

HATSUE

What do you want to go digging all that up for? You should leave that stuff in the ground.

Kazuo places the sword on the table. Takes a towel. Wipes his face and hair.

HATSUE

Kazuo? Let it go.

Still nothing. Kazuo turns, continues to unwrap the precious objects. Some have suffered with time.

Hatsue tries to catch his eye. And then.

KAZUO

My father buried these things on our land.

HATSUE

It's not our land.

Kazuo turns. Face contorted with passion. Even madness.

KAZUO

It is our land. Don't you understand?
They locked us up. And stole it from us.

Hatsue embraces him. His face moves toward tears.

INT. COURTROOM - MORNING (TRIAL DAY TWO)

Delicate frost patterns on a window pane. Beneath it, wet mittens steam, drying on the radiator.

On the wooden floor little puddles form, dripping from snow covered boots and shoes of the watching islanders.

In the witness box, OLE JURGENSEN wobbles slightly, hands resting on the cane planted between his frail legs.

HOOKS

Mr. Jurgensen. Did the defendant offer to buy the seven acres from you?

OLE

Oh, yeah. He was eager to. But this is five years ago, before my stroke. I had my health, I wasn't wantin' to sell.

HOOKS

And then after your stroke, earlier this year, you put your property on the market. I believe you said September 7. Which, remember, is eight days before Carl Heine died. And who comes September 7, wanting to buy?

OLE

Carl Heine came.

Hooks pauses. Lets that sink in.

HOOKS

But Carl was a fisherman. And very successful at it.

OLE

He said he didn't want that life no more. He'd been saving to buy a farm. He was sorry I got sick. But I could tell he wanted to get back his father's place

real bad.

The old man's head bobs. Recalling.

OLE

Liesel and me. Was happy for him.

Hooks smiles. As if he would be happy, too.

HOOKS

And later, that same day. Only eight days before Carl Heine died. Did another prospective buyer appear?

EXT. CARL SR. FARMHOUSE PORCH - DAY (NOW OLE'S)

Ole sits in a wicker chair at a wicker table. His wife LIESEL is setting out cold drinks. But their visitor stands rigid, disbelieving.

LIESEL

I'm sorry to tell you, we took his earnest money, he shook Ole's hand. Come November, he'll sell his boat, and take over the farm.

Kazuo is thunderstruck.

KAZUO

But your sign...

LIESEL

We din't have no time to take it down. He just come ten o'clock.

Kazuo nods. His voice is soft, but his eyes are steel.

KAZUO

It's my fault. I should have come earlier.

He looks so odd, perhaps he's ill. Liesel is concerned.

OLE

If you want t'buy them seven acres. Carl Heine's the only fella can sell 'em.

KAZUO

You're right. I'll go see Carl.

EXT. CARL SR. BARN - DAY

WIDE SHOT...Kazuo stares at the "FOR SALE" sign on the barn near the gate. He tears it down.

EXT. FIELDS - NIGHT

CLOSE ON Kazuo alone, sheened with sweat, his movements a blur, as the kendo staff CUTS the air. Angrily.

INT. COURTROOM - MORNING

Sheriff Moran sits in the witness box, in his hands is a piece of ROPE.

Outside, the wind whistles. RATTLING the windows as snow LASHES the glass.

MORAN

It's a mooring line from Carl Heine's boat.

HOOKS

And what's so special about it?

MORAN

Well, the strange thing is it's got a bowline in it.

Holds it up for Hooks. So the jury can see the knot.

MORAN

And all the other lines on Carl's boat were braided together in loops.

HOOKS

What do you make of that?

MORAN

Well. This one here is identical to all the lines we found on the defendant's boat. And it's worn just the same, too.

Ah. Hooks nods. Significant.

HOOKS

But didn't you just tell us you found that on the deceased's boat?

MORAN

Sure. But if Miyamoto, there, had been tied up to Carl's boat and cast off in a

hurry, he coulda left it there.

Nels looks up, almost perfunctory.

NELS

Objection. The witness is speculating.

Judge Fielding turns to Moran.

JUDGE

Sustained. He's right. Watch yourself.

MORAN

Well, all I know is. I found his rope on Carl's boat. Why don't you ask him to explain that.

CUT TO:

Kazuo's face. Totally impassive. He looks away.

EXT. THE ISLANDER/DOCK - LATE DAY

From his cabin on THE ISLANDER, Kazuo looks along the dock. In the distance, Moran and his deputy approach.

Kazuo quickly returns to his task. Replaces the battery in his well. Closes the cover.

He checks how close Moran and Abel are. He notices an empty cleat. Then...picks up a fresh line and secures it to the empty cleat.

Moran and Abel are closer now. Kazuo jumps onto the dock. Goes to meet them.

FROM THE BOAT, we see them meet thirty feet away. The lap of water, gulls shriek.

Moran hands a warrant to Kazuo. Kazuo glances at it. Hands it right back.

Art prods Abel down the dock. Abel heads for the boat, as Art continues to talk to Kazuo.

IN OUR FOREGROUND, Abel steps onboard. Sweeps a look right around the boat. His eyes settle. He reaches down and picks up...

...the FISHING GAFF...

...BLOOD on the handle.

INT. COURTROOM - LATE MORNING

The gaff is now in Nels' hand. In the witness box...

...DR. STERLING WHITMAN, hematologist.

NELS (O.S.)

So you found the blood on the gaff was not fish blood at all. It was human, yes? Type B positive.

DR. WHITMAN

Carl Heine's type.

Nels nodding. Seemingly unconcerned by this fact.

NELS

But you can't say with any certainty that the blood was his.

DR. WHITMAN

No, but as I say, the type is rare. Ten percent of Caucasian males. Whereas the defendant, there, is type O.

Nels sighs. A bad moment.

NELS

Yes, sir. You told us. No one is contesting that. You also told us that you scraped the dried blood from the handle of the gaff.

(pointing)

And what did you see under your microscope, besides the B positive blood blood and the wood scrapings...?

DR. WHITMAN

What else would there be?

NELS

But Doctor. Were there no splinters of bone, no particles of scalp, no strands of hair?

DR. WHITMAN

None.

NELS

Doesn't this seem odd to you? If this gaff were in fact used to inflict a head wound...?

DR. WHITMAN

I was asked only to perform two blood tests. I determined that...

NELS

(gently persistent)

Yes, yes. As you have testified. But what I want to know is would that seem logical?

DR. WHITMAN

I don't know.

NELS

You don't.

Pause.

NELS

Now. Our good friend the coroner testified that Carl Heine had a cut. A fresh cut. Probably one or two hours old. On the palm. Of his right hand.

Walks toward the box. Holding the butt of the gaff toward him...

NELS

With no bone or scalp or hair present. Would it be more probable that the blood on the gaff came from crushing a man's skull or from a cut on his hand?

DR. WHITMAN

I'm a hemotologist, not a detective.

NELS

Which is more probable?

Whitman won't be badgered. His smile carries only a trace of coldness...

DR. WHITMAN

It is not my function. To weigh those probabilities.

Nels looks him over. Looks at the jury.

NELS

You're right there Doctor. Thank you.
For braving the thrilling ferry ride all
the way from the mainland through the
snowstorm to help us out.

And walks away. Hands the gaff to the clerk.

NELS

You can put that away now, Maggie. We're
done with that.

INT. COURTROOM - DAY

Hooks sits against the prosecution table. His demeanor
gentle, respectful. His voice soft.

In the box, the widow sits in lovely dignity. Blonde and
alabaster and modest, in her black dress and veil of
mourning.

In the press row, all eyes are attentive. An angle they know
they can sell. Ishmael among them, watching, neutral.

Susan Marie listens. Poised.

HOOKS

Can you think back for me to the morning
of September 8th?

There's a tremor of recollection in her eyes.

CUT TO:

INT. CARL JR'S BATHROOM - DAY

A bright bathroom. Filled with STEAM.

A hand clears condensation off the mirror. Susan Marie peers
at herself in the glass. She has just woken up.

Behind her, the huge outline of Carl behind the shower
curtain. Scrubbing away a night's fishing.

HOOKS (O.S.)

...the morning after your husband
purchased the Jurgensen's farm...

Now in the shower, Susan Marie's face is pressed against the
wall.

Wet strands of hair fall across her eyes. Carl behind her, his beard raking her shoulders. Her body arches with his movement. He turns her face to kiss her. Quite tenderly.

HOOKS (O.S.)
...one week before his death...

INT. COURTROOM - DAY

CLOSE ON Susan Marie. Momentarily chokes with emotion. Hooks moves toward her slowly. Solicitous.

HOOKS
I'm sorry Mrs. Heine. To have to ask you. Can you recall that morning?

SUSAN MARIE
I can.

INT. CARL JR.'S BACK DOOR/SHED - MORNING

Susan Marie is by the door, looking out through the shed full of nets and fishing gear...

HOOKS (V.O.)
Did the defendant come visiting that day?
To speak to your husband?

...across the yard. Her towering husband walks beside a smaller man. Carl is doing the talking. Kazuo's face is stone.

