

Y U B A

by

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Based on actual events

SUPER:

CALIFORNIA, 1848

In 1848 News of the discovery of Gold in California exploded across America. Restless men desirous of adventure left their mundane lives and headed west to seek their fortune.

Within a year over 150,000 'Forty-Niners' had arrived; either by sea or through the perils of the overland routes.

Upon reaching California the prospectors set up 'Boom-towns'. With no law, murder and robbery rates skyrocketed. The gold fields became a bastion to 'frontier justice'

To combat the ever-growing number of prospectors, some turned their attention to the vast untouched stretches of wilderness that lay beyond the existing gold fields.

*The **YUBA** river valley was one such destination. Difficult terrain and distance from any main center had left the valley virtually untouched by white men. It was ripe for those who dared attempt one last journey into the wild...*

FADE IN:

EXT. YUBA RIVER - DAY

The majestic Yuba Valley. The river snakes through wild green forested lands.

SUPER: SEPTEMBER 1851 SIERRA NEVADA - CALIFORNIA

Through the thick underbrush comes the sound of two men, they appear over the ridge but never pause to take in the view.

They are men without mirrors, long beards with longer faces. Aging pioneers of the Gold Rush fallen on hard times.

Leading down the steep slope is **BERTRAND RISTINE (late 40s)**. Beard streaked with steel grey, years of hardship etched into his face giving him a tough and rugged appearance. His body like sun baked sinew, thin and powerful. He wears a worn and faded U.S. Army shell jacket.

Trailing him is **JEROME CARTER (30s)**. Bearded and Weary. Still carrying the strength of his youth but with eyes that carry the long beaten down look of a man twice his age. A wooden cross bounces off his chest.

The two men are intricately strapped down with gear including shovels, picks, sacks of provisions, timber, a canvas tent, and gold pans.

A rifle is slung over Ristine's shoulder.

EXT. GORGE - DAY

The men gradually work their way down into the river valley. With no path to guide them they forge their own way.

-- Ristine lowers gear, strapped together by rope, down a sheer rock face to Carter.

-- Upwards over a canyon the pair balance their loads over a fallen tree that bridges the river.

-- The two men arrive closer to the river. Its waters flowing and swirling.

-- The men continue to aid each other over difficult land as the waters roar away beneath them.

LATER

EXT. YUBA RIVER - DAY

Up ahead the river is cut off by a sheer cliff.

The pair wade through chest high waters to off-load their gear on the far shore.

Ristine is wrought with pain, his bad heart makes every step agony.

It becomes overwhelming, clutching his chest and out of breath, he struggles to remain upright as his world spins around him.

His vision blurry, Ristine thinks he sees the SHADOW OF A MAN down river but in a moment, he's gone.

The strong current begins to overwhelm Ristine and he is at risk of going underwater.

Carter sees his partner in trouble and hesitates for the briefest of moments, he watches the older man begin to succumb to the river. Then he snaps out of it and dives after him.

Both men go under the rapids but the stronger younger man manages to pull them and their gear to a safe rock.

Ristine in his belligerence tries to throw him off but Carter holds him firmly, keeping Ristine still and upright against a boulder until his pain subsides.

EXT. RIVER BANKS - DUSK

The fire in the west is nearly out as the two men sit quietly.

Ristine now recovered smokes his pipe quietly.

EXT. RIVER - DAY

Next day, the river has plateaued out and its flow now runs calmer.

Climbing up over rocks, the two men survey their surroundings, silently pointing out features to each other that could detect an optimal place for finding gold.

CLOSE ON

Ristine pan tests a locale on the river while Carter looks on in silence. The sediment turns up a few specks of gold but nothing worthy of their efforts to extract it.

With a quick flick Ristine scatters the slurry back into the water.

Carter clutches his cross and quietly prays.

Ristine has already moved on.

EXT. RIVER - NIGHT

They camp, the leather tarp above their heads keeping the rain off their faces but not off their backs.

EXT. RIVER - DAY

The men continue to search the river banks, willing it to burst forth with its hidden bounty.

Around a bend they spot a lone sentinel.

An INDIAN MAN dressed far warmer than the day requires with two broad brimmed hats comically sitting on top of each other and two coats over his native leather hides.

He stands atop a large rocky outcrop which commands a view upriver.

Ristine and Carter offer peaceful greetings but the Indian man pays them no attention.

He stands dead still as if he's expecting an arrival of some kind.

Ristine and Carter look back at him as they turn a bend, the Indian hasn't moved a muscle.

DISSOLVE TO:

The dying rays of the sun burn the tips of the pines.

EXT. YUBA VALLEY - MORNING

Ristine forges ahead, Carter pauses for a moment letting the sun warm his face.

Ristine scrambles up a large rock with a view down river.

Two hundred yards downstream he sees exactly what they have been looking for:

A shingle bar.

An area of flatness found on the convex side of a bend in the river where water once flowed but has since changed its course.

Unremarkable to the uninitiated but a place where, if one knows how, one will find gold.

CLOSE ON

The pan filled with sediment and water, they survey its contents.

Nothing; then the pan tilts hitting the sunlight. FINE GOLD DUST all over the bottom of the pan.

Lips move counting the colors; too many to read clearly, hungry eyes fill with greed.

Ristine looks to Carter, who hoots with excitement; Ristine stands and immediately measures out the size of the shingle bank.

Carter walks a couple of steps and drops to his knees digging his hands deep into the earth.

Carter lets the DUST fall slowly from his fisted hands. He closes his eyes, tears well, quietly prays.

Now turning back to Ristine with a huge grin on his face.

Ristine meets his eyes but never shakes his determined outlook.

Experience dictates his every thought, he's been this close before.

Carter doesn't let him off so lightly. He returns to Ristine whose now ankle deep in the river.

Carried away in the moment he EMBRACES RISTINE, his weight forcing them off balance and into the water.

EXT. CAMP - DAY

DAYS LATER and the camp has become more permanent. The canvas TENT has been erected and a FIRE PIT formed that sits ten feet off the river at the edge of the forest.

The entire length of the shingle bar has been squared off and the top layers removed, exposing the rich pay dirt three feet underneath.

EXT. CAMP - NIGHT

Salted pork boils up in a cowboy stew cooked over the fire.

CARTER

If only the others could see *us* now, strange and unexpected how things end up. God's plan is mysterious.

Ristine doesn't respond.

CARTER (CONT'D)

Who would have thought it would be us that struck the mother-lode.

Carter peers through the flames at the motionless man.

RISTINE

It ain't out of the ground yet.

CARTER

Oh Bertrand, all we need to do now is bend down and pick it up! Ha! You remember saying that back on the trail? Took us a good while but we got there in the end... I could build my church.

RISTINE

Swindler, smart that. Preying on restless men with dust to turn.

CARTER

Provide shelter for all those hardworking souls in the mines, maybe show 'em the way for those that have taken to the drink, much like what you did for me.

RISTINE

Man can get lost in the thirst, don't know whether to swim or drown. You needed reminding.

Ristine closes his eyes.

CARTER

That I did, That I did.

Carter stands and walks over to Ristine, laying a bowl of stew at his side. But no movement comes from the older man, just the sound of an exhausted snore.

Carter removes the pipe from the sleeping man's mouth and lays it beside him.

EXT. FOREST - DAY

Ristine and Carter hug a high embankment in the forest.

Carter has the rifle raised.

Oblivious to the hunters is a YOUNG BUCK foraging on the forest floor.

Ristine whispers.

RISTINE

Wait 'till you get a clean shot,
hold it steady, take your time. A
clean shot is the only way...

CARTER

Would you be quiet.

Slowly Carter, aims and...

FIRES

He misses.

The buck jolts and races off as...

Carter fires again.

The bullet enters through the upper belly of the buck,
shocking it.

It bolts into the forest bleeding and out of sight.

EXT. FOREST - DAY

A trail of blood leads the men to the buck, uncomfortably
squatting in a dry old river bed. Dying slowly, froth and
blood ooze from its mouth as it pants in sharp short breaths.

It's eyes soft now, the light beginning to fade.

Ristine quickly unsheathes his knife and puts the animal out
of its misery.

He stands eyeing the guilty Carter.

RISTINE

See you at camp. Bring dinner.

Ristine walks away.

EXT. DIGGINGS - DAY

-- Carter returns half exhausted with the buck draped over his shoulders.

-- Carter hangs the buck on a tree and begins skinning it

-- The two men have built a basic wing dam to divert water away from their diggings.

-- Ristine pauses his work in the diggings to see Carter fell a tree.

-- Ristine constructs a wooden device from fresh and carted timber.

-- Carter cuts firewood near the forests edge.

-- Ristine hauls buckets of shingle into the Tommy Box, a rudimentary wooden device Ristine has made for extracting gold. Carter works out the finer material.

-- Carter blows off dry sand warmed by the constantly burning fire, the heavy material remains in the pan, the unmistakable gleam of pure GOLD.

-- The precious metal accumulates, fine shavings bouncing off leather.

EXT. RIVER - DUSK

The two men sit beside the fire. Carter throws on two mighty chunks of venison.

A SMALL LEATHER POUCH sits on one end of a simple set of scales as Ristine carefully adjusts the weights on the scale.

Carter grins as Ristine turns on a puff of smoke from his pipe and glares at the river.

Ristine watches the surrounding hills. He closes his eyes like caught in a memory then a chest pain overcomes him.

Carter reaches out to comfort him, Ristine turns away.

CARTER

How often now?

Ristine stays silent.

EXT. RIVER - DAY

The sunrise, puffy clouds above the camp glow in pinks and orange.

Carter mid river, face turned skyward, he prays.

Ristine is already sweating from exertion as he toils in the diggings with the pick axe.

He raises the axe and throws it down with a might more inclined for someone half his age.

EXT. RIVER - DAY

The two men sit beside the fire, Ristine carefully mixes river water and flour to create damper.

CARTER
Roast chook, potatoes,
cabbage'n'butter.

Ristine grins.

RISTINE
Lamb shank with peppercorns.

CARTER
My mother made the tastiest
blueberry pie you ever could eat.
They grew like weeds behind the
house. My sisters and I we'd get
sick of 'em, but that first pie of
the season...

He pauses for a moment, the flow of the river mesmerizes him.

CARTER (CONT'D)
I think condiments is what I miss
most though.

RISTINE
Condiments?

CARTER
Ketchup.

RISTINE
Right ketchup.

Carter suddenly spots something up-river.

CARTER
Floater.

Carter motions upriver to Ristine, something is floating towards them downstream.

A BODY.

They watch it bounce unnaturally down the river. It gets submerged in the rapids then pops up in the calm water above camp.

The two men wade out into the water and gently drag the body onto the river banks.

He's young, fair with dark hair. He's atypical of the hundreds of men working various parts of the gold fields.

RISTINE

He ain't been dead long. There will be others, drawn out here just like we was.

Ristine takes a good look at the man then begins checking his body for injury and possessions.

CARTER

We should be better armed... How you know that?

His skin is ghostly white and clean except for a single slender slash of crimson in the pale, a stab wound in his chest.

RISTINE

Same reason that we left the fields.

CARTER

No, that he ain't been dead long?

RISTINE

He didn't come apart.

Carter gives Ristine a worried look as he ruffles through the man's belongings.

Ristine pulls the only thing left on him, a large chestnut or buckeye.

RISTINE (CONT'D)

You'll never find a dead man with a buckeye in his pocket.

He throws it to Carter.

RISTINE (CONT'D)

So much for good luck charms.

They stand unsure of their next action.

CARTER
We should bury him.

Ristine bends down and starts to drag the body back into the river.

CARTER (CONT'D)
Every man deserves a proper burial.

RISTINE
Out here? What do it matter?

CUT TO:

EXT. FOREST EDGE - DAY

Ristine watches as Carter finishes digging the grave in the soft soil of the forest. With effort Carter drags the corpse into the hole. Ristine makes a point of not helping.

Carter bows his head and begins to pray.

Ristine notes a cool wind coming down into the valley, fall is coming.

He moves off back to the river.

CARTER
(barely audible)
*Eternal rest, grant unto them O
Lord and let perpetual light shine
upon them. May the souls of the
faithful departed through the mercy
of God rest in peace, Amen.*

He bends down and starts shovelling dirt into the shallow grave.

EXT. RIVER - DAY

Ristine back at work, he can see Carter finishing a rudimentary wooden cross which blends into the forested beyond.

Carter genuflects, bows his head and prays again. He then wanders back to the diggings.

Ristine goes back to work.

EXT. RIVER - DAY

The romance of gold is washed away as we witness another mundane day of work on the river.

-- Ristine on the long tom.

-- Carter bucketing shingle then turning to retrieve a bucket of water to wash it through the device.

-- Ristine holds the basic handles and shakes it gently back and forth filtering out the larger material.

Dreams of huge nuggets are simply folklore, here your prize is fashioned out of patience and hard work as the tiny specks of gold can gradually accumulate into a fortune.

EXT. RIVER - DUSK

Carter watches DARK CLOUDS upriver beyond the ridge line.

The APPROACHING STORM drowns out the sun bringing an unnatural darkness to the land.

A kerosene lamp on a stick lights up Ristine working deep in the diggings.

Peering out he keeps eye on the large boulder mid-river to check the water level as he attacks the bank with the pickaxe.

Something glistens, right where his axe just struck.

Using his hands he scraps the shingle aside to reveal
:a perfect rich vein of GOLD in its natural state.

Gold, larger chunks - twenty ounces maybe more. Ristine admires its beauty before driving his axe in again.

RISTINE

Carter! Bucket!

A lightning bolt forks down and moments after thunder rattles the valley. The lamp shakes on the stick illuminating the diggings then throwing its light across the waters.

The trees bow to the wind. With another crack of thunder comes the rain and with it the WATER LEVELS RISE abruptly around the boulder.

Carter has reached Ristine's side as he tries to dig out the ribbon as fast as he can.

Carter checks the boulder.

Ristine can't see but he begins to feel the earth tremble.

Carter races to get a better view up river.

In the darkness Carter can just make out a WALL OF WATER racing towards them.

CARTER

Flood!

Into the diggings he scoops up the long tom and other gear, he hurls them to safety.

Ristine's eyes dart to the boulder but it's now almost entirely submerged.

He shovels in his hands, throwing it onto the pan. His hands are specked with gold.

CARTER (O.S.) (CONT'D)

Captain! Move!

