

**THE RIFLEMAN**

**Screenplay by**

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**Based on the television series**

**created by**

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**2nd Draft  
Revised  
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RIFLEMAN

FADE IN:

OVER BLACK: CREDITS BEGIN

FADE IN:

EXT. FORT SMITH ARKANSAS - DAY

LUCAS MCCAIN in a dark suit, vest, and no-nonsense set to his hat, advances on us; his features locked in a predator's gaze. He holds a Winchester 44. Carbine. Without breaking stride, he spins it like a revolver, aims, and rapid fires; his hand a blur as it works the cocking lever. The gunsmoke clears, and there's the "KERSLACK!" of a focal plane shutter, freezing Lucas into a nineteenth century photograph --

MAIN TITLE: "RIFLEMAN".

OTHER PHOTOS OF LUCAS - OTHER TITLES - THEN --

BACK TO PICTURE. As Lucas's hard expression melts into a sheepish grin, he speaks TO CAMERA.

LUCAS  
(inquiring)  
How was that?

A REVERSE

FOUR PHOTOGRAPHERS, three with tripod-based beasts, one hand-holding a new "press camera", face Lucas, along with a dozen of the town's elite citizenry, offering polite applause.

PHOTOGRAPHERS  
Splendid... One more... Just let us  
change plates.

They fumble to change the film loads. Lucas looks at --

MARGARET,

his wife. Mid-twenties, pretty, she stands holding their infant son MARK at the edge of the crowd.

LUCAS

Winks at her as photographers direct him.

PHOTOGRAPHERS  
Marshal McCain... Open the jacket.  
Let's see the badge.

Lucas obliges, revealing a marshal's badge on his vest.

## PHOTOGRAPHERS

(continuing)

Now that "Go get em'" look... That's it! Pretend we're Captain Dannameyer an' the gang!

## RESUME LUCAS AS

he again obliges, rapid firing into a target of sandbags. Shutters click. FRAMES FREEZE for titles.

## LOCAL BOYS

rush to dig the slugs out of the sand bags. People crowd around Lucas, a local hero. Margaret is beside him.

## PHOTOGRAPHERS

Let's have some with Mrs. McCain... for the women readers.

Lucas and Margaret oblige, posing with the edgy formality of photos of that era. A FREEZE and titles continue.

## EXT. THE MAIN STREET

Lucas and Margaret, chatting with admirers, walk the main street.

Lucas helps Margaret into a buggy. A FREEZE as she settles the child and smiles down at him.

## LUCAS AND MARGARET

ride away. More images FREEZE for titles.

## EXT. A ROAD - DUSK

Lucas, Margaret and their son head into the loneliness of the surrounding country. Night approaches as the scene FREEZES for a final TITLE CARD.

CUT TO:

## EXT. LUCAS'S FARM HOUSE - NIGHT

Shaded by pecan trees, the house radiates chalky whiteness under a full moon. The windows glow with lamplight and a murmur of voices comes from within.

## INT. LUCAS FARM HOUSE - KITCHEN - NIGHT

Lucas feeds Mark while Margaret looks at flyers that read: "Lucas McCain for Sheriff."

## LUCAS

I haven't agreed. They just printed them up as samples.

She looks at him.

MARGARET

It puts you in the public eye.

Lucas understands. He reads her fear.

LUCAS

Dannameyer's dead, Margie.

MARGARET

There's people who mourn him as a Confederate patriot, not a thief and a murderer.

LUCAS

What people think can't change our lives.

(re: the flyer)

This is a stepping stone. I'll take more law courses an' in a few years, maybe run for congress.

Margaret now smiles.

MARGARET

You're being seductive. You know I like the ring of "Senator McCain".

LUCAS

Senator's a long ways down the pike.

MARGARET

And every time you make a speech, you spin the famous rifle?

(she mimics the spin)

"Rifleman!"

Lucas smiles, shrugs.

LUCAS

They say that gun will get votes.

MARGARET

Once we're in the White House I'm going to throw it in the Potomac.

Lucas laughs. He takes her in his arms.

LUCAS

If we're ever in the white house you can throw it anywhere you want. First let me get elected sheriff.

He kisses her.

CUT TO:

INT. A BEDROOM - NIGHT

Lucas is at a wash stand, shirt off while he shaves. Margaret approaches, wearing a flannel nightie; she rests her hands on his shoulders, watching him in the mirror.

LUCAS

Tired?

MARGARET

(seductive)

I'm not sleepy, but I'm ready for bed.

Lucas smiles. She kisses him.

LUCAS

Now, don't get me all excited, I might cut myself.

She nuzzles his bare chest, then puts herself into his arms and kisses his half lathered face. Lucas smiles as he wipes the lather off her nose.

LUCAS

(continuing)

I'm only half finished.

MARGARET

Mmmm, I don't really care.

She kisses him again, smearing the shaving cream. Outside a horse whinnies. Lucas makes a slight response as --

A BARRAGE OF FIRE!

IN A SERIES OF SHOTS

Windows shatter. Slugs tear through the room. Lucas tries to shove Margaret down, but she lurches to the crib, pulls the screaming infant into her arms, and huddles on the floor.

Pictures, mirrors, a washstand shatter as Margaret curls around Mark, shots blasting through the room.

Lucas grabs his rifle and raises himself at a shattered window. While fire slams the house, Lucas sees --

POV LUCAS

Horsemen lit by muzzle flashes -- THE ATTACKERS!

RESUME LUCAS

A lightening move as Lucas's rifle blasts at them.

Black blood explodes against the moon as an attacker is hit in the throat.

Galloping around the house, an attacker rises in the stirrups to throw a torch on the roof.

Rapid fire from Lucas --

The man snaps around as he is hit. The falling torch smears his body with pitch, igniting him.

The burning horseman illuminates three vague figures. One takes the reins of torch bearer's horse, leads him as they ride into the night.

INT. THE BEDROOM - NIGHT

Lucas crawls to Margaret, still sheltering her child. He gently turns her to face him.

LUCAS

It's over, they've gone.

He gasps as he sees --

BLOOD WELLS

from a large hole high in Margaret's chest. The baby cries.

MARGARET

(weakly)

Take him.

Lucas pulls bedding from the bed and lays Mark on it, quickly looking him over.

MARGARET

(continuing)

Is he alright?

LUCAS

Just scared.

Lucas tears bedding, pushing it into his wife's wound. She writhes in pain.

MARGARET

(with wonder)

I'm hurt bad, Lucas.

LUCAS

(a building panic)

You'll be alright. I'll go for the doctor.

Margaret grabs his sleeve.

MARGARET

No. Don't let me die alone.

Lucas is stricken by a feeling of helplessness.

LUCAS

(frantic)

You won't d... Don't say that.

MARGARET

I knew they'd come.

LUCAS

I'll kill them! I swear to God, I'll  
hunt em'... kill every damn...

MARGARET

(strong protest)

No! No, you won't kill them! He won't  
be raised filled with hate!

She sees the rifle propped on the bed. With all her strength she reaches over to it and throws it down to the floor.

MARGARET

(continuing)

No more killing... No more hunting of  
men. Swear...

She reaches and takes his hand.

MARGARET

(continuing)

No guns... another life.  
(suddenly fearful)  
Lucas?... Lu...

Margaret begins choking on her own blood. Lucas fights back tears. The child now cries quietly.

LUCAS

Please God, let her live... Let  
her... Don't take her from me, please.

She starts to fade. Lucas lifts her gently, holding her close, hoping to keep her spirit within her body.

As the child's cries lapse into soft whimpers. Margaret's eyes look at Lucas; a final act of love as she dies.

CUT TO:

INT./EXT. THE FARM HOUSE - DAY

Through a window, people in mourning gather near a farm wagon that carries Margaret's casket.

Lucas watches for a beat, then crosses the room and takes up his rifle. Levering out the shells into a drawer, he holds the weapon, savoring its feel, then, with deliberation, he places it on a rack over the fireplace.

From a crib, he gently lifts his son, the new burden of his life, and walks out the front door to join the mourners.

FADE OUT:

FADE IN

EXT. A REMOTE RANCH HOUSE - NEW MEXICO - MORNING

A small board and batten house and barn are set against a looming rocky escarpment.

TITLE: NEW MEXICO, TWELVE YEARS LATER

Loud thunks of an axe echo from two small figures, struggling with a massive stump near a vegetable garden.

LUCAS

stripped to the waist, glistens with sweat as he chops at the fibrous root system.

MARK

now eleven, with a farm boy's lithe build, pries at the stump from the opposite side.

MARK

That's not the tap root you're  
hackin' at Pa.

LUCAS

Sure it is.

MARK

It's not.

LUCAS

It has to be. I've cut every other  
d... the other roots.

MARK

(laughs)

Hah, you nearly said it.

LUCAS

I didn't.

MARK

I knew this ol' stump would get a  
curse out of you.

Lucas stops, faces him and smiles.

LUCAS  
I don't curse, you know that.

MARK  
Two days ago in the barn, when you  
hit your finger with the hammer?

LUCAS  
You heard me wrong.

MARK  
That'll be my excuse when I curse.

LUCAS  
Won't work.

Lucas comes around to the pry bar. He takes it.

LUCAS  
(continuing)  
Maybe this bar's in the wrong place.  
Where's the fulcrum?

MARK  
Right there, that rock...

Lucas takes takes a grip at the end of the bar.

LUCAS  
You want to grab it way out here...  
why is that?

MARK  
... the longer the lever the greater  
the ratio of my weight to the weight  
of the stump.

Lucas speaks as he works.

LUCAS  
Who said that?

MARK  
That was Archimedes...

Lucas smiles as strains. Mark gets on the bar and pries with  
him.

LUCAS  
What else did he say?

MARK  
 (strains)  
 "With a place to stand on an' a long  
 enough pole, I can move the  
 world."...

The stump cracks as the tap root breaks and it rolls up out  
 of the hole.

MARK  
 (continuing)  
 See.. we broke the tap root. I told  
 you it wasn't cut.

Lucas smiles at him and nods, "You were right."

CUT TO:

AT AN OUTDOOR PUMP

Lucas and Mark wash up.

MARK  
 You know, Pa, you keep makin' me read  
 about all those old Greeks...

LUCAS  
 You can learn a lot from them.

MARK  
 It won't help my grades. Mrs. Endover  
 says we're not gonna' study physics.  
 She doesn't know how to teach it.

LUCAS  
 All the more reason to learn it.  
 It'll help with stumps.

MARK  
 We don't have more stumps.

LUCAS  
 In life there's always a stump or two.

A bell RINGS OFF SCREEN and Mark reacts. He runs off toward  
 a --

EXT. RANCH YARD - A PIGEON LOFT - (CONTINUOUS)

Mark enters and removes a white bird from an entry trap,  
 rigged with a bell that announces the bird's arrival.

Mark checks an old clock, notes the time, then removes a note  
 from a capsule on the bird's leg. He beams.

Lucas approaches.

MARK

Pa, he made it from Larson's in sixteen minutes. See!

(shows the note)

Axel released him at six fifteen. It's six thirty one. Quicker than greased lightnin'.

LUCAS

(smiles)

... Or chain lightnin' with a link snapped. He for sure smelled my oatmeal.

They walk toward the ranch house -

CUT TO:

EXT. A LARGE WHEAT FIELD - DAY

An amber vastness. A SWISHING SOUND and men pass, swinging scythes, cutting the grain. Lucas labors among others.

LUCAS AND THE WHEAT CUTTERS

Reach the end of a row, pause, and sharpen their scythes. Lucas stands beside NILS LARSON, whose teenage daughter LIV moves among the men giving them water from a bucket with a dipper. MARTINS, a beefy red faced man, wipes his brow and CHOQUETTE, a French-Canadian.

Lucas turns at the sound of a LOCOMOTIVE WHISTLE.

A DISTANT TRAIN, moves like a child's toy through the vast landscape.

CUT TO:

INT. A PRIVATE RAILROAD CAR (A PALACE CAR) - DAY

J.J. HUNZIGER nude, in fresh-scrubbed pinkness, rises from a tub as wheat fields pass the windows of his private car. A comely, female TRAVELING COMPANION starts to spray him with lavender scent. He brushes her away.

HUNZIGER

Just give me the robe.

She helps him into a robe.

IN AN ORNATE PARLOR IN THE PALACE CAR

DWIGHT HARRIGAN, features like Hell's Kitchen brawler, wearing a mustard colored suit like a badge of achievement, looks up from a newspaper as Hunziger settles.

HARRIGAN

Here's an item, "Blight continues a destructive course through the wheat fields of the Ukraine. Panic buying on the Liverpool exchange has more than tripled the price.

Hunziger smiles and raises his coffee.

HUNZIGER

To the staff of life.

Both men laugh.

CUT TO:

EXT. THE TOWN OF NORTH FORK - DAY

Wagons crowd a busy main street, bordered by wooden buildings and wooden fronts built onto canvass tents. Dominating, the station and offices of the PECOS, PACIFIC & OVERLAND RAILROAD (P.P.&O.). A group of ten INDIANS, in ragged clothes, riding scrawny horses pass among the townspeople. In the distance a grain elevator juts into the sky.

CUT TO:

INT. A RAILROAD OFFICE - DAY

Silence, but for the ticking of a large office clock. Lucas, Larson, Gant, Martin and others wait as an officious young CLERK flips pages on a volume of rates. An older man, the OFFICE MANAGER, hovers at his shoulder.

OFFICE MANAGER

You said twenty carloads.

LUCAS

That's right.

MARTINS

(boasting)

First harvest in this valley... an' all sold to the U.S. Army at Fort Leason .

Both mutter as figures are written down. The clerk slides a paper to Lucas.

CLERK

Your rates.

LUCAS

(incredulous)

...Five thousand seven hundred and twenty dollars?

A muttering goes through the settlers. Harrigan enters from a side door as the office manager explains.

OFFICE MANAGER

And there's a twenty five percent deposit required before we allocate grain cars.

LUCAS

Hold it. You posted rates at one cent a pound... That's four hundred and fifty some dollars.

Lucas glances at Harrigan as Gant pushes forward.

OFFICE MANAGER

Rates have changed for wheat. It's now six cents a pound.

LARSON

We grew it because of this rate.

He waves a tattered flyer.

LARSON

(continuing)

Look! "Grow wheat, cash crop of the prairie!" And here's your shipping rate, penny a pound.

LUCAS

You can't just boost our rates like that.

HARRIGAN

Would you be telling us how to run a railroad?

Lucas looks at Harrigan as Choquette pushes forward.

CHOQUETTE

Shipping costs more than we sold it for...

HARRIGAN

If that's the problem, we'll take it on consignment an' share the profit.

LARSON

The wheat is sold, we have an agreement.

HARRIGAN

Break it. Can't honor it, if you can't ship it.

Lucas looks at Harrigan for a beat.

LUCAS

Let's go.

Confused muttering from the settlers. Choquette speaks --

CHOQUETTE

Wait, he's offering us a choice...  
consignment.

LUCAS

(looks at Harrigan)

It's not a choice. It's just his way  
of stealin' it.

Lucas exits and the others follow. Harrigan watches through  
the window.

HARRIGAN

(with urgency)

Who is he? Who's that man?

CLERK

Lucas McCain...

HARRIGAN

(knows the name)

Lucas McCain...  
(slightly incredulous)  
... a wheat farmer?

CUT TO:

EXT. LUCAS'S RANCH - NIGHT

Light glows in a window of the ranch house. The loneliness of  
the setting is heightened by the mournful wail of a coyote.

INT. LUCAS'S RANCH - NIGHT

At the dining table, Lucas studies a law book while Mark does  
homework. Not finding what he wants, Lucas closes the book.  
Mark looks up at him.

MARK

Is it against the law what they're  
doin, Pa?

LUCAS

Not any local law, maybe a federal  
law.

MARK

So what can we do?

LUCAS  
 Tomorrow, Nils Larson an' I are goin'  
 over to talk to our new State  
 Senator... I told him to bring Axel  
 along.

Mark's brightens.

LUCAS  
 (continuing)  
 Yeah, we think it would be a good  
 thing for you boys to meet a real  
 senator... How many senators are  
 there?

MARK  
 Two for each state... none for the  
 territories.

LUCAS  
 That's right.

MARK  
 Grandpa said you were gonna be a  
 senator...

Lucas smiles with reflection.

LUCAS  
 I nearly ran for sheriff, that's as  
 close as I came. But maybe that's  
 where you're headed. Now, you better  
 brush off your Sunday suit.

Mark goes to an armoire and takes out his suit. Lucas puts  
 his law books on a shelf. A photo on the on the shelf draws  
 his attention, reviving memories and bringing a smile.

A PHOTO

shows Lucas and Margaret. The CAMERA moves in on Margaret,  
 showing the innocence of her gaze.