INT. CARL JR.'S KITCHEN - LATER

Carl paces the room, the baby at his shoulder.

CARL JR.
It's no big deal. It's a long story. He wants to buy seven of Ole's acres. The ones his family had. That thing my mother talks about.

SUSAN MARIE
Oh that...I had a feeling it was that. What did you tell him?

CARL
What could I tell him? There's my mother to think about. You know her.

Susan Marie knows what Etta would say.

CARL

I said I'd think it over, have a talk with you.

SUSAN MARIE

Did he go away angry?

CARL

I couldn't...tell...

Pause.

CARL

Look. Kazuo's a Jap. You can't read Japs.

SUSAN MARIE

Don't say that. You don't mean that. You and he used to fish together. You were friends.

And Carl turns. Looks at her. A full beat.

CARL

We were kids then.

He hands her the baby and leaves the room. HOLD on her.

INT. CARL JR.'S SHED - DAY

LATER. Carl in his shed, alone.

He fingers a beautifully made bamboo fishing rod. Turns the handle to the light to see a name etched on it: "Kazuo Miyamoto."

INT. COURTROOM - DAY

Susan Marie's eyes are set. Wary.

NELS (O.S.)

So your husband said he'd think it over. Encouraged Mr. Miyamoto to believe he might sell to h...

SUSAN MARIE

I wouldn't say encouraged.

NELS

Well, he didn't say "no", did he? Didn't say no hope existed?

SUSAN MARIE

Not in those words.

NELS

So the defendant was encouraged to hope.

She thinks about this.

SUSAN MARIE

How would anyone know what he hopes for, or anything else he's thinking?

A murmur from the gallery. Kazuo sits unflinching. Nels stops in his tracks. Turns to look at her.

NELS

Mrs. Heine. Do you really think that's fair?

HOOKS

Objection, Your Honor. Completely irrelevant.

NELS

There's nothing more relevant in this courtroom, Alvin. You know that as well as anybody.

The gavel CRACKS down.

JUDGE

Gentlemen, gentlemen. Back to your corners, please!

NELS

I'm sorry for this little interruption, Mrs. Heine. I have no further questions.

JUDGE

Thank you, Mrs. Heine. You may step down.

Susan Marie leaves the box. As we follow her path back to her seat...

HOOKS (O.S.)

The State rests, Your Honor.

...Susan Marie passes within touching distance of Hatsue in the gallery. Hatsue looks at her. Strong. Direct...

JUDGE (O.S.)

Very well, Mr. Gudmundsson. The defense may call its first witness.

...Susan Marie stares resolutely ahead, refusing to return the look. Only a nervous adjustment to her hair betrays her uncertainty as she sits...

NELS (O.S.)

The defense calls Mrs. Hatsue Miyamoto.

Hatsue now gets up, and heads to the stand along the same path just taken by Susan Marie. She passes Kazuo, who looks straight ahead. Not a flicker between them.

The jurors watch her as one.

In the balcony, Ishmael tenses involuntarily. He takes out the lighthouse notes. Looks at them again. Then back to the witness box. In front of him, a soft chuckle as Reporter #2 ogles the new witness.

REPORTER #1

Take it easy, why don't you! Her husband's not hung yet!

They laugh quietly.

Ishmael stuffs the papers away again. His features creased with indecision.

CUT TO:

INT. COURTROOM - DAY

HIGH WIDE SHOT of the court. Nels stands near the box, facing Hatsue.

HATSUE

He woke me with the news. He was very excited about the land. We started making plans right away.

CLOSE ON Hatsue. Eager to cooperate, but on edge nonetheless.

NELS

And when did you first learn. That Carl

had drowned?

The slightest pause. As if hesitant to confess...

HATSUE

One o'clock, that afternoon, from a clerk
at Petersen's.

INT. MIYAMOTO BEDROOM - DAY

Hatsue shakes Kazuo awake.

HATSUE

Carl Heine is dead. It's all over the
island.

KAZUO

What do you mean?

HATSUE

He drowned. They've found him in his
net.

KAZUO

I can't believe it. Carl?

HATSUE

It's true. Poor Susan Marie. And those
kids.

Kazuo leaps out of bed. Suddenly agitated.

KAZUO

I'd better get down to the boat. Replace
that battery.

HATSUE

What are you talking about?

KAZUO

I was on his boat last night, remember?

HATSUE

So? You were helping him. Tell the
Sheriff.

KAZUO

Are you kidding? You think they're going
to believe me?

HATSUE

It was an accident, wasn't it?

KAZUO

That's right. Let's just leave it at that.

He hurries out. HOLD ON Hatsue. Wondering.

INT. COURTROOM - DAY

NELS

(turning to Hooks)

Your witness.

And Alvin Hooks rises. Perches on the edge of the prosecutor's table. And looks at the witness.

HOOKS

So. Your husband came home agitated, after his encounter at sea with the deceased?

Only earnestness across her perfect features.

HATSUE

I said "excited." Not agitated. He was excited in the sense of being overjoyed.

HOOKS

You were...overjoyed yourself, to hear the news?

HATSUE

Happy for him. And relieved.

HOOKS

So, then, you...and your husband...must have called friends, relatives, to tell them the happy news. Yes?

HATSUE

(calm, respectful)

No.

HOOKS

Really? Didn't call your mother, your sisters, about starting a new life? Your husband never tells his family that the family honor is vindicated?

Hatsue shifts in her chair.

HATSUE

No, we decided not to tell anyone. Until we signed papers. In case something went wrong.

HOOKS

And then, something did. Carl Heine was found dead. With his head crushed.

She weathers that last part. As if taking no notice.

HATSUE

Yes, and then, what was there to call about? Everything was up in the air.

HOOKS

Up in the air? Was that your reaction?

And he rises. Tastefully indignant.

HOOKS

I would suggest that more happened than a land sale evaporating. A man died, Mrs. Miyamoto. A husband and father of small children had his skull bashed in!

HATSUE

(quiet dignity)

If you mean to imply that we didn't care about Carl's death, that is wrong and insulting.

HOOKS

I see. Well, did it occur to you to come forward to tell Sheriff Moran what you knew? The encounter in the fog, the...dead battery, was it?

Silence.

HATSUE

We discussed that. And decided not to.

The row of reporters, scribbling diligently. Ishmael among them, notepad balanced on his right thigh.

HOOKS (O.S.)

Why not?

On Hatsue. She looks at him with her customary directness.

HATSUE

Because things looked bad. Very bad.
Kazuo and I knew that. We thought he
could end up here, on trial for murder.
And that's exactly what has happened.

A momentary flickering of the lights. Hooks stops. Looks
upward. The lights flick again. And stay on. A murmur of
relief from the gallery.

HOOKS

But if truth was on your side, whatever
were you worried about?

HATSUE

Trials aren't only about truth, Mr.
Hooks. Even though they should be.
They're about what people believe is
true.

Once more, the reporters. But now, as Ishmael writes, he
alone keeps looking up. At the witness.

HOOKS (O.S)

So you hid the truth. Deliberately. You
lied.

HATSUE

We were afraid. To come forward seemed
like a mistake.

HOOKS

Doesn't it seem to you, Mrs. Miyamoto,
that your mistake was in being deceitful?

And on this word. Ishmael stops writing. Alone among the
bank of reporters, he is frozen, watching her.

HOOKS (O.S.)

Concealing information during the course
of a sheriff's investigation.

On Hatsue. Her dignity and composure.

HATSUE

It seems human. To me.

Oh. Hooks raises his brows.

HOOKS

I suppose that you mean this somehow excuses your lies? I don't know, Mrs. Miyamoto. I just don't understand this at all. I'm completely at a loss. I mean to say, how on earth can you expect any of us to believe you now?

Silence. Hooks settles into his chair.

HOOKS

No more questions, Your Honor.

HATSUE

Wait a minute, I haven't had a chance...

HOOKS

I said. No further questions.

Anger flashes across her eyes. She draws a breath...

JUDGE

That's enough, Mrs. Miyamoto.

Hatsue goes to speak.

JUDGE

Not another word! The fact that you wish to speak, that you might like to give Mr. Hooks over there a piece of your mind -- this just isn't allowed, Mrs. Miyamoto.

All in the reporter's row are scribbling furiously.

All but one.

At which moment the lights FLICKER once. There is something of a GASP, at the near-miss. And then...

A HUGE GUST OF WIND shakes the windows.

DARKNESS. The lights go OUT for good. A collective groan. Fielding's gavel coming DOWN for silence.

JUDGE

Bailiff?

From somewhere...

BAILIFF (O.S.)

I'll see if I can scare up some candles, Your Honor.

More noise. The gavel again.

JUDGE

Very well. Lights or no lights, Mr. Gudmundsson, will you redirect?

NELS

Nothing further, Your Honor. The interruption is as well timed as it could be.

JUDGE

You may step down, Mrs. Miyamoto. Now, in the circumstances...

Squints around in the near-blackness.

JUDGE

...I think we might resume tomorrow, in the hope of better things.

He turns to the Jury.

JUDGE

But snow or no snow, let us not forget that this is a murder trial. We have got to keep that foremost in our hearts and minds.