Then all of sudden it is all washed away; as water floods into the diggings.

Standing up now, Ristine sees the STORM SURGE approaching. The diggings now submerged completely.

Carter is with him now, he grabs at the older man and pulls him backwards shaking him out of his daze.

Together they scramble back towards camp as fast as their legs can carry them. Ristine stalls and gathers up the pick axe and other gear, dragging the long tom now with Carter.

The sound of a mountain of water crashing down the valley.

Out of breath the wet men look back towards the river; in the darkness they see nothing but the grey movement of the flood.

Ristine looks to his hands, not a speck of gold remains.

Emotionless he peers out into the darkness.

DISSOLVE TO:

EXT. CAMP - DAY

NEXT MORNING

Ristine stands eyes closed. Slowly his eyes open. He remains like a statue rooted to one spot. Filthy and naked to the waist, his sinewy pale body showing signs of a hard life.

He wearily overlooks a ruined camp. The tent has all but washed away, a single peg keeping the soaked canvas in place.

The diggings have been filled in by a brown sludgy sand. Muddy sediment is slung everywhere. A naked Carter hangs his clothes out to dry. Their mental and physical exhaustion is palpable.

Ristine holds in his hands the SMALL POUCH filled with gold dust, he feels it's weight.

Not nearly enough.

Ristine picks up the shovel, he starts digging into the muddy soil. He flings it with all his might into the river, shovelful after shovelful muddies the clear waters.

Carter unmoved and exhausted watches this man possessed.

LATER

The silhouettes of the two filthy miners taking shade from the hot afternoon sun. Beyond them THE DIGGINGS are scrapped clean of the sludge.

They now sit under the awning of their refreshed camp, filthy and tired.

EXT. RIVER - DAY

Carter sits with his right foot turned upward resting on his left leg, he's mesmerized by the lines and cracks on the bottom of his scarred feet.

Slowly he peels off a chunk of dead skin. Days, weeks and years have left their mark.

He snaps out of it when they hear a whoop from upriver.

Leaving the tent, they see a **BLONDE MAN** (late 20s) laden with GEAR bouncing down the middle of the rapids.

Carter goes for a length of rope but Ristine never takes his eyes off the man.

RISTINE

I don't think he is in need of your help.

Carter turns to notice that besides the fact that the man is bouncing off rocks and struggling to stay afloat, he's deliberately doing so and appears to be quite enjoying himself.

He seems not to mind the wreckage of his gear floating around him.

He whoops all the way down, relishing in his dangerous shortcut down-river.

He whips by the men and soon disappears round the bend.

EXT. RIVER - NIGHT

That night the two men sit around a low campfire surrounded by darkness.

All of a sudden on the OTHER SIDE of the river a FIRE erupts into flame.

The same BLONDE MAN they saw in the river is now naked, drunk and spitting booze onto a liquor fuelled fire.

Ristine and Carter watch this bizarre scene for a time as trepidation begins to creep in.

EXT. RIVER - DAY

Carter and Ristine work in the river in silence. Every now and then one of them will look up towards the Blonde Man's camp.

His tent flaps open and the man remains PASSED OUT inside even though the day is already full.

EXT. CAMP - NIGHT

Ristine kicks at the dying embers of the fire and enters his tent with his rifle, closing it gently he peers out the crack towards the other side of the river.

Carter lays fast asleep.

Ristine then makes his way to the far end, unties the base rope and crawls out the back; carefully as not to be seen from the front.

EXT. FOREST EDGE - NIGHT

Ristine is hiding within the confines of the FOREST EDGE, looking out he sees the faint glow of the dying fire illuminating the tent and the rivers edge.

No fire burns on the other side of the river.

His rifle rests on a nearby tree. He holds his knife in his hands.

TIME PASSES

Ristine's eyes start to fail him. Closing them for a rest as the grip on his knife loosens.

The knife falls and sinks into the soft earth making the barest of sounds but it's enough to wake him.

His eyes open, a moment passes then he spots something begin to ripple the surface of the calm water on the edge of the river.

The BLONDE MAN emerges from the eddy, slinking silently, naked and poised with his LARGE BOWIE KNIFE.

He stands in the shallows peering into their camp.

Carter remains asleep in the tent.

Ristine breathes sharply. Bracing himself, daring not to make a noise. He quietly reaches for his rifle.

The Blonde Man stands for a time, staring into the camp.

Stepping one foot ahead he suddenly STOPS, like a wild animal sensing something is not right. He sees only Carter sleeping in the tent...

Ristine holds his breath as he quietly grips the rifle.

Slowly the Blonde Man RETREATS as Ristine brings the rifle up to his shoulder but the intruder has now SUNK SILENTLY back into the inky water. His knife between his teeth as he DISAPPEARS beneath the surface.

Ristine lowers his rifle, wraps the blankets tightly and settles in for a long sleepless night.

EXT. CAMP - DUSK

A new day, the Blonde Man's camp is EMPTY.

Something stirs a FLOCK OF BIRDS out of the trees in the bank directly behind camp shaking Ristine from his memories.

The two men spring to their feet and hug the embankment.

Carter peers out, aiming to get a view of who or whatever is up there.

Ristine stands up defiantly in clear view, eyeing the RIDGE looming above them.

About three hundred yards up the bank are the silhouettes of TWO MEN, one with a rifle watching the camp.

CARTER
What do you see?

RISTINE
Men.

CARTER
How many? Are they armed?

RISTINE
(Calmly)
Two. Yes.

Carter begins to panic, nearby is the leather pouch containing all their gold.

He pulls it close to him.

CARTER
I'll swallow it all, tell 'em we're down on our luck so far... I swear to God, I'll drink the lot.

Ristine turns and stares at him, weighing up the odd but feasible solution Carter offers.

CARTER (CONT'D)
We can pan it safely on the other side.

He grins nervously despite his concern, Ristine smiles back.

RISTINE
You'll be on your own in that endeavour.

Ristine takes two steps towards the rifle resting up against a log which is clearly in sight of the two men on the ridge.

He places one hand on the butt of the gun and turning towards the strangers raises the other in a friendly gesture.

- We are friendly but we are also armed.

RISTINE (CONT'D)
No matter, they seen the diggings.

CARTER
Could they get us from there?

Then.

STRANGER

Howdy!

RISTINE

What business you men on?

STRANGER

No business 'ere, passin' through.
Coffee for journeymen? Would be
appreciated!

RISTINE

Leave your rifle up there, and any
other arms you may possess against
that large pine...

(He points)

...and come on down!

He turns to Carter as one of the men rests his rifle against the tree and they both start making their way down the bank towards them.

RISTINE (CONT'D)

Put the coffee on.

Carter is incredulous, he rises towards the fire pit.

RISTINE (CONT'D)

We'll just have to see how this
plays out.

Now the men have become close enough to inspect their detail.

The younger is a gaunt faced, broad shouldered **BLACK MAN** (40's) dressed in stripped leather hides and bear fur pants. He trails a skinny mule behind him that expertly follows him down the steep gradient.

His partner is an older white man (60's) Not just in years, but in time spent under a baking sun and upon a freezing earth.

A true **MOUNTAIN MAN**; piercing blue eyes bead out from a matchstick head with more hair than flesh. When he speaks, no appearance of a mouth can be seen in his forest of a beard, it's just the source of a guttural articulate growl.

He mock bows.

JIM BULL 'MOUNTAIN MAN'

Howdy, howdy! Friends, do tell me
if I qualify.

The Mountain Man pauses, stands at attention and brushes his fringe aside as if to make appearances.

JIM BULL 'MOUNTAIN MAN' (CONT'D)

My name is Jim Bull! And this here is Bear, Bear as in black, Nigger as in him. Black Mountain Man! Let your eyes feast on the sight! Wagh!

He eyes the two miners.

JIM BULL

You two smell like a perfumery. Wagh! Howdy, howdy!

Jim Bull signals with a low wave to Bear who takes the mule and sets it feeding.

Carter turns from his fire pit, keeping an eye on Bear who looks around the diggings suspiciously.

RISTINE

Bertrand Ristine, this here is my partner Jerome Carter. Ohio.

JIM BULL

Well howdy Jerome and Bertrand of the great mountain-less state of OHI-O!

RISTINE

You men take cream and sugar?

Jim bursts into a huge rollicking laughter, he seats himself on a fallen log opposite Ristine.

JIM BULL

Wagh!!

Bear appears at ease but seems not to possess the energy to crack a smile.

RISTINE

Is your partner not joining us?

JIM BULL

Bear knows his place.

He turns towards Bear with a foolish grin, but gets no response from the black man.

JIM BULL (CONT'D)

C'mon Ohi-O's talk to this old man,
the to and fro of words is running
dry between that nigger'n'me and
conversing is what I do miss most,
speak, please speak, any ol' thing
will do.

Carter busies himself with the coffee.

RISTINE

My partner and I were headed for
the west coast in forty eight, with
a company thirty two strong. Tried
to beat the tide, get here before
the winter closed in.

JIM BULL

Forty eight! Some winter that, my
bones are still complaining!

RISTINE

You and your partner been trapping?

JIM BULL

Wagh! Trapping! Trapped e'ervywhere
I have, Colter's run to Blackman's,
seen them Tetons in all 'em glory.
Trapped in Cree, Sarcee and Blood
country, been stuck by them red
niggers sticks more than I'd
prefer. Trapping, oh I been
trapping ha!

CARTER

There doesn't seem to be much
beaver on this fork.

JIM BULL

This fork? No, I don't s'pose thar
is.

Carter meets Ristine's eyes for a moment then keeps his eyes
on Bear tending to the mule.

JIM BULL (CONT'D)

Lookin' for our mules, mules is
mules, they will stray. Ol' Bertie
the only one too loyal to wander
from our last camp, you haven't
seen our mules have ye?

Ristine shakes his head as Carter hands coffee to Jim who warmly welcomes it then heads to Bear and hands him the other.

Bear keeps his eyes on Jim and drinks slowly

JIM BULL (CONT'D)
Not drinkin'?

CARTER
We only own two mugs.

Jim stands up.

JIM BULL
Well here's to the fellows from Ohio! Much obliging your hospitality.

Jim Bull drinks long.

RISTINE
You fellows pass through camp, three days walk south? Caldwell's?

JIM BULL
I' that we did. 'Bout a week past... I saw a woman! This was man's country once, every creek full of fur ya could'n see the water and buffler any ways a man looked and no crampin' or crowding greenhorns comin' up, why not they stay home? I mean no offense, I include you men when I speak. Why they not leave it to us whose found it, now a woman! It be over now, just a matter of time now that a woman is this far west.

CARTER
Tell us about the woman? We ain't seen one for nigh on three months except for Squaw.

JIM BULL
Hair like fire, blue eyes. She looked like she had passed through the gates of hell...

Carter stands up in shock. It's not lost on anyone, he gathers himself and sits back down then looks to Ristine who averts his eyes.

CARTER

(to no one in particular)
She's alive?

Jim bull shrugs. He's moved on.

JIM BULL

She was might empty once, empty but full... and new and a not a track nor road tainting save Injun's on the whole wild of her. Roll into a valley, green and fresh under the sun. Wild. Wild and purdy, like a virgin squaw. Whatever I does felt like the first one that done it... Hell of a thing be the first one thar and like squaw she don't like it much, wagh! She'll kick and spit but if you hold on, she'll bend to ya alright, enough for you to get a bite.

CLICK.

Bear has pulled a single chambered revolver from his britches and has snuck up behind Carter. He looks to Jim for approval then...

Ristine stands, walks calmly across to his Rifle. Bear keeps his pistol trained on Carter.

Ristine grabs his rifle, checks the chamber with a loud CLICK, then strides over towards Bear. Holding the rifle by his side the older man just KICKS Bear firmly in the chest and the weak man goes down.

RISTINE

You fire that pepperbox it will be
the last thought that travels
'tween those ears.

Now Ristine points his barrel point blank on Bear. Bear's already limited resolve starts to falter even further.

RISTINE (CONT'D)

What your business 'ere? You think
two armed men can come friendly
into camp like this? Armed with
that piece of shit for a firearm?
You're more likely to rid young
Carter here of weevil than kill
him.

CARTER
Son of a bitch!

Jim Bull tries to stand.

JIM BULL
Whoa now now now... fellow.

Ristine spins the rifle onto him, Jim sits back down.

JIM BULL (CONT'D)
We ain't mean no harm. Just coffee,
just coffee all we ask. A moment to
sit, a moment! Sonofabitch Bear?!
He's only a curious one ya see. He
ain't cut from the same cloth, gold
ain't our game no more than manners
are on this Nigger.

Bear's eyes tear up and the gun already soft in his hand
drops to the sand.

Ristine keeps his bead on Jim who has frozen in his tracks.

CARTER
Oh hell, greedy sons of bitches...

RISTINE
Now come sit, the both of ya. I
insist on it.

Ristine sits. The pair look defeated. The three men now sit
together.

Carter stands disbelieving.

CARTER
You fixin' to entertain?!

Ristine ignores Carter, lays his rifle on his lap. Rests the
hammer.

RISTINE
Drink your black water.

The two Mountain Men hesitate, then gather themselves and sip
their coffee.

RISTINE (CONT'D)
What the hell kind of plan was
that? You'd have been better off
taking pot shots from up on the
ridge.

Ristine eyes the men with pity.

RISTINE (CONT'D)
 (To Carter)
 You better get a meal on!

CARTER
 You mean to feed these sons of
 bitches?

Ristine ignores the younger man. He notes a strange fixation on Carter by the Mountain Men but shakes off his suspicions.

JIM BULL
 We traveled 'ere on the fear of the
 red man, we were eight strong
 trappin north of Fort Mackenzie.
 Unspoilt pastures, knew a risk when
 I see one but good beaver gives ya
 the worst kind of blindness.

Carter returns, hands the pistol to Ristine. He cracks open the chamber to find it empty. Red rust corrodes it's inner workings. Useless.

JIM BULL (CONT'D)
 Found a hell up there. Bunch o' red
 heads came over the bluff, Toby was
 making breakfast. Before we knew
 what was happening, Toby was full
 of arrows like a porcupine. Them
 red niggers were all bloody and
 scraped up, figured they already
 been whupped by them rivals.
 Nothing much more dangerous than
 Injuns already been whupped, they'd
 beat on a schoolhouse if they came
 'cross one. Figure they'll make up
 for it, don't give a damn who...
 One right through his cheek and
 more than a half dozen through his
 meatbag.