CUT TO:

INT. A RAILROAD BUNKHOUSE CAR - DAY

CLOSE ON

a garish poster of a slutty woman in a tight corset, breasts  
 exposed, her nipples rouged red, the sound of wheels on rails  
 in the background. As the CAMERA pulls back, measured  
 breathing is heard. JARED DANNAMEYER, Lean, well muscled,  
 about the same age as Lucas, is doing sit ups.

IN THE SAME CAR

Are about a dozen RAILROAD BULLS, dirty men, loitering on dirty bunks. The overall funkiness suggests a rolling cell block. GIESLER, sullen, mid-thirties, mismatched coat and pants, approaches Dannameyer.

GIESLER

Half hour to the end of the line.

Dannameyer has finished his sit ups. He takes a Le Mat revolver from a holster and drops a 20 gauge buck-shot shell in the un-rifled barrel.

DANNAMEYER

Arm them. I'm going to wash up.

Dannameyer replaces the gun, stands, and walks nude toward a crude shower at the far end of the car. As he passes the assorted toughs, there's a sense of his authority.

At a crude shower, he stands in a rush of water.

CUT TO:

EXT. A RAILROAD CONSTRUCTION SITE - DAY

Fifty WORKERS, two thirds Chinese, are camped at a desolate work site. No shade, ragged tents, it has the look of a refugee camp. At the SOUND of a train.

PADDY, strapping Irish, LENZ, smaller, but muscled from working steel, and MR. CHU, a big Chinese with a Manchu pigtail note the approach of --

A LOCOMOTIVE,

pulling the single bunkhouse car where Dannameyer stands in the open door.

PADDY, LENZ, AND MR. CHU

grab pick handles. Other men pick up steel rods and sledge hammers.

THE LOCOMOTIVE STOPS

Dannameyer, Giesler, and the railroad bulls get out.

NERVOUS WHISPERS

go through the workers.

WORKERS

Those aren't negotiators. Those are railroad bulls... Hell fire, there's over a dozen.

PADDY  
There's fifty of us.

Both groups stop about thirty feet from each other. Paddy, Mr. Chu, and Lenz step forward.

PADDY  
(continuing;  
indicates the others)  
We're the works committee. Are you  
here to negotiate?

DANNAMEYER  
(smiles)  
Well, actually, ... we came to hear  
you sing.  
(off their look he  
sings)  
You know, "I've been workin' on the  
railroad, all the live long day."

The men in Dannameyer's group laugh, Paddy doesn't.

PADDY  
If it's a tune you're wantin', we'll  
beat it out on your heads.

MR CHU  
Money. Railroad pay money you owe  
us... Money now!

VOICES  
...And decent food. We're starving  
out here. And tents!

DANNAMEYER  
Amigos, we're here to settle all  
grievances.  
(indicates Paddy)  
You want to go first?

Paddy steps forward --

PADDY  
What we demand is...

Before he can say another word Dannameyer fast draws from under his coat and fires the load of buckshot into him. Paddy goes down flat and heavy. There's a collective gasp. The workers fall back.

DANNAMEYER  
He caught all the blue screamers. But  
there's nine slugs left in this fine  
revolver an' I stand ready to service  
your needs.

LENZ

For Christ's sake... We're not armed.

DANNAMEYER

Not my problem. Now, he didn't make himself clear. Someone else want to give it a try?

(to Mr. Chu)

How about you, Chang? You wannee makee speechee?

Mr. Chu stands in silence. Guns appear in the ranks of railroad men as Dannameyer grabs Chu's pigtail and snatches his head back. He stuffs his big revolver in his mouth.

DANNAMEYER

(continuing)

Here's the choice. State your case, and I'll blow the words right out of your mouth, or you can sing...

(sings)

"I've been workin' on the railroad, all the livelong day..." Come on, at least give it a try.

Terrified, Mr. Chu tries to sing. Dannameyer smiles.

DANNAMEYER

(continuing)

Good. Let's hear everybody!

(encouraging)

It's sing along time, help the Chinaman out!

Shocked, the workers begin singing along. Dannameyer smiles, goes with it for a few verses, then pulls the trigger.

Chu drops to the ground, shuddering. The crowd goes silent.

DANNAMEYER

(continuing; to himself)

Not much of a voice.

(to the others)

Glee club is over. Now, I want to hear hammers drivin' steel.

(to Lenz)

You seem to be all that's left of the works committee, is that a problem for you?

LENZ

No, sir.

Lenz turns to the workers and begins shouting orders.

LENZ

(continuing)

Get your tools! Get back to work!...  
Hurry, back on the line.

Terrified, the workers stumble over each other. Grabbing up tools, they head to the roadbed. Dannameyer faces Lenz.

DANNAMEYER

If I'm ever sent out here again,  
it'll go bad for you.

Walking to the train, Dannameyer hums, "I've been workin' on the 'railroad". Giesler laughs. Another man, VILLARD, with sensitive almost fey features, steps up beside Dannameyer.

VILLARD

Mr. Dannameyer, I like your style.

Dannameyer sizes him up. He sort of likes him too.

CUT TO:

EXT. ENTRANCE TO LEDBETTER HOME - DAY

Lucas with Larson beside him, drives a buckboard to the home of SEN. SAMUEL LEDBETTER. Mark and Axel are in the back. He stops in front of the house and passes the reins to Mark.

LUCAS

We'll need a couple hours for talk.

(to Mark)

Take the wagon into town an' buy Axel  
a soda pop.

Lucas fishes in his pocket and gives Mark some change.

MARK

Thanks Pa.

AXEL

Thank you Mr. McCain.

LARSON

Keep your suits clean...

Lucas and Larson walk to the house, Lucas adjusting his suit.

CUT TO:

INT. LEDBETTER HOME - DAY

Lucas and Larson sit stiffly in the parlor/office of SENATOR SAM LEDBETTER, early thirties as he examines the handbill.

LARSON

This encouraged us. It promised if we grew wheat, we'd have low shipping rates.

ELIZA, Ledbetter's pretty wife, enters with a fresh coffee service. Ledbetter hands her the flyer.

LEDBETTER

Familiar?

ELIZA

I've seen them for flax, hemp, hops, all cash crops with big markets abroad.

LUCAS

Are you sayin' they deliberately set this up?

ELIZA

(nods)

They're breaking small farms all over the country.

LEDBETTER

Eliza files news for the Denver Post. She's been investigating Railroad abuses of power.

LUCAS

But why break farmers? Railroad money comes from shipping farm goods.

ELIZA

No. The big money isn't shipping crops, it's selling them. Haven't they offered to take your wheat on consignment?

Lucas and Larson exchange a look, "They did."

LEDBETTER

Wheat prices are soaring. There's a world wide shortage.

At this point Mark and Axel appear, escorted by the maid.

MARK

Hello, Pa.

LUCAS

Senator, these are our boys, my son Mark...

LARSON

And my boy, Axel. We promised they could shake your hand.

Ledbetter extends his hand warmly,

LEDBETTER

Certainly, I'm happy to meet you fellows.

MARK AND AXEL

How do you do, sir...Ma'am.

MARK

Sir, do you actually work inside the capital building?

LEDBETTER

Well my opponents have claimed I don't work in there, but yes, that's where I put forth my efforts.

Some polite laughter.

AXEL

Have you ever been in the White House?

LEDBETTER

Yes, several times.

MARK

And you've met president Grover Cleveland?

LEDBETTER

I've shaken his hand, just like yours.

LUCAS

Maybe you boys should wait in the wagon while we wind things up.

ELIZA

How about the kitchen? There's a peach cobbler I'd like to try on them.

MARK

My favorite...

Eliza leaves with the boys.

LUCAS

So, is there any legal action we can take?

LEDBETTER

Railroad lawyers would stall you at every turn, until the rats ate your harvest.

LARSON

Senator, we've all borrowed heavily for seed. If we don't ship our wheat, we'll be ruined.

LEDBETTER

I leave for Washington in two days days. I'll stop in Raton, and talk to J.J. Hunziger, chairman of the P.P.&O.. I'll wave my biggest congressional stick. Hopefully, I can bluff him into lowering the rate.

CUT TO:

EXT. LARSON'S RANCH - DUSK

Axel and his father get off the wagon at their ranch. Other members of the Larson family can be seen. Mrs Larson brings a large "country basket" to Lucas and puts it in the wagon. Declining offers of dinner, Lucas and Mark head for home.

CUT TO:

EXT. A COUNTRY ROAD - NIGHT

Lucas and Mark ride in a wagon toward their ranch.

MARK

Mrs. Ledbetter's nice.

LUCAS

How was her cobbler?

MARK

The best...  
(diplomatically)  
I mean after yours.

Lucas smiles.

MARK

(continuing)

Is the senator gonna help us, Pa?

LUCAS

He's gonna try.

They ride for a beat in silence.

MARK

Axel says his mother was cryin'; she's afraid they're gonna' lose their farm. The bank is gonna' take it.

(a beat)

Why would the bank take it. Pa?

LUCAS

Farmers borrow money to buy seed. They have to sell crops to pay it back. If they can't... Well, sometimes the bank takes the farm.

MARK

Did we borrow too?

LUCAS

(nods)

Yeah, we did.

MARK

Pa, we never had trouble before, why are we havin' it now?

LUCAS

We wre just raisin' food for ourselves an' sellin' a little produce locally. But this year we tryin' to make some real money.

MARK

Why? Who needs money?

Lucas smiles at him.

LUCAS

College is expensive, Mark.

MARK

I don't need college? Most of what I know, I learn from you.

LUCAS

There'll be a day when you'll need to know more than I can teach you.

MARK

(smiles)

That's crazy Pa, you know absolutely everything.

CUT TO:

EXT. MAIN STREET, RATON - DAY

Raton, a railroad hub, nearly qualifies as a small city. Ledbetter walks to the offices of the P.P.&O. Railroad.

INT. THE OFFICES OF THE P.P.&O RAILROAD - DAY

Ledbetter declines a cigar offered by Hunziger. MELBOURNE, a railroad attorney sits in the background and Harrigan off to one side while Hunziger expands.

HUNZIGER

Do you know that at this very moment the great Englishman Oscar Wilde is on one of our trains, traveling the West, lecturing on...

(snaps his fingers)

MELBOURNE

Estheticism.

HUNZIGER

Yes...See, we are purveyors of culture, refinement, and sophistication, because a wise government leaves us alone... to do business.

Ledbetter allows a beat of silence before responding.

LEDBETTER

I'd say a corrupt government gave you full rein to abuse.

HUNZIGER

Your perception of us is inaccurate and limited.

LEDBETTER

Let's cut the dogsqueeze. I've learned you've got a note due the Credit Mobiliere... It's money you've squandered on personal vanities... palace cars, yachts, whores... To pay it you've pledged wheat futures you don't own.

HUNZIGER

We'll own it soon by consignment... That's called fair trade.

LEDBETTER

There's two farmers, Lucas McCain and Nils Larson... Decent men who would give a senate committee a better definition of what you mean by "free trade".

HUNZIGER

Senator, threats can always be exchanged, but isn't the carrot preferable to the stick?

LEDBETTER

(lifts the "flyer")

The only "carrot" you can offer me, are the rates promised in your flyer.

HUNZIGER

Why not something more relevant to the success of your career?

Ledbetter rises from his chair.

LEDBETTER

The success of my career is guaranteed, once I break you for cheating those farmers. Lower those rates before I leave for Washington, or I'll have you sitting in committee rooms for as long as I'm in the senate.

Ledbetter exits. Hunziger mutters under his breath.

HUNZIGER

Not good.

He looks at Harrigan. Harrigan nods.

CUT TO:

EXT. LUCAS'S RANCH - MORNING

Lucas and Mark repair the barn.

Gant gallops into the yard. A large bundle of weeds is tied across the back of his horse. He reins up as Lucas and Mark approach.

LUCAS

You're the excuse we need for a lunch break.

GANT

I'm too mad to be hungry. Like we don't have problems enough, look!

Gant shows the bundle of weeds to Lucas.

GANT

(continuing)

It was in my far water holes. Four of my stock are dead.

MARK  
 (re the bundle)  
 What is it, Pa?

LUCAS  
 Bacharis weed...It's a poison.

GANT  
 Indian poison.

LUCAS  
 Where are those water holes?

GANT  
 Sullivan's canyon, just below the big  
 timber.

LUCAS  
 That's where Comanches graze sheep.

GANT  
 Just 'cause their Granddaddy chased  
 a deer on that land don't mean they  
 own it. I say we get my hounds, get  
 a posse together and teach em' a  
 lesson.

Lucas clearly doesn't want this.

LUCAS  
 Forget that Gant.

GANT  
 We got to keep Indians in their  
 place. Nine years back, settlers here  
 were massacred.

LUCAS  
 Settlers dog huntin' Indians is  
 likely to get our crops burned.  
 (a beat)  
 I'll track your well-poisoner and  
 bring him to the sheriff.

GANT  
 You alone?

MARK  
 Pa was a U.S. Marshal.

Lucas shoots a look at Mark. Then -

GANT  
 Oh, I didn't know that. You never  
 said...

LUCAS  
Keep that weed, it's evidence.

Gant nods.

CUT TO:

INT. LUCAS'S HOUSE - DAY

Lucas, reaches above the mantle, for a second or two his hand hovers near the rifle; then he takes down a shotgun from brackets beneath it. As he loads it --

MARK  
You're not takin' your rifle?

LUCAS  
No need for that.

MARK  
I've never seen you shoot it, Pa.  
Doesn't it work like a Gatlin' gun...  
Like this, lightnin' fast...

Mark mimes the levering and firing of the gun.

MARK  
(continuing)  
Will you show me how to shoot it,  
sometime?

LUCAS  
World's changin', Mark. By the time  
you're a man, there won't be a need  
to be fast with a rifle.

MARK  
There's always gonna' be bad men, Pa.  
Like this well poisoner.

LUCAS  
We don't know if he's bad. What he's  
done is wrong, but he's got his side  
to tell. That's what justice is for.  
So people don't get labeled before  
they get heard.

Lucas gives Mark a hug.

LUCAS  
(continuing)  
Take care now, son.

Mark steps to the door and watches Lucas mount up and ride away.

Turning back into the room, Mark looks at the rifle, transfixed. Then very carefully he takes it down from the mantle. He feels it for a beat in his hands, then slowly works the lever to open the chamber and check that there's no shell. Suddenly, feeling it's something his father would want him to do, he replaces the weapon.

CUT TO:

EXT. WESTERN WILDERNESS - A PASSENGER TRAIN - NIGHT

A train winds its way through a lonely stretch of wilderness.

\* INT. PASSENGER TRAIN - NIGHT

Ledbetter reviews papers in a sparsely peopled car. A MOTHER struggles with an infant and toddler on the opposite seat.

MOTHER

I hope he's not bothering you.

LEDBETTER

I'm used to it.

He takes a photo of his daughter from his wallet.

LEDBETTER

(continuing)

Her name's Aimie.

MOTHER

She's real pretty.

As Ledbetter returns the photo to his pocket, Dannameyer, wearing a suit, approaches. Seeing Ledbetter --

DANNAMEYER

(effusive)

Senator.

Ledbetter gives a "Do I know you?", look.

DANNAMEYER

(continuing)

I am amazed. This is such good fortune. Let me shake your hand, sir.

They shake hands. Dannameyer offers a cigar.

DANNAMEYER

(continuing)

May I offer? These are excellent.

Ledbetter accepts.

LEDBETTER

Thank you, ... Mr.?. . . .

Dannameyer preps his own cigar as he talks.

DANNAMEYER

Dannameyer, Karl Dannameyer. Senator Ledbetter, I routinely speak at Rotary functions... anecdotes, stories that elevate the spirits and inspire...

Dannameyer starts to light the cigars.

LEDBETTER

I think in deference to the lady...

DANNAMEYER

(puts out match)

Of course, of course...how rude of me...Excuse me, Ma'am.

(to Ledbetter)

As I was saying, I speak at these functions...

(smiles)

There's a lot of votes out there.

Could I invite you to the smoking car?

Ledbetter senses a political opportunity.

LEDBETTER

Certainly.

DANNAMEYER

Recounting an anecdote of our meeting can't hurt, can it?

While Ledbetter puts his coat on, Dannameyer smiles at the toddler, then reaches over and pretends to snatch the boy's nose, showing his thumb between his fingers.

DANNAMEYER

(continuing)

Got your nose. See it?

The boy reacts. Dannameyer puts his hand up to the boy's face.

DANNAMEYER

(continuing)

There, stuck it back on. Looks fine.

(to the woman)

Nice boy.

They start toward the smoking car.

Dannameyer opens the door to the open platform between cars. The NOISE of the train is instant and loud. He holds the door for Ledbetter who steps through.