And to the watching attorneys.

JUDGE

The thought of a retrial makes me weary. I think that with a little effort we can avoid one, can't we?

Gavel RAPS once.

INT/EXT ISHMAEL'S CHRYSLER, CENTER VALLEY - AFTERNOON

Ishmael driving past the blanketed strawberry fields. On the seat next to him a bag of GROCERIES.

Here and there, cars, abandoned to the drifts. Spikes of green branches poke out of the snow where they've fallen. An abandoned wreck on its roof. Light-hearted radio music makes a counterpoint to the desolation.

Ishmael has to work at keeping the car on the road, but he enjoys it. He turns the wheel using a specially mounted

cherrywood knob.

CUT TO:

EXT. CENTER VALLEY ROAD - AFTERNOON

BY THE ROADSIDE...With his father's old camera, Ishmael photographs a logging truck that's skidded and lost its load.

CUT TO:

EXT. CENTER VALLEY ROAD - DITCH - AFTERNOON

BACK ON the road, the Chrysler follows the curve. Fields are pure white to the horizon. Up ahead, an old station wagon has run into a ditch. A middle aged Japanese man is working at a rear wheel with a shovel.

Ishmael pulls over. Gets out to lend a hand.

As he approaches the car, a woman appears from behind it. It's Hatsue - shovel in one hand. Pulling snowflaked hair out of her eyes with the other. Ishmael stops. A BEAT.

CUT TO:

INT. CHRYSLER, SOUTH BEACH DRIVE - LATE AFTERNOON

Ishmael drives with Hisao beside him, Hatsue behind.

HISAO

This is a very fine car. Much better than the new ones.

Ishmael smiles, at the old man's desire to be complimentary.

ISHMAEL

It was my father's.

HISAO

He was a good man...

He looks out the window. Ishmael's eyes flick to Hatsue in the rearview mirror.

ISHMAEL

I know it's caused you trouble, but the snow is beautiful, isn't it?

Hatsue shares the seat with the groceries, staring out the side window, strands of wet hair pasted against her cheek.

HISAO

Yes, very beautiful.

Suddenly, her eyes SNAP to meet Ishmael's in the mirror. His dart away. Hers hold.

HATSUE

This trial is unfair. Your father would have written about that in his paper.

He keeps driving. And he keeps his eyes on the road.

ISHMAEL

(calmly)

What would he have said?

HATSUE

How this trial is wrong. How it's just about prejudice. The whole thing is unfair.

ISHMAEL

I sometimes think that unfairness is just a part of things.

HATSUE

I'm not talking about the whole universe, I'm talking about people. The coroner. That prosecutor. You.

Hisao Imada looks out the window. Silent.

ISHMAEL

Is that what you think?

She studies his face.

ISHMAEL

Maybe I should write a column. Yes. About unfairness. About the unfair things people do to each other.

And his eyes come up. Meet hers in the mirror.

INT. PETERSEN'S GROCERIES - DAY

Ishmael home from the war, still in uniform, carrying milk and crackers, in line at the checkout. The empty sleeve of his Marine tunic pinned up at the elbow.

At the head of the queue Hatsue unloads groceries. An infant at her shoulder.

In front of him, SVEN RONSTON, carefully glances back at Ishmael's pinned sleeve. The CHECKER glances his way, then looks awkwardly down.

ISHMAEL
(defiantly)
You can look. That's okay. We can talk about it.

Everyone looks at him. And away. Confusion.

ISHMAEL
It's a missing arm. Okay? It was blown off just like that. By the Japs.

No one knows where to look. Down, away, anything. Hatsue fumbles with her groceries. Ishmael puts his milk and crackers down. Heads for the door. Then, without stopping or looking back:

ISHMAEL
I'm sorry.

EXT. BEACH - EVENING

Ishmael alone on the familiar beach from his childhood.

CLOSE...we see he is wracked with grief. In his hand, a Purple Heart medal.

Pacing in rage and grief, he suddenly hurls the medal as far as he can. Into the water. Gulls wheel and screech.

Ishmael walks away.

EXT. SOUTH BEACH BAY - MORNING

Ishmael, crouched among trees. Above a sunlit stretch of beach. CLOSE ON his face. Eyes gazing down. At something.

See Hatsue down on the beach. Alone, raking for steamer clams. Her baby beside her on a blanket, beneath an umbrella.

Ishmael walks down to the sand. Crosses to where she works. And squats down. At a respectful distance.

ISHMAEL

Can I talk to you?

She must have seen who was coming. Because the words do not startle her. Or slow her work.

ISHMAEL

I'm sorry. I should never had said that word.

Silence. Hatsue works on.

ISHMAEL

Talk to me. Please?

HATSUE

I'm married, Ishmael. It isn't right for us to be alone. People will t...

ISHMAEL

I'm like a dying person. I don't sleep. I don't eat. I tell myself this can't go on this way. But I can't shake it.

Pause. He tries to move into her field of view.

ISHMAEL

I know you'll think this is crazy, but all I want is to hold you. Just for five seconds. And smell your hair. I think if you hold me, just this once, I can walk away and never speak to you again. I need to be in your arms, Hatsue, just for five seconds.

He tries to touch her hair. To smell it. She rejects his advance.

HATSUE

I did a terrible thing, Ishmael. I knew what you felt. And what I didn't.

Sadness in her voice. But strength as well.

HATSUE

And I never found the courage to tell you.

His eyes swim with tears. He chokes them back, he has to.

HATSUE

You have to hear this, I can never touch you. Not even for five seconds. Not ever. You have to let go.

She rises slowly. Brushes the sand from her skirt.

HATSUE

To hold you would be wrong and deceitful. You're going to have to live without holding me, that's the way things are.

She takes one step back.

HATSUE

Things end, Ishmael. They do.

And turns away. She gathers her baby in her arms. Takes her blanket, her umbrella, her rake and her pail. He watches, never moving, as she gathers her things. Gathers them as if he wasn't there. And as she leaves...

HATSUE

Get on with your life.

EXT. IMADA HOUSE - DUSK

The Chrysler pulls up to the farmhouse we have seen before. Nearly at the spot where Ishmael watched Hatsue so long ago.

Hisao gets out. Nods his head with a grateful smile. Ishmael turns to Hatsue as she gets out.

ISHMAEL

Hatsue?

Reaching in his pocket for the lighthouse report.

ISHMAEL

I need to talk to you...

HATSUE

I appreciate your help, Ishmael. Don't spoil it please.

ISHMAEL

You don't understand. I think it's important.

Hatsue pauses. Waiting. Ishmael goes to speak. Then looks away.

HATSUE

Maybe another time.

She trudges to the house in her father's footsteps. Her children appear on the porch with her mother. Angry with himself, Ishmael stuffs the notes away and drives off.

CUT TO:

EXT/INT CHAMBERS' HOME - NIGHT

Ishmael heads up a path away from his parked car towards a fogged kitchen window. As he approaches, a hand wipes the glass clean on the inside, and a face bends to look through the cleared circle of the window pane. Ishmael looks in. Finds himself almost face to face with his mother in the lamplight.

INT. CHAMBERS' KITCHEN - NIGHT

CLOSE ON a steaming soup kettle, resting on a woodstove. PULL BACK to see Helen is bundled up in coat and scarf, despite the heat from the kitchen stove.

HELEN

It's a travesty of justice. This island ought to be ashamed.

She fills two bowls with a wooden ladle.

HELEN

They only arrested him because he's Japanese.

ISHMAEL

He's not doing much to help himself on that score. Sitting there so defiant. Just like a face from one of our propaganda films.

HELEN

I know who he is. He's a striking man. His face is powerful. That doesn't make him guilty.

ISHMAEL

Of course not. But it's not as simple as that. The evidence sounds very solid. That prosecutor's sure got his facts lined-up.

Helen puts a bowl in front of Ishmael.

HELEN

You haven't even heard the defense case,
yet from the sound of it you're ready to
hang him!

HOLD ON Ishmael as Helen sits opposite him.

HELEN

Besides. There's more to life than
facts.

ISHMAEL

What else is there? Everything else is
emotions. At least you can cling to the
facts. Emotions just float away.

HELEN

Float away with them. If you can
remember how, Ishmael. If you can find
them again.

They start to eat. Then, suddenly...

ISHMAEL

I'm so unhappy.

INT. CHAMBERS' HOME, STUDY - NIGHT

Ishmael is seated at his father's desk. His candle throws a
pool of light onto the bound volume of the ISLAND REVIEW that
he's leafing through. He stops at a particular page...

...the STRAWBERRY FESTIVAL. Hatsue the Princess.

He looks up from the desk. A glint catches his eye.

On another shelf. Nearly obscured by books, clutter. A
slender, curved piece of metal. He moves his head, to see
more, and into view comes...

...a venerable pair of SPECTACLES. The ones we watched
Arthur polish on his shirt. And Ishmael...

...goes to the shelf. Takes up the spectacles with care. He
polishes them on his shirt. Brings them up momentarily to
his eyes. Then looks at them in the light, briefly glimpsing
his own double reflection.