He pats his large stomach.

JIM BULL (CONT'D)
 Poor sonofabitch thought he was
 protected from Injun attack cause
 he wore them leathers, moccasins,
 feathers'n'all. Long hair, clean
 shaved even in winter... Seems
 there's more to being Injun than ya
 wear!

Jim smiles then lifts up his shirt to show a horrific SCAR where a arrow struck him clean through. The skin is healed in a rough ridge of scar tissue.

JIM BULL (CONT'D)

Those Niggars' arrows make real good, tear you up from the inside to pull this one through, had to cut it out.

He points to Bear.

JIM BULL (CONT'D)

This lucky Nigger 'ere caught but keepin' his hair short for the summer, Gros Ventre couldn't get hold of his scalp to peel him. Kept his hair and life to boot. Can't figure the red man, peel your eyelids off for sport! Eyelids! Ain't Human! Ain't animal! What you can call it when ones lower than a pack of hungry coyotes I do not know... Wits and cunnin' got us away, cold camped four days and four nights we were hunted but kept our hides to show for the sufferin' of us all. Ways we see it, price per pelt ain't worth a death like that. Fear sent us 'ere. Greedy mining companies sendin' us back, pay'n dollar a day, worse wages I e'er saw. Figure beavers bound to rise. Sure as the sun does, up and down, up, down. One time I got six or seven dollars a plew. Wagh! But it's bound to rise. Yonder over the next ridge you find the beginnin' of the Kipsaw trail, lead ya straight to Pierre's hole! Ren-Dez-Vous! That's where we headed, that's where we go.

FADE TO:

EXT. CAMP - NIGHT

The Mountain Men sleep soundly, as Carter sits awake, on guard.

Ristine stirs and their eyes meet for a moment.

EXT. CAMP - DAWN

The two Mountain Men make their way up the bank towards the ridge line. This dying breed of men head back into their wilderness with Bear dragging the old mule behind him.

Ristine looks to the opposite shore, the Blonde Man's camp is still empty.

Carter, clutching the rifle, eyes the departing Mountain Men and gives a stern look to Ristine.

CARTER

You're getting soft.

RISTINE

What? You plan to hunt them down?

CARTER

Maybe, maybe not. I sure as hell ain't gonna feed 'em and give 'em shelter. Self preservation calls for drastic actions Bertrand. God willing we shan't ever have to again. If we don't do things right, it'll all come apart. You know that better than anyone.

Ristine SHOVES the younger man so he falls onto his back. Ristine stands over him but then moves off.

CARTER (CONT'D)

Better them than us! Hell those men halfway down the staircase already. But whose says they ain't gonna back track and come at us again? We should have taken their rifle.

RISTINE

Well then you might as well have shot 'em dead.

Ristine watches the now empty forest for a moment then helps up Carter.

RISTINE (CONT'D)

I'm not too sure what they were after but it sure wasn't coffee. If their next plan is as sound as their first, we'll see 'em coming. Besides if someone means to do us real harm, there ain't no stopping a mind made up.

CARTER
Amy. She's alive.

RISTINE
We do not know that.

CARTER
Like hell we don't. You told me she was dead.

RISTINE
I told you what you needed to hear,
I couldn't have you off chasing
some kind of a dream.

Carter looks shocked, like he's been called out on a secretive love. He gathers himself.

CARTER
Yeah, Instead you recruited me for yours.

RISTINE
Gold. It's the only dream with worth.

CARTER
She's up there and she is in need of our help.

RISTINE
Our help? And what help do we have to offer her? Huh? Without this claim we're nothing.

CARTER
That camp is no place for a woman, There are too many men of an unsavory disposition.

RISTINE
The river ain't no place for a woman, asking me such ain't no place for you either Goddamit! *Unsavory disposition*. She made it this far, goddam miracle. She can make it till we've worked this claim.

Carter grabs his Bible and opens to a random page, starts to read.

CARTER

'To open their eyes, to turn them from darkness to light and from the power of Satan to the power of God that they may receive forgiveness from sins and inheritance among them.'

RISTINE

Alright Preacher, tell me what the hell that means. Explain to me the great truth in those lines and I'll do your bidding 'Son of God'

CARTER

It is up to us to find truth in his words.

RISTINE

Carter, where did you find that book?

CARTER

I have always believed in God.

RISTINE

Is that so? When did you find your God? As I don't recall your preaching when we left Ohio.

CARTER

Crossing the mountains, right when you walked away from his light, I found it.

Carter leaves it be for now, he looks over to the empty camp across the water.

CARTER (CONT'D)

You think he's gone?

The two men stare at the empty camp, apparent that neither man believe they have seen the last of their unwelcome neighbor.

EXT. CAMP - NIGHT

CARTER SLEEPS in the tent as RISTINE STARES INTO THE FIRE, his mind a million miles away.

He turns his hands, he keeps 'em moving to take away the shaking.

FLASHBACK TO:

EXT. MOUNTAIN TRAIL - DAY

CLOSE ON

Cold hands, turning over to keep warm.

SUPER: LASSEN'S PASS - EIGHT MONTHS EARLIER

RISTINE looking years younger with a steely eyed focus, he brings his hands to his lips and blows into them.

Then he reaches out to join other calloused and muddied hands upon a wagon wheel.

A half dozen men are bent over a wagon stuck deep in freezing mud.

Men's voices yell out in unison.

MEN

Heave!

The wagon wheel snaps under the pressure. The men collapse in exhaustion and disappointment.

Ristine simply stands, swipes the mud off himself and climbs onto his nearby horse.

He looks to the Wagon owners family freezing in the cold air.

RISTINE

*Leave it! Take what you can carry,
join in where you can.*

The stubborn and desperate man continues in vain to fix the broken wagon wheel.

RISTINE (CONT'D)

*We'll leave you behind. We can't
wait!*

WAGON MAN

Half a day is all.

RISTINE

Leave it! Look around you!

The man notices the distinct change in weather for the first time, sees the eyes of his family suffering in the cold.

WAGON MAN

*We shouldn't have come this way, we
can turn back! Wait out the winter.*

*Ristine turns to head back up the trail to reveal a line of
WAGONS inching painfully along a rocky trail on a cliff edged
path in the mountains. The head of which is lost in the
descending fog.*

RISTINE

*No! Lassen's pass is still open,
every day is crucial now! You can
wait all you like. This company is
moving forward.*

Stalemate.

He addresses the others.

RISTINE (CONT'D)

*Help them pack out, find space
wherever you can. We have no time
to stop.*

*It begins to snow, heavily. You can almost see it
accumulating on the frozen ground.*

UP TRAIL - CONTINUOUS

*CARTER, Younger and beardless strains to move his pack horse
over a frozen bluff.*

*Swirling snow sticks to the horses mane as it slips on the
ice. Carter leaps off the creature and digs his shoulder into
the horses side giving the beast the ability to clear the
bank.*

*Carter - muddied and tired is bent over to catch his breath.
He reaches in for a bottle of whiskey, slugs long and hard on
it.*

As he brings the bottle down..

*Revealing, as if birthed from the mist itself stand THREE
WHITE MEN dressed as Indians. MOHAWKS shaved into their
scalps, adorned in HIDES and SKULL NECKLACES and covered in
YELLOW WAR PAINT.*

*Carter stands before them totally defenseless. Unsure of his
next move. His eyes dart to his rifle strapped to his horse
now feet away.*

*Emotionless the three men stare back. Then the SKINNY ONE
grins his rotten teeth wide.*

The second man slowly takes out a *LARGE BOWIE KNIFE* and holds it by his side.

Carter panics, dives for his horse but is pulled off and thrown down into the mud.

Feet stand on his chest. Hands grab at his hair, he fends them off but they are too strong.

SKINNY BANDIT

Hold em down, his skin is mine.

SECOND MAN

He's a strong fucker.

Carter using all his strength finds some room and throws a fist knocking the skinny one back on his butt.

The third man turns to giggle at Skinny fuming.

Carter seizes the opportunity and yanks a *BLADE* from the third mans belt and brings it down into the soft flesh of his leg.

THIRD MAN

Faaaaark!

WAGON TRAIN - CONTINUOUS

Ristine turns towards the sound of the voice. Lost in the heavy fog that has rolled in and blanketed the wagon train.

RISTINE

Company! Form a perimeter!

Ristine moves off towards the head of the wagon as his orders are echoed by his men down the line.

EXT. TRAIL - CONTINUOUS

The snow has stopped, replaced by a cold enveloping mist which cuts off the visible world to only a few feet.

His boots crunch on the icy ground.

He gets to the front of the caravan where two scared migrants stand guard using a wagon for a shield.

MIGRANT

What was that? Carter's leading...

Ristine looks up the bank, lost in fog.

RISTINE

Keep your rounds close. You see more than myself come back to ya, give em hell. Don't stop firing, make em think there's more to us.

The men nod.

He motions for the guard to stay silent.

Ristine moves off again into the mist.

The men watch him move off.

It swallows him up. A lone man stalking into the white nothingness.

Ahead FIGURES slowly begin to emerge.

CLOSE ON

Carter bleeding from a beating now has the three men back on top of him and in control. The BLADE peircing his temple, HANDS gripping and pulling on his scalp...

As..

Skinny's throat caves in with an explosion of red. Drops the knife with death spraying Carter with his blood as his hands go to grip the hole where his throat once was.

Smoke trickles out of Ristine's rifle as he expertly dictates the next threat.

The SECOND MAN stands but fumbles with his pistol so Ristine fires into the THIRD, the bullet finds home but it's not fatal.

Ristine drops the rifle, pulls out his PISTOL and starts running towards the Bandits.

The SECOND MAN returns fire, the swarm of pellets mostly miss their mark but a few strays dig into Ristine's shoulder.

He dismisses their burn and fires his pistol. The SECOND MAN goes down.

Ristine's on them now, pulling out his own TOMAHAWK he cuts down the injured Third Man with a sweep of the blade then brings it down onto Second bandit's skull who was squirming for his gun on the ground.

Silence.

He reaches down and pulls the bloodied and shocked Carter to his feet.

RISTINE (CONT'D)

Find Amy's family. Stick with them.
Keep her safe.

Carter still visibly shaken stumbles then taking his RIFLE heads back down the trail into the mist.

Ristine looks down to his victims. Gnarled and grizzled. Men living the violent day to day.

Then...

He detects more movement ahead.

CLOSE ON

Ristine's face.

As he sees the shape of DOZENS OF MEN filthy and blood stained. They're dressed like the others in a combination of animal skulls, Indian clothing and rags.

Moving towards him they begin peeling off their weapons readying themselves for the slaughter.

EXT. MOUNTAIN PATH NEARBY - CONTINUOUS

Carter moves swiftly along the line of wagons. Stumbling past panic stricken travellers unable to translate what they are seeing.

INT. WAGON - CONTINUOUS

CLOSE ON

The face of a very sick older man, skin as white as the snow fighting it's way inside. He's burning up with fever.

Delicate hands reach in and dab his forehead with a damp cloth.

The noise of the commotion outside can be heard.

AMY (30s), Porcelain skin, red headed - Beautiful. Stoic natured and with enough inner grit to manage this arduous journey. She turns to her nine year old daughter at the rear of the wagon.

AMY

Clare, what's going on honey?

Her daughter peers out.

CLARE
People running.

She looks down at her barely conscious father then reaches up for the rifle.

AMY
You get back here darling.

Scared she goes to her mother.

NEARBY - CONTINUOUS

Carter continues to move swiftly down the line.

INT/EXT - WAGON - CONTINUOUS

Carter peers into a wagon, and receives the violent end of a rifle in his face.

ON the other end is Amy, she almost shot Carter in the face.

CARTER
Your father, can he move?

She shakes her head. Certain. Stares at Carter's blood covered face.

AMY
My god, what happened?

CARTER
You have to come with me.

Amy hesitates for a moment knowing she is leaving her sick father then scoops up her daughter in her arms.

EXT. WAGON - CONTINUOUS

Carter steps off the wagon, Amy follows him.

Ahead he hears a tirade of GUNFIRE ring out followed by the sound of the migrants reacting to the horror encroaching upon them.

A silence descends then..

The white surroundings erupt with the sound of a cacophonous WAR WHOOP. The voices of Indians before the raid, designed to install terror and it does just that.

Migrants start moving back towards the rear of the wagon train, away from the chaos.

CARTER

To the rear, form a Barricade!

He turns to Amy.

CARTER (CONT'D)

Go!

She hesitates then turns and runs with the other panicking pioneers.

Carter follows her, detects movement in the mist. They are surrounded.

Suddenly the guard bursts through the cloud running into Carter forcing him into the bank.

Quickly on his tail is a LARGE BANDIT, his skull enraged in blood and madness.

Carter looks for Amy but catches a final glimpse of her as the mist swallows her.

Carter finds his feet, struggles to bring his shaky rifle around and fires.

The slug sinks into the back of the Bandits's skull and his body is lost in the fog before we hear it crash to the ground.

Carter barely has a breath to be stupefied by the luck of that shot.

He turns back down-trail in search of Amy.

He aims his rifle waiting for a target when..

A man comes running through the mist towards Carter and the caravan.

Carter is about to fire but stops when he see's It's Ristine.

His face is covered in the blood of battle and full of dread. His eyes meet Carter's for a moment.

RISTINE

Run!

Carter turns with him, the Bandits appear through the mist in pursuit.

The pair approach the upturned Wagon used as a barricade and leap clear over it.

Shots ring out in defence and the first wave of Bandits go down heavy. But more replace them, from all directions.

EXT. MOUNTAIN PATH NEARBY - CONTINUOUS

THE CHAOS OF BATTLE

The Migrants defend as well as they can but they are outgunned and outnumbered.

The Bandits drive into the hastily arranged defences. They whoop like drunk Indians.

Two of Ristine's MEN are cut down. Then more UNARMED SETTLERS are murdered where they stand stupefied.

The Bandits kill recklessly, gnarled, hairy and revolting.

NEARBY - CONTINUOUS

A blood stained pistol lays discarded on the snow, trembling hands reach down to pick it up.

Amy surrounded in white fog and chaos. Holds her daughter as tight as she can.

An enormous Bandit brutally cuts down a pioneer, fearlessly he skulks nearby looking for another easy victim. His skin has broken out in boils giving his face a swollen and bulbous appearance.

He sees Amy, Grinning he moves in for the kill.