EXT. THE PLATFORM BETWEEN CARS - NIGHT

Dannameyer, behind Ledbetter, suddenly grabs him by the neck and wrenches him to the side, throwing him off the platform.

Ledbetter falls, but his hands catch the side of the platform, while his feet drag beneath the train. The roar of the wheels drowns his screams.

Dannameyer looks down, cupping his hand to his ear, as though trying to make out what he's saying.

DANNAMEYER

What's that senator? What are your views on manifest destiny? Come again? I see. How about temperance? Sorry, can't hear a word.

Dannameyer calmly crushes Ledbetter's fingers under his boot. Ledbetter disappears under the roaring wheels. Dannameyer, pauses, lights his cigar, and steps into the adjoining car.

CUT TO:

EXT. A RAILROAD STATION - RATON - DAY

Dannameyer approaches a car apart from the others and knocks on the door. Harrigan speaks.

HARRIGAN

Come in.

INT. HARRIGAN'S PRIVATE CAR - DAY

The car is a converted site office. Harrigan looks up from a desk. Dannameyer sits and Harrigan slides him a newspaper, headlined with the "accidental" death of Senator Ledbetter.

DANNAMEYER

You promised a gold star.

Harrigan removes a brass "star" badge from a desk and slides it to Dannameyer. •

DANNAMEYER

(continuing; reads badge)

"Regulator"... company lawman. What town?

HARRIGAN

North Fork...a nice little place.

DANNAMEYER

I don't do well in "nice little places"... not enough to hold my interest.

HARRIGAN  
Lucas McCain, hold your interest?

Dannameyer locks on Lucas's name.

DANNAMEYER  
My father died at the hands of a  
coward named Lucas McCain.

HARRIGAN  
(a knowing smile)  
When I buy a man out of prison, I get  
his past, his present, and his  
future. It's the same Lucas McCain,  
only now he's a wheat farmer...  
leading other wheat farmers in a hold-  
out against the railroad.

DANNAMEYER  
Blessed are the acts of fate.

HARRIGAN  
I was hoping this would be more than  
just a job. But the railroad is  
sensitive about it's image. It  
affects the price of stock. You'll be  
there to uphold the law, you can't  
just show up an' kill him.

DANNAMEYER  
Oh, no, I'd never do that. I'd never  
just kill him.

CUT TO:

EXT. A CANYON WATERHOLE - DAY

Cattle low in protest as CASPARO, a young Indian, dressed in  
cast-off Western clothes, leads a horse heavily hung with  
bundles of Bacharis weed.

FROM THE ROCKY ESCARPMENT HIGH ABOVE

Lucas watches Casparo. After a few seconds he moves, crawling  
reptile like, through the surrounding brush.

CASPARO

removes a fresh bundle of the weed. He pauses at the scolding  
of a pinon jay. The scolding stops. He resumes as --

HIDDEN IN DEEP BRUSH

Lucas appears beside his horse. His hand reaches into a  
saddle bag and removes handcuffs. Wrapping them in a scarf,  
to deaden the sound, he tucks them into his belt.

## CASPARO KNEELS

Placing a bundle in the water he begins beating it with a stone when he hears -

A small rock-fall on the canyon wall above.

Casparo freezes, gazing up at the canyon walls. Sensing something, he moves to his horse and listens.

Suddenly, a boulder rolls down, crashing through the brush.

A millisecond, and Casparo is on his horse, heels to its sides, galloping away from the water hole. Before he has gone twenty yards, there's a thunder of hoofs --

## LUCAS BARRELS DOWN A STEEP TRAIL

and rams Casparo's horse with his own.

Casparo's horse goes down. He is thrown. As his animal struggles to its feet, Casparo reaches for a gun.

## LUCAS'S FOOT IS A BLUR

He kicks Casparo's gun away.

Casparo looks up; defeated prey, facing its predator.

## LUCAS,

the shotgun aimed at Casparo, speaks.

## LUCAS

Frente all suelo. Manos atras!

Casparo obeys. Getting on the ground with his hands behind him. Lucas puts handcuffs on his wrists.

## CUT TO:

## EXT. RAILROAD STATION - NORTH FORK - DAY

A local train with passenger and freight cars puffs into the station and slows to a stop.

## DANNAMEYER STEPS FROM A PASSENGER CAR,

in a three piece suit with Giesler, Villard, and STRICKLAND, mid-twenties, bowler and an overmuscled body, following. Dannameyer glances around to see --

## ELIZA LEDBETTER,

watching as MICAH, the sheriff, and others remove her husband's coffin from the baggage car and place it on a handcart.

Dannameyer doffs his hat as they move past. The others doff too, except Strickland. Dannameyer snatches the bowler off his head.

When they have gone MAYOR BEAN, forty, a paunch, and ELSTROM, a member of the town council, appears, waving at Dannameyer.

MAYOR BEAN

Mr. Dannameyer,...

Dannameyer sees them.

DANNAMEYER

Mayor Bean?...

(to the others)

I have to talk with the mayor. Then I'll be off, getting the lay of the land.

Dannameyer walks toward the mayor to receive an effusive greeting --

STRICKLAND

"Lay of the land"... to me that's gettin' my rope greased.

GIESLER

That's two of us. What about it, Villard, we grab some whores an' knock their heads together?

VILLARD

Not my cup of tea.

Villard wanders off, the others look after him.

STRICKLAND

Is he a bunstuffer? He looks like one.

GIESLER

Best not to think about what he is.

CUT TO:

INT. RANCH KITCHEN - DAY

Mark smears a piece of bread with lard. As he salts it --

POV MARK

Framed by the kitchen window, Dannameyer rides at a walk into the ranch yard. He pauses --

RESUME MARK

Slight trepidation as Mark goes to the door and looks out.

Dannameyer gives him a little wave and a smile.

DANNAMEYER

Hello, be alright if I watered my horse?

Mark pauses for an instant, then --

MARK

Sure.

Mark watches Dannameyer pump water for the animal. He then puts his head under the spout and washes his face.

DANNAMEYER

Heat's come up right fast.

MARK

Uh, huh.

Dannameyer wipes his head with a kerchief.

DANNAMEYER

Can I join you in the shade while she drinks her fill?

MARK

Sure.

Dannameyer steps over to where Mark is standing by the door. He stands looking at his horse.

DANNAMEYER

You here on your own?

MARK

My Pa's off chasin' a well poisoner... A Comanche.

DANNAMEYER

Is that so? Your Pa a lawman?

MARK

He was. A U.S. Marshal.

Mark takes a large bite from his bread.

DANNAMEYER

I may have to get upwind of that larded bread. Smells so good it's makin' my stomach growl.

Mark suddenly feels remiss in not offering.

MARK

You want some?

DANNAMEYER  
I'm not about to refuse.

Mark enters the kitchen, Dannameyer follows.

INT. LUCAS'S RANCH HOUSE (CONTINUOUS)

Mark goes into the kitchen and Dannameyer gazes around the house. His look settles on the rifle.

MARK IS CUTTING

a thick slice from a loaf of country bread. He reacts to the SOUND of the rifle being cocked.

DANNAMEYER

holds the gun. He smiles at Mark. No hint of a threat.

DANNAMEYER  
Remarkable weapon.

Mark moves quickly towards him.

MARK  
Pa wouldn't want anyone touchin' that.

DANNAMEYER  
Can't believe he went chasing comanches without it.

Mark takes the gun.

As Mark replaces the rifle, Dannameyer draws his revolver. Mark turns to see him holding it.

DANNAMEYER  
(continuing)  
Here's the gun my Pa used.

Dannameyer twirls it in his hand, displays it for Mark.

DANNAMEYER  
(continuing)  
Le Mat special... Confederate officer's gun. Nine shot forty-four on top an' a twenty gauge shot barrel below. My pa killed many a blue coat with this.

MARK  
Here's your larded bread.

Dannameyer takes a bite of bread.

DANNAMEYER

(chews)

So it's just you an' your Pa?

MARK

My mom was killed when I was little.

DANNAMEYER

I know the loss. My mother was killed when Sherman made his march to the sea. They burned our land, set our own niggers on us. My daddy dedicated his life to rightin' that wrong.

(a beat)

You an' your Pa have a nice life out here.

MARK

Oh, yeah. We made this place ourselves... well, most of it... me an' Pa.

DANNAMEYER

Like my daddy an' me... he was the sun, I was his shadow.

Dannameyer licks his fingers. Then --

DANNAMEYER

(continuing)

Well, I thank you. I best be goin'.

Dannameyer heads for the door. Then turns and looks at Mark for a beat.

DANNAMEYER

(continuing)

For your Pa, a boy like you must be everything.

He exits into the sun. Mark steps to the door and watches Dannameyer mount his horse and ride away.

CUT TO:

EXT. NORTH FORK - NIGHT

Lucas leads his prisoner along the main street. People notice, stopping to look at the Indian. Some CHILDREN run into the street making "Whooo whoo whoo!" fluttering their palms before their mouths in mock Indian calls.

When Lucas reaches the sheriff's office, he has a small gathering. Three figures emerge. One steps into the light -- Dannameyer, wearing the regulator's badge.

LUCAS  
Where's the sheriff?

Dannameyer looks at Lucas for a long beat, then --

DANNAMEYER  
Lucas McCain?

LUCAS  
I am. An' I've had a long day.  
Where's Micah?

Dannameyer speaks to one of his men.

DANNAMEYER  
Get the "former" sheriff out here.

Strickland shouts through the door, and Micah emerges with TUBBY, a railroad thug.

LUCAS  
What's goin' on, Micah?

MICAH  
The mayor and town council relieved me of my job. This man, ... Mr. Dannameyer, has been appointed regulator.

Lucas reacts to the name.

LUCAS  
Dannameyer?

DANNAMEYER  
Jared Dannameyer, originally of Clay Creek, Georgia... Mr. McCain.

MICAH  
He's wearin' the badge. The town is railroad property, so I've got no authority in this.

DANNAMEYER  
(indicates Casparo)  
Giesler, take hold of that Indian's horse.

Giesler moves toward the horse. Lucas's hand rests on the butt stock of his shotgun.

LUCAS  
Wait.

Giesler freezes.

DANNAMEYER

Is there a problem, Mr McCain?

Villard and Strickland step forward.

LUCAS

Circuit judge comes the end of the month. I'll be here to present the case. I want him available for trial.

DANNAMEYER

Of course. We'll keep him. We're here to uphold the law.

Lucas gives Dannameyer a suspicious glance, then wheels his horse and gallops out of town.

CUT TO:

EXT. AND WINDSWEPT CEMETERY - DAY

Lucas with Mark stand at Ledbetter's grave. Eliza is opposite, holding her child in her arms. A PREACHER intones --

PREACHER (V.O.)

"Even the darkness will not hide you,  
the night will shine like day,..."

LUCAS LIFTS HIS EYES FROM THE GRAVE

and scans the people opposite him. His look is drawn to Eliza, who fights tears.

Looking beyond the group, Lucas sees --

DANNAMEYER

hat in hand, badge prominent, near Mayor Bean.

PREACHER (V.O.)

And the darkness will be as light to  
you.

RESUME PREACHER

PREACHER

Let us pray.

As the heads bow, a dust laden gust of wind blows past the grave.

Dannameyer sees Lucas, looking directly at him.

PREACHER

(continuing)

Oh merciful God, look with pity on the sorrows of those that survive Samuel Ledbetter, your servant, for whom we pray. Remember him in mercy. Amen.

Mark sees his father's look. When the prayer is over he whispers to him as they disperse.

MARK

Pa, is that man a new sheriff?

LUCAS

He's what they call a regulator. The railroad put him here.

MARK

While you were off chasin' the well poisoner, he came by our ranch.

Lucas is immediately concerned.

LUCAS

What did he want?

MARK

He just watered his horse... I don't like him, Pa. I don't like the way he stares at us.

Martins and other settlers have come up alongside Lucas. Martins speaks.

MARTINS

We've been talkin' Lucas, about the way we go from here.

Choquette is just behind him, with his wife.

CHOQUETTE

(nods)

With Ledbetter's death we've lost any chance to get decent rates. I say we consign our grain for the best deal we can get.

Lucas looks at them.

GANT

If we don't, we'll end up wiped out, Lucas.

LUCAS

My boy an' I didn't break raw land to run beggin' to a railroad. Larson's been up the line all the way to Colorado.

(to Larson)

Tell em' what wheat farmers are saying.

LARSON

Their harvests are not yet in. But , they support us.

LUCAS

That's thousands of tons of wheat... An' the railroad isn't getting a grain of it.

GANT

Lucas, No one pisses a broader stream than the railroad. They own the town.

LUCAS

They don't own us, unless we give em' the wheat. They're a business, you know what that means. Everyday, they run trains without makin' a dime. Might take a month... Maybe two, but we can beat em'.

There's a beat of silence. Then -

MARTINS

Alright, I'll hang with you an' Larson... for as long as I can.

Others fall in, agreeing, rallying to the cause as they move from the grave.

DANNAMEYER OBSERVES THIS

Then, as he walks away, he sees Eliza escorted by Micah. He approaches her.

DANNAMEYER

Mrs. Ledbetter, allow a newly arrived citizen to express profound sorrow at your loss.

ELIZA

You're Mr. Dannameyer... You work for the railroad.

DANNAMEYER

(nods)

I'm here to express their regrets as well as my own.

ELIZA

The railroad has no regrets about my husband's death. If anything, they're celebrating.

Without a word, Eliza moves away.

CUT TO:

INT. LEDBETTER'S HOUSE - A WAKE - DAY

People from the funeral are at the house. Mark can be seen eating with Axel and other children. Lucas talks with Micah.

LUCAS

What do you know about him?

MICAH

Nothin'. I never heard of him until they called me into the mayor's office an' told me I was through.

Eliza moves up.

ELIZA

I expect you're talkin' about our new regulator.

LUCAS

We're talkin' about what happened to Micah.

ELIZA

Maybe Micah was underqualified... The railroad preferred someone with a prison record, for 2nd degree murder... That's what's on file at the Denver Post.

LUCAS

Anything in there about his family?

• ELIZA

Only that he's a Southerner. I hope you're ready for a real fight, Mr. McCain. I'm now convinced the railroad wants that grain bad enough to kill for it.

(off his look)

Or do you think that's just a widow's anger speaking.

MICAH

You mean your husband?

Mark is in the background. He has heard part of the conversation.

ELIZA

I saw where the so-called "accident" took place. Sam never fell. He was pushed.

LUCAS

(a beat)

What I'm going to say doesn't mean I don't believe you... but...

ELIZA

...but I have no proof.

MICAH

Maybe the proof's in who they are. Years back, I worked for the railroad, putting in spur lines. They started off decent, but there was so much money to be made, it attracted the greediest of men... men with no sense of right an' wrong. If you got in their way... Well, you didn't get in their way an' live.

CUT TO:

EXT. OUTSIDE LEDBETTER'S HOUSE - WINDY DAY

Nervous in the wind, Lucas's team snort and stomp as he and Mark lead them to the wagon and hitch them.

MARK

Pa, it seemed like Mrs. Ledbetter was sort of askin' you to help her.

Lucas tests a lead on a harness ring.

MARK

(continuing)

Maybe you could find the man who killed her husband.

LUCAS

That's a big order, son.

MARK

You caught the well-poisoner.

LUCAS

Findin' a man's killer is for professional lawmen.

Both are adjusting a halter. Lucas's his memory brings a grimness to his response.

LUCAS

(continuing)

I don't do that anymore.

They climb into the wagon. And Lucas snaps the reins.

CUT TO:

INT. HARRIGAN'S OFFICE - DAY

Harrigan faces Mayor Bean. Dannameyer sits back to one side.

HARRIGAN

Mr. Mayor, that building you set up shop in was hauled out here by the railroad. You feel the rent we charge you is unfair?

MAYOR BEAN

I never said that. Never.

HARRIGAN

Maybe you'd prefer somethin' with columns, or porticos, or a black iron pickaninny in front.

MAYOR BEAN

What the hell is this about?

HARRIGAN

Settlers are still getting credit from local merchants.

MAYOR BEAN

They know these people, they're friends. I can't help that.

HARRIGAN

Tell em', they can't afford "friends". Either they help us, or we'll pull out...

(off the mayor's look)

That's right. You'll be mayor of a ghost town. Now make it happen.

The Mayor leaves. Harrigan faces Dannameyer.

HARRIGAN

(continuing)

These God damned yuts. We need that grain within thirty days.

DANNAMEYER

Why? Why all this frettin' over a train load of wheat?

HARRIGAN

Not a train load. Farmers for hundreds of miles are watching, waiting... Holding back millions of dollars from consignment. Which reminds me... you were put here to move this along.

DANNAMEYER

It took me a while to get a picture of things.

HARRIGAN

And?

DANNAMEYER

You people own a judge?

HARRIGAN

(nods)

We have a man we can work with.