EXT. VETERAN'S CEMETERY - DAY

Ishmael, the left sleeve of his dark suit of mourning pinned at the elbow. He is by his mother's side. The diggers are filling a grave in the distance. Mourners mingle, some casting glances back at Ishmael. Keeping their distance out of awkwardness rationalized as respect.

A small group pay their respects to Helen. One man speaks to her. MASATO NAGAISHI is frail. But his voice is clear...

NAGAISHI

The Japanese people of the island are saddened by this loss. Your husband was a man of great fairness and compassion for others...

He stands at a respectful distance. Helen nods, thank you.

NAGAISHI

A friend to us. And to all people.

Silence. They are a tableau of stone. Finally Nagaishi turns to Ishmael.

NAGAISHI

We know you will follow in his footsteps. And honor his legacy.

Ishmael's face registers the challenge.

INT. CHAMBERS' HOME - STUDY - NIGHT

Ishmael turns to see Helen watching him in the doorway, still wearing her coat and scarf.

HELEN

You should stay the night. Don't drive back through this.

ISHMAEL

I've got an early start.

A pause. Ishmael goes to shut the bound newspaper volume, but not before Helen's eye takes in the picture of Hatsue.

A moment. Then...

HELEN

This room is full of ghosts, isn't it?

No response. Ishmael turns away to replace the book in its

vacant slot.

HELEN

I hate to see you this way...

Ishmael's back remains resolutely turned.

ISHMAEL

I don't know what you're talking about.

HELEN

I'm right, aren't I? About your feelings for her?

Ishmael's silence speaks volumes.

HELEN

She's married, Ishmael.

No response.

HELEN

Look, it's awfully cold in here. Let's talk in the kitchen.

ISHMAEL

I don't want to talk about anything.

HELEN

You're just like your father. He never...

Ishmael spins around, his face seething with emotion.

ISHMAEL

I'm not just like my father. I know everyone wishes I was. Everytime they look at me I can see them thinking, "He's only half the man his father was". And they're right.

Helen looks him in the eye. And, gently...

HELEN

I was only going to say he didn't mind the cold.

Ishmael looks away. She moves closer. She hugs him quickly.

HELEN

It's not such a terrible thing. To be

your father's son.

She adjusts Ishmael's scarf. Gives him a little smile. And leaves him, alone in the room.

On the desk, the eyeglasses reflect a snapshot of Arthur and his young son under the glass of the desktop.

INT. ISHMAEL'S APARTMENT - NIGHT

ECU: AN OLD TYPEWRITER CARRIAGE

The words: "THE FACE OF PREJUDICE" are typed. Then... The page is RIPPED out. SCRUNCHED up.

CUT TO:

INT. ISHMAEL'S APARTMENT - NIGHT

WIDE SHOT AS THE BALL OF PAPER HITS THE FLOOR...

...alongside several others. Ishmael feeds a fresh sheet in expertly, paper held in mouth. Incessant snow blows hard against the window.

CLOSER as he types afresh..."FAIRNESS AND JUSTICE"...

...and stops again. On the desk, the lighthouse report flickers in the lamplight.

CLOSE ON the notes as Ishmael puts a corner of the paper to the flame. It ignites, blackens, crumples into dust.

CUT TO:

INT. ISHMAEL'S APARTMENT - NIGHT

A closet door opens. An accumulation of junk is revealed, including a prosthetic arm tucked away. TILT to see a cardboard box pulled out. The lid is removed to expose...

...a mess of photographs, clippings and books. A careless archive of memorabilia. An old high school yearbook is opened to reveal a small bunch of letters.

Ishmael leafs through the letters. He picks out one envelope. On the back, WE SEE...

...the return addressee is "KENNY YAMASHITA."

Ishmael looks at the envelope in his hand. Turns it over.

The envelope is turning. The front is blank. A hand starts to write "Ishmael Chambers"...

WE ARE IN:

INT. IMADA BARRACKS - LATE AFTERNOON

The cramped barrack hut, that houses the Imada family. The constant dust blows through cracks in the thin walls.

Hatsue is alone. Addressing the envelope.

The door opens. Dust and wind boil in. Hatsue's sisters hurry inside, laughing. Hatsue glares at them.

SUMIKO

(to Hatsue)

Well, pardon us Your Royal Highness.

Sumiko playfully grabs the letter.

SUMIKO

Who's your loverboy, then?

HATSUE

Give me that!

SUMIKO

(reads)

Ishmael Chambers! From Kenny Yamashita?

Fujiko enters, catching this. The laughter stops. Sumiko is frozen with the letter. In the paralyzed pause, Hatsue...

SNATCHES it back. Glances flitter between the sisters. Fujiko's eyes demand an explanation.

Fujiko nods to the other girls to leave. They obey. The mother steps aside to let them pass. Stares at her eldest daughter. Hatsue sits on her bunk, the letter in her lap.

FUJIKO

Does this explain your eagerness to walk in the woods everyday? Gathering berries?

In the silence, noises of other families intrude.

FUJIKO

(quietly)

Does it? Answer me.

In response, Hatsue removes the letter. She looks directly, almost defiantly at her mother. And starts to read.

HATSUE

(reads)

"Dear Ishmael, I can't think of anything more painful than writing this letter to you. I feel I have to tell you the truth. When we met that last time in the cedar tree and I felt your body move against mine..."

Hatsue looks her mother in the eye. Fujiko sits suddenly in a chair. She pulls her dusty coat around her.

HATSUE

(reads)

"...I knew with certainty that everything was wrong..."

CUT TO:

INT. ISHMAEL'S APARTMENT - NIGHT

...CAMERA MOVES from the torn, stained letter to find...

Ishmael's face as he reads by the open closet.

HATSUE'S VOICE continues:

HATSUE (O.S.)

"...I knew we could never be right together, and that soon I would have to tell you so..."

INT. MANZANAR IMADA BARRACKS - SUNSET

Hatsue reads on. Her defiance has crumbled already.

HATSUE

"...And now, with this letter, I am telling you. This is the last time I will write to you. I am not yours anymore."

She is oblivious to her mother's presence now, caught up in the expression of her own grief.

CLOSE ON the letter.

WE ARE IN:

INT. SHIP BUNKROOM - NIGHT

A ship's bunkroom. PUSH IN on Ishmael, reading the letter.

HATSUE (O.S.)

"...I don't love you, Ishmael. I can think of no more honest way to say it. When I heard your heart beating, as we lay together, I felt closer to you than I had ever been to anyone. And I knew it could not last forever."

We HEAR the raucous sounds of his bunkmates. See them in soft foreground...cleaning weapons...one marine shaves another's head.

HATSUE (O.S.)

"Whenever we were together, I knew it..."

Closer, closer. On Ishmael.

SMASH CUT TO:

EXT. UNDERWATER, TARAWA ATOLL - NIGHT

UNDERWATER. Tendrils of seaweed. PAN TO...

Above us, on the surface, bodies drift almost ethereally against brilliant flashes of red and yellow light in the night sky beyond. Like Aurora Borealis. The underneath of a boat hull. The surface broken by bodies jumping in.

Now CLOSE ON Ishmael's face underwater.

He's in full battledress and helmet. He looks about to drown. His heavy pack threatens to sink him. Other bodies land around him. In the melee, Ishmael loses his gun.

ALL SOUND is muffled, apart from his own HEARTBEAT, and HATSUE'S VOICE reading the letter...

HATSUE (O.S.)

"...I loved you and I didn't love you at the same moment..."

ON ISHMAEL to see BUBBLES escape from his MOUTH as he struggles out of his pack. Below him, a dead MARINE, trapped in a tangle of barbed wire.

HATSUE (O.S.)

"...I'm going to move on with my life as best I can, and I hope that you will too. You must live, Ishmael..."

AS IF IN RESPONSE, Ishmael struggles upwards to BREAK the surface, gasping for breath in violent gulps AMID A BEDLAM OF GUNFIRE AND EXPLODING ORDNANCE.

EXT. OCEAN'S SURFACE - TARAWA ATOLL - NIGHT

WITHERING BURSTS of fire and explosives whip the water, as Ishmael struggles to survive in this version of hell.

Fractured, fragmented glimpses through choppy water of...

...marines, jumping into the water from a LANDING CRAFT...

...one man submerges, drowning. Another is SHOT in the HEAD...

...men struggle and plunge desperately towards the shore, a distant, smoke enveloped SILHOUETTE OF PALMS glimpsed briefly in the strobing, lightning flashes of explosions.

HATSUE (O.S.)

"I'll always be wishing the very best for you..."

BLACK.

EXT. TARAWA BEACH/PIER - NIGHT

A split-second glimpse of a shelled, burned out hull, WREATHED IN BILLOWING SMOKE.

A HAND grabs desperately on the jagged edge. Ishmael hauls himself up. Lungs gasping.

Now waist-deep, he drags himself underneath the wooden structure of a pier. Other men struggle past. The water surface ERUPTS with mortar shells.

Under the slatted timbers Ishmael sees...