Clare frozen in fear begins to scream..

Amy turns and swiftly UNLOADS the contents of her pistol into the mans face at point blank range.

He drops dead.

Ristine appears through the mist and moves to protect Amy and her daughter but he's too late.

The screaming has stopped...

Amy's daughter Clare drops to the snow, the victim of a stray bullet. Horrified Amy falls to the ground beside her.

Ristine protects the grieving mother and unloads his rifle at oncoming foes.

He loads his empty weapons and with a grimace picks up Amy and before she can grab her dead child he has her over his shoulder.

She reaches out screaming.

CONTINUOUS - NEARBY

Carter maintains the last bastion of resistance with two men.

One of them is swept up in hand to hand combat, the other is shot dead.

ON RISTINE

He carries Amy through the chaos, Wagons burning, death everywhere. She tries to tear herself off Ristine but he holds firm.

Behind him the chaos of the entire company being murdered as fires are being lit.

CONTINUOUS - NEARBY

Amongst the fog a large fire burns now.

Figures hoot and holler, drinking and running around the pyre of burning wagons and bodies. They toy with the dying and loot the wagons for food and drink.

ON RISTINE

Ristine finds a stray pony, he throws Amy onto the animal.

Grabs her hands and straps them under the leather of the saddle.

He looks at her deeply, into her catatonic eyes.

Willing her to find the strength.

Then suddenly he slaps the ponies rear and it BUCKS OFF INTO THE FOG and down the trail from where they came.

NEARBY - CONTINUOUS

Carter albeit accepting his fate, takes his last stand. He stands up straight, next to the cliffs edge.

Firing his pistol with defiance.

The bandits close in, As Ristine burst through the haze from the side.

Carter turns to fire upon him but Ristine grabs the young man and THROWS THEM BOTH OFF THE EDGE as they fall into the foggy abyss.

Silence.

Then the two mens bodies entwined fall heavily into the deep snow, they roll for a moment until they come to a rest smothered in bloody snow.

Above them the sound of the bandits celebrating their horrific massacre.

Nearby --

A wagon fully engulfed in flame is pushed over the edge of a bank and free falls before exploding onto the rocks below.

END FLASHBACK:

EXT. DIGGINGS - DUSK

Light shifts on the swaying pines. Native birds swoop across the glistening river. Carter pauses for a moment to take it in.

CARTER

It is some kind of paradise isn't it? I feel God here, in the water, in the trees. In the earth.

RISTINE

Where's the rifle?

Carter motions to a boulder on the bank, the rifle rests against it.

RISTINE (CONT'D)

Keep it close, all times. Two weeks supplies it cost. Two weeks.

Carter steps out of the diggings to retrieve the rifle.

Ristine heaves shingle into the long tom, struggling with the physical effort, his hands begin to shake uncontrollably.

He hides them into the water again, wiping off the shingle.

He bends down and grabs a handful of wet shingle, clutches it in his hand.

RISTINE (CONT'D)
 You think God put it in the ground?
 Huh? Then why didn't he just
 sprinkle it in your mother's rose
 garden back in Ohio?!

CARTER
 True reward comes from hard work
 and faith, everyone gets what's
 coming. The Lord makes no promise
 but that one, far as I can tell.

He waves the holy book at Ristine.

CARTER (CONT'D)
 It's always here, if you ever want
 to have a look.

Ristine looks up the ridgeline.

RISTINE
 Pass me that Rifle.

EXT. FOREST / RIDGELINE - DAY

Ristine quietly stalks through the forest, careful to not lose the mule's tracks. He holds his rifle in front of him ready to fire at a moments notice.

Through the trees he can see smoke, it coats the air and lingers heavy under the canopy.

Moving closer a simple campsite is laid open overlooking a steep bluff down to the river.

It's the Mountain Men's camp.

Jim Bull is perched up against a tree with his back to the approaching Ristine, he looks dead.

Ristine moves towards the nearby cliff and peers over the edge, he sees nothing as the bluff obscures the view of the bottom.

Peering right the river valley comes into view, far below a lone figure toils in a stream, it's Carter at work. He walks back towards Jim and inspects the injured man, his blood covered hands hide a nasty GUT WOUND.

Then the man gurgles to life.

JIM BULL

You bit in huh? It's only when you leave the river that it might treat you as a friend, after you bite in and takes its treasure. Well then, then you have yourself a war.

RISTINE

I believed you to have expired Jim.

JIM BULL

Take me to town, I need a priest.

RISTINE

What you need a priest for? God didn't make him a surgeon, anyway I ain't gonna carry you there. You'll spill out like a sack of beans.

JIM BULL

I can't die a sinful man, I need my absolution.

RISTINE

Where's your partner Jim?

He receives only a grin in response.

RISTINE (CONT'D)

He did this to you? What did you want with Carter?

JIM BULL

Treasure worth a bucket o'plew that boy.

Jim is delirious with his impending death.

JIM BULL (CONT'D)

I need my absolution...

RISTINE

No sense can ever come from conversing with a dying man. Trying to change a lifetime of bad character from muttering a few words, just to get a look in those gates. Jim you can sit here and wait or...

Ristine refers to his rifle.

JIM BULL

Wagh! I'll sit thank ye much. That cloud bank out west is gonna explode come sundown, figure I'll hang on. See something pretty..

Ristine ponders in the macabre scene and the view of their own diggings far below.

RISTINE

Jim. Tell me about the woman you saw? At the camp at Caldwell's.

Jim looks to Ristine for a time, confused to his question then decides that it matters no longer.

JIM BULL

Pretty one. But Heck, anything soft looks pretty to me...she been through a hell. I know that look when I sees it...

He grimaces from a fresh wave of pain.

JIM BULL (CONT'D)

Busted up, cut up and broken... I am a broken man.

RISTINE

Who ain't.

Gear is strewn across the ground. Ristine finds a half filled BOTTLE OF WHISKEY, he takes it over to Jim and holds it for him as he takes a long painful drink. Ristine takes a swig, corks it and packs it away.

Ristine tips his hat to Jim whose gaze is fixed to the west, then walks away back to the ridge.

Far down below, Carter works the long tom under the watchful eye of the BLONDE MAN, who has returned to his camp across the river.

Ristine turns and makes haste.

EXT. RIVER - AFTERNOON

Ristine arrives back to the diggings.

Nothing has changed, the Blonde Man still hangs in his camp. Carter looks up from working the long tom.

CARTER
Came up empty, huh?

Ristine looks over the river to the Blonde man's camp.

RISTINE
He say something to you?

Carter shakes his head.

Ristine begins to prepare dinner.

He watches Carter for a time, then looks back to the ridge where Jim Bull lays dead or dying.

The bank of CLOUDS to the west glow in fiery orange and pink.

EXT. RIVER - DUSK

Outside on the other side of the river, the Blonde Man is building some kind of rock sculpture, four towering piles of rocks in a semi-circle.

Carter and Ristine rest outside their tent watching him.

CARTER
What is he doing now? He comes and goes, upriver then down.

RISTINE
Ain't no place for misspent energy, biding his time I reckon.

CARTER
Or he's looking for something. You think he got a pistol?

Ristine shakes his head.

RISTINE
I believe we both would know it by now. That boy is trouble and sooner or later it's gonna come across the river with him.

CARTER
Or we could bring the trouble to him.

RISTINE
For a man of God you seem awful fond of extreme measures.

CARTER

God cast out the demons, some once they bit, and some before they took their chance. You say he ain't armed... well we are. Like a muddled spring is a righteous man who gives way before the wicked... It ain't like you ain't done your fair share of killing.

EXT. CAMP - DAY

Ristine is awake and looking tired and beat, he stands in the shallow of the river cleaning his pot.

The Blonde Man's tent on the other side of the river is blowing open and once again he's nowhere to be seen.

UP THE HILL

Carter is collecting firewood, he pauses to look down through the trees towards the river.

ON THE RIVER

Ristine busies himself when suddenly out of nowhere the stranger hoots and leaps off the high rocks directly downstream.

He hits the water with a huge splash.

Ristine watches as he pulls himself onto his side of the bank, turning to Ristine smiling.

Ristine holding the pan in his hand calls out.

RISTINE

Young fellow what crack of hell did you get spit out from?

BLONDE MAN

Missouri!

RISTINE

What is it that you're doing round here?

MISSOURI (BLONDE MAN)

Exploring I guess.

RISTINE

Exploring huh.

Missouri now heading towards his own camp, Ristine comes to a decision.

RISTINE (CONT'D)
Missouri! You hungry?

Ristine motions to his pan, then turns towards the fire to begin breakfast.

Missouri grins in acceptance then dives back into the river and swims the width underwater across to Ristine's side.

Ristine drops the pan and spins around, he takes two steps into the river unsheathing his bowie knife.

As Missouri emerges smiling, Ristine grabs his hair in his left hand and in a flash has the KNIFE to the young man's throat.

RISTINE (CONT'D)
Now, Missouri, hold still.

He jolts like a trapped animal but Ristine holds fast.

RISTINE (CONT'D)
I'm afraid there's no breakfast here for you. Now whatever it is your looking for it's not here. You understand?!

Missouri looks impassively back at Ristine. Ristine redirects his blade, pointing it straight into his neck.

RISTINE (CONT'D)
I will unleash all them colors just dying to bleed on out of you son and it won't bother me none.

He throws him back into the water. Missouri holds his gaze and grins back.

RISTINE (CONT'D)
You move along now, you hear me?

Ristine watches the man float backwards towards his camp.

Carter appears from the forest behind Ristine with stacked firewood.

MISSOURI
It sure is a nice claim you boys are working.

Ristine backs out of the river, keeping his body facing the man and his knife tightly clenched in his hand.

MISSOURI (CONT'D)

You should be able to clear hundred
ounces a day I reckon with the
colors I see coming up outta that
ground.

Ristine watches him move up the bank. Missouri makes a show of packing up on the other side of the shore.

Ristine suffers another chest pain.

Holding face, retreats behind a large boulder and keels over in pain.

Carter moves to him but Ristine waves him off.

EXT. CAMP - NIGHT

Ristine chars the damper on the fire, digs it out. Throws one to Carter.

RISTINE

Tomorrow I leave for Caldwell's. We
need supplies. I'll leave you the
rifle.

Carter doesn't like the idea but he nods in understanding.

EXT. RIVER - DAY

The following day.

Carter is working in the diggings with his pickaxe. He strikes hard at the rocky bottom.

Suddenly his pick bounces off the rounded edges of the submerged boulder and shoots straight through his foot.

He screams.

Ristine rushes to his aid.

CARTER

Don't touch it!

Ristine over powers him and yanks it out.

Carter howls in pain.

Blood clouds the puddles in the diggings.

CUT TO:

LATER

Carter looking pale lays by the fire. His foot heavily bandaged, blood soaking through the cloth.

Ristine pans at the waters edge, he looks up to Carter.

He shovels again.

EXT. CAMP - NIGHT

Around the campfire, Ristine sits working on something with his bowie knife, he turns and digs out the damper from the fire.

Carter huddles in blankets in a cold sweat, obviously in a great deal of pain.

Ristine rips the bread in half, hands it to Carter.

He refuses.

RISTINE

Eat.

Carter takes the bread.

Ristine digs in his pocket and lifts out the half bottle of WHISKEY.

RISTINE (CONT'D)

Drink.

Ristine hands it to him.

CARTER

Dry run huh?

RISTINE

For the pain.

Carter takes it and drinks, almost choking on it.

Ristine takes it back.

He picks up what he had been working on, a CRUTCH made from hard branches and rope.

LATER

Ristine checks their own supplies, thinking, counting, figuring out how long they have till they will need to go to Caldwell's store.

He peers into the tent, Carter is finally sleeping. Next to him is the remainder of the whiskey, he reaches in and picks it up.

About to swill the remainder he hurls it off into the scrub.

EXT. GRAVE - DAY

Ristine stands over the dead miners grave; he's lost in thought.

Through the gap in the canvas tent, Carter watches him.

EXT. CAMP - NIGHT

Ristine pulls the bandages off Carter's foot to reveal a FESTERING WOUND.

Ristine pulls his bowie knife and holds it into the fire, then applies the hot knife to the wound.

Carter screams.

INT. TENT - DAY

Ristine and Carter are in the tent.

RISTINE

It's infected, you'll get a fever soon.

CARTER

We could push for Caldwell's.

Ristine exits and lights his pipe; Inhales deeply.

EXT. CAMP - NIGHT

Ristine's hands juggle the POUCH OF GOLD as he kneels next to Carter.

He pours the golden contents into an OLD OYSTER TIN.

RISTINE

You take all of what's ours. I can't give up the claim, I won't. Especially with that sonofabitch waiting to pounce.

CARTER

I won't make it, I'll die.

RISTINE

It's a four day walk to Caldwell's.
You can make it! I'll meet you
there once my provisions run dry.
You give my share to Amy, you tell
her I'll join her before the first
snow, and just hang in 'till then.

Carter looks petrified.

RISTINE (CONT'D)

We've come through hell to get
here. The promised land! Our
friends murdered, My men butchered!
Toiled and worked diggings that
produced nothing while the men next
to us got rich. Ain't gonna strike
it being a Pennyweighter! Why? Huh?
Nothing but rotten luck is all,
Luck is the only god I believe
in... and now it's our turn, our
claim, our gold. That's nothing but
a scratch, but a scratch here will
kill you in time. You get back and
you get fixed up. And for God's
sake get Amy out of whatever hell
she's in.

Carter solemnly accepts his death sentence but smiles none
the less.

Carter's face goes cold.

CARTER

Maybe God's punishing us, for *your*
sins.

RISTINE

Well however way your Lord dishes
out his wrath, it does appear that
you have been standing too close.

CUT TO:

EXT. RIVER - DAWN

Carter is up, dressed but looking weak and pale, he leans on
his crutch and looks upwards towards the ridge. Ristine
slings the rifle over Carter's shoulder.

RISTINE

Take it. You carry the gold, you
carry the gun. Remember no fire,
cold camps all the way.

Ristine turns without a goodbye. He grabs the shovel and
digs, working with a fury.

Carter turns to the wall of forest. From here his arduous
journey looks almost impossible.

EXT. CAMP - NIGHT

Ristine, wrapped in blankets huddles on top of the large
boulder he spent the night before on. The POUCH around his
neck now empty.