DANNAMEYER

Get him in here, sooner the better.

CUT TO:

INT. THE SHERIFF'S OFFICE - NIGHT

Villard hunches over "Jane Eyre". Giesler smokes, in a chair propped against the wall. Strickland holds a holster with a swivel that rotates the gun for a fast draw. He oils it, then puts it on and twirls it, making a Bah! Bah!.

GIESLER

You'll shoot your dickie weasel off with that.

Villard speaks without looking up.

VILLARD

Have you killed anyone, Strickland?

GIESLER

He served his time for shooting a fourteen year old boy.

STRICKLAND

I don't count him. But I've shot men who'd make you sticky drizzle down your leg.

(a beat)

Hope there's somethin' to do in this place.

Strickland glances around. Sees the Indian sitting in the cell.

STRICKLAND

(continuing)

I'm so damned bored, I'm about ready to shoot that Indian.

He whirls and fast draws on the Indian, who, with animal instinct, bolts from his bunk, then freezes. Strickland laughs and makes an absurd gesture to frighten the Indian.

STRICKLAND

(continuing)

Skaaaa! Blam, Blam, Blam!

The Indian stares at him in silence. His Gaze makes Strickland uncomfortable. He holsters his gun.

STRICKLAND

(continuing)

A waste. Like niggers an' Mexicans, they don't count.

VILLARD

Count for what?

STRICKLAND

Making a man a gun. That's what I aim to be.

VILLARD

It's nice to see a young man with goals. Youth today seems...

(with a dismissive  
flick of the wrist)

Fractious.

Giesler stifles a burst of giggles, then flicks his wrist, imitating Villard.

GIESLER

Fractious!...How 'bout that.  
(A flick of his wrist)

At this Dannameyer enters.

DANNAMEYER

(with a nod toward  
Casparo )

See he gets a decent meal. I've got his future planned an' I don't want him lookin' poorly.

Dannameyer heads up a flight of stairs to his living quarters while the other men exchange a look.

CUT TO:

EXT. ROAD NEAR THE SCHOOL HOUSE - DAY

Mark walks with a group of children. At a point where the road forks, he takes off toward his ranch.

Kicking a rock ahead as he walks, Mark looks up to see a rider approaching. It's Dannameyer. Mark stops, wary at his approach. Dannameyer walks his horse up slowly.

DANNAMEYER

Hello there, Mark.

Mark says nothing. He continues walking. Dannameyer swings off his horse and walks beside him.

DANNAMEYER

(continuing)

What's wrong, I thought we had a start on bein' friends?

MARK

You're workin' for the railroad. My Pa wouldn't want me talkin' to you.

DANNAMEYER

A man's got to make a wage.

Mark walks for a beat, then adds.

MARK

You were in prison.

DANNAMEYER

(smiles)

That's true... that certainly is true. You ever hear of Wyatt Earp, sheriff of Dodge City?

MARK

Of course I've heard of him.

DANNAMEYER

Well, he did time. An Big Jim White, sheriff of Fort Kearny. He's another jailbird. Many good men have been on both sides of the law.

MARK

Not my Pa.

DANNAMEYER

But you're Pa's not a lawman any more. He bolted.

MARK

What?

DANNAMEYER

He ran.

MARK

My Pa never ran from anything.

Dannameyer climbs onto his horse.

MARK

(continuing)

Yeah, he did, after he shot a man in the back.

Dannameyer canters away.

Off Mark --

CUT TO:

INT. LUCAS'S RANCH - AFTERNOON

Lucas is in the kitchen washing up the supper dishes, Mark has just told him about seeing Dannameyer.

MARK

What was he talkin' about, Pa?

LUCAS

He's tryin' to make me look bad in your eyes.

Lucas settles in front of Mark.

LUCAS

(continuing)

I killed a man when I was a U.S. Marshal... He led a band of thieves that rode the country, tellin' people they were out to restore the Confederacy. When farmers wouldn't feed his men, he'd burn em' out... kill whole families. His name was Captain Galen Dannameyer.

MARK

You kiled him, Pa?

LUCAS

It could be.

MARK

When he was here, he talkied on an' on about his "daddy".

The thought frightens Mark.

MARK  
 (continuing)  
 ...he's after you. We got to move  
 away.

Lucas turns and takes hold of Mark's shoulders.

LUCAS  
 Just hold on. Whatever is between me  
 an' this man... it's not gonna' make  
 us up an run. I can handle it.

Lucas looks directly into Mark's eyes.

LUCAS  
 (continuing)  
 You trust me on this?

MARK  
 Pa... I'm just scared for you, that's  
 all.

Lucas takes Mark in his arms.

Off Lucas, controlling a turmoil of rage.

CUT TO:

EXT. THE STREET AND RAILYARD - NORTH FORK - NIGHT

Dannameyer exits the sheriff's office. His walk, his bearing,  
 exude confidence.

As he passes a building, a figure emerges behind him.  
 Suddenly, his revolver is snatched from his holster and he is  
 shoved forward.

He turns to face Lucas.

LUCAS  
 So what are you to Captain  
 Dannameyer?

DANNAMEYER  
 (a beat, an odd smile)  
 I'm looking at the last thing my  
 daddy saw... Or didn't see.

LUCAS  
 He was lookin' me right in the eye,  
 just like you are. Is that what  
 brought you here?

DANNAMEYER  
 I'd have to give fate part credit for  
 that.

LUCAS

Give it up, or it'll end badly for you.

DANNAMEYER

You don't even carry that rifle anymore... no more the living legend... just farmer McCain.

LUCAS

Nothin's changed in terms of dealin' with your kind.

DANNAMEYER

But I wear the badge now, Lucas. Where's your respect for the law?

LUCAS

I have respect for the law, but none for you or the people who put you here. That badge might stop one bullet...only one. Come near my boy, an' that won't be enough.

Lucas pitches the revolver into the street.

LUCAS

(continuing)

So leave us be.

Lucas grabs Dannameyer's shoulder, spins him, and gives him a shove. Dannameyer stumbles a few feet, then turns. Lucas is gone. Dannameyer reflects for a beat, then walks to his revolver and picks it up. There's a moment when he almost feels fear, then he moves on.

CUT TO:

EXT. RAILROAD STATION - NIGHT (LATER)

An engine pulling a local passenger train steams up along side the platform. A few people, dusty and weary with travel, get off the passenger cars. Among them is a middle aged man, his grizzled chin stained with tobacco juice, overdressed in a high hat and a shiny suit. He is judge EMIL VERSTETTER. Setting down a carpet bag, he glances around, expecting to be met.

Dannameyer approaches, warm and friendly.

DANNAMEYER

You sir, have the look of a man of the law.

Verstetter looks him up and down.

VERSTETTER

I'm judge Emil Verstetter, and you would be Mr. Dannameyer?

DANNAMEYER

Honored by your acquaintance, sir.

They shake hands. Dannameyer reaches for his bag. They speak as they walk.

DANNAMEYER

(continuing)

I offer the hospitality of my living quarters above the sheriff's office.

VERSTETTER

(tentative)

Shared rooms? The railroad normally puts me up first class.

DANNAMEYER

The hotel is run by a temperance lady. You won't find the same entertainments that you'll find with me.

(off his look)

Mr. Harrigan told me you favor the ladies, young and to the plump.

VERSTETTER

(grins)

When you say young, how young?

DANNAMEYER

Still wide-eyed and fearful.

VERSTETTER

(loving it)

Hee yaaa, that gets my comb red.

He smiles revealing blackened stubs of teeth. Laughing and joking with Dannameyer, they cross the main street.

CUT TO:

INT. DANNAMEYER'S APARTMENT - NIGHT

The room is a large loft with a bed in the far recesses and a couch, desk and seating area near the front. On the bed, Verstetter can be seen with two young VOLUPTUARIES. He is arranging their state of semi-undress, consisting of Merry Widows and trashy undergarments.

VERSTETTER

Now let me see those chi chi's.

Verstetter fumbles with a bodice, reveling a pair of breasts. he quickly covers all but the nipples.

VERSTETTER

(continuing)

Not the whole melons, just the nipples. Got to tease big John...

He folds her bodice to accentuate her nipples.

VERSTETTER

(continuing)

Yeah, that's what he likes... those pinkies.

On the opposite side of the room, Dannameyer sits, fully dressed, sipping brandy, enjoying a cigar as he reads through old letters. He appears to take no interest in the lubricious designs that occupy the judge.

Verstetter grabs one girl and they roll on the bed to wild laughter and giggling. The 2ND VOLUPTUARY loses interest and wanders toward Dannameyer.

Dannameyer's eyes never meet her approach. When she is close, she speaks,

2ND VOLUPTUARY

Damn, but there's an' awful stink on that old man.

(a beat; coquettish)

You, on the other hand, strike me as someone with a very desirable scent.

She reaches out her hand to caress Dannameyer's head.

Without a word, Dannameyer's hand shoots out and gives her a hard shove that sends her tumbling to the floor several feet away. He never even looks at her as she gets to her feet, shaken, and skulks back to the activities on the bed.

Dannameyer's gaze returns to a box of medals, he lifts one in his fingers, "the Cross of the Confederacy".

CUT TO:

EXT. THE MAIN STREET - SCHILDER'S MERCANTILE - DAY

Larson and Axel listen to SCHILDER, the old German who runs the store.

SCHILDER

What I buy, I have to pay for. That's why I don't give credit.

LARSON

We're not here asking for credit.

SCHILDER

You will. Others ask, everyday. It's dumb for you farmers to fight the railroad.

(taps his temple)

Bloed! Without them we are nothing. Make peace and we'll do business.

Larson's attention is diverted to --

ACROSS THE STREET

Dannemeyer, Giesler, Tubby, and Villard lead Casparo from the jail in chains, along the main street toward the church.

ON THE SIDE WALK, ELIZA

watches the gathering with concern. A pair of Indians pass, watching the procession, talking in their language.

FROM A BARBER SHOP

Micah emerges and watches the strange procession.

CUT TO:

EXT. THE WHEAT FIELDS - DAY

Mark works with his father, plowing the ground where the wheat has been harvested. The work is hard, dusty, unforgiving. At the end of a row, they pause to drink water.

MARK

Pa, do we really need to break out more land?

LUCAS

Good soil, no sense in wastin' it.

MARK

But there's only two of us.

LUCAS

Someday there will be more.

(off Mark's look)

You'll get married... have kids.

MARK

Married with some girl?

He puts his finger in his throat and mimes gagging. Lucas smiles.

MARK

(continuing)

Ughhh! I can't wait.

LUCAS

In a few years, all you'll be  
thinkin' of is hayrides, barn dances,  
an' courtin'.

MARK

Courtin'? I know as much about  
courtin' as a hog caller knows about  
church bells... an' I care even less.

Mark leans against the plow. His hand touches the hot metal.

MARK

(continuing)

Ouch, That's hotter than the hinges  
of Hell.

Lucas looks at Mark re the cuss word.

LUCAS

How about hotter than a burnt boot?

MARK

That's a million years old. How  
about... Hotter than a two dollar  
pistol on the Fourth of July?

LUCAS

(nods, smiles)

That's... not bad.

Both men react to --

A figure gallops toward them from the distance and reins up.  
Micah.

MICAH

Lucas, the regulator's puttin' the  
well-poisoner on trial. He's brought  
in a judge from Raton.

LUCAS

Mark, take the team back to the  
ranch.

MARK

Pa...

LUCAS

Go on, I'll handle it.

Lucas climbs into his wagon.

CUT TO:

## INT. THE CHURCH - DAY

The scene is chaotic. Judge verstetter is at the pulpit, shuffling papers while he speaks with Dannameyer. Casparo is held between Giesler and Tubby. Townspeople and settlers fill the pews. Near the front are Eliza and Larson.

VERSTETTER

I'm lettin' you people know we're conducting a legal proceeding here...I'm not going to tolerate any commotion of any kind...

(looking at papers,  
rambling)

This man Casparo is accused of well-poisoning...a crime against animals and innocents alike. Mr. Gant?

Gant stands. He's holding bundles of Bacharis weed.

GANT

Right here, your honor.

VERSTETTER

I take it that's the evidence.

GANT

Yes, sir, your honor. Six of my cattle dead.

He glances at Casparo.

VERSTETTER

Got anything to say in your defense?

Casparo glances around at the court then, spits.

Verstetter laughs aloud at the gesture.

VERSTETTER

(continuing)

He's gonna make it easy.

Some laughter. Eliza stands.

ELIZA

Your honor, who's representing this man? He has the right to council.

VERSTETTER

Council? Well, I Don't know. You lookin' to represent him?... you qualified?

ELIZA

Are you qualified to judge him?

There's a reaction from the locals led by Mayor Bean.

MAYOR BEAN

Mrs. Ledbetter, with all due respect,  
we're conducting a trial.

VERSTETTER

That's right, lady. Sit down. It's  
hot and we ain't gonna be all day  
about gettin' down to justice... Now  
this man is of the Indian race. But  
race will have no relevance in this  
trial. He'll not be judged just  
because he's a murderous savage and  
a threat to decency. Why take away  
his string of scalps, an' he's just  
like anyone else.

People laugh. Many of them are loving this guy. Larson rises.  
His anger brings out a Swedish lilt in his speech.

LARSON

(outraged)

This is a trial, and you mock yustice.

VERSTETTER

(imitating)

Well, yumpin' yiminy. Sit, Swede or  
you'll share a collar with ol'  
Runnin' Dog here.

More laughter.

CUT TO:

EXT. EDGE OF TOWN - DAY

Lucas rounds a tight curve in the road and heads for the  
town. Micah gallops behind him.

EXT. THE TOWN - DAY

Casparo is pushed from the church by Villard, Giesler, Tubby,  
and Strickland, followed by a jeering mob led by Mayor Bean,  
Elstrom and other merchants bent on hanging the man.

Four INDIANS glare from the sidelines as Casparo is pushed  
past. Seeing them, he shouts a few words in his native  
language. The crowd reacts, hooting at them. A bottle  
smashes a wall beside them. The Indians shout and curse.

MARTINS

This is bad for us. We live on the  
edge of Indian land.

## ON THE MAIN STREET

Strickland climbs up a telegraph pole and pulls a rope over the cross beam.

The town is divided into those who support and cheer the hanging, and those who hang back; against it. Gant circulates among the settlers.

GANT

I wasn't for hangin' him... He killed no one. He shouldn't hang.

A few settlers support him as he tries to push toward Dannameyer and Verstetter.

GANT

(continuing)

This'll start Indian trouble.

Mayor Bean looks on, nervous, but supportive of Dannameyer.

STRICKLAND

leads a horse to where Casparo is being held.

VERSTETTER STANDS WITH DANNAMEYER

inattentive to the lynching, (having seen so many). He rambles.

VERSTETTER

It's all in givin' em' a good show... no reason an occasion should be morbid just 'cause it's got legality...

DANNAMEYER

You earned your money. They're lovin' it.

Dannameyer has seen --

Lucas with Micah. Lucas carries a wheat flail.

Dannameyer, flanks himself with his men. Lucas points at Casparo.

LUCAS

I didn't bring that man from the hills to be lynched.

DANNAMEYER

We had a trial. He's guilty.

GANT

Lucas... I didn't push for hangin'.  
None of us pushed for that!

There's some muttering in the crowd. Dannameyer senses a possible change in mood. With a nod to Giesler --

DANNAMEYER

Get on with it.

Giesler adjusts a noose on Casparo's head. An Indian, protesting in his native language, tries to fight his way forward, but he's thrown back by the crowd.

Lucas steps forward, Villard raises a shotgun and the wheatflail slams it from his hands.

Dannameyer draws. Tubby covers Lucas with a shotgun.

DANNAMEYER

(continuing; to Lucas)

You fire up trouble here, you won't  
go down alone.

Lucas looks at Larson and Larson's wife, holding BIBI, his two year old daughter.

DANNAMEYER

(continuing)

Go ahead, make an orphan out of that  
toe-headed kid?

Dannameyer turns and gives a nod to Giesler and Strickland.

Strickland swats Casparo's horse with his hat. The animal lunges forward. There's a collective gasp, along with scattered cheers as Casparo swings free, then the crowd is silent, during frantic kicks and struggles that signal Casparo's final fight for life.

Lucas watches, covered by Tubby and Dannameyer.

A silence falls over Casparo's death throws.

Eliza watches in stony silence.

Micah has seen it before. He knows where it's leading.

The creak of the rope invades the silence that hangs over the crowd. Lucas, Micah, and Larson push forward. Lucas shoves Strickland back from the rope. He unties it and lowers Casparo to the ground.

Lucas looks up to see Eliza helping remove the rope from Casparo's neck.

Two Indians look at the corpse. Gant pushes forward from the crowd and feels Lucas looking at him.