...a JAPANESE SOLDIER rises from underwater amid the wreathes of smoke and lightning flashes of red and yellow brightness. HIS BALD HEAD AND NAKED TORSO give him an unearthly warrior quality. His face bears a fleeting resemblance to KAZUO.

HATSUE (O.S.)

"...But now I must say goodbye to you..."

WHIP PAN to ECU of Ishmael as...

...a HUGE JARRING EXPLOSION WHITES OUT THE FRAME.

EXT. SEAWALL - DAY

LONG FADE IN FROM WHITE.

Blinding sunlight. Ishmael wakes to water lapping over him. A body floats alongside him, inches away. Photographs of smiling loved ones leak out of the dead marine's pack, drifting in the tide.

Above the waterline, a ghastly litter of death and damage. Bodies half submerged in sand, like incomplete stone sculpture. Some look as though they're sleeping, strangely peaceful amid the destruction.

HATSUE (O.S.)

"I know you will do great things in this world..."

Behind Ishmael, a partial view of the smoke enveloped beach. From the little we can see, it's like a twister hit it.

Shattered palm trees, a burnt-out tank, and a stranded landing craft. Some re-outfitters crawl along the seawall, distributing weapons to survivors.

The shattering THUNDER OF EXPLOSIONS continues. The ripping crackle of machine-gun fire, the thump of mortars CONTINUES OVER...

INT. ISHMAEL'S APARTMENT - NIGHT

...ISHMAEL on his bed, Hatsue's letter still in his hand. As he turns, his amputated stump is for the first time quite visible, naked and terribly vulnerable...

EXT. SEAWALL - DAY

...a squad leader goes OVER THE WALL. Firing ERUPTS, and the make-shift unit SCRAMBLES into the teeth of it, mortar and machine-gun BARRAGES and FLAME THROWERS pierce the shroud of SMOKE.

CAMERA FOLLOWS Ishmael SPRINTING through battered palm trees and silhouetted wreckage.

HATSUE (O.S.)

"...You have a gentle heart. A good heart, Ishmael..."

All SOUND disappears. Only Ishmael's panicked breathing can be heard. The man next to him goes DOWN silently, Ishmael TURNS instinctively, and an unheard shot...

...RIPS into his left elbow. He stares down, more in surprise than anything else. Still just his breathing audible.

CUT TO:

ISHMAEL'S POV...his left forearm - a trickle of blood rolls from under his sleeve, down his upturned palm...

TWO HANDS take the ARM away...

WE ARE IN:

INT. SHIPBOARD OPERATING ROOM - NIGHT

...a hell of men and blood and doctors and limbs and shouted curses. Most of the surgeons CORPSMEN, obviously learning as they go.

HATSUE (O.S.)

"...I will never forget you, and the time we spent together."

CAMERA finds Ishmael. Feverish, in a morphine-glaze, unconscious of the straps that hold him to a table. Lying across his chest, a bloody HANDSAW. Ishmael blinks, disbelieving. Turns to see...

...there, being carried away by a corpsman...

...his left arm.

ISHMAEL

(an opiated rasp)
...fucking goddam Jap bitch!

BLACK.

INT. COURTROOM - MORNING (TRIAL DAY THREE)

A match is struck. A large candle lit.

CUT TO:

WIDE SHOT...the empty courtroom, all in readiness for the days proceedings. Lit by a dozen candles. Like a chapel.

INT. COURTROOM - DAY

CLOSE ON Kazuo.

BAILIFF (O.S.)

Do you swear to tell the truth. The whole truth. And nothing but the truth? So help you God?

KAZUO

I do.

ANGLE ON Kazuo in the stand. Nels paces before him, poised to ask a question.

CUT TO:

CLOSE ON Kazuo's eyes. Tendrils of mist spiral past.

WE ARE IN:

EXT. SHIP CHANNEL BANK, THE SUSAN MARIE - NIGHT

Fog. The sound of water. Lapping at the hull of a boat. The mist drifts, revealing...

Eyes. They are blue. The heavy brows above them dark gold, matted and damp.

CARL

My batteries are drawn down, both of 'em. Generator belts were loose.

PULL BACK to see him. With his kerosene lantern and his air horn.

KAZUO

No sweat. We'll pull one a mine, get ya started.

PULL BACK to see him now, leaning on his gaff. Squinting up. At the top of Carl's mast. We follow his gaze to see...

KAZUO

You lashed up a lantern? 'Gainst a fog like this?

See it now. SWAYING as the helpless boat bobs in the night. Carl holds up the lantern in his hand.

CARL
Lantern and air horn. That's all I got.
I'm dead here.

CUT TO:

EXT. SHIP CHANNEL BANK, THE SUSAN MARIE - NIGHT

ANGLE ON a large battery as it's swung from one boat to the other. Carl looks at it.

CARL
That thing's big. But it'll fit if I
bang the flange out the way.

Kazuo reaches down and picks up his GAFF.

KAZUO
We can use this to hammer with.

INT/EXT THE SUSAN MARIE'S CABIN, SHIP CHANNEL BANK - NIGHT

CLOSE ON a battery well. One battery sits in place, one spot is empty. And...

...CRASH! The butt end of a fishing gaff BANGS against the metal flange. Again. AGAIN. And as the next blow is STRUCK, the huge hand...

...slips, and the soft metal SLICES Carl's palm. A pause as he glances at the bleeding cut, and resumes his work.

Then, satisfied he's made room for it. He lifts Kazuo's battery into place and secures it. He replaces the lid to the battery well, but it juts above the floor, resting on the bigger battery.

CARL
It'll take me a while to get charged up.

KAZUO
Keep it tonight. I'll catch up with you
on the dock.

Kazuo takes up his gaff. He goes to step over to his boat.

CARL (O.S.)

Seven acres...

Kazuo stops.

CARL

I'm wonderin' what you'd pay for 'em.
Just curious, is all.

KAZUO

What are you sellin' 'em for? Why don't
we start there.

CARL

Did I say I was selling? But if I was,
I'd have to figure you want 'em real bad.
Oughta charge a small fortune, maybe...

A slight shrug. A smile.

CARL

Then again. Maybe you'd want your
battery back.

Kazuo doesn't grin back. His face shows nothing at all.

KAZUO

The battery's in, that's done. Besides,
you'd do the same for m...

CARL

...might do the same. I have to warn you
'bout that, chief. I'm not screwed
together like I used to be.

Kazuo's face remains impassive. And the big man squints up
into it. He puts his cut palm briefly to his mouth.

CARL

Hell, I'm sorry, okay? About the whole
damn mess. If I'd a been around, my
mother wouldn't a pulled it off that way.

He is sorry. And with that, Kazuo's face eases.

CARL

(grins)

I was out there. Fightin' you Jap sons-a-
bitches.

KAZUO

(no grin)

I'm an American. Did I call you a Nazi, you big Nazi bastard?

CARL
(softly)
Not that I recall.

KAZUO
I killed men like you, pig-fed German bastards. So don't talk to me about Japs, you big Nazi son of a bitch.

Carl laughs.

CARL
I am a son-of-a-bitch. I'm a great big pig-fed Nazi German bastard.

Pause. And Kazuo's poker face breaks into a smile. The two men consider each other, then...

CARL
\$1200 an acre, that's what I paid Ole. You got no choice on that.

KAZUO
If I was buying, what'd you want down? Just out of curiosity?

CARL
A thousand down. We can sign off tomorrow.

Just hands grip. A firm shake.

KAZUO
Eight hundred. And it's a deal.

Kazuo steps back onto his boat.

INT. COURTROOM - DAY

Kazuo. In the witness box. Ramrod straight. Face composed, in the flickering candlelight.

HOOKS (O.S.)
For the life of me, sir, I cannot imagine why you kept this story from the Sheriff.

KAZUO
(quietly)

I was thinking about it. Every minute.

HOOKS

Except when Sheriff Moran arrested you. You said nothing about seeing the deceased.

Turns to the jury. Openly bewildered.

HOOKS

Why?

No reaction from the defendant. Nothing anyone can see.

KAZUO

I didn't have a lawyer...

HOOKS

But even after you had an attorney. You still claimed to know nothing. Claimed not to have seen Carl. Am I correct?

A beat.

KAZUO

Yes. Initially.

HOOKS

Well, "initially" is an interesting word, sir. You'd been arrested, you had a lawyer, and you still claimed ignorance!

Silence.

KAZUO

I should've told everything right away. I wouldn't be here if I had.

HOOKS

Should have told "everything". Meaning, you should have told the truth.

CUT TO:

INT. JAIL - NIGHT

Nels is interviewing Kazuo on their first meeting.

NELS

Is that the truth? The whole truth? Is it?

KAZUO

You don't want to hear the whole truth.

NELS

Why don't you try me...

KAZUO

The whole truth is...I wanted to kill him.

NELS

But did you?

SILENCE.

NELS

Did you? Tell me.

KAZUO

No. I didn't.

INT. COURTROOM - DAY (CONTINUED)

We can just discern the anger. At the edge of Kazuo's steady gaze. Silence.

HOOKS

Nothing to say?

KAZUO

(quietly)

I didn't know that was a question.