There's no sign of Missouri, but Ristine will not be finding
much sleep tonight regardless.

EXT. RIVER - DAY

The sun is directly above burning a hole into Ristine, he's
dog tired and rests on the shovel end for a moment.

He resumes shovelling pay dirt into the long tom, sweating
and clearly feeling uncomfortable.

Feeling the heat, Ristine moves towards the water and wades
in.

*A blink, a brief hallucination. AMY SOAKING WET on the far
bank digging up the soil with her bare hands, as if she is
trying to unearth something.*

He washes water over his face. He scans the hillsides for any
sign of life.

The pines sway in a brisk breeze. Nothing. After five years,
he is alone.

A strange sensation overcomes him, *his world starts spinning.*

He moves back towards the shingle bank, but caught in knee
high water, Ristine's legs give out as he clasps his left arm
in pain.

He knows that his heart is giving out on him.

He stumbles back into the water, struggling he lies awkwardly
HALF SUBMERGED in the river and HALF ON A ROCK in the low
rapids.

His condition is worsening every second. Ristine now has lost the ability to move. Panicked, his eyes dart to the banks and the forest. No one.

His vision is blurry and restricted.

TIME PASSES

The shadows grow long.

Ristine hears something approaching. Someone is sloshing across the shallows from the other side of the river.

MISSOURI.

Without looking at Ristine he arrives onto the bank and goes straight into RISTINE'S TENT where he disappears for a few moments.

Ristine watches on in pained desperation.

He reappears with the SACK OF PROVISIONS and a jar of pickled onions and with delight pries it open and starts to gorge himself. He then pulls out some salted pork and beans and begins to light a fire and prepare himself a meal, all done without laying an eye on the half dead man in the river.

Ristine tries in vain to move his left arm. With his last remaining ounce of strength, he uses his right arm up to drag his unwilling body onto the boulder and save himself from drowning.

He passes out from the exertion.

EXT. RIVER - NIGHT

-- The northern star splattered sky passes overhead as Ristine remains unconscious below.

EXT. RIVER - MORNING

Ristine is comatose next to the embers of last night's fire.

Missouri appears out of the tent and stretches in the morning sun.

Ristine's eyes dart in his dream like state.

Then his eyes flash open. As everything comes into focus, The river, the claim. Looking up towards the tent he can see Missouri standing there looking out to the water.

He manages to sit up, getting his bearings on his new handicap. The stroke has rendered his left arm useless. With his good hand, he feels the contours of his face. He feels the numb droopy lip and his sagging eye.

Missouri approaches the river and dunks his head in, flicking it back and letting the water flow over his face.

He walks towards Ristine and sets a PIPE in his mouth, Ristine's pipe.

MISSOURI

Funny the way things turn out. You
were in need of a new partner,

He gestures, arms open bowing.

MISSOURI (CONT'D)

I have arrived.

He grins, lights the pipe and inhales its contents.

MISSOURI (CONT'D)

I'll protect your claim for a fee
and you can work it all out 'til
it's all worked out and then our
partnership will have come to a
natural end and we'll go our
separate ways.

He bends over and spits, face red from the tobacco. Laughing at his own embarrassing lack of experience with a pipe.

MISSOURI (CONT'D)

Ol' Scratch Tobaccey.

And plops it back in his mouth in a comic theatrical manner. Ristine's bowie knife is now strapped around Missouri's waist.

He turns and looks closely at Ristine who has barely remained conscious.

He walks over and pushes his finger at Ristine's lip, trying to set it right then letting it fall back into its original drooped position, and then again until Ristine eventually flicks his hand away.

RISTINE

Why didn't you just throw me in?

MISSOURI

Oh I prefer the company and I'm a lazy sonofabitch, I'm not gonna lie to you partner. I think your days are numbered.

CUT TO:

EXT. FOREST PATH - DAY

The silhouette of a LONE TRAVELLER on a horse somewhere deep in the forest sings a tune along the path.

TRAVELLER

With fingers weary and worn, With eyelids heavy and red, A woman sat, in unwomanly rags, Plying her needle and thread - Stitch! Stitch! Stitch! In poverty, hunger, and dirt, And still with a voice of dolorous pitch she sang the "Song of the Shirt."

Seeing something off the trail the Traveller pauses for a better look. He looks one direction then the other. No others to be seen.

The Traveller bends over and inspects the unconscious CARTER sprawled out on the verge of the path.

He sees Carter's rifle, picks it up and straps it to his horse.

Then he spots his injured foot. Peeling back the cloth the smell of gangrene hits him hard.

He splashes water on Carter's face.

TRAVELLER (CONT'D)

C'mon young man, I can't get you on my horse without your own help, and I can't just leave you to die where you lay. God almighty doesn't allow for such things. Feel free to die up there on the way to town. He'll be ok with that, I'll be spared.

Carter's eyes crack open.

The Traveller struggles to get Carter on the horse, but they manage.

Once draped over the horse's rump Carter quickly passes out. The Traveller looks back reaches in with his hand searching for anything to be found. Nothing round Carters neck and nothing in his pockets.

The Man grunts disapproval and moves off down the path.

EXT. RIVER - DAY

-- Ristine works in the hot baking sun, he looks and feels like he could pass out and die at any time.

-- He collapses onto his knees.

-- Ristine digs his hands into the shingle, tearing away at the earth. BLOOD fills in the hole, flowing from an unknown source.

-- Ristine checks his body for wounds then he sees a MAN.

A DREAM OR HALLUCINATION

In the shade of a nearby tree sits a MAN with his legs out in front of him, he sits in an unlikely darkness that betrays the zenith of the day.

Not one of his features stands out, but something is amiss with the way he holds himself, like his body is taut with extreme pain. We never clearly see his face.

Recognition in Ristine's eyes as the Man speaks.

SHADOWED MAN

They skinned me alive you know.

CUT TO:

EXT. RIVER - DAY

Ristine wakes suddenly. Standing over him is Missouri.

MISSOURI

You pass out again, you won't be waking up.

EXT. RIVER CAMP - DUSK

Chunks of fine gold. Flattened out in THE LEATHER POUCH, hands tie it together with strong string and place it on a set of scales.

Missouri concentrates on the scales, weighing it and looking pretty pleased with the results.

MISSOURI
Eighteen ounces, not bad.

He throws another log on the fire.

MISSOURI (CONT'D)
Supplies running low, might have to head to Caldwell's in the next few days. I'll expect the same amount when I get back. No slacking when I'm gone eh?

RISTINE
I ain't your partner you dandy.

MISSOURI
Oh I wouldn't go spitting names. Partner is the best way to put your circumstances old man, sick man, dying man, shit, that lip just don't wanna stick to your face anymore don't it? What is your name any ways?

Ristine keeps his back to him.

MISSOURI (CONT'D)
My name is Stanton Buckner. Born outta Pike County, Missouri.

Ristine gurgles a laugh.

RISTINE
Pike County?! You Missourians usually stick out like a sore thumb. Fancy that! A dandy from Pike County.

Stanton leaps on Ristine as fast as anything, pins his head into the earth with his boot, his blade swiftly out and threatening.

STANTON (MISSOURI)
I've killed 17 men old man, mostly greasers, a Chileno, some Negro's, a China man and even killed a crazy old Injun upriver last week named Two Hats on account of his wearing of two hats. Some in the back, some when they was tied up, three with my knife but only one with my hands.

RISTINE

If I'm bound to die one way or the other, I'll take'er right here. Make it sudden.

Stanton just smiles.

STANTON

Not yet old man but I have no problem with popping out that jelly in the mean time.

His knife edging dangerously close to Ristine's eye.

STANTON (CONT'D)

What is your name?

Ristine responds through gritted teeth.

RISTINE

Bertrand Ristine.

Stanton abruptly walks back to his log.

He pulls an ash caked potato from the fire and starts to peel off the black and eat the hot flesh inside.

STANTON

Went north, through Ohio and caught up with the pass outside of Kansas City, see the folks I was travelling with wanted to avoid southwest of the Missouri on account of the Comanche problem. I weren't afraid of 'em Injun's though. Injun's on a horse still just Injun's, but on a horse.

Ristine tries to cover himself with a blanket. He closes his eyes.

STANTON (CONT'D)

You know that old partner of yours that you sent out to die, how far do you think he got? I wonder 'bout him.

Ristine opens his eyes.

STANTON (CONT'D)

Rusty. You old dog.

EXT. RIVER - DAWN

Ristine, sits on the river edge. He has undergone preparations for his escape.

Stanton is nowhere to be seen.

His left arm has been tied across his chest with his torn jacket as support. He checks the sturdiness of his make shift crutch.

LATER

Sweating and huffing, Ristine has managed to get uphill from the river.

The Yuba makes a whisper in the canyon below. Ristine searches for a path out but is closed in on all sides by steep terrain, he makes a move then slips back ten feet back down the bank.

With labored breath, Ristine steps again, the earth gives way and he falls onto a sharp decline and slides another ten feet.

He reaches out and barely manages to stop himself from toppling over an overhang onto rocks below.

Desperately clutching at the soil he drags himself sideways to safety.

He lies back and passes out from the exertion.

A DREAM

-- His head falls back into the lap of a floral dress, feminine hands reach down and gently stroke his face. Clearing the debris from his hair and forehead.

CUT TO:

Ristine's head lies still on the leafy earth, the earth beside his head begins moving. Ristine is being DRAGGED.

INT. CALDWELL'S CAMP / CANVAS TENT - DAY

Carter wakes with a foggy head. He lies in bed surrounded by a canvas tent. He takes a moment to get his bearings.

Outside he can hear the chaotic sound of a GOLD MINING CAMP at full noise.

He reaches out for a strip in the canvas, outside the sunlight blinds him.

Wheels on mud, oxen, the legs of drunken men as well as their laughter.

This is no town but a muddy COLLECTION OF TENTS beyond the boundaries of any known frontier.

Someone enters the tent.

AMY, she stands there with a bowl of steaming soup. Older and emotionally weathered.

Carter stares at Amy for a time, then gets his wits about him. He looks for his clothing, possessions.

Amy reads his concern. She moves to drawer and pulls out the oyster tin.

AMY

Smart that, strapping it where the sun don't shine. Some places even these savages don't wanna go.

Carter holds the oyster tin, checks its contents. Looks relieved.

CARTER

What happened to you? I thought you were dead.

She ignores his question.

AMY

Someone brought you into camp two days ago. A doctor saw to your foot. I recognized you, told them to bring you here. I like the beard.

Carter looks to his FOOT, the bandages are clean but lower. Most of his foot remains except for a red STUB where his toes were.

AMY (CONT'D)

I'm sorry. The Doctor said you should feel lucky you still have the other half.

Carter falls back in bed and just stares at the canvas ceiling as Amy takes a swig on a whiskey jar, only now do we see she is drunk.

EXT. RIVER - DAY

Bullets lay idle in the chamber of a first edition COLT NAVY REVOLVER. The barrel snaps back with a satisfying click.

Stanton views his new gun with admiration.

Topless and wet he sways along the river bank, the POUCH OF GOLD looking large around his neck.

Following the contour of his arm he aims the gun, at a tree, at some birds, at Ristine working in the river.

STANTON

You know, you got further than I thought you would. I imagined you'd get just to that pine over yonder, but you almost made it to the damn ridge, got some fight to beat out of you yet huh?

Ristine ignores him, Stanton seems to be more interested in the gun for a time.

Then he beelines straight towards Ristine, splashing through the creek onto the diggings where he is working.

As Ristine looks up.

WHACK!

Stanton king hits him with the butt of his Pistol.

Ristine drops, brings his knees up and covers his face for protection but the blows never come.

Stanton is already resting on a boulder nearby, swinging his pistol whip motion in the air.

He was just practising.

STANTON

You know trust is a big thing between partners, you wouldn't steal from me would ya Bertrand?

Ristine shakes his head no, begins getting up off the ground.

STANTON (CONT'D)

The last one did just that, stole from me.

RISTINE

Well for his sake, I hope he got away with it.

STANTON

Huh, he kept it but he didn't get away with it. (He pauses.)
You have a woman?

Ristine having learnt the lesson to answer, nods yes.

RISTINE

I did. For a time.

STANTON

She pretty? Old?

He nods again.

RISTINE

Younger than I.

STANTON

Where you met?

RISTINE

On the trail, her husband died en route.

STANTON

And you did the honorable thing?

RISTINE

Everyone prefers company.

STANTON

Ha! Ain't that the truth...
Bertrand? You ever seen the ocean?

Ristine barely nods, Stanton begins walking off, he starts climbing the boulder bank.

STANTON (CONT'D)

Is it blue like this? Or like the sky?

RISTINE

Depends.

STANTON

Must be a sight. How does the land end? Like the bank of a river?

RISTINE

Similar. The ocean works different
than a river.

Stanton now at the top of the boulder bank, rests his pistol
on the top.

STANTON

I just can't imagine this land
coming to an end, it just seems to
roll and fold on forever. Must be a
sight, all that water. You know I
don't think I'd like the ocean. No
where to stand.

RISTINE

Some men feel the same about the
land.

Stanton smiles then hurls himself into the water.

Ristine watches Stanton at the bottom of the river taking his
time resurfacing. He looks to the pistol.

Before he moves, Stanton appears between him and the pistol.
He gives him a look.

He moves off climbing another set of boulders.

Ristine slips and catches himself when his weak left arm juts
out to stop him from falling.

He stares at his hand, surprised that he's regaining its use
and strength.

He glances back to Stanton now pointing the gun to the sky.

On Ristine's face as he balls his left hand into a fist,
tenses and relaxes it again and again.

Shots fire off from Stanton's pistol.

STANTON

Yeeoo!!

He sticks it with pride into his britches, and aims to move
off upriver.

RISTINE

Where do you go?

STANTON

Huh?

RISTINE

You head upriver one day then down
the next. What are you looking for?

STANTON

Why I'm looking for that ol'partner
of mine!

Stanton moves off upriver.

LATER

EXT. GRAVE - DAY

Stanton is still gone as Ristine stands above the shallow
grave of the young miner. His grave barely marked out by
Carter's cross.

Ristine kicks over the cross and hurls it into the forest.

EXT. UP RIVER / NEARBY

The sound of Stanton's pistol and his ensuing hoots
reverberate off the canyon walls.

The sounds echo with ever decreasing volume the further we
move away.

EXT. FORESTED BLUFF - DAY

A silhouetted UNKNOWN PERSON hears the shots and moves off a
bluff towards the river.