GANT

I didn't mean this to happen...honest, I didn't.

LUCAS

(to Gant)

You got a wagon.

(re-Indians)

Let them use it to get him back to his people.

Lucas looks up at the crowd which is milling nervously. Some coming to gawk at the Indian.

LUCAS

(continuing)

Come an' get your fill. You helped murder a man... Take the credit that's your due.

VOICES

Indians don't belong here! The railroad's bringin' law.

LUCAS

How 'bout when that same judge says you don't belong here? It's railroad land. When it's one of you hangin' on that pole. Don't you see? This show is to turn us against each other.

MAYOR BEAN

Your fight is not our fight, Lucas.

LUCAS

Today it's not. Tomorrow when you can't get lamp oil...

(points at another)

Or you're payin' triple freight for nails, or bolts of cloth, or whatever you need... You'll see whose fight it is.

He looks toward the body of Casparo.

LUCAS

(continuing)

When that happens, remember... He was murdered with your blessing.

A silence follows Lucas's words. As he moves away, people step back, avoiding his look, making a path for him.

As the crowd disperses, Schilder, and his angry WIFE moves toward Larson and other settlers around Lucas.

WIFE

Wir sollen uns shaemen fuer was hier passiert ist.

SCHILDER

Mama. Ich mach es wieder gut...

(to Larson)

Larson,... We spoke... about the credit. I said no credit.

Larson, Lucas and others stop, listening to Schilder.

SCHILDER

(continuing)

What happened here... I am ashamed.

We are with you now.

(to the others)

If you need credit, come to me. I give you. All of you.

Lucas smiles. Larson shakes Schilder's hand.

DANNAMEYER'S EXPRESSION

darkens as he watches them shake hands.

CUT TO:

EXT. THE MAIN STREET - DAY

Lucas climbs onto his wagon. Eliza steps up along side.

ELIZA

There's more to be done.

LUCAS

What do you mean?

ELIZA

I'm reporting on what happened here.  
Help me tell the whole story.

Lucas reaches his hand to her.

LUCAS

Come on, I'll ride you to your ranch.

Eliza takes his hand and climbs up onto the driver's seat beside him. Lucas clicks his tongue at the horse and they start away.

CUT TO:

INT. LEDBETTER'S HOUSE - NIGHT

Eliza types on a 1878 model Remington typewriter. Under a reading lamp, Lucas reads through her copy. A coffee setting is beside him. She finishes and rises, stretching herself, she crosses and settles in front of him.

Lucas looks.

LUCAS

This is good, but how do you figure to get it to the newspaper? The only telegraph's in the railroad station.

ELIZA

The operator's lazy. Whenever I bring copy, he takes a break, and let's me send it.

LUCAS

You learned Morse code?

ELIZA

(nods)

In Europe. I was a correspondent during the Franco- Prussian war.

Eliza pours coffee.

LUCAS

You're a different kind of woman, Mrs. Ledbetter.

ELIZA

Maybe back then, but when I married I decided to be a perfect...wife...

(a beat, a touch of sorrow)

Widow. It's such a sad sounding word.

LUCAS

It's sad, but it gets a little less sad with time, even though it never really goes away.

ELIZA

(a beat)

Micah told me how your wife died. Like my Sam, it was unsolved... I know that makes it especially hard.

Lucas nods. It does.

ELIZA

(continuing)

Didn't you feel anger, like you just had to do something,...

LUCAS

...to hunt em' down... avenge her death.

Eliza backs off.

ELIZA

I'm voicing my own feelings, but I just can't let it go.

LUCAS

I know those feelings, but I made a pledge. She didn't want the boy raised in the world of a lawman... She didn't want me seekin' revenge.

ELIZA

(nods)

You turned away from that world... But now it seems it's found you. Dannameyer's son isn't here just to serve the railroad.

LUCAS

I know why he's here. Maybe the worst part is that I sort of know what he feels. An' how that kind of anger drives a man.

Lucas stands.

LUCAS

(continuing)

Well, I'd better get along, Mrs. Ledbetter.

ELIZA

Why don't you start calling me Eliza...

(off his look)

We certainly come to know something about each other and... Well, it's the modern way, Mr. McCain.

Lucas seems awkward in his agreement.

LUCAS

The modern way... well, I'm for keepin' up with the times... Eliza... Uh, my first name is...

ELIZA

I know, Lucas.

LUCAS

It was good talkin' with you.

ELIZA

And you, for helping make widow not  
so sad a word.

Lucas looks into her eyes for a beat, then turns to leave.  
Eliza goes to the door and watches him as he walks from the  
house.

CUT TO:

INT. HARRIGAN'S RAILROAD CAR - DAY

Harrigan paces, outraged, holding a newspaper in front of  
\* Dannameyer.

HARRIGAN

... All over the papers, Denver,  
Raton, Santa Fe... Lucas and  
Ledbetter's widow have painted us in  
ten colors of shit. I asked for a  
plan to get wheat, not a God damned  
lynchin'.

DANNAMEYER

It's part of a plan.

Agitated, Harrigan sits and preps a cigar.

HARRIGAN

(insulting)

I can't wait to hear this.

DANNAMEYER

A few years back Comanches killed  
settlers here. The fear is alive.  
That lynchin' made it more alive.

HARRIGAN

So what.

DANNAMEYER

Nothin' will put the prod to these  
people like an Indian massacre.

HARRIGAN

An Indian Massacre? Are you insane?  
These local dog eaters drink hair  
tonic and beg Ju Ju B's. They haven't  
got the pods to raid a hen house.

DANNAMEYER

The local dog eaters aren't my  
Indians.

Harrigan's look is quizzical.

CUT TO:

## EXT. LUCAS'S RANCH - NIGHT

A number of settlers wagons are in the yard at Lucas's ranch. A table is set out with food. Children play and women are off to themselves exchanging gossip.

Lucas is at the table where other settlers are listening to Larson as he reads from a newspaper.

LARSON

"Pritchard, Clayton, High Falls, and Cimarron, are the communities which have most recently joined the wheat farmers of North Fork,"

(smiles)

That is us.

There's some laughter, whoops, and cheers.

LARSON

(continuing)

"...in what appears to be a successful boycott of the shipping practices of the P.P.&O. Railroad."

GANT

What the hell's a boycott?

MARTINS

A fancy word for what we're doin'... which is beatin' em'.

There's more cheering and Lucas stands.

LUCAS

It's lookin' better for us, but it's not over by a long shot. The main thing is stickin' together... helpin' out anyone who's fallin' a little short... Now, whatever I've got, in the way of corn an vegetables, is ready to be shared.

Some shouts of "Mine too, ... I'll share... I've got a barn full of 'taters."

Martins steps up on the bench. He's holding a violin.

MARTINS

I say we dance to it, an make it official.

He starts to fiddle. Men start to dance jigs, turkey trots, hornpipes. Some take their women as Martins begins "calling" a Virginia Reel.

## MARK AND AXEL

are near several girls their age, who react with glee to the sudden music, jumping in place and clapping their hands.

MARK

(to Axel)

This seems a good time to look at my pigeons.

AXEL

Yeah, at the church picnic my mother made me dance.

MARK

With a girl?

AXEL

My big sister.

Mark makes a face as they move away.

Lucas dances with an older farm wife. Her husband comes in and takes her away.

Lucas moves to the sidelines, alone, watching the men his age dancing with their wives while younger men dance with their sweethearts.

Larson and his wife dance by and beckon him to join them. Returning a smile, Lucas remains apart from the others.

CUT TO:

## EXT. LARSON'S RANCH - PRE-DAWN

Surrounded by gentle hills, the ranch house is dark. An alarm clock rings. Voices are heard, inside.

## INT. LARSON'S RANCH HOUSE - PRE-DAWN

Pre-dawn, and family activities have begun. Liv, stands on a chair while her mother Mrs. Larson pins up the hem on her dress. Middle-aged AUNT NORA shuffles around a large table, readying breakfast. Larson, with his suspenders down a washes his face. Axel helps his little sister BIBI get dressed. GRANDPA Larson cuts loaves of fresh bread, commenting occasionally in Swedish. Larson checks out his daughter's dress as he dries his face.

LARSON

Mama. The hem is too high for school.

(to Grandpa in  
Swedish)

Too high.

The Grandpa mutters in Swedish that "They're all too high." while Liv protests. UNCLE GERT enters with large jars of pickled meat and helps his wife with breakfast. (NOTE: These are all faces we've seen among the settlers.)

LIV

This is the new style. Mama, show him the catalogue.

Larson dismisses the catalogue.

LARSON

Looks like a little girl's dress, not a young woman's...Don't you think so, Axel?

AXEL

I don't look at dresses

Laughter at the "boy's" response.

EXT. THE RANCH - PRE-DAWN

Seen from the same view as the earlier shot. Laughter from inside can be heard mingling with the pre-dawn breezes.

Seven shadowy figures on horseback enter the foreground and descend at a walk toward the ranch. As they pass a jug is passed from one horseman to the other. He tilts it up and drains it, then lets it fall, smashing on the rocks.

INT. THE RANCH - PRE-DAWN

A large breakfast is on the table. As the family eats, the dog growls and begins to bark. Axel shushes him, but the animal persists.

LARSON

A coyote.

AXEL

Might be after my pigeons.

MRS LARSON

Let him out. He'll chase it away.

Axel lets the dog out. As he returns to the table barking can be heard, then -- A SHOT.

The family reacts.

EXT. THE RANCH YARD - PRE-DAWN

Seven men -- Giesler, Villard, Strickland and Tubby with three new men, MARQUETTE, RIVERA, and HELBRUN who holds a smoking rifle watch the dog, kicking in death spasms. Then, whooping like Indians, they fire at the house.

INT. THE RANCH HOUSE - PRE-DAWN

Panic. Women scream as glass flies from the windows. Axel pulls his little sister to the floor. Larson scrambles to return fire with a single-barrel shot gun.

EXT./INT. THE RANCH YARD AND RANCH HOUSE - PRE DAWN

IN A SERIES OF SHOTS - A FIREFIGHT

Whoops and laughter from Giesler, Tubby, and Marquette at a shotgun blast from the house. The men scurry from cover to cover while returning fire. Tubby dashes from cover and moons the house with his large ass --

HELBRUN

Watch Tubby catch an assfull of bird shot.

Larson reloads and fires. Ducking a returning barrage.

Gert loads a Swedish 45/70 army rifle. He raises and fires from a window.

Giesler and Tubby fire at windows. A ball from the 45/70 shatters a barrel nearby. Giggling, they leap for cover.

GIESLER

That's not bird shot. They've found some fire power. Give em' hell!

From the shelter of the barn and a shed, they return fire.

The women crouch, helping the men load. Grandpa fires through another window with a shotgun. Mrs. Larson brings another shotgun from a store room. She begins loading it.

Strickland fires at the house. He sees --

Axel drops from an attic window on the side of the house and runs a zig zag course toward a pigeon loft.

Strickland aims and fires.

Opening the loft door, Axel is hit and thrown forward by the impact. The pigeons swirl around him in panicked flight as he leans against the nesting boxes and his hand finds a large bloody exit wound under his right shoulder.

A bird - Mark's white homer - watches him from the nesting boxes. He grabs it and smears it against the fresh blood of his wound, then staggers to the door.

As he releases the bird, and it climb into the dawn sky --

Strickland, with his swivel six shooter blasts Axel, knocking him to the ground.

Then, whooping with excitement, he fans the hammer, blasting the terrified birds.

A blizzard of feathers settles on the small bodies of the birds and Axel.

CUT TO:

EXT. LUCAS'S RANCH - SUNRISE

Mark is chopping stove wood just outside the kitchen. Lucas comes to the door.

LUCAS  
Pancakes?

MARK  
I'm so hungry I could eat the north  
end of a southbound mule.

LUCAS  
Better gather a few eggs.

Mark nods. As he starts toward the hen house he hears --

The bell on his pigeon loft. Mark detours to recover the bird.

Axel's homer is in the entrance trap. Mark removes it, seeing the fresh blood on his hands he calls out.

MARK  
Pa!... Pa!

He runs toward the house holding the bird. Lucas steps outside.

MARK  
(continuing)  
He's not hurt, but he's covered with  
blood.

Lucas touches the fresh blood.

LUCAS  
Bridle my horse!

He bolts into the house.

INT. LUCAS FARM HOUSE - DAWN (CONTINUOUS)

Now there's no hesitation. Lucas goes to the mantle and snatches down the rifle. He pulls open a drawer and starts jamming shells into the magazine.

Mark appears in the doorway. He's wide-eyed, seeing his father as he's never seen him. No longer the farmer, Lucas is The Rifleman.

Lucas spins the gun in his hand like in the first scene and catches sight of Mark watching him.

MARK

Pa?

LUCAS

Stay here. Don't leave the house until I get back.

Off Mark as Lucas passes him, climbs on his horse and gallops away.

CUT TO:

EXT./INT. LARSON'S RANCH - MORNING

THE FIREFIGHT - IN A SERIES OF SHOTS

Villard and Rivera fire at the ranch house. Keeping to cover, Giesler approaches from the nearby shed.

GIESLER

This ain't good. We need progress.

Villard fires as he speaks. His manner is casual.

VILLARD

Why rush the fun?

GIESLER

Stop a minute, dammit. Might be time to burn em' out.

Rivera, mean, pale-eyed, speaks from cover nearby.

RIVERA

Burn things we can steal?

Giesler looks up toward Marquette, ears looped for ear plugs, his long brown hair in an Indian braid, reloading at his firing position in the hay loft.

GIESLER

Hey, Marquette, what would your people do?

MARQUETTE

Smoke em' out and get the women.

STRICKLAND

(enthusiastic)  
That gets my vote.

## INT. THE SHATTERED RANCH HOUSE - MORNING

The Larson family crouches in the lull. Liv hugs Bibi, trying to comfort her. Mrs. Larson moves beside her husband.

MRS. LARSON

Papa. What about Axel?...

LARSON

He got away, mama. He got away.

She nods, wanting to believe. Suddenly, a heavy barrage begins. Larson and the others duck for cover as --

## EXT. RANCH YARD - MORNING

Helbrun and Strickland rush the house with pitch forks, stuck through bundles of burning gunny sacks. They hurl them through the windows.

## INT. RANCH HOUSE - MORNING

The "smoke bombs" crash through the windows. A barrage of gunfire, pins the people down as another pitch fork load of smoldering sacks crashes through windows on the other side.

They struggle to breath in the smoke. Larson grabs the sacks trying to stuff them out a window, but he falls back, choking.

## EXT. THE RANCH YARD - MORNING

The attackers watch. Smoke pours from the windows and screams can be heard inside. Villard stifles a fit of giggles.

Giesler presses the barrels of his shotgun to his lips, his tongue caresses the muzzle openings.

Helbrun watches with no more commitment than a man burning leaves, but Rivera and Marquette tense with anticipation.

Strickland stands ready to draw; a practice run for a gun fight.

After what seems like an impossible length of time, the door opens. Larson stumbles out, his gun held above his head. Coughing, so bad he cannot speak; he throws the gun down and pleads for the life of his family.

The attackers react as Gert then Grandpa appear, followed by the women. Mama Larson, supporting her gagging sister. Liv, carrying her baby sister in her arms.

Strickland yells, "Yeah!", and starts firing. The others follow suit, shooting the men down, while the women withdraw into a panic-stricken huddle.

Larson crumples. Gert, screams and shouts in Swedish.

As bullets hammer him, old Gert staggers in dumb resilient disbelief with the impact of each shot.

CUT TO:

EXT. OPEN COUNTRY - DAY

Bareback, holding his rifle, Lucas rides like the devil possessed as shots rumble like distant thunder ahead.

He gallops down a steep draw, his horse nearly foundering, Then up steep side of the arroyo.

\* At the top, he gallops toward smoke, rising in the distance.

CUT TO:

EXT. THE RANCH YARD - DAY

IN A SERIES OF SHOTS

Bibi, her face smudged with soot, stands alone, crying, clutching a piece of blanket, withdrawn into absolute despair.

Liv is held down, face in the dirt by Villard while Strickland gets his pants down. Villard pulls away her clothes as she claws at the earth.

STRICKLAND

You want some of this? I thought you smoked pole.

VILLARD

I want the dress.

Giesler, a knife on one hand, drags a pleading Mrs. Larson by the hair, positioning her in front of Tubby.

Tubby ineptly shoots an arrow. Mrs. Larson groans OFF SCREEN.

GIESLER

Not like that...Shoot her again...in the heart.

Tubby shoots another arrow. Mrs. Larson can be heard screaming, thrashing around.

GIESLER

(continuing)

Hold her. Give me that damn thing.

Nearby, Marquette rises from the body of the Aunt, holding her bloody scalp in his hand. He chants what might be authentic Indian words.

Seeing this Giesler reacts.