And Hooks smiles. Loving it. Walks toward the witness. Stalking him.

HOOKS

My apologies. Do you regret not telling the truth?

KAZUO

I have told the truth.

HOOKS

You mean, this morning. The new story, the battery story. That one is the truth? That's a question, sir.

KAZUO

(even quieter)

Yes. And I told it long before this morning.

Pause. Hooks resumes pacing.

HOOKS

So tell us. This good deed. This charitable act of yours, helping Carl. Why?

KAZUO

Well. It's a kind of code among fishermen. Someone sounds a distress call, you go. No questions asked.

HOOKS

That's interesting. Let's think about that. Suppose it was you who sounded a distress call. Are you with me?

KAZUO

So far.

HOOKS

Supposing it was you who sounded the distress. Could you rely on another fisherman, say Carl Heine for example, to come? And help you?

KAZUO

Yes.

HOOKS

I see. Now you told us you ran out to Ship Channel Bank that night with "other boats." Is that right?

KAZUO

That's right.

HOOKS

Was Carl Heine's boat among them?

KAZUO

Yes.

HOOKS

Did you see him running out there?

KAZUO

Until the fog rolled in. Then I lost

sight of everyone.

HOOKS

Okay, now let's see...

A FLICKER, and the LIGHTS go on. A murmur from the gallery. A man JUMPS UP, claps his hands and hurries out of the courtroom. A couple of others follow suit.

Judge Fielding raps the gavel for order, as the Bailiff starts to blow out the candles.

HOOKS

Now, where were we...yes...

Hooks flicks through his notes.

HOOKS

(reads)

You said in your testimony "I slept til one-thirty, when my wife woke me up with the news. We talked for a while. I left at six and went straight to my boat."

Pause.

HOOKS

Didn't go anywhere else? Just straight to the boat? Is that the truth?

KAZUO

Yes.

Hooks leans over the box. Ever so slightly invading Kazuo's space.

HOOKS

Well, the Sheriff found two batteries in your well. If, as you claim, you left one with Carl Heine, how is that possible?

KAZUO

I had a spare battery in my shed. I brought it down, and put it in just before the Sheriff showed up.

Ah. I see.

HOOKS

Conveniently, in your shed. Oh, this is

new. Why does this battery story change every time a new question is raised?

Kazuo looks at him, evenly.

KAZUO

You asked if I went straight to the boat. I did. With the battery.

Hooks steps back. Looks the witness over.

HOOKS

And the new line, too? Was that in your shed? You have a regular chandlery in there.

Silence.

HOOKS

You have no answer? You sit there in silence, with no expression. You're a hard man to trust, sir...

NELS (O.S.)

Objection!

JUDGE

You know better than that, Mr. Hooks. Either ask questions that count for something, or sit down and be done with it.

Silence. The judge staring hard. Hooks never flinching.

JUDGE

Shame on you.

Hooks turns his eyes to Kazuo. Stares him down, so the jury can watch Kazuo's implacable stare in return. Turns away.

HOOKS

No further questions.

Judge Lew Fielding looks to Nels, who nods.

JUDGE

You may step down, Mr. Miyamoto.

As Kazuo steps down from the box. We PAN...

...reporters' row. The boys are writing as fast as their

hands can move. Only Ishmael is not writing at all. He stares at the pad resting on his knee. IN CLOSE we see...

The words: "two lanterns." Double underlined.

INT. COURTROOM BASEMENT & HOLDING CELLS - DAY

Ishmael and Moran face each other across the counter. Behind Moran, the holding cell where Kazuo sits on a cot. Listening.

MORAN

What do you want it for?

ISHMAEL

It's public record, isn't it? If the public cares to read it.

Moran considers this a moment. In the cell, Kazuo gets up and looks through the bars. Ishmael avoids his gaze, uneasily. Abel comes in, heading for the cell.

ABEL

They're about to start up again.

MORAN

Where's a copy of that inventory? You know, the list of all the stuff on the boats.

Abel points to a filing cabinet drawer. As Moran retrieves a document, Abel leads Kazuo, handcuffed, out of the cell.

Ishmael has to step back to let them pass. Kazuo stops.

KAZUO

Hey Chambers.

Ishmael glances at him. Nods uncomfortably.

Abel leads him away. Moran slaps a paper onto the counter.

MORAN

One inventory...

Ishmael skims down the list of contents for "The Susan Marie," Carl Heine's boat. His finger stops.

CUT TO:

CLOSE ON the words: "Lantern, Kerosene. One."

Ishmael contemplates this a moment, then hands the paper back to Moran.

ISHMAEL

Thanks Art. You've been a great help.

INT. COURTROOM - LATER

Alvin Hooks stalks the jury box now. Prowls before them along the rail. As their eyes follow.

HOOKS

...believing that Etta Heine's son would never sell him the land. Land that in his mind, filtered through ancient rules of behavior handed down from his ancestors' culture, belonged to his family by right...

Stops. To make sure they understand.

HOOKS

His only choice to get the land would be to eliminate Carl Heine. So that Ole Jurgensen would need a new buyer.

Pacing again, hand trailing along the rail...

HOOKS

In his mind. Seen through codes of revenge difficult for us to fathom, this was also the only way to avenge what he felt to be the grievous dishonor brought to his father, his family...

Raises his finger. This must be heard...

HOOKS

...to a thousand years of ancestry, in a foreign land we still find an enigma. Despite our recent bitter experience with its ways.

And stops once more. Places his hands on the rail.

HOOKS

Thus believing cold-blooded murder to be justified...he trailed Carl Heine...could hear his engine in the fog...and sounded his own horn, claiming distress.

Straightens up. Shakes his head, ever so slightly.

HOOKS

As Carl pulled alongside: "Please, Carl," the defendant must have said. "I am sorry for what has come between us, but adrift here in the fog, I plead for your help!"

Imagine. Imagine that.

HOOKS

And so this good man tied his boat fast, while his enemy leaps aboard, striking the treacherous blow he was trained to strike by his father's hand.

Counting off the facts. One finger at a time...

HOOKS

The feud over these seven acres had festered for eight years. He argued with Carl about buying the land one week before Carl was killed. Then Carl is found. In his own net. His skull crushed. His blood on a murder weapon found on the defendant's boat.

Spreads his arms. Wide.

HOOKS

And after a series of lies. The defendant at last admits he was there. Alone on the boat. In the fog. Carl Heine's blood on his fishing gaff.

A hush. A murmur...

Hooks holds the pause.

Looking into the eyes now. Of each man. Each woman.

HOOKS

Look clearly at the defendant. See the truth self-evident in him. And in the facts of this case.

And turns. So that they will follow his eyes to Kazuo's stone-hard gaze.

HOOKS

Look into his eyes, ladies and gentlemen,
consider his face. And ask yourself,
each one of you, "What is my duty? As a
citizen of this community. Of this
country. As an American?"

INT. COURTROOM - LATER

PAN the jury, slowly, as they hear...

NELS (O.S.)

There is no evidence of anger at Carl,
much less rage, much less murderous rage.
No reason for premeditation and no
evidence of it. Anywhere.

Nels stands very still. Hands resting on the rail. As calm
and quiet as his adversary had been dramatic.

NELS

He had asked his childhood friend Carl to
sell him some land. And Carl was
considering it.

Leans forward. Just a little.

NELS

Carl's own wife testified that her
husband had not made up his mind!
Strange moment to follow and kill a man,
don't you think?

He spreads his palms.

NELS

And yet the state is required to prove
these things. Beyond. A reasonable.
Doubt.

His eyes widen.

NELS

There is more than reasonable doubt, but
reasonable doubt is all that's needed.
Why is Kazuo's D-6 battery in Carl's well, if
Carl was helping him?

Why?

NELS

Isn't the blood on the gaff more consistent with Carl's hand wound than a skull fracture? Given the absence of bone fragments or brain tissue.

And now. he begins to pace, limping slightly, eyes down.

NELS

What Mr. Hooks asks you to believe is that no proof is needed. Against a man who bombed Pearl Harbor. Look at his face, the prosecutor said. Presuming that you will see an enemy there. He is counting on you to remember this war. And to see Kazuo Miyamoto as somehow connected with it.

He stops. Looks at them.

NELS

And indeed he is. Let us recall that First Lieutenant Kazuo Miyamoto is a much decorated hero of the United States Army.

The feeling wells in the old man. It bleeds through the very quietness of his voice.

He leans his elbows on their rail, as if confiding in them.

NELS

Now Kazuo Miyamoto did one thing wrong. He wasn't certain he could trust us. He was afraid that he would be made a victim of prejudice. As Mr. Hooks is urging you to do.

Silence.

NELS

And there's reason in his uncertainty. Why? We sent him. And his wife. And thousands of Americans to concentration camps. They lost homes, belongings, everything. Can we now be unforgiving of his mistrust?

Looking in their eyes. As if waiting for an answer. They shift their weight, fidget beneath his gaze.

NELS

Now our learned prosecutor would have you

do your duty as Americans. Proud Americans. Of course you must. And if you do, Kazuo Miyamoto has nothing to fear. because this great country is supposed to be founded on a set of principles. Of fairness. Equality. Justice. And if you are true to these principles, you will only convict a man for what he has done. Not for who he is.