EXT. CALDWELL'S CAMP - DAY

Carter stands still in a bustling street, miners go to and
fro.

He leans on a crutch, a jar of dark brown liquid in his hand.

Now we see what he's fixated on, a CHURCH is being built on
the other side of the road. Men scramble up the sides as they
assemble the new roof. The PREACHER looks on the work with
admiration.

Carter swigs on his whiskey.

He looks down the street, seeing the well established tents
turning into half permanent establishments.

Further down the hill, CALDWELL'S SUPPLY STORE is enduring a
bustling trade.

On the other side of the road, the WILDERNESS that encroaches on the town has being beaten back and little WHITE FLAGS have been stuck into the ground signifying their territory and purchase.

Carter drinks slow eyeing the future being built around him.

EXT. RIVER CAMP - DUSK

Ristine finishes preparing supper as Stanton sits back and smokes Ristine's pipe.

He spoons out the beans and pork mix into two platefuls. Stanton watches Ristine move his spoon around his beans, not eating straight away.

Stanton quickly heaves one spoonful from his plate back onto Ristine's, swirls it around, mixing it in with Ristine's serving.

STANTON

Better put lots next to your ribs
ol' timer.

Stanton waits until Ristine has a mouthful then he digs in.

STANTON (CONT'D)

You don't talk much do ya?

RISTINE

What? You want to sit around the
campfire swapping lies?

STANTON

Hell maybe. I'm getting bored.

RISTINE

Men get judged by their actions.
The more words that spill out your
gob, the less action he's likely to
do.

Stanton picks up his gun, lines up Ristine with it.

STANTON

How about 'I' putting a bullet in
that skull of yours, would that be
enough action for you?

RISTINE

Yes, I suppose that would do it.

STANTON

Yes I suppose that would do it.
You're a smart man ain't you Rusty?
You like 'em bookworms.

STANTON (CONT'D)

I could shoot a dumb man's jaw off
and he'll keep fightin' till the
end. Smart man gives up his life
'fore then, he knows that life
ain't worth much livin' without
owning a jaw.

Stanton stands and kicks at the fire.

STANTON (CONT'D)

Where'd brains get you in this
world huh? Sitting here under my
thumb, dynamite for a heart. Lit
wick'n'all.

RISTINE

Took the wrong path somewhere I
guess.

Stanton laughs.

STANTON

Ha! Wrong path! Now you're sounding
like a religious man!

Stanton takes the pipe and repacks it carefully then hands it
to Ristine. Ristine, unsure of the friendly gesture, takes
the pipe and Stanton lights it for him.

Ristine can't help but take pleasure in the tobacco.

STANTON (CONT'D)

Heck I figured out that sonofabitch
long ago. God. Ha! He spots ya
gambling or fightin' or with ya
hand to a woman... even if it's
just a nigger, and he's watchin'
always watchin'. Ain't no cave you
can crawl into to run ya demons,
Hell with that! I says, to Hell
with that! Why you reckon he gave
us brains huh? All them smarts,
sittin' and figuring with big words
and numbers. Worse ways there is
far as I'm concerned, to be a
thinker in this world.

Stanton stands to continue his speech.

STANTON (CONT'D)

Maybe one day you'll rule things
but for now it's boot and pistol
gonna make ya king. Yep it's a damn
sight better to be a dumb
sonofabitch and enjoy yourself. God
is just some nosey asshole lazing
about on a cloud all day. So far
ain't no lightin' struck, ain't no
great flood. What you think he lets
me get away with it for huh? The
more I figure ol' God maybe just
ain't even around at all, or maybe,
if it was God that made me, and God
sure's ain't stopping me, then
maybe what I'm doing is exactly
what he wants! I'm just like the
preacher - doing God's work! Well
anyhow the longer I gets away with
it, the more worth it's gonna be in
the end. When I'm face to face with
the Almighty in purgatory, I'll
stand like this, head high and say
'O Lord! I did what I did cause I
could, I had a hell of a time now
quit ya hollering and send me to
Hell!'

Stanton laughs his ass off, Ristine smirks in spite of it
all.

EXT. RIVER - DAY

Ristine pauses his work in the diggings then drops his
shovel.

He moves over to the tent and retrieves his pipe, plugging it
with tobacco.

He sits on the log.

He knows Stanton is watching him.

STANTON

That it huh? You done?

Ristine strikes a match.

RISTINE

I'm done. You can shoot me.

STANTON

No, we ain't done. I say's when
you're done and we ain't done.

Ristine inhales deeply.

RISTINE

Now. Now's good for sure. Smoke in
my lungs, pretty view.

Stanton draws his pistol.

RISTINE (CONT'D)

I got a bad heart and the only
thing I got left is this choice
right here so fire away.

Stanton walks over to Ristine.

He places the gun next to Ristine's temple, feigns firing it
and like a child uses his hands to display the contents of
Ristine's skull bursting out, he repeats it twice more from
other angles as though he's testing for maximum mess.

Then he puts his pistol away.

STANTON

You are one of those dumb
sonsabitches huh?

He starts to walk off.

RISTINE

Where you going?

STANTON

Off to Caldwell's to kill your
lady, I'll bring you back a
souvenir.

RISTINE

I never said she was at Caldwell's.

STANTON

Well then... I'm off to kill any
woman I find at Caldwell's.

Ristine stands, picks up his shovel and heads back to the
diggings.

Stanton stops and watches him.

Ristine resumes his work then looking up standing in the
middle of the river is the SHADOWED MAN, plain as day.

Ristine attempts to hide himself from the sight and plunges himself into the river.

EXT. CAMP CALDWELL'S - MORNING

Carter sits outside the canvas tent deep in thought, he's regained some of his strength. Amy hands him a bowl from within the tent, he takes it and begins eating.

CARTER

It's busy.

AMY (O.S.)

More arrive every day, there's a saloon being built up the hill now.

He turns to watch her inside. She goes about the chores of keeping the basic tent a home. He watches her with a longing. To not be caught he averts his gaze back to the street.

She comes out of the tent and sits next to him. She has a large woollen sweater and two knitting needles, She begins to repair the torn hole in it.

AMY (CONT'D)

There's a meeting in a few days to decide what to call the town.

CARTER

I never thought I'd see you alive again. Not after what happened. You don't deserve to lose your family like that, no one does.

His words sting but Amy chooses to ignore them.

AMY

Maybe they'll need someone to help build the church.

CARTER

Why'd you come back?

Once again she ignores his queries.

Carter checks his supplies. Amy spots the gold tin on the dresser.

CARTER (CONT'D)

There's enough in there to last a few months but I'll need to return to the river soon.... Thank you for all your help.

AMY

With your foot like that? You should just rest.

CARTER

Will you return home?

He looks at her. She shakes her head.

AMY

Here is as good a place as any.

He takes her hand in thanks, but lingers on it for too long until she gently pulls away.

EXT. CAMP - DUSK

Ristine lies on his back, tired after a long day in the diggings.

Stanton stands outside the tent, staring holes into Ristine.

He picks up a heavy chain, and walks briskly over to the large log by the fire, he threads it into a hole and ties it tightly around it.

He walks over to Ristine, kicks him hard in the leg waking him from his exhausted slumber.

STANTON

Tie this around your leg.

He stands there watching as Ristine finishes tying the chain to his left ankle.

Stanton bends down and checks it, locks a padlock onto it.

STANTON (CONT'D)

You're getting stronger again, perhaps I might have to put you down.

He goes back inside the tent.

After a moment he peers back out to Ristine.

The LARGE POUCH OF GOLD rests beside Stanton's blanket.

EXT. RIVER - DAY

Ristine standing in the water, loading up a bucket for the long tom. He's deep in thought, he tests the strength of his wounded left arm with the weight of the bucket.

It does well, lifting the full weight easily. He looks up towards Stanton, laying in the sun on top of a large rock overhanging the water, seemingly asleep.

He keeps testing his strength making sure to hide it from Stanton.

Ristine picks up a rock and throws it into the river, Stanton quickly wakes up keeping his eyes on Ristine. He closes them again.

Ristine feels his lip. He pinches it hard then squints at the pain he causes himself.

His eyes wander to the grave of the unknown miner.

A GUN SHOT rings out in the valley, the sound reverberating.

Then gives way to a cold silence.

Stanton sits bolt upright, then gets up. He climbs a large boulder bank to get a view upriver. He can't see anything.

Checking his pistol, he heads upstream.

CUT TO:

EXT. RIVER - DAY

A new day, Ristine works the long tom. Stanton stands in the river shaving with his bowie knife.

Ristine walks up the shallow river bed adjacent to the main river and disappears from Stanton's view.

He carries his PICK AXE in front of him and walks straight across the diggings towards the forest.

EXT. GRAVE - CONTINUOUS

He stands above the shallow grave of the young miner. He turns and pulls his pants down as if he's taking a shit.

He looks back towards Stanton and when he is not seen, he stands up again swiftly and throws down the AXE with all his might.

With a fury and energy he's been hiding from Stanton he quickly unearths the CLOTHED AND ROTTING CORPSE.

Without hesitation he tears open the rotten clothes.

EXT. RIVER - CONTINUOUS

Back on Stanton whistling a tune, he turns upriver to where Ristine was working but now he cannot see him.

He feels the gold in his pouch, is it enough?

He examines the knife, he is coming to a decision.

He turns facing up towards camp.

EXT. GRAVE - CONTINUOUS

Ristine pauses for a moment, looking down onto the yellowish grey skin of the man's chest taut with decomposition.

Now holding out the head of the pickaxe with both hands in front of him and closes his eyes.

THEN...

Plunges the axe into the corpse below the rib cage.

Ristine clenches his eyes shut and dry retches as the body gives way like clutching at wet leaves.

He throws the axe to the side, now with his hands he delves them into the pit of the dead man's stomach.

There's something in here.

Ristine pulls his hands up through the rotten entrails.

FIVE GOLD NUGGETS, each the size of a newborn babies fist. Impossible to swallow, surely.

Ristine turns.

EXT. FOREST - CONTINUOUS

Stanton is wandering towards the forest but has not seen Ristine yet.

EXT. GRAVE - CONTINUOUS

Ristine tears a piece of cloth away from the miners body, wraps the nuggets within and ties a knot.

He quickly scrambles to cover the body with soil, then resumes looking like he's shitting again.

Stanton comes into view and spots Ristine.

RISTINE

You wanna watch a grown man relieve himself?

CUT TO:

EXT/INT. RIVER / UNDERWATER - DAY

Ristine enters the water with a splash. He washes the gold, black blood drifts away and stares with disbelief at the nuggets shining in the sunlight.

He swims down and pulls a small boulder from its perch, nesting the nuggets in the hollow he lays the boulder back on top.

EXT. RIVER - DAY

Ristine emerges from the water, seeing Stanton moving towards him with his pistol in his hand and a look of grim determination on his face.

Quickly reading Stanton's murderous intentions, he raises a small nugget, one of the five.

RISTINE

There's more gold in there yet young boy! We'll - you'll have a small fortune before we're done.

Ristine marches to Stanton and slaps the nugget in his hands, maniacally grinning Ristine rushes back off to the diggings. Making sure he exaggerates his limp left arm.

STANTON

You found this? Just sitting on the river bed?

Ristine turns and raises his hands as if to say 'What are the chances?'

With renewed focus Ristine begins shoveling into the long tom and immediately starts panning.

Stanton watches him.

He eyes the nugget, the grip on the colt weakens.

INT. CANVAS TENT / CALDWELL'S CAMP - NIGHT

Carter sits in the shadows with his leg resting up on a stool and his rifle across his lap. He is partitioned off from the main quarters.

Kerosene lamps light up its interior and Amy's silhouette falls largely on the sheet.

Carter is mesmerized by her figure, he tries not to watch and takes another swig of whiskey instead.

Just as Amy emerges from behind the curtain.

AMY

I'm ready Jerome.

Carter reluctantly stands. He hobbles over to the entrance, peering out he motions for someone to enter, outside are a dozen men lined up, most have been drinking.

A MAN walks in, seems bashful. He pours a tiny amount of gold dust into a bedpan under Carter's watchful eye.

He adds a little more until Carter directs him inside.

Carter moves outside to breathe in the cool night air.

Carter turns and peers through the gap in the canvas. The Man has pulled out several shirts and is explaining that they are in need of repairing.

Amy takes his things, smiles gently at him and asks how he's doing.

OUTSIDE

TWO OTHER MEN have now shown up. One of the Men is trying to get his Friend to give him one of his torn shirts so he can go in also.

The first man exits.

Carter's thoughts drift off.

EXT. CAMP - MORNING

CLOSE ON

Ristine's face, as he sleeps.

A loud ding of a bottle being used like a bell clanging away.

Ristine wakes with a start peers out to see Stanton wearing his old coat buttoned up. He's standing comically upright and holding a flat rock to his chest as if it were the holy bible itself.

He's clanging the two bottles together making a hell of a racket.

STANTON

Holy Jesus, God and Lucifer. Tis
the seventh Sunday of the
Episcopalian calender of our Lord
year eighteen hundred and fifty
one!

He giggles to himself as he simply blabs whatever memory of a distant religious upbringing he can recall.

STANTON (CONT'D)

I require the congregation to enter
this house of the Lord for holy
communion and confession.

Ristine sits up.

Stanton waves him over. Ristine plays along, He gets up and moves over to the large boulder in front of Stanton.

STANTON (CONT'D)

Good good, take your seats.

RISTINE

What the hell are you doing?

STANTON

Silence! This is the house of the
Lord!

He starts to quietly circle Ristine, as if he is a scolded altar boy.

STANTON (CONT'D)

To relieve yourself of this world,
one must confess to the sins ye
hath committed.

Ristine's face remains a stoic facade but concern begins to grow.

STANTON (CONT'D)

Only then will the gates of heaven
open themselves up to those who
have been forgiven.

Isn't that right Bertrand Ristine
of Ohio! Sinner!

Stanton pulls the gun from his pants. Fires a shot.

STANTON (CONT'D)
Are you ready to confess?!

Ristine remains silent.

Stanton now stands in front of Bertrand. The barrel of his
pistol sticking in Ristine's temple.

STANTON (CONT'D)
Do you confess? Your greatest sin
now? Don't go cheating me with that
time you got your pecker stuck in
your neighbor's wife.

RISTINE
You stick that thing at me too much
boy, it's starting to lose it's
desired effect.