GIESLER

(continuing; re-Mrs.  
Larson)

That's the ticket. Now get over here  
an' do this one.

Tubby speaks while loading another arrow. Mrs. Larson lies  
with arrows jutting from her, moaning, hoping for death.

TUBBY

She ain't dead.

GIESLER

Hell, that don't matter.

Rivera throws things from the doorway of the house. Helbrun  
picks through them. He grabs a wall-clock.

Liv, nude, sobbing, hides her face in the dirt. Strickland  
has taken her from behind. He recovers his breath. Taking his  
gun, he pushes it against the back of her head.

STRICKLAND

Hate to do this honey, 'cause hmmm,  
you was sweet.

He fires, killing her.

A loud scream blurts from Bibi, still frozen in place.

Marquette scalps the dying Mrs. Larson, while Giesler looks  
on. Villard suddenly waltzes by in Liv's dress, leaping  
around them in Isadore Duncanesque free form.

GIESLER

(off Marquette's look)  
He's got his own ideas of fun.

Villard waltzes away. Marquette, indicates the sobbing child.

MARQUETTE

What about her?

GIESLER

(offended)  
Hey, we're not monsters.  
(nods toward Liv)  
Do Strickland's little honey.

Marquette moves to cut away her long blond hair and scalp.

STRICKLAND

Gimme that bow. I guess I should  
shoot some arrows in her too.

Suddenly, he reacts ---

STRICKLAND

(continuing)

Uh, oh, I'll be dipped in shit...

The men turn to see --

POV ATTACKERS

Lucas gallops full speed down a hill toward the ranch. Still too distant for a shot.

RESUME ATTACKERS

\* A quick beat and the men scramble for their horses. Bibi remains in the same spot, crying her eyes out.

LUCAS

riding at a full gallop, rapid fires -

AS HELBRUN MOUNTS

much of his face is shot away. The wall clock falls from his hands, but he grabs a handful of mane and spurs his horse.

MARQUETTE

whips around the barn on horseback. As he rides past Bibi he raises his gun. Aims at her --

LUCAS

takes a careful aim and fires.

A SHOT

tears through Marquette's chest. He falls, his foot hangs in the stirrup and he drags; a string of blond scalps, trailing from his hand as his horse gallops out of the yard.

LUCAS

rides into the ranch yard and quickly dismounts, looking desperately for life amidst the carnage. He goes to Bibi and takes her in his arms.

(Mark comes here. Lucas gives him Bibi.)

There's a SOUND --

Lucas turns. A moan comes from the pigeon loft.

Lucas finds Axel who is terribly wounded, but alive. He puts Bibi down outside the loft and kneels beside Axel. Blood oozes from a large wound. Lucas quickly plucks feathers from the pigeon corpses to staunch it.

Axel tries to speak, but Lucas calms him as he paces him on the hay in the back of a wagon.

LUCAS

Lie quiet... Just be still.

LUCAS'S HANDS

grab bridles from where they hang in the barn.

AXEL

lies still, his breath rattling through a punctured lung. His sister stares at him with big sad eyes. A horse knickers.

LUCAS BACKS

two horses into position on a wagon tongue.

CUT TO:

EXT. THE RANCH YARD - DAY

The wagon hurtles out of the barn with Lucas's horse trailing behind.

As Lucas turns onto the road he sees --

MARK

is riding up on his horse. Lucas reigns up.

MARK

I know you didn't want me to come, Pa, but I had to.

LUCAS

Don't go to the ranch.

MARK

What happened, Pa?...

(he sees Axel)

Axel!... What happened to him, Pa?

LUCAS

He's been shot. I'm taking him to Doc van Dorens. Take Bibi...

Mark approaches on horse back and Lucas hands him the child.

LUCAS

(continuing)

...get her to Mrs. Lebetters.

MARK

But what happened? Where's Mr. an' Mrs. Larson?

Lucas looks at his son. He has no choice but to deliver the news.

LUCAS  
They're dead, son. Now go! Get her away from this!

Lucas whips the REINS and rides out. Mark holding Bibi in his arms gallops past him.

CUT TO:

INT. DR. VAN DOREN'S HOUSE/OFFICE - DAY

Lucas watches as DR. VAN DOREN, middle aged, cleans Axel's wounds.

VAN DOREN  
Only reason he's alive is those feathers. You staunched the blood an' stopped the bleeding.

Van Doren whispers to Lucas as he preps a hypodermic.

VAN DOREN  
(continuing)  
If you want to talk to him, now's the time.

LUCAS  
It can wait until he's stronger.

VAN DOREN  
(meaningfully)  
I'd do it now.

Lucas understands the doctor's meaning. He moves to Axel.

LUCAS  
Axel. Did you see who they were?

AXEL  
The funny hat... shot me... shot my birds.

LUCAS  
What kind of a funny hat?

AXEL  
He hanged the Indian.

Lucas nods.

LUCAS  
Alright, that's enough... You just rest now.

Van Doren has prepped a hypodermic.

VAN DOREN

This is gonna' take away that pain.

Lucas steps from the examination area into --

A PARLOUR WAITING ROOM AREA

Eliza rises from the couch where she's been waiting.

LUCAS

How's Bibi?

ELIZA

Exhausted. She's asleep.

ELIZA

(continuing)

The boy?

LUCAS

Bad off.

ELIZA

There's a panic. Word has spread about the massacre. The settlers are leaving their farms... They're gathering in town at the granary.

LUCAS

Gettin' ready to give up the wheat.

ELIZA

Lucas, they're terrified.

LUCAS

I expect that's why they did it.

ELIZA

What?

LUCAS

It wasn't Indians. It was Dannameyer's men. They made it look like an Indian raid.

Eliza reacts. Even she could not have imagined this.

ELIZA

Oh, my God.

The sound of a door and Doctor Van Doren enters. Lucas turns and looks at him. His expression says it all.

VAN DOREN

He lost too much blood.

LUCAS

Eliza, get hold of Micah. We're goin' out to Larson's place with a photographer. I want evidence. We'll take this to Santa Fe, or Washington, or wherever the Hell we have to take it... But we're takin' the bastards to trial.

CUT TO:

INT. SHERIFF'S OFFICE - NIGHT (CONTINUOUS)

\* Dannameyer enters and starts up the stairs toward his living quarters. He hears the lever of a rifle being cocked and sees -

Lucas steps from the shadows. He levels the rifle at Dannameyer and disarms him.

LUCAS

I'm havin' a moral conflict. A man's not supposed to take pleasure in death. So how will I watch you hang without a smile on my face, an' a song in my heart?

Lucas throws a series of photos down in front of him. He shoves two of them into his face -- Helbrun and Marquette, propped up in death.

LUCAS

(continuing)

These are yours. I killed them.

DANNAMEYER

What law will you find that the railroad doesn't own?

LUCAS

After what you've done, there's no judge on earth so corrupt he won't hang your ass.

DANNAMEYER

(indicates photos)

Those men you killed?... Those were my deputies, racing to save that innocent family. Ambushed by the man who spoke against the killing of an Indian before the whole town.

LUCAS

It won't work. You're done.

DANNAMEYER

I'm the man with the badge. You had the badge once, but you threw it down an ran.

Lucas's whole body feels this.

DANNAMEYER

(continuing; smiles)

You let em' ride away. Which is the whole reason I'm here to face you. What do you tell that boy when he asks who killed his mama?

LUCAS

You bastard!

Lucas slams Dannameyer with the barrel of the rifle, knocking him to the floor, then raises the rifle to bash his head in.

DANNAMEYER

(smiles)

Go ahead. Brain an unarmed man. Undo all that goodness you preach.

Lucas puts the rifle down and Dannameyer rushes, ramming Lucas with his head, driving him against the wall.

THE FIGHT

IN A SERIES OF SHOTS

Dannameyer leaps for the rifle, but Lucas gets hold of him and jerks him around, slamming him with a series of rights, before Dannameyer can break away.

The men face each other, boxer's stance. Lucas moves on Dannameyer, catching him, but missing wide on a follow up.

Dannameyer grabs Lucas's shirt and slams a few overhand rights into his face. Lucas raises a knee into Dannameyer's groin, lifting him off his feet. A left-right combination, from Lucas, drops Dannameyer to the floor. Lucas kicks him hard in the ribs. As Dannameyer rolls over Lucas stomps at his face, then -

A gun is jammed into Lucas's back. He stiffens.

Villard covers him with a shotgun. Dannameyer gets to his feet. Seeing Villard, he forces his bloody mouth into a smile.

VILLARD

Say the word an' I'll put a hole in him big enough for a cat to walk through.

Dannameyer picks up Lucas's rifle. He examines it, then rams the butt into Lucas's face. Lucas goes down.

DANNAMEYER

Rifleman...

With the rifle butt, Dannameyer lays into Lucas, talking to him as he pounds him...

DANNAMEYER

(continuing)

Listen to me, Lucas! I pleased in killing her. I wanted grief to destroy you... But you recovered... Made a life with that boy...

(kicks him)

You hear me? Now, I've got to start from scratch.

Lucas crawls, blindly seeking relief from the blows. Out of breath, Dannameyer stops.

VILLARD

He's almost done, why not finish him?

DANNAMEYER

No. No he has to be alive to feel pain.

CUT TO:

EXT. GRAIN ELEVATOR - DAY

There's a large crowd of settlers around the grain elevator. Some sit on loaded wagons others are grouped on the steps of the storage building. They react to the approach of -

Eliza and Micah get down from a wagon.

EXT. THE TOWN

Mayor Bean exits his office with Esmond and looks toward the grain elevator. He sees Eliza and Micah addressing the settlers.

MAYOR BEAN

Better see what's going on.

RESUME SETTLERS

The settlers are silent as they listen to Micah.

MICAH

We know it wasn't an' Indian raid. It was Dannameyer's men.

A WOMAN

For God's sake. They did that,  
they'll kill all of us!

MICAH

Hold it. We've got evidence that'll  
get em' hanged.

GANT

There's no law. We've got no one  
who'll protect us.

ELIZA

I'm sending word to the attorney  
general, asking that troops be sent.  
If we hang together, we can have  
justice here.

A few curious townspeople watch from the sidewalks, Esmond  
moves up on the gathering, behind Micah and Eliza.

MICAH

Think about the Larsons! You can't  
give the grain to them that killed  
them!

GANT

Nobody's givin' nothin', yet.

MARTINS

We're gonna' wait on Lucas.

Esmond speaks from the sidelines.

ESMOND

You'll wait a long time. Lucas is in  
jail.

(off the muttering  
crowd)

That's right. Our regulator has got  
him locked up.

Off Eliza and Micah.

CUT TO:

EXT. THE TOWN - DAY

The town is ominously quiet as Eliza Ledbetter drives her one-  
horse shay, heading for the jail.

CUT TO:

INT. SHERIFF'S OFFICE - DUSK

Dannameyer stands at the window of the sheriff's office,  
watching the street.

Giesler is in the background with Villard, playing cards.  
 Dannameyer reacts to --

POV DANNAMEYER

Eliza pulls up in front and approaches with a carpet bag.

RESUME DANNAMEYER

He reacts to Eliza's approach.

DANNAMEYER ()  
 (to Giesler and  
 Villard)

Get out! Use the back door.

Both men quickly obey. Dannameyer straightens his tie as --

Eliza opens the front door. She looks around and sees  
 Dannameyer. He smiles.

DANNAMEYER  
 (continuing)  
 Mrs. Ledbetter, how do you do?

Eliza crosses to the desk and rests the bag on it. She's all  
 business.

ELIZA  
 I understand you've incarcerated  
 Lucas McCain.

DANNAMEYER  
 Yes, I found that necessary to do.

ELIZA  
 I'd like to see him.

DANNAMEYER  
 (re-the bag)  
 What you got in there, a file or a  
 hack saw?

ELIZA  
 Some clean clothes.

DANNAMEYER  
 Really? Some of your husband's  
 shirts?... his underwear? You an'  
 Lucas aren't wastin' any time are you?

This hits her hard.

ELIZA  
 You filthy bastard.

Dannameyer grins.

DANNAMEYER

I'd venture ol' Lucas has a way with the ladies. So, you'd like to see him?

Eliza contains her rage to respond.

ELIZA

Yes.

DANNAMEYER

Why not.

Dannameyer moves toward the cell area. Eliza follows.

DANNAMEYER

(continuing)

Of course he has looked better...

Looking into a darkened cell, Eliza gasps at the sight of --  
LUCAS,

blood caked over his face and head, lies on the floor.

Dannameyer watches Eliza as she eases forward to the bars and looks in at him.

ELIZA

(softly)

Lucas.

DANNAMEYER

(loud)

Got a visitor, Lucas.

Lucas makes no move. He opens his eyes and starts to speak, then seeing Dannameyer --

LUCAS

(barely audible)

Get out of here... away from him.

Eliza looks at Lucas for a beat, then turns and heads for the door.

ELIZA

I'll be back with a doctor.

DANNAMEYER

Doesn't need one. He's fine.

Dannameyer indicates a cut on his face.

DANNAMEYER

(continuing)

Left a few marks on me. In fact I think I should add that to the charges of murdering my deputies. You claim some knowledge of the law, doesn't that sound right to you?

Eliza heads right for the door with Dannameyer's laughter following her. As she steps out into the street. Dannameyer speaks to her from the doorway.

DANNAMEYER

(continuing)

Bye, Mrs. Ledbetter. Come by any time.

In high form, Dannameyer closes the door and crosses to Lucas's cell. He looks in at him.

DANNAMEYER

(continuing)

What now, Lucas? The boy? I take a ride out to the ranch an' roll him away from his balls?

Lucas is up, he hurls himself at the bars, grasping for Dannameyer.

LUCAS

Son of a bitch!

DANNAMEYER

I don't know. My head is so filled with wild an' wonderful thoughts, I just don't know what to do.

CUT TO:

EXT. THE TOWN - NIGHT

Settler's wagons, some loaded with furnishing etc. move through the town. Some have stopped in the street, others move toward the grain elevator.

CUT TO:

EXT. MAIN STREET - NIGHT

Harrigan and Dannameyer watch them for a beat.

HARRIGAN

Look at em'... By tomorrow they'll be beggin'.

(mimics a woman)

Oh, please give us pittance for our grain so we can leave this valley...

(more)

HARRIGAN (cont'd)  
 please, Mr. Railroad man, I beg you.  
 (laughs)  
 Know what happens when they dump the  
 grain on us an' go? By federal land  
 grant, their land reverts to us.

DANNAMEYER  
 Word will spread about the massacre.  
 It'll be a while before you can sell  
 it off.

HARRIGAN  
 Word won't reach Russia. We're  
 bringin' in immigrants by the  
 boatload.

Both men are in fine spirits. Harrigan expounds as they walk.

HARRIGAN  
 (continuing)  
 ... Should have seen the telegram ol'  
 Hunziger sent me when I ordered  
 twenty wheat cars... He's ready to  
 eat a mile of my shit just to kiss my  
 ass. It's all gone good. They'll put  
 me on the board an' you'll hang  
 McCain.

Harrigan takes his arm.

HARRIGAN  
 (continuing)  
 Why don't we head over to the  
 Alley... they've got a little  
 squirrel that was a circus tumbler.  
 They say she's a real snapper.

DANNAMEYER  
 You go on. I've got other notions of  
 pleasure.

CUT TO:

EXT. LUCAS FARM HOUSE - NIGHT

The house is lonely. No sign of life other than a window that  
 glows with lantern light.

A silhouetted figure appears in the foreground, heading for  
 the house. Dannameyer.

He reins up his horse and dismounts, moving quietly to the  
 door. At the door, he tries the latch. It's unlocked. As he  
 eases it open, he reacts very slightly at a sound behind him.  
 The click of a hammer.

As Mark, holding the single shot shotgun draws closer, Dannameyer spins and grabs the barrel, moving it to the side. As it fires, he snatches it from Mark's hands and throws it into the yard. He faces Mark.

DANNAMEYER

If you're going to side a man, never  
cock your gun within earshot.

Mark glares at Dannameyer.

DANNAMYER

(smiles)

Not gonna' offer me a larded bread?

MARK

My Pa's gonna' kill you.

DANNAMEYER

I don't think so. Your Pa's in a bit  
of a pickle right now. I've got him  
locked up in the jail.

MARK

That's a lie.

Dannameyer displays the rifle.

DANNAMEYER

How else would I have this?

This hits Mark hard, nearly bringing him to tears.

DANNAMEYER

(continuing)

So here we are, son. A gunshot in the  
night; a man dies an' by mornin' he's  
down an old well shaft. Think that's  
how it might end for you?

MARK

(fearless)

Why not? You're a killer.

DANNAMEYER

If that was my inclination. Lucky for  
you, it's not.

MARK

What do you want?