He holds their gaze.

NELS

I am an old man. I do not walk so well anymore, and one of my eyes is close to useless. My life is drawing to a close. Why do I say this? I say this because it means I ponder matters in the light of death in a way that you do not. I feel like a traveller descended from Mars, astonished at what passes here. What I see is the same human frailty passed from generation to generation. We hate one another. We are the victims of irrational fears.

He straightens his spine. Winces slightly, with the pain of it.

NELS

You may think this is a small trial. In a small place. Well, it isn't. Every once in awhile. Somewhere in the world. Humanity goes on trial. And integrity. And decency. Every once in awhile, common folks get called on to give the report card for the human race.

The eyes are watering. But the voice gains strength.

NELS

In the name of humanity. Do your duty as jurors. Return this man to his wife and children. Set him free. As you must.

End on Ishmael. As the words sear into him.

INT. COURTROOM - LATER

CLOSE ON handcuffs snapping into place. Abel stands by to lead Kazuo away. But he turns and reaches toward Hatsue.

Her sisters move away to allow Hatsue a moment with Kazuo.

They clasp hands across the railing. Feelings beyond words.

Nels is packing up. Studiously avoiding any intrusion.

Abel puts a hand on Kazuo's shoulder, breaking the moment.
He leads Kazuo away.

HOLD ON Hatsue. She sits down. Alone in the gallery. Nels makes his way down the aisle. He looks up at the balcony to see Ishmael staring at Hatsue. Nels recognizes the power of the emotional connection between them. He passes out of the courtroom without a pause.

Ishmael looks down at the lone figure of Hatsue in the empty chamber.

Sensing she's being watched, she turns suddenly and catches him.

He gets up and leaves.

EXT. CEDAR FOREST - AFTERNOON

The familiar landscape of the cedar forest is now blanketed in snow.

Ishmael appears, trudging relentlessly through the snow. He pauses. Looks around. Everything looks different to him. He heads off in a fresh direction.

CUT TO:

INT. CEDAR HOLLOW - AFTERNOON

A hole is punched through the snow.

With difficulty, Ishmael hoists himself through the entrance, and struggles into a cross-legged position inside.

His back is to the entrance, as he contemplates the wall of cedar close in front of him.

His eye takes in the surface of the wood, the moss, and suddenly lights on a particular crevice. He reaches out and extracts...

...A HAIRPIN. Hatsue's hairpin, now rusted with the years.

EXT. SNOW BANK - DAY

A bank of powdery snow. A boy falls backward into the drift. It's young Ishmael. Another figure flops beside him. It's Hatsue. They whirl their arms and legs, laughing. Making angels.

INT. CEDAR HOLLOW - AFTERNOON

With a sense of decision, Ishmael replaces the hairpin in its hiding place. Letting go.

EXT/INT IMADA HOUSE - NIGHT

Ishmael sits in his car. He looks at the Imada house, gathering his resolve. He takes the coastguard report out of his pocketbook.

He trudges through the snow to the front door, and knocks. The door opens a crack. It's Sumiko. She looks at Ishmael. And shuts the door quickly.

Uncertain, Ishmael hesitates. Muffled voices inside.

The door opens again. This time it's Hisao.

Ishmael unfolds the piece of paper in his hand. Gives it to him, explaining. Puzzled, Hisao looks at it. Then steps aside, opening the door to usher Ishmael in. He enters and the door closes behind him.

Through the window, we see Hisao explain Ishmael's presence. They all sit at the dining table. No sign of Hatsue.

From the stairwell, Hatsue appears, in nightgown and her father's old bathrobe. Ishmael stands. Awkwardly, they face each other. Fujiko urges them to sit.

INT. IMADA HOUSE - NIGHT

LATER...Steaming cups of green tea mask the undercurrents that radiate around this table. Ishmael sits opposite Hatsue. The pair of them observed by four more pairs of eyes.

ISHMAEL

The report shows the freighter entered
Ship Channel Bank at 1:42. Carl Heine's
watch stopped five minutes later when the

seawater seeped in at 1:47.

HATSUE

Remember that coffee cup the Sheriff talked about? Just lying there. That proves his boat was rocked by something.

FUJIKO

Spilled coffee doesn't prove much.

Hisao nods in agreement.

HISAO

Kazuo needs more than a coffee cup to save him.

HATSUE

But it's something.

ISHMAEL

There's another thing. In his testimony, Kazuo described a lantern lashed to Carl's mast.

HATSUE

He told me it was all he could see in the fog.

ISHMAEL

Well there's no mention of it in the Sheriff's report. And yet it would suggest that it was Carl's battery that was dead, wouldn't it?

INT. SOMMENSEN'S WAREHOUSE - NIGHT

Blackness. The sound water lapping at wood. CLICK of a key, springing a lock. The SCRAPE of a large PADLOCK sliding away. A door CREAKS open, and from the sound of it, a large one.

Gray light seeps in.

Three SILHOUETTES framed in the open doorway. Against the night sky.

A soft CLICK, and the LIGHTS go on. A few bare bulbs strung across the rafters of this towering old mildewed barn of creosoted timbers.

TWO BOATS are tied to wide-elbowed piers. We've seen them

before.

Moran points up to the cross spar, high on the mast of the first boat.

MORAN
See, no lantern.

ABEL
(respectfully)
Sheriff? That's Miyamoto's boat.

Oh. Moran swings his gaze up to the second boat.

MORAN
No lantern there, neither.

Shining his flashlight. Up the mast.

ISHMAEL
What's that, up there?

And they all look up. Shining their lights together.

MORAN
Nothin'. Bits of string. Look, we've
been over these boats...

ISHMAEL
Pieces of string aren't nothing.

And he steps to the base of the mast. Puts the flashlight in his pocket. With his one hand, he clutches the wire ladder, testing it.

ISHMAEL
Abel? Do me a favor. Climb up there and
take a look.

Abel begins to climb. Art calls up to him.

MORAN
Don't go touching anything up there,
Abel. It's a crime scene, remember. You
don't ever touch something at a crime
scene.

He shines his flashlight up the mast.

MORAN
(to Ishmael)

I don't know how I let you rope me into this.

Abel reaches the crossbar. And in the light, it's clear.

ABEL

They're lashings, Art. "Figure-eight" lashings. All cut through.

He leans closer with his own flashlight.

ABEL

And you know something? This stuff on the mast? Could be blood.

ISHMAEL

From his hand. The cut on his hand.

Art gets onto the opposite wire ladder. They look at the blood stains together. When they look down, Ishmael is at the gunnel, inspecting it. Closely.

MORAN

What the hell is it now?

Ishmael look sup.

ISHMAEL

You'd better come down here.

He points to a spot on the gunnel. Moran and Abel peer at it. Between his fingertips, Moran extracts from a splinter of wood a human hair.

INT. JURY ROOM - NIGHT

The Bailiff backs his way through a swing door, carrying a tea tray. Through the gap we catch a glimpse of the jurors around a walnut table. And a snatch of raised voices...

VAN NESS

I'm not saying you're wrong. Just that I have my doubts. What's the rush?

The door flaps shut, muffling the debate.

JENSEN

Been three hours. You sayin' there's a way to go slower?

The door opens again as the Bailiff emerges now without the

tray. Again a glimpse. And a voice.

PORTER

You can see what really happened, same as the rest of us. My God. Carl died, here.

JENSEN

Alex, it's unreasonable to be so stubborn that you think you're smarter than all the rest of us put together.

The door FLAPS shut.

INT/EXT JUDGE FIELDING'S HOUSE - NIGHT

JUDGE FIELDING opens his front door to a deputation: Nels, Ishmael, Moran and Hooks.

JUDGE

This'd better be good. I hope you're not wasting my time with these bits of twine and lanterns...

He leads them into the parlor. Closes the door.

INT. JUDGE FIELDING'S PARLOR - NIGHT

JUDGE

(to Ishmael)

Under the law, I can permit evidence at this stage only is required in the interests of justice. Only if it changes everything. Nels explain that to you?

See Nels now sitting next to an immaculately-groomed Hooks. The prosecutor cool, watchful.

ISHMAEL

He did.

JUDGE

So tell me why that lantern would be so significant.

The young man draws a breath...

ISHMAEL

Well. It was Carl's boat that was dead in the water. Or he'd never have put up the lantern

The judge thinks on that.

JUDGE

So you believe there were two lanterns when the defendant arrived. One in Carl's hand. The second lashed to the mast.

ISHMAEL

That's what Miyamoto reported, and he'd have no reason to lie. He couldn't know it would help his case.

JUDGE

And why does it?

ISHMAEL

Because the second lantern, the one on the mast. Was never found. So we have to ask...

A slight shrug. Stating the obvious.

ISHMAEL

...where did it go?

And then...

ISHMAEL

Maybe it went. Where Carl went. Over the side.

HOOKS

(softly)

Your Honor, that is the rankest speculation.