STANTON
Get up.

He drags Ristine into the water. Forces him onto his knees.

Ristine looks into the river, mere feet away from where the
gold is buried.

STANTON (CONT'D)
I can cleanse you of your sins
brother, just confess.

Ristine unsure of this whole facade's purpose decides to make
a confession.

RISTINE
I once traded an innocent man to
Indians to save the life of a
guilty man. He fought with me in
Texas against the Mexicans. The
kind of loyalty one feels to those
he shares a war with is
incomparable. He was wanted by the
Tukudeka, some call 'em Sheep
Eaters... for the rape and murder
of a Squaw. Talbot and I had gone
into business together, we couldn't
much do what we intended with a
bounty on his head.

We dragged a drunk man from his slumber and traded him in Talbot's place. I believe he was tortured for many days. I did that to him. It is my greatest sin, and I confess it. My friend is dead now, died crossing the mountains, about a week after I made the trade.

Stanton grins. Grabs Ristine by his hair and dunks him in the river.

STANTON

You are cleansed of your sins!!

He laughs, pulls Ristine back upright and rolls around on the bank.

STANTON (CONT'D)

Jesus Christ! Ha! There might be something to this preaching thing after all. I think I have the knack for it!

Despite the farcical nature of the mornings events, Ristine feels a calmness saying words out loud that he had never uttered aloud before.

EXT. CALDWELL'S CAMP - EVENING

Amy and Carter sits outside the canvas tent. A few MINERS walk past nodding hellos to Amy. One gets the feeling she is the reason for their evening stroll.

CARTER

I'm sorry... you deserved better.

AMY

Don't we all.

CARTER

Do you miss him? Your husband.

Amy stares back, her mind elsewhere before her look goes dark again.

AMY

I can't live my life missing the dead.

CARTER

He would have wanted you to find happiness again. No matter how bad things can get, you can always find it again.

Amy eyes go soft, there is truth to what Carter is saying.

AMY

I'm not sure if its possible for me now Jerome.

She smiles.

AMY (CONT'D)

It's a nice thought though isn't it.

An awkward silence gives way, Amy watches Carter reading his mind.

AMY (CONT'D)

Is that what you think? That what I need is another man?

CARTER

I know men try to save you before, draws them to you. I admit it's pull, but I won't try and save you. Just to be there, start again, have someone. I've been looking out for you for a long time Amy.

AMY

What's that suppose to mean?

CARTER

It means I've been there for you even when you didn't know, even when you didn't know ya needed someone to!

Amy looks at him then tilts her head back and laughs, it's wholehearted and she relishes in it. She's not trying to humiliate him but that's the result all the same.

She recovers and looks at him with pity.

AMY

Tell me Jerome, what world is it that you are living in because in this one, there is nothing but men fighting, men dying, and men ducking for cover.

Everything wrong in this world has
a tail'tween it's legs.

CARTER
Bertrand, he's dying you know?

Amy looks at him with disdain.

AMY
And I suppose you figure you're his
heir apparent? Is that it?

The pair fall into an uncomfortable silence.

FADE TO:

EXT. CALDWELL'S CAMP - DAY

Carter has already said his good-byes to Amy, with a touch of
his hat he turns to walk out of town.

His foot is braced and he walks with a limp that will be with
him for the rest of his days.

Amy runs up to him and hugs him from behind.

AMY
You're a good man Jerome. Maybe
happiness will find a way.

Carter smiles.

AMY (CONT'D)
I'll be here.

Carter nods then turns to go.

Amy stands in the street alone, watching him go.

CUT TO:

EXT. CAMP - NIGHT

Ristine chops firewood nearby, his leg now chained once more
to the heavy log on which Stanton stands. He's in the middle
of telling a story.

STANTON
Must'a killed three of em comin' up
through the bush, first two went
down easy. The last he put up a
fight...

Strange thing watching the life ebb
out of a man, but I don't feel no
pity on this one. Being Injun in
all, ain't the same... more like
dog.

Ristine, tired and uninterested goes through the motions of
the obliging listener.

RISTINE

What were they?

STANTON

Told ya that, Injun.

RISTINE

Chinnanook?

STANTON

Comanche.

RISTINE

That right? Comanche.

STANTON

It ain't a hard thing killing a
man, just point your pistol and
fire.

RISTINE

Us white folks, when we raise a
pistol with intent, that be the
hardest thing we ever done in life,
till war get you used to it.
Comanche, it's like they are born
with one arm raised with an ax.
Killing Comanche is a hell of a lot
harder than pointing your pistol
and squeezing 'em off, if you had
truly come up against three
Comanche you'd know that... but not
for long.

STANTON

Yee hah! You are in a surly mood
ain't ya Rust. Ha...not for long.

RISTINE

I spent my life with fools making
it out like it's no thing taking
lives.

STANTON

See old man, to take another life
you've first gotta not be afraid of
death. I can't lie, killing a man
at first ain't so easy, the moment
you know you got him, his side
opens up, he ain't seen ya. I
always pause in that moment just
for a breath before I let one off
into him. The fool he is, he's
already a ghost. I only had that
moment twice before. Looking down
at this farmer's son I killed. Well
I don't blame him, I was fooling
with his sister without permission.
I looked down at him and thought...
that bloody mess of flesh and bone.
What gave you right to hold life?
See us killers we see something
most don't. When all this
becomes just what it is without
somebody in it. Flesh and blood.
Why God give us that right? If he's
God he could stop ya strikin' at a
babe, but he don't. People say it
cause we have a choice in it, up to
us to know the right path. Hell of
way to make a point to man...
Killin' babes.

RISTINE

How old was that boy huh? You take
pride in killing when he ain't got
a fair chance?

STANTON

Fair? Ha! I can't believe you're a
man who believes the world is a
fair place. In that moment, I think
of his mother. I do. I really do,
would she ever thought her sweet
little babe, that this is how he
would come to his end? After all
that effort to raise him and feed
him, teach him... Fair! Ha! I can't
figure why people even bother with
the raisin' if all the gonna end up
with is this world, hell I know
mine didn't!

Stanton laughs.

STANTON (CONT'D)

I figure you've had a dozen chances to send me to my maker. There's only one killer on this river.

He kicks at the fire.

RISTINE

What makes you think you're such a man apart, there's plenty of men like you.

STANTON

Who you mean? Those trappers? Huh? The darkie?

He motions with his hands and fingers, the action of falling off a cliff.

STANTON (CONT'D)

Peeeeeoow.

Stanton picks up a burning stick and starts waving it about like a burning sword.

He strikes a rock, embers go flying.

STANTON (CONT'D)

What pass you say you took in 48?

RISTINE

Lassens.

STANTON

Huh... See I was running with some heathen types in those mountains at the time.

RISTINE

You were not there.

STANTON

See we had a grand ol' time that fall, we'd take whatever came our way, but we wouldn't leave anyone behind. What you say happened to your company?

RISTINE

I didn't say.

STANTON

Only a crazy selfish son of a bitch would lead his company through there. Hell we weren't tidy bout it. You must have known trouble was coming. What would make a man do something stupid like that?

Stanton grins his crazy smile. Lifts up the gold pouch around his neck and gives it a little shake.

STANTON (CONT'D)

How much time did you save in Lassen's pass?

Ristine doesnt answer.

STANTON (CONT'D)

Boy I used to ride with some butchers back then. You don't look too well Rusty... Something you eat making you feel pale?

RISTINE

You son of a bitch. You weren't there!

STANTON

See we came across a sickly looking bunch of red niggers, took 'em down for our sport. Ol' Blue, he was our chief I guess, named such as he was fond of letting out his big blue pecker any chance he got, hell he'd put that thing into anything that walked or crawled. It was his idea to wear them garb that they all do. We were swilling and plunderin'... Like playing dress ups with your sisters.

He gets down right into Ristine's face.

STANTON (CONT'D)

I do not know how you got away that day old man but --

Ristine lashes out, gets a good grip on Stanton's ear. Pulls on it like he's trying to tear it off.

Stanton stumbles on the ground, reaches for a rock and brings it down on Ristine's temple sending the old man into the dust, blood bursting from the fresh wound.

STANTON (CONT'D)
I'll give ya that. I'll give ya
that. That fair.

He falls himself into the sand holding his ear. He becomes sullen with the memories.

STANTON (CONT'D)
Even I admit... my stomach for
killing... Well like I said I rode
with some butchers back then.

EXT. RIVER - DAWN

Ristine wakes in the pre-dawn light. He slowly gets up and stokes the fire. He peers over towards the tent where Stanton now sleeps.

He quietly stands, getting a strong grip on the chain around his ankle he starts to drag the HEAVY LOG uphill towards Stanton's tent.

Quietly and slowly he edges closer to the tent.

He searches for a good sized ROCK.

He picks one and with two hands he holds it to his chest and moves closer towards the tent.

Inside Stanton sleeps on his back, his pistol lays across his chest and his hand hangs loosely over it.

Ristine moves closer, inching away quietly.

Then his leg goes taut, he silently curses as he looks back to see the log is jammed between two boulders and simply wont allow him to move any closer.

He is just outside the entrance to the tent, he tries to judge the distance it would take to throw the rock.

He raises up the rock above his head, straining to hold its weight.

He looks intently at Stanton, his chest slowly rising and falling.

He takes one more moment to judge the distance and with a heave he hurls the large rock through the air with a soft THUNK.

Now sitting there in the soft sand right next to Stanton's head.

Ristine silently howls in frustration.

Stanton begins snoring.

EXT. RIVER - NEXT DAY

Ristine sits beside the river, staring out into the water. The water bites at his bare feet.

Stanton sleepily pulls himself out of the tent carrying the large boulder.

He eyes Ristine with a mischievous grin, walks up to the bank and drops the rock into the water with a PLOP.

Smirking he yells.

STANTON
Fix breakfast old dog!

CUT TO:

EXT. RIVER - DUSK

Ristine dries the gold by the fire when Stanton knocks him from the log and takes over.

STANTON
Guess the rescue party ain't coming back after all. My guess is he's up there somewhere.

Stanton points up at the forested ridge line.

STANTON (CONT'D)
Rotting away. What was he like?

RISTINE
What you care for?

STANTON
I'm asking.

RISTINE
He was a good man, for a time he kept soaked most of the day. Fellow traveller handed him a book one day, found God after that.

STANTON
Empty belly don't go by no book, am
I right?

There conversation stops dead.

The Lone Indian Man with **TWO HATS** hats stands before them,
right in the middle of camp. A doe draped across his
shoulders.

TWO HATS
Share camp.

He motions towards the carcass of a dead buck.

Stanton smiles.

EXT. CAMP - NIGHT

Stanton continues to feast off the meat, Ristine huddles for
warmth near the fire.

He looks to Two Hats, sitting off from the fire with his back
to a boulder. The man seems comfortable, deep in thought and
stares back towards the two miners.

The air is thick with tension, Stanton's face is lit up with
an evil mischief.

STANTON
Hey Chief, English?

TWO HATS
Little.

STANTON
A little huh.

Ristine doesn't react.

STANTON (CONT'D)
You think he's a Berdache?

Ristine has no idea what he's talking about.

STANTON (CONT'D)
You know Berdache, got both
pecker'n'puss.

RISTINE
I wouldn't know about that.

STANTON

What were you saying about killing?
You kill that Injun and I'll spare
yours?

RISTINE

This the ghost Stanton? Of a man
you already killed? Big killer of
men Stanton Buckner. How many more
ghosts you expecting tonight?

Without hesitation, Stanton pulls out his pistol and
nonchalantly FIRES THREE ROUNDS into the Indian's chest.

RISTINE (CONT'D)

You goddam sonofabitch!

Two Hats groans on the ground, his breath rasping as blood
fills his lungs.

STANTON

Now come and watch with me, come!

Ristine drags himself to where Stanton sits now above the
dying man, he makes Ristine watch. Stanton retrieves the PICK
AXE from a large rock from nearby.

STANTON (CONT'D)

His life ends because of you
Bertrand. You couldn't even kill
the man who has promised to kill
you. What you think is racing
through this brute's mind? You
think the Lord gives Injuns the
light?

He raises the axe, and brings it down with a sickening
crunch.

LATER

Ristine drags the body of the Indian into the water, by
moonlight he watches the body submerge into the current.

He turns to Stanton by the fire.

EXT. RIDGE - DAY

Carter walks over the ridge that he and Ristine walked over
months before.

EXT. CAMP - DAY

Ristine dips into the bean sack with a mug and fills it to overflowing.

Walking to the deer carcass he begins slicing off chunks of flesh when a rancid smell catches his nose, he veers off course for a moment to avoid the smell then changes tack and quickly searches for the source, then it becomes obvious.

The body of the young man has been exposed to the open air and the decaying process has thrown up the disgusting smell of ROTTING FLESH.

He checks for Stanton then begins kicking dirt over the body.

Then he stops; eyeing the pot in his hand.

CUT TO:

EXT. CAMP - DAY

In Ristine's pot, beans bubble up. Small chunks of meat roll to the surface.

CUT TO:

Out of sight Ristine stands off into the forest drinking down the remainder of a dirt encrusted bottle of whiskey.

CUT TO:

EXT. CAMP - DUSK

Ristine stirs the meaty stew, Stanton sits opposite him in a surly mood.

STANTON

Stir, stir, stir. What are we
having tonight?

Ristine loads up the TWO BOWLS OF STEW. Steam rising off into the cool evening air.

Paranoid, Stanton sits and waits for Ristine to eat, what has become a nightly custom.

Ristine stares intently into the bowl but not wanting to raise suspicions, digs his spoon in and gulps down a scalding bite.

He tries not to wretch it back up, Stanton starts to eat.

Much to Ristine's surprise, Stanton notes no change in the taste.

The two continue to eat in silence.

EXT. RIVER - DUSK

Ristine watches from the long tom, Stanton scrapping the last of the STEW into his mouth.

His own empty bowl staring back at him from the log.

Ristine feels sick to his stomach and struggles not to show it.

He continues to work.

DISSOLVE TO:

EXT. RIVER - PRE-DAWN

Ristine sits hunched over beside the fire pit as he listens to the groaning from the tent.

Stanton bursts out of the tent and tries to get to the treeline but has to drop his long johns before he even gets there, he EXCRETES and SPEWS at the same time.

Groaning as he purges out the poison.