DANNAMEYER

I want to hear all about you an'  
your, Pa. The life you had, all the  
joys you had, while I grieved for my  
Pa.

MARK

What?

DANNAMEYER

Talk to me, son. Reach my heart. If you do, I might spare him.

MARK

Spare him?

DANNAMEYER

He could hang for his part in the killing of the Larsons.

MARK

That's a lie.

DANNAMEYER

You take a stand on that attitude an' he'll hang for sure. Come on with me an' tell me how he raised you as a little boy, told you about your mama. All the gentlest memories.

Mark doesn't know what a psycho is, but he knows he's looking at one.

MARK

If I do that, you won't hang him.

DANNAMEYER

You have my word. Now saddle up your horse.

CUT TO:

INT. TELEGRAPH OFFICE - NIGHT

Eliza enters the office. She is carrying a tied file folder of papers. BILL, a sheepish telegraph operator, looks up.

ELIZA

Evenin', Bill.

BILL

Hello, Mrs. Ledbetter.

Eliza puts her folder down and starts sifting through the papers.

ELIZA

I've got a long dispatch, over a thousand words.

Bill gets up from his chair. He's casual, but avoids eye contact.

BILL

I'll go to the hotel an' get some coffee.

ELIZA

Take your time.

Bill exits. Eliza glances through her papers until he is gone, then, she taps an entry code and starts to send.

As her hand taps the key the door opens. Eliza pauses.

Villard enters with Strickland.

Eliza looks at them as they approach. Villard crosses to the telegraph desk. Strickland settles in a chair behind her.

VILLARD

Don't let us interrupt you.

Eliza says nothing. Then she gathers up her papers.

VILLARD

(continuing)

Tapping a little love note to hubby in heaven above?...

Villard snatches a paper and reads.

ELIZA

Give me that.

Eliza makes a grab for the paper. Villard moves it away.

VILLARD

(reads)

"to the Office of the Territorial governor,"... Not exactly Elizabeth Barret Browning. A plea for help?

Strickland's leg begins to lift the back of her skirt to see her legs. She spins, snatching it away.

STRICKLAND

(grinning)

Shoulda' come to us. We're the law.

Villard hovers behind her. He takes a deep breath of her perfume. His hand touches the lace on her collar.

VILLARD

Nice lace. From Belgium?

STRICKLAND

He likes your dress. Think it'd fit him?

Eliza drives a foot into Strickland's crotch, sending him over backwards in his chair. Villard catches a right hand to the teeth. His hands clutch his mouth as Eliza bolts for the door.

It's locked. As she struggles to open it, Villard and Strickland grab her.

CUT TO:

INT. HOTEL DINING ROOM - NIGHT

The room is deserted.

Mark is at a table opposite Dannameyer. There's a plate of uneaten cake, and a bowl of custard. Mark recites listlessly while Dannameyer appears to be in a reverie, listening as he puffs on a wine-soaked crook, cigar.

MARK

We came from Arkansas to Kansas. Pa worked a farm there. Her did everything, worked day an night an' saved money...

DANNAMEYER

Why'd he save money?

MARK

So we could buy a place of our own.

DANNAMEYER

The place you have now.

MARK

Yeah.

DANNAMEYER

For you. He did it all for you. His whole life, everything for you. God, how he must love you, boy. Go on...

Tears have filled Mark's eyes. He can't speak.

DANNAMEYER

(continuing)

What's wrong? Go on. I thrive on hearin' all this.

MARK

I can't, I'm tired... an' I'm sick of talkin' to you.

DANNAMEYER

Oh now, you'll need real endurance to save your Pa. So you were leavin' Kansas to come here... why this place?

MARK

We heard land was cheap. If we worked hard we could... We just wanted a place of our own.

Mark is nearly choking with sobs. Villard enters and motions to Dannameyer.

DANNAMEYER

Alright, we'll take a little break. You'd feel better if you ate some of that delicious cake an' custard.

\* Dannameyer rises and walks to the door. Villard hands him a piece of Eliza's copy.

VILLARD

She was tryin' to send this to the governor.

Dannameyer reads it and smiles. Villard is looking toward Mark.

VILLARD

(continuing)

What's that about?

Dannameyer glances at Mark, then at Villard.

DANNAMEYER

What's between me an' the boy is private.

CUT TO:

INT. SHERIFF'S OFFICE - JAIL CELL - DAWN

Lucas is sitting in the cell with his back against the wall. His eyes are nearly closed, but he isn't asleep. Suddenly, he reacts to the sound of a rifle - his rifle fired fast, but unevenly by a strange hand.

Lucas gets up and pulls himself to the window. He looks through the bars to see --

P.O.V. LUCAS

Dannameyer stands with Mark beside him at a distance of about fifty yards. He fires at bottles, set up in the railroad yard behind the jail.

RESUME LUCAS,

watching as Dannameyer fires out the magazine.

EXT. RAILROAD YARD - DAY

As he reloads the rifle, Dannameyer speaks with Mark who appears exhausted.

DANNAMEYER

That's as good as I can do. Reckon  
you're faster?

Mark looks spent. He glances toward the jail.

MARK

I told you, I've never fired that gun.

DANNAMEYER

You told me so many things... I've  
got em' all swimmin' around in my  
head. I must have forgot. Want to try  
it out?

Mark thinks for a beat, then --

MARK

You'll let me shoot it?

DANNAMEYER

Sure.

He hands him the rifle, but keeps his hand on it.

DANNAMEYER

(continuing)

When you lever it, it fires  
automatically... Fourteen shots,  
count em'.

Mark aims it at the targets, but Dannameyer keeps his hand on the rifle. Grinning, he glances toward the prison.

DANNAMEYER

(continuing)

Don't hurry now. Take a bead.

RESUME - LUCAS

watching as Dannameyer coaches his son. Giesler appears behind him through the bars in the prison office.

GIESLER

Your boy's getting a shooting lesson.  
Looks like Dannameyer's takin' him to  
raise.

Lucas says nothing.

GIESLER TURNS AWAY

Tubby is in the office area.

GIESLER

Looks so sad I nearly offered him a hanky.

They laugh. Tubby grimaces then farts. Giesler makes a face and waves his hand.

GIESLER

(continuing)

Jesus Tubbo.

TUBBY

Grits were a tad sour.

RESUME - LUCAS

As the SOUND of the rifle continues. (thirteen shots total).

RESUME MARK AND DANNAMEYER

Mark fires, levering as fast as he can, then he stops.

DANNAMEYER

That it? You fired so fast I lost count.

MARK

That's it. Fourteen shots. It's empty.

Dannameyer releases the gun and stands. For an instant Mark stares at Dannameyer, then suddenly aims the rifle at him and... the rifle clicks empty as Mark dry fires at him.

Dannameyer laughs and opens his palm, displaying a shell.

DANNAMEYER

I shorted you a load.

Villard approaches.

VILLARD

Harrigan wants you to speak to the settlers.

DANNAMEYER

Take this boy to the bunkhouse car... an' look after him. But be careful, he's full of sly tricks an' every kind of mischief.

## RESUME LUCAS

He can't hear their dialogue as he watches from the darkness of his cell.

CUT TO:

EXT. THE GRAIN ELEVATOR - DAY

Settlers wagons are still grouped around the grain elevator. There's a sullen atmosphere. Some settlers hold guns and seem almost ready to use them. Dannameyer watches from several yards away as Harrigan talks to a group of settlers. Gant and Micah can be seen among them.

HARRIGAN

We'll put the terms of the consignment in writing. Hell, in the end you'll get rich off this.

GANT

There won't be no consignment. Our wheat's sold to the army.

MICAH

We checked the law. That wheat can be considered Federal Property.

MARTINS

... we're gettin' troops in here...  
(points at Dannameyer)  
He'll end up in jail.

OTHER VOICES

End up hanged!

MICAH

Eliza Ledbetter has telegraphed the governor for armed assistance.

(off Harrigan's  
reaction)

Don't like the sound of that, do you?

Harrigan and Dannameyer turn and walk away. Harrigan is very agitated.

HARRIGAN

The governor might well react to a telegram from that bitch.

DANNAMEYER

It didn't happen.

HARRIGAN

What? For God's sake don't tell me you've killed her.

DANNAMEYER

Not yet. She's in the bunkhouse car, mindin' her manners until this is over...

(off Harrigan's look)

Just gettin' all my ducks in a row.

HARRIGAN

You fool. She's a senator's widow, a reporter. You realize the shitstorm if...

DANNAMEYER

(shushing him)

Shhhh! There won't be any "if".

There's the sound of a TRAIN WHISTLE. Harrigan and the others look around to see --

A TRAIN APPROACHES THE TOWN

hauling twenty or more opens cars to haul wheat. At the end is the Palace car. Hunziger and Melbourne can be seen on the platform.

RESUME HARRIGAN AND DANNAMEYER

Harrigan reacts to the sight of the train.

HARRIGAN

Oh, no, it's Hunziger... Get cleaned up and be at my office in twenty minutes, ready to play a tambourine and dance if it makes him happy.

CUT TO:

INT. SHERIFF'S OFFICE - DAY

Dannameyer descends the stair case suited up to meet Hunziger. He puts the rifle in a locked gun rack while Giesler speaks to him.

GIELSER

Villard wants to know how long he's got to sit that boy.

DANNAMEYER

Until I send for him.

ANGLE - LUCAS CELL

Lucas is hunched against the bars of his cell. Down a hallway, he can see Dannameyer leave.

CUT TO:

## INT. HARRIGAN'S OFFICES - DAY

Harrigan faces Hunziger, Dannameyer by his side. Melbourne hovers in the background. The mood is tense.

HUNZIGER

So we have nothing? Over a month of operating at a loss and we have nothing?

HARRIGAN

They're on the edge of falling apart.

HUNZIGER

I've heard that for weeks.

HARRIGAN

Now we go and stick our Goddamn guns in their faces an'...

HUNZIGER

(cutting him off)

You've already indulged in reckless acts of lawlessness that have brought us loud disfavor in the public eye... and falling stock prices.

(shouts)

And still no wheat! No God damned wheat!

Harrigan is at a loss for words. A silence hangs, then --

DANNAMEYER

Mr. Hunziger, doesn't the railroad own this town?... By that I mean the actual buildings, the store fronts?

HARRIGAN

What does it matter what it owns, for Christ sake? It doesn't have the wheat.

Hunziger holds up his hand, shutting Harrigan up.

HUNZIGER

Quiet.

(to Dannameyer)

Are you capable of some idea that does not involve a criminal act?

DANNAMEYER

Every merchant is owed money by those farmers. What if they were seize that wheat for their debts?

HUNZIGER

Seize it?

DANNAMEYER

March down there and take the granary  
as payment for what their owed.  
Then, they give it to you.

HARRIGAN

They'll never do that! We tried  
dividing the town. It didn't work.

DANNAMEYER

We never told em' that either the  
wheat or their town gets hauled out  
of here on the next train.

Hunziger likes the sound of this. He turns to Melbourne.

HUNZIGER

Is it legal?

MELBOURNE

(shrugs)

They can't put us in jail for what  
the townspeople do.

CUT TO:

INT. SHERIFF'S OFFICE - DAY

Giesler pulls a piece of half-toasted bread off the stove,  
smears it with deviled ham and takes a bite. As he chews a  
SOUND is heard off screen -- A loud gagging COUGH, then a  
foot, kicking against a metal cot with a spasmodic rhythm.  
Curious, Giesler walks toward the cells, still munching on  
his sandwich.

At the cells he sees -

Lucas hanging by the neck. His face flushed, a noose, twisted  
from the wool of the blanket, around his neck. A slight  
tremor moves his fingers.

GIESLER

Tubba'!... Tubba! Git your ass over  
here.

Tubby stumbles from the commode, pulling up his pants. Seeing  
Lucas --

TUBBY

God-all-mighty, damn.

GIESLER

Where's the keys?

TUBBY

Don't know. Villard never told me.

Lucas is still as death. A mad scramble to find the keys.

GIESLER

Where's the Goddamn keys? We got to find the Goddamn keys.

The desk is opened, drawers are dumped. Finally, Tubby pulls as large ring of keys from hat rack. They rush to the cell. As Tubby struggles to find the right key for the lock.

GIESLER

(continuing)

Dannameyer's gonna take a bite out of your fat ass.

TUBBY

What the hell, he was supposed to hang.

GIESLER

Not like this, lard for brains.

They enter. Giesler steps on the cot and cuts the rope. As Lucas drops, one arm goes around Tubby's neck, the other hand goes to Tubby's belt pulling his gun. He aims at Giesler over Tubby's shoulder.

GIESLER

(continuing)

What a low mean thing to do.

LUCAS

Poke your gun through the bars and drop it.

Giesler obeys. Lucas backs out with Tubby and locks the door. Then he shoves Tubby toward the front door of the office.

LUCAS

(continuing)

Tell Dannameyer I'm out.

Lucas opens the front door and gives Tubby a kick in the ass that tumbles him into the street.

Lucas opens his shirt and wriggles out of a harness that held him while he appeared to hang in the noose. He sees his rifle in the locked gun rack and crosses to it. Using the pistol he blows the lock off and takes the gun, feeling it in his hands, savoring its recovery. Then he pulls open the drawers and stuffs his pockets with shells.

CUT TO:

EXT. THE MAIN STREET - DAY

Dannameyer, leads Strickland, Rivera, and a pod of ten RAILROAD BULLS, armed with pry-bars, hammers, etc.

A few people gawk as they stop in front of a barber shop. As the Mayor appears in the doorway, wearing a barber's smock and a quizzical look, Dannameyer indicates the building to the men.

DANNAMEYER

Okay, boys, take her down.

- \* The workers move on the building and begin prying it apart.
- . The mayor races out in hysterics.

MAYOR

Stop!... for God's sake, what's going on here?

DANNAMEYER

Railroad's taking back the town. They'll set it up somewhere else.

MAYOR

What?... Stop this!

A wooden section of the shopfront falls into the street.

DANNAMEYER

Get that onto the flat cars.  
(to other merchants)  
All these stores are comin' down.  
Unless!... Unless!

Immediately people rush around him, imploring him to stop. Mark looks on as Dannameyer's is heard through the crowd.

DANNAMEYER

(continuing; through  
the crowd noise)

Take that grain. They owe you. It's rightfully yours. Take it an consign it to the railroad. Bein' reasonable is what this is about... Just bein' reasonable.

CROWD NOISE from the merchants drowns him out. There's laughter over the scene as --

CUT TO:

INT. HARRIGAN'S OFFICE - DAY

Hunziger looks from the window into the street, laughing. Harrigan and Melbourne are beside him.

HUNZIGER  
The man's a genius.

CUT TO:

EXT. THE MAIN STREET - DAY

Merchants, their employees, workers from the banks and stores rush into the street, some are armed with ax handles. The Mayor and Esmond rally them for a march on the grain elevator.

MAYOR BEAN  
That damned wheat's not gonna cost us  
our town!

Dannameyer backs away from the fray. As a the mobs starts toward the grain elevator. He leans against a building and lights a cigarette.

RIVERA  
What do we do now, Mr. Dannameyer?

DANNAMEYER  
Hang back and enjoy the fun.

A frantic Tubby puffs up to them. He shoves his way through the railroad men to Dannameyer.

TUBBY  
He's out... Lucas is out.

Dannameyer straightens up.

CUT TO:

EXT. THE TOWN - NEAR THE GRAIN ELEVATOR - DAY

The mob of about thirty merchants, led by Mayor Bean, Esmond other familiar faces heads for the grain elevator. Suddenly they react to a sight ahead, stopping in their tracks.

ANGLE - LUCAS

stands in the middle of the street, holding his rifle. For a beat he is silent, then.

LUCAS  
Where's Dannameyer?

The mob is silent as they face him, then --

DANNAMEYER (O.S.)  
Right here, Lucas.

Dannameyer pushes through the crowd from behind, holding Mark by the arm, his big Le Mat revolver at the boy's head.

DANNAMEYER

Right here, with all you love in this world.

Sensing a gun fight, people start moving out of the street.

MARK

You're dead, you son of a bitch!

Dannameyer bangs his forehead with the revolver barrel.

DANNAMEYER

Wrong. With you at my side, I'm bullet proof.

(to Lucas)

Isn't that right, Lucas?... I'm Bullet proof.

TUBBY, RIVERA, AND ARMED RAILROAD MEN

walk the flanks of Dannameyer's advance -- a small army, descending on Lucas as the townspeople melt away.

Dannameyer raises his revolver and wings a shot at Lucas

THE SHOT WHINES

past Lucas who sidesteps to the cover of a wagon.

DANNAMEYER

What's the matter, Lucas? Won't even return fire?

ANGLE - TUBBY, HOLDING A SHOTGUN,

pushes past hanging pig carcasses and climbs the outdoor staircase of a slaughterhouse, looking for a shot at Lucas.