The judge looks up. First, to Nels. Who looks straight back. And shakes his head in amusement, just slightly.

JUDGE

Really, Alvin. Spare me.

HOOKS

With all due respect...

JUDGE

Now listen to me, we're gonna hear this theory out. And if justice requires, we're gonna let the jury hear it, too.

A beat. His eyes never waver.

JUDGE

Just in case it might be the truth.

Silence. The look holds.

JUDGE

Which I know, as an elected official of this county, you are as interested in as any of the rest of us. Are you not?

HOOKS

(crisp)

Yessir, I surely am.

Good. Turns now...

JUDGE

Now. This second lantern...

ISHMAEL

After Miyamoto left, and Carl's engine was up and running, he must've remembered the lantern. So he climbs up to cut it down...

CUT TO:

EXT. THE SUSAN MARIE, SHIP CHANNEL BANK - NIGHT

Carl climbs the ladder. He reaches for his knife, his feet precariously balanced on the ladder, his arms on the crossbar.

Carl's knife SLASHES at the twine...We HEAR the freighter, the boat ROCKS.

With terrifying suddenness, through the wall of fog, the vast BOW of the FREIGHTER appears.

The FREIGHTER'S WAKE HITS.

The Susan Marie pitches violently. Carl is dislodged. Falls backwards. The LANTERN falls. The KNIFE falls.

The boat continues to rock as a curtain of fog draws around the stern of the disappearing freighter.

CUT TO:

UNDERWATER...

Carl's WATCH drifts through frame. It's 1:47.

Carl's body drifts into his net. The bubbles of his last breath escaping...

INT. SUSAN MARIE'S CABIN, SHIP CHANNEL BANK - NIGHT

...the cabin. Silent, as...

...the coffee cup rolls on the floor.

INT. JUDGE FIELDING'S PARLOR - NIGHT

JUDGE

And the headwound?

NELS

A long, narrow, flat object.

ISHMAEL

We found a small fracture in the gunnel just below the mast.

HOOKS

Anything could've caused that.

ISHMAEL

Anything with human hair.

He hands over a cellophane packet containing the strand of Carl's hair. The Judge holds it up to the light.

HOOKS

I have to start reading your paper more closely. You're quite a storyteller.

ISHMAEL

That means a lot, coming from you.

HOOKS

This isn't a legal case. There's no way to prove any of it.

NELS

Lucky it's not his job to prove anything...

ISHMAEL

...beyond a reasonable doubt.

There is a suppressed snort of nervous laughter from Moran. Hooks turns on him.

HOOKS

You think this is funny?

MORAN

No I don't. But...not at all.

ISHMAEL

(to Hooks)

There's nothing funny about any of this.

HOOKS

(to Nels)

At the eleventh hour you let him drag us here with some preposterous story he's invented...

ISHMAEL

Is everyone who doesn't agree with you a liar?

HOOKS

Just look at the company you keep...

Ishmael's anger is palpable. Nels puts a hand on his arm.

ISHMAEL

We always want someone to blame, don't we? Even when there just isn't anyone.

JUDGE

This clearly merits a fresh look. I want to think about it.

INT. NELS' LIVING ROOM - NIGHT

Ishmael sits in a lounge chair. From the kitchen behind him, a throaty COUGH.

Nels appears, holding a kettle. His hair wispy and wild. He looks at Ishmael, then disappears again.

NELS (O.S.)

By the way, the coastguard report. When did you come across it?

No answer. Nels appears, without the kettle.

NELS

Was it today you went out to the lighthouse?

ISHMAEL

(just above a whisper)
Day before yesterday.

A pause.

ISHMAEL

You're wondering why I held it.

NELS

Perhaps I have some idea.

Ishmael looks at him.

NELS

Could it have anything to do with the way you look at her?

Pause.

ISHMAEL

Hooks called her a liar. I knew she wasn't.

NELS

It takes a rare thing. A turning point. To free yourself from any obsession. Be it prejudice. Or hate. Or even love.

ISHMAEL

I had to really. I had no choice.

NELS

Now you're sounding just a little like your father. Did I ever tell you how much I liked him?

Ishmael reflects.

ISHMAEL

I keep thinking about poor Carl. How unfair it seems. An accident. Just like that.

NELS

Things just bear down on us I suppose. A

freighter in the fog. Or a war.

And from some quiet corner of his heart...as the kettle begins to whistle.

NELS

Accident rules every corner of the universe. Except the chambers of the human heart.

Nels goes out to the kitchen and switches off the gas.

HOLD ON Ishmael as the kettle whistle dies. Nels pokes his head around the door.

NELS

Tea?

INT. COURTROOM - DAY

The packed courthouse. All on their feet as Judge Fielding enters. He sits. Everyone that has one, resumes their seat. Even in the press balcony there's silence. And standing room only.

Judge Fielding leafs through papers. No one coughs, no one blinks. He looks to the jury, watching expectantly.

JUDGE

Members of the jury, this court thanks you for your diligence in the task you have performed under difficult circumstances. However, in the light of new evidence received you are now discharged forthwith from your responsibilities.

There's a murmuring in the public gallery as people react to the news.

Nels grasps Kazuo's arm. Hatsue draws in a breath, hardly daring to hope.

The Judge turns to address the court. When...

In the gallery Hisao slowly stands, with dignified humility. Holding his hat in front of him, he turns and bows his head towards Ishmael's corner of the balcony. There's a flicker of excitement from the crowd.

Fujiko tugs at his arm, embarrassed at the uncharacteristic

display. But Hisao holds his ground. So Fujiko joins him. And her daughters. Hatsue turns too, and rises slowly.

The muttering grows amid the non-Japanese side of the gallery. People crane their necks to see what's happening.

Judge Fielding's hand reaches for the gavel. But leaves it untouched.

In the balcony, Ishmael leans forward with the other journalists to see what is going on. He is astonished to see the display. The other journalists look at him questioningly. What the heck is all that about?

One by one other Japanese people rise and silently look upwards, until the majority of them are standing.

Nels turns, and follows their gaze up to Ishmael. Their eyes meet briefly.

Hooks and Moran are discomfited by the display, and look to the Judge.

Now the gavel RAPS.

JUDGE

Order. You will resume your seats.

Everyone sits, still murmuring.

JUDGE

Settle down, settle down...Let us not forget we have been considering the death of one man...

A glimpse of Susan Marie and Etta.

JUDGE

...and pondering the fate of another.
(turning)
Will the defendant please rise.

Kazuo and Nels stand side-by-side.

JUDGE

Kazuo Miyamoto. In the interests of justice, the charges against you are dismissed. You are free to go home. God bless.

He raps the gavel once more.

APPLAUSE breaks out from the gallery, where citizens of Japanese ancestry have forgotten custom and decorum.

Some of the citizens assembled add their applause. Others look awkward, not knowing how to react.

The defendant is OUT of his chair, and with one strong grip of gratitude to the frail shoulder of his counsel, he is...

...AT the rail, HATSUE is in his arms, the embrace so FIERCE on both sides, everyone crowding around them.

A glance upward from her catches Ishmael's eye.

INT. COURTHOUSE CORRIDOR - LATER

The Miyamotos, surrounded by family and well-wishers, make their way out of the courtroom.

It's a chaotic throng of citizens and reporters.

Ishmael watches from the balcony staircase. Below him, a jubilant exchange of hugs, kisses, tears.

Hatsue and Kazuo are each embraced by family and community members, Japanese and non-Japanese alike.

Reporters jostle around the edge of the melée. Eager for comment.

Ishmael sees Hatsue's sisters mobbing Kazuo, excitedly. And now, Nels finds himself in a grateful embrace from Hatsue.

EXT. COURTHOUSE - DUSK

It's still snowing. Hatsue tentatively approaches Ishmael. As he notices her approach, she stops a pace or two away. Physical awkwardness radiates between them.

Their eyes meet. Hatsue smiles hesitantly.

HATSUE

(softly)

Can I hold you now?

Ishmael smiles too. A little smile.

ISHMAEL

Just for five seconds.

She moves closer and HUGS him in a tender embrace, her face in the crook of his neck. He feels her closeness to him. He smells her hair, as she whispers in his ear.

HATSUE

I'm so grateful. For your gentle heart.

Ishmael puts his arm around her. Holds her close - for five seconds. Perhaps a beat longer. Snowflakes settle on their clothes and hair.

Stepping outside amid the group, Nels watches as they draw apart. Kazuo registers the moment too, as Hatsue turns to be reabsorbed into the joyous crowd. Nels exchanges an understanding glance with Ishmael. And passes by.

CUT TO:

EXT. COURTHOUSE - DUSK

HIGH WIDE SHOT of Ishmael's small figure. As the rest depart. The expanse of snow. The courthouse.

CLOSER...Ishmael goes to put his notepad into his pocket. It slips from his grasp. He stoops to retrieve it. Something falls from his jacket...

...his father's SPECTACLES tumble into the snow.

Ishmael picks them up. And looks at them. As if recognizing them for the first time.

He wipes the snow off the lenses carefully. Tucks them safely into his breast pocket.

Walks away.

ROLL END CREDITS.