Ristine struggling to rise beside the fire, he attempts to gather his things but sickness has not escaped him and he bends over and hurls onto the coals, foul steam rises up from the smoke as he passes out onto the sand.

TO DARKNESS:

EXT. FOREST - DAWN

Carter sits in the darkness of the forest watching the morning light approach.

EXT. CAMP - DAY

Stanton hunched over exhausted from throwing up all night.

Ristine drags himself up onto the log, wearing the signs of a sleepless night he still looks a hell of a lot healthier than Stanton.

He stands and begins walking towards the tent, suddenly his leg is kicked back from him.

The chain taut between himself and the log.

Stanton starts cursing. Too sick to move.

STANTON

You fucken dog Rusty, what you
feedin' me with?!

Back at camp, Ristine with all his strength starts dragging himself and the log towards the tent, when he gets within an arms length of the tent he reaches out for the pick axe stuck in the dirt.

He snags up the ax and begins to attack the chain.

Ping!

The chains damaged but not breaking loose.

Stanton continues to groan.

After three strikes the chain snaps off.

Then Ristine rushes into the tent searching through Stanton's gear.

RISTINE

You wanna know what's for supper?
Why That ol' partner of yours of
course!

He searches frantically.

No pistol.

BANG!

A bullet flies through the tent miraculously missing Ristine.

OUTSIDE

Stanton has flung himself on his back and is aiming towards the tent, firing another one off when Ristine bursts out running headlong into the river.

BANG!

Another bullet skims the waters surface.

UNDERWATER

On adrenaline Ristine searches for the nuggets. Running out of air he has to pop up for breath, Stanton is struggling to get to his feet.

Desperate he DIVE AGAIN, struggling to hold his breath he finally spots the BOULDER they're hiding under.

He gathers them up the hidden GOLD NUGGETS then swims underwater to safety.

CUT TO:

Stanton up now and hobbling towards his tent.

He looks for Ristine. He checks the diggings, and the treeline. He climbs up the overhanging cliff and scans the area, he spots the dug up body on the edge of the forest.

EXT. FOREST EDGE - DAY

He stands over the body of his ex partner.

STANTON

Ristine!!!

Stanton runs straight into the water and wades over to a rock in the middle, he peers downstream then looks up stream.

Ristine is nowhere in sight.

CUT TO:

STANTON

He rides the rapids down river, holding his pistol in the air to keep it dry.

CUT TO:

RISTINE charges as fast as he can down river. He keeps looking up stream and to the banks for a way out, he sees a natural path cutting away between two huge slabs of granite.

He jumps onto the wet sand, his feet sinking in. He takes two more steps, then sees his foot marks in the sand.

To the forest he sees that it's only about four more paces to the heavy foliated forest floor.

When he reaches the forest floor he quickly jumps onto a groove in the rock. He traverses a few meters then slips back into the water, then moves off again downstream around the large granite cliffs.

He then finds another way up the rocks and find himself PERCHED above his tracks in the sand, a great AMBUSH POINT.

CUT TO:

STANTON, still holding his pistol up in the air, finds a large boulder where he can get a view downstream. No sign of Ristine.

He leaps off and is swiftly taken down river.

CUT TO:

EXT. GRANITE OVERHANG - DAY

RISTINE, on top of the granite overhang, has a great view upstream of where Stanton will come from. Constantly turning back to check if he's gaining on him, he heads into the forest.

He finds a large rock. He rolls the rock towards the cliff top.

He pushes it towards the edge and holds it firm. He will wait here for Stanton.

Exhausted he lays down, hidden from view.

CUT TO:

EXT. RIVER'S EDGE - DAY

STANTON continues to skirt the edge of the river when he spots the footprints in the sand. Cautiously he moves towards them.

CLIFF TOP

Stanton moves towards the footprints unaware of what's above.

CUT TO:

EXT. GRANITE OVERHANG - DAY

RISTINE has passed out next to the large round boulder above Stanton.

CUT TO:

EXT. CAMP

The camp is abandoned. The canvas tent blows open, close on the pile of vomit as boots step into frame.

A SHADOWED FACE peers inside the tent.

It's revealed to be Carter now looking around the deserted claim.

He slings his rifle over his shoulder and heads off along the river bank.

CUT TO:

EXT. GRANITE OVERHANG - DAY

RISTINE wakes and searches about for any sign of Stanton but cannot see him anywhere.

Suddenly a pale and fraught Stanton appears from the forest edge of the rocky outcrop, he spots Ristine and levels the gun at him.

Ristine pulls out the cloth wrapped NUGGETS, Hold them out over the cliff.

The white water of the rapids churns below.

RISTINE
You bastard. Killer of women and
children...

Ristine takes a step closer towards the edge.

STANTON
He swallowed them?! Those are mine
old man.

Stanton fires.

The bullet whizzes past Ristine's head, he stumbles then falls off the edge into the water.

Stanton sprints towards the edge and throws himself off.

The two of them connect and tussle mid air before..

MOMENTS LATER

They crash into the river.

EXT. RIVER / UNDERWATER - DAY

The older man is immediately pinned underwater by the furious Stanton.

Stanton finds his footing and breaches the surface, using his strength he HOLDS RISTINE UNDERWATER, pinned to the shallow bottom.

Ristine struggling for breath manages to shove the cloth containing the nuggets towards Stanton.

Stanton releases his hold as he becomes distracted by the gold.

Ristine burst to the surface, throws up on the bank.

Stanton stands eyeing the gold in his palm.

STANTON

You cut them out of him? And then
you feed him to me!

Ristine throws a fist into Stanton's jaw, the younger man is splayed back onto the bank.

Ristine throws punch after punch until finally stopping and backing away.

Stanton bloodied and dazed keeps grinning.

Ristine steps back, finds a ROCK, picks it up. Raises it above his head.

Just as Stanton bloodied and grinning pulls the pistol from behind him and fires.

TIME STOPS.

The bullet missed.

As both men realize.

STANTON

Godammmmit.

As he fires again, the bullet ricochets off the now falling rock which lands on Stanton's leg with a crunch.

Stanton howls.

Ristine dives deep underwater.

EXT. RIVER / SURFACE / BANK - DAY

Stanton, pulls himself up. He grins at Ristine's predicament.

UNDERWATER

Ristine swims into a darkness.

INT. GROTTTO - CONTINUOUS

He finds a tiny underwater grotto.

Ristine pulls himself up onto rocks though he is still partially submerged in the dark water.

He peers towards the ribbon of light where the entrance is.

He searches for a weapon, nothing.

EXT. RIVERBANKS - LATE AFTERNOON

Stanton sits nursing his wounds in the last of the sun.

He looks at the NUGGETS in his hand.

-- The sun sets over the land.

EXT. RIVER - NIGHT

The river glowing by the moonlight. The boulder bank where Ristine is hidden within and the stillness of the waters surface.

The outline of a waiting Stanton is silhouetted by the moon.

INT. GROTTTO - MORNING

Ristine delirious with fever hangs onto life.

EXT. FOREST - DAY

A view from up on high. The river snaking away. The banks of the Yuba are bright grey white in the morning sun.

EXT. RIVER BANKS - DAY

Ristine breaches the water's surface.

No sign of Stanton.

Expecting a hot slug any second, Ristine dives for cover onto the rocks. He shivers uncontrollably.

Hugging the bank, Ristine gathers his strength.

He walks away from the river towards the forest to suddenly come upon...

BEAR, the black mountain man, laying amongst the rocks. His gut all shot up and his face grey with death.

Nearby a bloodied rock has a chunk of blonde hair matted to it.

Ristine stares long at the sad old face of the Mountain Man.

EXT. FOREST EDGE - DAY

Ristine finishes throwing dirt onto the freshly dug grave..

Tired and hands filthy, he stands at the forest edge.

He looks around at the wilderness. What happened to Stanton he does not know.

He begins heading due east through the forest.

LATER

EXT. FOREST GLADE

Ristine moves slowly through a wooded clearing.

A quarter mile away he spots Stanton Buckner, walking slowly away from Ristine.

Ristine keeps his distance but begins to follow.

Getting closer it's apparent that STANTON IS INJURED somehow.

He stumbles when he walks, unsure on his feet and his direction, his shirt is all torn up and dried blood cakes his head.

Stanton appears delirious, looking for things in the air that are not there.

Ristine weary but confident slowly gets closer.

Stanton is muttering to himself.

STANTON

Don't you see them? Little devils
dancin'.

Then he turns and speaks to the thin air.

STANTON (CONT'D)

(Barely audible)

The horses Pa, the horses. They're on fire, you gotta let 'em out of the barn. They gotta get outta there.

Pasty skin and eyes sunken, and there on the right of his forehead a crack in the bone amongst the blood and hair.

In one hand the GOLD and the other his PISTOL hangs loose.

EXT. MEADOW - DUSK

The world has started spinning on Stanton, the tall trees seem to bend over and smother him. He spins and turns in all directions.

Lashing out, he becomes frightened and agitated. He bends over and grips the earth.

Looking up to the sky again, a SHADOW blocks out the sun.

The silhouette steps towards Stanton with the sun at his back. A shadow of TWO HATS sitting on top of each other.

STANTON

I in Injun hell? Someone must have made a mistake.

As the light hits his face, not a man but a WOMAN.

Stanton grins at her.

The Indian Woman doesn't say a word.

Stanton turns to Ristine and sees him plain as day.

He almost falls into Ristine's arms, Ristine lets him fall to his knees, his arms still raised holding tightly onto Ristine's ragged clothes.

STANTON (CONT'D)

They're screaming. Death is near...
I've seen the skinless fellow
himself, lurking in the trees.

Ristine stares at the strange presence of the Indian Woman.

Weakly Stanton holds onto his pistol, Now Ristine takes it from him.

He steps back from Stanton, who is now quietly on his knees.

Ristine looks at him straight on.

FLASH IMAGE -- A MOTHER WITH A YOUNG BABY STANTON.

She sits with him beside an open window, a sound makes her turn.

FLASH IMAGE -- STANTON FACE PAINTED YELLOW.

Dances around a bonfire, the carnage of Ristine's former company going up in flames.

BACK IN THE MEADOW

RISTINE

That it? You done? Keep talking you son of a bitch. Don't stop now.

STANTON

The fire gone...

BANG! BANG!

Ristine fires directly into Stanton's chest and the man falls down dead.

The Indian Woman without hesitation leans over and peels off Stanton's SCALP with her blade and without acknowledgement walks away with it.

Ristine watches her go.

FADE TO:

EXT. WILDERNESS - DAY

-- Ristine working his way back through the forest to where he will find the path back to Caldwell's.

-- His path takes him back through dense forest, steep hills and valley floors.

EXT. RIDGE - DAY

Ristine rises once again to the same ridge himself and his partner walked over months earlier.

He turns to admire the view this time, breathing in the fresh air.

EXT. CREEK - DAY

Ristine crosses a shallow creek, wading up to his waist to cross, no equipment burdens him now.

He stops, a strange silence has descended.

Up amongst the trees Peacock watches him.

CRACK

A single SHOT rings out.

Ristine stops, crouches and looks around for its source.

Then he realizes.

Too late. Another SHOT is fired.

THUNK

Ristine feels HOT METAL sink into his chest, he takes two steps then notices the spreading BLOOD across his torso and arm.

He tries to outrun his injury, splashing in the creek bed until he stumbles and sits in the water.

The gentle rapids surround his waist.

Blood pours down his arms, he dips them in the river. The blood runs off.

He stares at his clean hands which suddenly are coated in sticky dark blood once more.

He stares out to the distant hills, the sun is low in the sky, lighting up the clouds in pink and orange.

He detects someone close by now, but cannot move to see.

A hand reaches in and wipes at his wound, then pulls off the blood soaked leather pouch from around Ristine's neck.

CARTER (O.C.)

That should do it I guess, bleed you out.

Carter steps into view.

CARTER (CONT'D)

Are you in too much pain?

Ristine stares towards the setting sun, Carter rests himself next to a boulder in the creek. Agitated and ill at ease with what he has just done, he begins to blather.

CARTER (CONT'D)

It's quite the town now, I think it might be the place to settle. I don't think back east is for me no more. You warm enough? Bertrand?

Ristine barely holding onto consciousness cannot answer.

Carter starts to weep uncontrollably, he pulls at his WOODEN CROSS like it is a weight too heavy to burden him any longer, with a loud sulk he hurls it away.

Trying with all his will to get a hold of himself, he manages to calm down.

CARTER (CONT'D)

I believed that blonde man would have taken care of you, sick as you were, not much fight left in you. Guess I was wrong about that. You knew that this is how it had to end. Ever since you took us through that pass. This was always coming..

Ristine barely moves, his hand lays in the water, bundled in his fist is the cloth containing the nuggets.

Above water Carter has taken the pouch of gold dust from Ristine's neck.

He ties it securely and puts it away safe.

CARTER (CONT'D)

I won't leave you 'till it's over. Don't worry 'bout Amy. I'll take good care of her and give you a proper burial, You deserve that.

Carter checks Ristine's coat pockets and checks his pants as well. Satisfied there is nothing else on him he goes to move away when Ristine reaches out and takes hold of Carters collar firmly.

Carter doesn't fend him off but looks back at him. Ristine seems to nod, a nod of understanding what's been done.

He weakens his grip.

Carter steps away. Looks down on Ristine with a mixture of guilt and relief. He tells himself it wasn't so bad. It would haunt him for awhile, but perhaps not as long as he first thought.

Ristine turns his hand over, the one that gripped Carters collar. Spreading his fingers he holds the NUGGETS up to the light and towards Carter.

He manages to gurgle out one word.

RISTINE

Amy.

Not quite believing what he's looking at, Carter stares at Ristine who is now looking at him intently.

Carter gently takes them.

RISTINE (CONT'D)

Amy.

Carter nods.

CARTER

If you can wait there, you can have it up with me then. I wont begrudge you for that, everyone gets what's coming.

He gasps his final words.

RISTINE

Leave me be.

Ristine's eyes remain fixed on the horizon then fall to the water.

Carter steps away slowly, then with a tip of his hat walks off towards the forest.

We stay with Ristine.

His eyes go soft as the life leaves him. His body slumps upon itself then slips into the creek without a sound.

From a distance we see the creek curving and winding along the valley floor. The peaks of the Sierra Nevada in the distance.

It appears that a storm is moving in.

Ristine's body sinks below the surface and out of sight.

FADE TO BLACK.