RIVERA, WITH AN ARMED RAILROAD BULL

enters a livery. They climb to a hay loft.

DANNAMEYER

calls out.

DANNAMEYER

Come on, here's your boy!

MARK

Don't come out Pa!

Dannameyer grabs Mark's hair and shakes his head.

DANNAMEYER

Here he is!

LUCAS HALF EMERGES

from cover, facing Dannameyer down the empty street.

LUCAS

Let him go, Dannameyer. I'll settle with you an' as many as you've got.

DANNAMEYER

smiles. His look goes to Tubby who is taking position on a rooftop. Giesler falls back to the cover of a sidewalk.

DANNAMEYER

Step out. Just so I know it's you.

LUCAS

Let him go.

Dannameyer puts the pistol Mark's chin.

DANNAMEYER

Now either I see you, or you see the boy's eyeball in the street. Which is it?

LUCAS CAUTIOUSLY EMERGES

When he's nearly exposed, a figure appears on the opposite side of the street. It's Strickland, poised for a gunfight.

STRICKLAND

You're mine, Lucas. Reap the cyclone!

DANNAMEYER REACTS

with a muttered, "Oh shit".

STRICKLAND

takes a few steps towards Lucas, imitating the sound of a chicken.

LUCAS HALF FACES HIM

LUCAS

Dannameyer. Call off this horse's ass, so we can settle things.

STRICKLAND

reacts with a quick glance toward Dannameyer.

LUCAS

seizes the instant to fire. The shot wings Strickland, who rushes with pistols blazing, Lucas rapid fires three shots.

Strickland is hit, his spinning pistols continue firing into his own legs, dropping him in a heap.

Now fire breaks from all directions as Lucas rolls to cover,  
DANNAMEYER MOVES FORWARD, SHOVING MARK

DANNAMEYER  
(shouting)  
He's down. Keep him down!

VILLARD

fires from a doorway, splintering wood near Lucas face.

DANNAMEYER

shouts up at Tubby.

DANNAMEYER  
You've got a shot. Squash him like a  
Goddamn bug.

TUBBY

fires and wood splinters around Lucas, forcing him back where he'll be exposed to Rivera. He fires back at Tubby.

LUCAS REMAINS PINNED

and under fire from three sides. Wood splinters in front of him as Rivera and the railroad bull take a clear shots from the hayloft. As Lucas rolls, ducking fire, a bullet creases his back.

Lucas leaps across the alley, spins, and fires up at Rivera, in the loft, who is hit on one side, then another. As he falls --

THE RAILROAD BULL

fires at Lucas from another window of the loft. A return shot by Lucas blows his head away.

MILTON,

a railroad bull, charges with a pump shotgun. Before Lucas can turn and blast him, a heavy shot cartwheels the man head over heels into a dead sprawl.

MICAH

has fired from the opposite side of the street. He reloads a Sharp's rifle.

## GIESLER SEES MICAH

and aims to fire at him. The Sharp's rifle tears away the four by four that supports the shaded porch above him. Giesler staggers back as it falls.

## TUBBY ON THE ROOF

of the slaughter house. As he moves for better position --

## LUCAS LEANS FORWARD

and fires rapidly.

## TUBBY

driven by the force of three shots, rockets forward and crashes through a skylight.

## INT. SLAUGHTER HOUSE - DAY

Tubby falls, snagging on meat hooks, before landing in a scalding vat, where he floats belly up among steaming pig carcasses.

CUT TO:

## EXT. THE MAIN STREET - DAY

The street is quiet as Micah looks out from cover. Gant covers him with a single shot twelve gauge as he emerges and looks toward the railroad station.

## MICAH

They're headed toward the railroad yard.

CUT TO:

## EXT. RAILROAD STATION - DAY

In reaction to the approaching crowd, Hunziger puffs down an outside stairway from the offices to the railroad yard, Melbourne and Harrigan are close behind.

## A MOB

It's now about forty men, settlers and townspeople, led by Lucas. They cross toward the rail yard.

## EXT. RAILROAD YARD - DAY

Hunziger climbs onto the platform of the palace car. He speaks to Harrigan over his shoulder.

## HUNZIGER

Tell the engineer to move out.

Hunziger and Melbourne enter the car.

INT. PALACE CAR - DAY

Hunziger and Melbourne enter and react to -

Villard and Giesler are seated in the car. Villard is lighting one of Hunziger's cigars. Eliza, wrists tied, is on the floor. Mark is beside Villard.

HUNZIGER  
(outraged, indignant)  
Good God!

EXT. AT THE LOCOMOTIVE

Harrigan moves up and shouts to the engineer.

HARRIGAN  
We're going! Take her out!

As he turns away he faces Dannameyer's Lemat Revolver. Dannameyer fires the shotgun into Harrigan's face, blowing him back onto the iron steps of the Locomotive.

DANNAMEYER  
(to the engineer)  
You heard the man, let's go!

The engineer shoves the throttle to the firewall.

THE WHEELS

spin on the rails with a shower of sparks.

THE TRAIN MOVES forward

and Dannameyer swings onto the palace car.

LUCAS AND OTHERS

run as the locomotive and palace car move out of the station.

DANNAMEYER

looks after Lucas, still chasing him, he pulls Mark up beside him.

DANNAMEYER  
Wave to your Pa!

He forces Mark's hand up and down in a child's wave.

DANNAMEYER  
 (continuing)  
 Another day, Lucas.

CUT TO:

EXT. A SECTION OF TRACK - DAY

Lucas is catching his breath as Micah catches up to him. Both men watch the train as it heads into the distance.

Gant rides up leading a horse.

GANT  
 Go after em'!

MICAH  
 There's a chance we can get em'  
 Lucas. The track makes a loop...  
 maybe twelve... fourteen miles around  
 Sullivan's Canyon. They'll be goin'  
 slow to make the grade. There's a  
 mine spur with a derailing switch. If  
 we got there ahead of them...

Lucas is already taking the reins of a horse. As Gant swings off he swings up.

Micah mounts the other. They ride toward a canyon area.

CUT TO:

INT. THE PALACE CAR - DAY

Hunziger and Melbourne sit stiffly as Dannameyer lights a cigar and settles with a snifter of brandy. Eliza has been untied. She sits glaring at them. Mark is beside her.

DANNAMEYER  
 Nice traveling in a style to which I  
 am totally un-accustomed.

VILLARD  
 Where are we headed, Mr. Dannameyer?

DANNAMEYER  
 Mexico. With a senator's widow an'  
 this young lad, I'd say we've got a  
 sure ticket to the border. Some  
 eighty miles down, there's a town  
 called New Richmond... Founded by  
 survivors of the grand and glorious  
 army of the Confederacy. I've heard  
 my daddy's still a hero down there.

HUNZIGER  
 Then you'll release us...

ELIZA

Then he'll kill us.

DANNAMEYER

My God lady, you do have a dark vision of things. Your husband wasn't like that. He was a trusting soul.

Eliza, now knows that Dannameyer killed her husband.

ELIZA

You killed him.

DANNAMEYER

Me? I had no quarrel with the man.  
(indicates Hunziger  
and Melbourne)  
They wanted it done. Orders to an underling. My how things do change.

Eliza remains glaring at Dannameyer.

DANNAMEYER

(continuing)

We've got a long trip ahead, and I like your company... Would it brighten your mood to see justice done?

ELIZA

What?

DANNAMEYER

(to Villard and  
Giesler re- Hunziger  
and Melbourne)

Take em', shoot em', an throw em' off the back. "Sic semper tyranus!" What man said that as he performed a heroic act, Villard?

VILLARD

"Thus unto tyrants" John 'wilkes Booth said it when he shot Lincoln.

Eliza reacts with horror and disbelief as Hunziger and Melbourne are grabbed and dragged toward the back of the car.

DANNAMEYER

See, you're in very elevated company. Now, whenever you decide to pout about something, just remember, I'll do whatever it takes to put a smile back on your face.

Dannameyer laughs as Eliza puts her hands to her ears to block the sound of screams and shots.

CUT TO:

EXT. TRACKS ALONG A DEEP NATURAL GORGE - DAY

The train steams alongside a deep gorge. As it passes the CAMERA PANS away to find two tiny figures on horseback, driving down the steep side toward the river below.

Ahead a sharp bend can be seen that will bring the train back along the gorge on the opposite side.

CUT TO:

EXT. THE GORGE BOTTOM - DAY

Stumbling, Half falling, Lucas and Micah slide their horses down a steep shale face and into a stream bed at the bottom. Lucas drives his horse out into the swift water. As he reaches solid ground he looks up the gorge to see -

In the distance at the head of the gorge, the train is starting into the curve that will soon bring it back up the slope that looms ahead of Lucas.

As Micah clears the stream he points to an area of mine tailings.

MICAH

Up there... those mine tailings.  
That's the derailing switch to the mine spur.

LUCAS

Go for it. I'll go for the train.

Lucas drives his horse straight up the slope, Micah heads away at another angle.

CUT TO:

EXT. TRACKS ALONG GORGE - DAY

The train rounds a bend, then proceeds along the side of the steep gorge.

CUT TO:

EXT. THE SLOPE - DAY

Lucas is nearing the top. Above, in the background, the train can be seen approaching.

CUT TO:

EXT. THE TRAIN - ACTION SEQUENCE - DAY

IN A SERIES OF SHOTS

Giesler emerges onto the forward platform, with a decanter of whisky. He takes a swig, then taking in the scenery when he sees -

Lucas rides up from the gorge and gallops parallel to the locomotive.

Suddenly shots whistle past Lucas as -

\* Giesler, Villard, and Dannameyer fire at him from the platform.

Lucas must spur his horse onto the tracks, ahead of the locomotive.

The locomotive blocking their aim, Giesler, Villard and Dannameyer climb forward onto the tender.

Lucas rides with the train pressing behind him. One stumble and he is under the wheels.

Dannameyer shouts into the cab at the engineer and fireman.

DANNAMEYER

Speed... Run him down.

ENGINEER

It's a grade. We're givin' her all we can.

He aims his gun at them. The fireman shovels frantically.

DANNAMEYER

(to Giesler and Villard)

Get to the front of the locomotive.

Kill the bastard.

Villard and Giesler edge forward along catwalks on each side of the locomotive hoping for a shot at Lucas.

Eliza strains to see Lucas from the palace car, catching a glimpse of him as --

Lucas rides twenty to thirty feet ahead of the locomotive down the middle of the track.

Giesler, on the catwalk above the locomotive wheels, sees Lucas and fires at his back.

Lucas pulls the rifle from the scabbard, turns in the stirrups and rapid fires.

Giesler is hit, he clings to a rail as feet slip from the catwalks. His lower body drops onto the push rods, driving the wheels. A piercing scream and he is torn to pieces.

From the opposite side Villard fires as Lucas wheels his horse off the tracks and reins back. The locomotive passes, blocking him from Villard's view. As Lucas rides along side the wheels, pieces of Giesler flap from the throbbing push rods.

Dannameyer sees Lucas from the cab, as he fires, Lucas reins and drops further back, parallel to the palace car.

Dannameyer tries a shot at him from the cab as --

Lucas, tosses his gun onto the platform, then grabs the handrails and swings aboard the palace car.

Eliza rushes to him on the platform. A shot whistles past her head striking the glass of the palace car door. Lucas pulls her down. they are shielded by the back of the tender.

Dannameyer crawls from the cab onto the tender

Between the palace car and the tender, Lucas tries to remove the release pin to separate the coupling. (and separate the palace car from the locomotive)

Dannameyer moves along the coal bed of the tender, looking for a shot at Lucas.

Lucas pulls the coupling pin. The car separates.

Lucas, Mark, and Eliza grab the brake wheel of the palace car and crank it. The brakes scream, smoke spews from the wheels as --

EXT. THE DERAILING SWITCH - DAY

Micah pushes with all his weight on the derailing switch. The locomotive rushes towards him in the background -

The tracks edge apart -

EXT. THE TRAIN - (ACTION CONTINUES)

Dannameyer watches as the palace car slows, falling away behind the locomotive.

The engineer and fireman see the derailing switch semaphore rise to a warning position. They bail from the cab.

The locomotive, separated from the palace car, roars toward the derailing switch.

Villard is on the locomotive catwalk as -

The Locomotive hits the derailing switch and careens off the tracks.

Villard screams, scrambling toward the cab, bathed in sparks as the front of the locomotive sideswipes the wall of rock.

The gap narrows, smearing Villard into a snail's trail of human debris.

Dannameyer is hurled forward into the locomotive cab.

The locomotive chases Micah from the switch, plowing a deep furrow, leaving a path of twisted tracks, before turning onto its side and skidding in a cloud of dirt.

In the cab, Dannameyer tumbles over a lava flow of burning coals from the furnace --

Tearing out three telegraph poles, the derailed locomotive grinds to a stop

The palace car races toward twisted tracks, torn from the bed by the derailing locomotive. Lucas, and strain to lock the brake. Eliza braces for the crash.

Sparks fly from the locked wheels of the palace car as it grinds to a halt at the edge of the gorge.

#### EXT. THE WRECK SITE - DAY

The locomotive lies on it's side, hissing, the wheels occasionally moving, like a dying dinosaur. Clouds of steam pour from the ruptured boiler.

Lucas, Mark and Eliza, both a bit shaky, climb down from the wrecked palace car. Suddenly, a SHOT. Lucas pushes Eliza down and shoves mark back to the cover of the car.

Another shoy grazes Lucas's arm as --

DANNAMEYER,

appears from a cloud of steam. Gun in hand, as he aims at Lucas. Lucas fires and hits him.

Dannameyer doubles, firing back.

Two more shots from the rifle and Dannameyer crumples to his knees. The big Le Mat fires again into the ground and he drops.

LUCAS

walks over to him and looks down. Dannameyer's eyes are open in death. Lucas takes the barrel of his gun and pokes his eye lids shut.

MARK

walks up beside Lucas, peering curiously, a first encounter with death. Eliza appears in the background.

MARK  
Is he dead, Pa?

LUCAS  
He is.

MARK  
He'll go to hell, won't he?

ELIZA  
He's there already.

Mark turns away. Eliza puts her arm on his shoulder and walks him away.

Lucas turns to Micah as he steps up to look at Dannameyer.

LUCAS  
You still got your badge?

MICAH  
It's in a drawer.

LUCAS  
I think you should start wearin' it again.

MICAH  
You're about half good yourself.

LUCAS  
I like bein' a farmer...

Micah smiles. Both men react to a clicking sound.

They turn to see-

MARK AND ELIZA

Mark motions them to approach.

MARK  
Pa,... Micah, come an see what Mrs Ledbetter has done.

Eliza sits on the cowcatcher of the overturned locomotive. Using two pieces of the broken telegraph wire, she's tapping out a message in Morse code.

Micah and Lucas approach.

ELIZA

I'm telling the quartermaster at Fort Leason, there's twenty carloads of wheat, waiting in North Fork.

Both men smile.

CUT TO:

EXT. THE RAILROAD YARD AND GRAIN ELEVATOR - DAY

A locomotive, whistle blowing, with Cavalry men in blue and gold uniforms eases under the grain elevator, pulling a line of open cars.

THE DONKEY ENGINE

puffs and settlers shovel in a golden haze of wheat dust. Wheat spews from the elevator into the open cars.

A FLOW OF AMBER GRAIN

fills the open car.

LUCAS AND MARK

and others shovel to keep the flow going. Gant, on top of the elevator, turns and shouts.

GANT

Car's loaded. Next!

There's a collective cheer from the settlers. Others take the shovels and continue the work of loading.

EXT. THE STREET - DAY

Eliza, cleaned up and dressed for town, drives her buggy toward the grain elevator.

LUCAS AND MARK

emerge from the grain elevator as Eliza pulls up.

ELIZA

I just got word from the capital. The governor's setting up a commission for fair railroad practices. He wants you to serve on it.

LUCAS

What's involved?

ELIZA

Well, first of all both of you have to come by my house for dinner and fresh baked pie... then I'll give you the details.

LUCAS

I favor fair railroad practices. How about you, son?

MARK

I favor that and the pie.

ELIZA

See you about six.

She clucks and the horse moves out. Mark turns to his father.

MARK

I like her, Pa. Would you ever consider courtin' her?

Lucas is silent for a beat, then --

LUCAS

Courtin' her? I know as much about courtin' as a hog caller knows about church bells.

MARK

(smiles)

Or a hawk knows about a side saddle?

LUCAS

Or an oak tree knows about dime novels.

MARK

Or a brook trout knows about basket weavin'...

LUCAS

Somethin' like that.

MARK

Aw, I don't believe you, Pa. There's nothin' you don't know.

They walk from the grain elevator, still spewing wheat, the reward of their toil into the line of grain cars.

FADE OUT: