

Parabellum
by
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TITLES:

FADE IN:

TITLE CARD:

Civil wars are particularly tragic because
they occur between people who lived
as neighbors, friends, and families.

The War Between the States
literally pitted brother against brother.
Those who miraculously survived that sanguine chapter
had to face yet another challenge, life after the war.

EXT. RANCH - MORNING

SUPER: After The War

The morning sky brightens.

DAVE, 30, is staring intently, emotion brimming.
He looks older than his years and at the moment he looks
very sad. He's dressed in ratty old clothes, a big jacket,
worn-out boots and Confederate uniform pants.

He's sitting on a tired old horse.

His gaze takes in whatever is directly in front of him, but
it also is seeing something from his past, a lot from his
past.

His eyes glisten.

RED, a bushy-bearded REDHEAD, is holding onto roped horses
as he watches.

JETHRO is a KNIFE-THIN man on a grey horse who looks like
he rode out of the book of Revelation. He has his pistol
out.

The other two men are chinless twins, ALEX with a bushy
moustache and ZACH, clean-shaven. Alex is also holding
horses and has his gun in his hand.
Zach is slumped forward, holding his pistol in a limp hand.

They are a band of men on horseback. Young men.
They are ROUGH looking men. They're all dressed in worn-
out, piece-meal, Confederate uniforms and ratty old
clothes.

Bandits.

Fresh gunsmoke drifts in the air.

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ALEX

What are you waiting for,
Captain?

Dave looks at his BLOODY RIGHT HAND.

SCAR, the sixth, is a stocky guy who still wears a Confederate BOLERO jacket, and of course, a nasty SCAR that starts at his mouth and runs down his chin. He runs out of the RANCH HOUSE onto the porch.

SCAR

There was a girl too.

Alex raises an eyebrow. Dave looks at Scar. He looks at the rest of the men. He notices Zach holding his side. He sees the horses they're rustling. He looks back at Scar on the porch. He looks at the BODIES on the porch.

To Scar...

DAVE

They dead?

Scar prods the bodies with his boot; the RANCHER, his WIFE, his SON and a younger BOY. He nods at Dave.

DAVE (CONT'D)

Get the guns.

He points to Scar... and then to a YOUNG MAN'S BODY lying in the yard.

DAVE (CONT'D)

Get his gun.

Scar collects a shotgun and rifle from the dead family and then runs over to his horse. He shoves them under his bedroll and cinches them in, behind his saddle.

Then he goes to the young man's body and undoes his gun belt and takes his pistol. He holsters the pistol, rolls the belt and walks over...he pauses.

He turns and walks over to Dave and hands it to him. Dave glares at the gun and then takes it. Scar steps back.

Everyone pauses for a moment. They are at the end of a canyon in a small ranch with a house and a corral.

Dave looks around, shakes his head and hisses. He looks at Scar and then the house, and to no one in particular says...

(CONTINUED)

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DAVE (CONT'D)

Fire it!

DISSOLVE TO:

Flames are visibly licking inside the house. Scar, Jethro, and Red run out with food and some jugs. Dave watches from his horse as they all mount again and ride off on one unspoken cue at full gallop.

The ranch house roars into flames behind them as windows shatter. The dead litter the ground in front of the sad burning house. The dust from the bandits riding off rivals the smoke coming from the house.

EXT. HUTCHINSON CITY - DAY

LOUISA HENNESSY, 26, climbs off a train at the train station.

The train platform cuts through Hutchinson City, a small town growing around the tracks.

She walks down the main street carrying her one bag, looking at the people, mostly men, scurrying around. The main street intersects with alleys every few doors. She spots a building on one corner.

She crosses the street towards the building and stops in front of it. A sign over the door says "SAL'S." Louisa enters the saloon.

INT. SALOON

An older woman is doing paperwork at the bar, working a ledger. She's wearing a simple dress that is fixed up a bit to look sexier. As Louisa enters, the woman looks up.

WOMAN

Can I help you, young lady?

Louisa nervously clears her throat.

LOUISA

Hi... I'm here for the job.

The woman looks her over, smiling.

WOMAN

It's the same job for all the girls, child.

Louisa blushes and shakes her head.

(CONTINUED)

CONTINUED:

SAL

You're awful pretty, young girl.
You'd do better working like the
other girls.

Louisa looks flattered, offended, embarrassed, and
confused.

LOUISA

I'm not sure... I wouldn't... I
couldn't.

Sal laughs out loud and pokes Louisa.

SAL

Don't fret. I run a good house
and I treat my girls well. You
can take the cleanup work.

(pause)

I don't force no one to do
nothin' they don't want.

(pause)

This war's done enough of
that....

Louisa looks at her shyly, and then more seriously. She
understands that Sal's had her share of hard times.

SAL (CONT'D)

Well.

Sal thinks for a moment and then comes back to the present.
She notices Louisa's bag.

SAL (CONT'D)

You probably want to set a spell.
If you go up those stairs the
second door is where Stella is.

(pause)

There's not much room. We'll
have to figure it out for when
the girls are busy, what to do
with you.

Louisa smiles again, shyly. Then she seems a bit scared.

SAL (CONT'D)

Just go on up. You'll find her.

Louisa nods.

LOUISA

Thank you, Sal. I really
appreciate this.

(CONTINUED)

CONTINUED:

Sal nods at her and heads back around the bar.
Louisa carries her bag and climbs the narrow stairs.

INT. STELLA'S ROOM

STELLA, 26, is lounging in her bed, waiting before getting up. She's in her white cotton teddy, sexy, but not gaudy. She stares off at the sky she can see through her window.

There's a KNOCK on her door. She kicks off the covers and pads to the door, opening it to see Louisa standing there.

LOUISA

Hi.

STELLA

Louisa, Darling? Miss Hennessy!
Come in here!

Stella throws her arms around Louisa, shrieking, and hugs her and pulls her into the room.

STELLA (CONT'D)

Oh God, it's great to see you.

LOUISA

You look great.

STELLA

Well.

Stella pauses and holds Louisa at arms length, studying her. Tears come to their eyes instantly. Stella grabs Louisa's bag and tosses it aside and then hugs her again, more seriously.

STELLA (CONT'D)

I'm so glad to see you.

LOUISA

Me too.

They hug for a long moment. Then Stella breaks away and wipes tears from her face as she shows off her room.

STELLA

This here is the den of iniquity!

She laughs. Louisa doesn't laugh.

STELLA (CONT'D)

Relax, girl. I was never that proper.

(CONTINUED)

CONTINUED:

Louisa smiles at her.

STELLA (CONT'D)

The boys tend to behave.

(pause)

Sit. Sit. You must be tired.

She takes Louisa and leads her to her bed. She climbs onto it and sits up; it's almost like a slumber party. Louisa obliges and gets in beside her.

STELLA (CONT'D)

And it is a good comfy mattress.

She pats the mattress winking at her. Louisa looks at her friend through more tears. And then she breaks down in earnest. Stella hugs her.

STELLA (CONT'D)

There, there, now. It really ain't so bad. We've made it through the worst parts.

(pause)

Now we're back together, like when we were kids.

Louisa takes a breath and looks at her. Stella nods at her, reassuring her, comforting her. Louisa hugs her again.

EXT. PRAIRIE - DAY

A man is riding a grey mare across the prairie. The horse snorts and shimmers its haunches. Although covered in grass, the prairie is hot and dry. In the distance is Wickett, a town on a low butte.

EXT. WICKETT

The man, 28 years old, rides into Wickett slowly, cautiously, surveying the place, the people, and the ways he could get killed. His horse ambles along, clinking and huffing. A few people look at him nosily.

He wears a dark, longish, jacket and soldier's pants, UNION SOLDIER'S PANTS with a darker blue stripe down the outside of the legs.

It's not a big town, it's not very busy. But there are THREE CONFEDERATES sitting at a watering trough, refilling their canteens. They're filthy, ragged, and weatherbeaten. And they glare at the man as he rides by.

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He gradually makes his way to the Sheriff's office and dismounts. He ties up his horse and gives one last look at the surroundings as he gets his saddle bags.

Before walking inside he looks at the wanted posters nailed outside the office. There are about three or four. One in particular grabs his attention. He steps forward and reads it quickly.

Then he looks in through the wavy, handmade window without moving from his position. The Sheriff is napping at his desk.

The man studies him for a moment. Then he steps in front of the door and reaches for the doorknob and turns it.

INT. WICKETT SHERIFF'S OFFICE

The man steps inside as the Sheriff startles from his nap. Too late, the Sheriff tries to go for his gun - or at least locate it. The man eyes him disdainfully as he steps up to the desk. He opens a flap on his saddle bags.

The Sheriff gawks at him. He looks at his UNION TROUSERS. The man peels out another POSTER from his saddle bags and hands it to the Sheriff. The Sheriff takes it, unsure.

MAN

Price has gone up.

Off balance, the Sheriff stands up and looks at the Man from head to toe. He glares at the poster and raises his eyebrows and then glares back at the man.

SHERIFF

Who are you?

MAN

Andrew Coll.

The Sheriff shakes hands with ANDREW COLL, but cuts it short. He glances at Andrew's blue pants again.

SHERIFF

You from up North?

ANDREW

Federal Marshal.

The Sheriff sighs, relieved, embarrassed, nodding nervously.

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CONTINUED:

SHERIFF

Well.... My name's Buck. Town Sheriff.

Andrew sets down his saddle bags in a bentwood chair in front of the Sheriff's rolltop desk.

ANDREW

You've had some raids recently.

The Sheriff is surprised he knows about it.

SHERIFF

You wire that inquiry?

Andrew nods...

SHERIFF (CONT'D)

The Danciger family was killed.
And we found one of the bandits.
Dead.

The Sheriff opens a drawer and retrieves a hammer and a nail. He sidesteps around his desk and goes outside to the other posters. The marshal watches him from the door-frame as he nails up the new poster.

ANDREW

How do you know he was one of the bandits?

The Sheriff tears down the old poster and goes back inside his office.

SHERIFF

He wasn't no family member. They must'a left him behind.

(pause)

Old man Danciger must'a plugged him. Drilled two of them into him.

The Sheriff takes glee in recounting the theory.

ANDREW

What'd he look like?

SHERIFF

He's out back, you wan'ta take a look.

Andrew raises an eyebrow questioningly.

(CONTINUED)

CONTINUED:

SHERIFF (CONT'D)

The doc's got him out back his place.

EXT. WICKETT SHERIFF'S OFFICE

The Sheriff takes Andrew to the back of the doctor's office which is two doors, or so, from his own.

A COFFIN is sitting on saw horses. The doctor, a bug-eyed old man, looks at them from a window.

The Sheriff leads Andrew to the coffin and slides the lid to one side. Andrew gapes at the body of the bandit, lying dead in the coffin. He's turned grey and pinched. It is the same young man from the massacre at the ranch.

The Sheriff glances at the marshal nonchalantly, but notices something odd.

The marshal is... CHOKED UP.

Andrew steps up to the coffin and reaches in TENTATIVELY. He touches the dead man's shoulder and stifles a SOB.

The Sheriff stares at him, trying to keep silent. He shifts his weight, uncomfortably. Now, real tears well up in the man's eyes as he stares at the dead man. Sorrow builds in his expression.

The Sheriff is shocked at seeing this... formidable man... CRYING. The Sheriff watches him, studies him. The marshal finally drops his head as the sobbing overwhelms him. The Sheriff stands by nervously. Finally...

SHERIFF

Did you know him?

The marshal nods slowly. He takes his time, composing himself.

ANDREW

Peter.

(pause)

He's my brother.

The Sheriff doesn't know what to do or say. He just watches the young marshal weeping by the coffin. He glances around and spies the doctor still looking at them.

EXT. RAILROAD TRACKS - DAY

WANTED POSTER

(CONTINUED)

CONTINUED:

Dave is scratching his face and neck staring at the poster. The poster has a BAD DRAWING of himself. He struggles as he reads the descriptions of his crimes and nods.

He and his crew are resting outside a telegraph house at a watering station for the railroad. The rest are still mounted, waiting in the hot sun.

DAVE

Looks like we're not welcome home
no more....

Alex squints at him, in the sun. Zach is still holding his side, slumped forward, pale.

ALEX

Now what we going to do, Cap'n?

DAVE

Figure out how to get your
brother fixed up.

He steps off the planked sidewalk of the telegraph house and over to his horse. He looks at his men as he climbs onto his horse.

DAVE (CONT'D)

We got new horses but that's all.
We still need money.

He looks at each of the men's faces. They stare back at him but, they're not challenging him. Dave pulls his reins to one side and rides off, leading.

EXT. WICKETT

Andrew is riding down the main street, in mourning, as he turns his horse into a cross street, or alley.

The THREE CONFEDERATES step out from their waiting places. One has an EYEPATCH. One has a gap-toothed GRIN. And the third has LONGHAIR past his shoulders.

EYEPATCH

Where you goin', Blue?

Andrew reins in. He's been riding with his hand resting on his pistol grip. His eyes are watery. He eyes the three men who have fanned out in front of him.

EYEPATCH (CONT'D)

You don't belong here.

(CONTINUED)

CONTINUED:

LONGHAIR

We think you should head back.

GRIN

Unless you want to die here.

Andrew smiles at them.

ANDREW

Didn't you boys hear the War's
over?

He ROLLS OFF his horse, backwards.

Eyepatch DRAWS and FIRES his pistol.
Longhair has a SAWED-OFF RIFLE which he DRAWS.
Grin pulls his pistol.

Andrew lands on his feet to the side and hits the dirt
SHOOTING. His horse rears.

He hits Longhair as he raises the rifle.
He hits Eyepatch, spinning him.
And he hits Grin as he squeezes off a shot.

Eyepatch is hurt bad. He turns around to shoot again.
Andrew is on his feet and aiming.

EYEPATCH

Yankee scum...

Andrew shoots and kills him.

He waits, making sure that it's OVER. Grin and Longhair
are already dead.

His horse is whinnying. He checks it. It's bleeding from
the neck, rasping its breathes. He pats its neck sadly.

ANDREW

Shit.

EXT. ROAD - DAY

Zach and Alex, on their horses, block the road. Zach is
sweating and hunched over. The stagecoach approaches. The
DRIVER and the SHOTGUN spot the men in the road ahead.

DRIVER

This don't look good.

The Shotgun nods and cocks the hammers back on his shotgun.

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Zach is in pain. Alex glances at him and then pulls his gun. Zach struggles and pulls his gun too. The stagecoach speeds up as the road levels off. Alex points his gun in the air and fires.

ALEX

Stop the coach! Whoa! Whoa!

DRIVER

Shit. Take 'em.

He pulls his pistol out, cocking it. He lashes the horses and speeds them on.

ALEX

Stop the coach!

The Shotgun aims and fires, knocking Zach off his horse as it rears up. Alex controls his and shoots wild as the stagecoach rushes onto him.

The driver fires a wild shot, missing Alex. As the stagecoach speeds by they force Alex off the road. Alex pivots his horse to chase after the stagecoach.

Dave, Red, and Scar ride onto the road as the stagecoach passes them. The driver fires at them without hitting anyone. They see Alex giving chase. Dave spurs forward into a full gallop to join him.

The Shotgun fires the second barrel at their pursuers. He reloads quickly. The driver hunches down. He drives expertly but it's a bad road for speeding. The stagecoach bounces violently as the team pulls wildly.

The road dips and opens into a wider area as it enters a valley.

The driver looks to the sides, worried. Shotgun saves his shots, waiting. The driver WHIPS his team harshly to get more speed. The stagecoach lurches forward.

Dave and his crew hurry after the coach. Red, Scar and Alex fire their pistols at the stagecoach, with no effect.

DAVE

Save your ammo, you idiots!

Dave spurs his horse faster and leads out of the pack. He pulls out a rifle from under his leg and stands up in his saddle a bit. He's a great rider. His legs absorb the shock of the horse in full gallop.

He aims the rifle carefully. He waits for the moment.

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The Shotgun fires cover. He pulls out his own pistol and fires a few shots.

Dave rides up closer to the coach. The Shotgun aims more carefully from the bouncing stagecoach. He shoots a few more times.

Dave fires and hits the Shotgun.

DRIVER

Damn it!

Dave waits again, watching the Shotgun recover, over his sights. The Shotgun tries to aim again and Dave shoots him.

The Shotgun FALLS off the side of the stagecoach. The driver turns to see his buddy disappear.

Alex rides over the Shotgun, trampling him, and reins in. The driver aims back with his pistol and fires two shots.

Dave settles back into his saddle and spurs his horse forward, catching up gradually.

The driver desperately whips his team, trying to get more speed out of them on the flat ground. He glances back and can see the bandits gaining on him.

He WHIPS the horses again and gets nothing more from them. He looks back. Dave and company get closer.

Dave stands up again in his saddle and aims his rifle. The driver looks back and sees Dave.

DRIVER (CONT'D)

Awright! Awright!

The driver pulls hard on the team's reins and struggles to slow the stagecoach.

The bandits watch the stagecoach slow down, kicking up dust and skewing on the road as the driver pulls on the brake. They FAN OUT, around the stagecoach, as it struggles to a stop.

DRIVER (CONT'D)

Whoa! Whoa!

As the stagecoach stops, the driver stands up quickly, holding up his hands.

DRIVER (CONT'D)

Don't shoot. Don't shoot!

(CONTINUED)

CONTINUED:

Dave is still standing in his saddle aiming the rifle at the driver. As he rides up to the stagecoach he stops his horse and sits back down in his saddle. The rest of his crew come to a stop.

DAVE
Drop your pistol.

DRIVER
Please! Don't shoot.

The driver tosses his pistol aside.

DAVE
What are you carrying?

Alex rides up and shoots the driver off the stagecoach. He rides around the stagecoach to find the driver, writhing on the ground, gut-shot. The driver gasps, holding his wound. Alex is furious and vengeful.

The rest of the crew approach the stagecoach with their guns drawn. Dave spurs up to Alex's side. Alex is seething. His eyes are wide open staring down at the driver over his pistol.

DAVE (CONT'D)
You a payroll—

Alex shoots and kills the driver. Dave looks at him.

DAVE (CONT'D)
Goddamnit, Alex!

ALEX
They shot Zach!

Red is inside the stagecoach. Scar has climbed up to the driver's seat and is checking the luggage rack on top. He pulls a tarp aside to look underneath.

Alex spits on the dead driver and rides off, back down the road as Dave glares at him.

Zach is lying beside the road, his horse is grazing a few yards away. Alex rides to his brother, reins in and jumps off his horse.

ALEX (CONT'D)
Zach! Zach. Get up.

Alex runs to Zach's side and lifts him.

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ALEX (CONT'D)

Zach, talk to me...

Zach is limp. His head is hanging back on his neck as Alex tries to stir him. Alex clutches his brother closer and starts to mumble incoherently, including...

ALEX (CONT'D)

Come on man. Come on. Talk to me.

Dave rides up on Alex and Zach. Alex starts howling and sobbing. Dave notices Red ride up beside him. Dave stares at the pitiful sight with distaste.

DAVE

(to Red)

You find anything?

Red spurs forward.

RED

Don't look like it.

Alex hears him. He returns his attention to rocking and cradling his dead brother. The others ride up to them and pull short.

JETHRO

(muttered)

He won't need a doctor now.

Dave stares at Alex holding his brother. The sight finally upsets him and he turns away.

EXT. HUTCHINSON CITY - NIGHT

Dave and his men are riding into town, tired and dirty. Dave stares at Hutchinson City in resignation. Alex is still pulling his brother's horse but Zach's gone. Alex looks lost in thought.

They ride up to SAL'S, stop and dismount. A kid is sitting on the sidewalk and looks at them tentatively. Dave fishes a coin from his pocket and tosses it to the kid. The kid catches it.

DAVE

Take care of the horses. Water.

The kid nods and stares at him. Dave stares back and gawks at him.

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DAVE (CONT'D)

Git!

The kid grabs the horses' reins, leading them away. The four enter Sal's.

INT. SAL'S

Candles and lanterns light the establishment. There are several men drinking at the bar and at tables. A few women are hanging out at different spots. One woman leads a man upstairs.

The bandits walk in and a few people look up from what they're doing for a cursory check. Dave leads his men to the bar.

The bartender nods at him. Dave points at his men and the bartender offers a bottle. Dave nods dismissively. The bartender sets them up.

Louisa walks by in the background, carrying a basket of laundry. Dave and his men drink their whiskey.

Dave leans on his elbows and nurses his drink as he thinks hard. His hardened, scarred, fingers caress the zinc bar. Red glances at him.

RED

We staying here tonight, boss?

Dave looks around the place, frowning. He's about to turn back to his drink when he sees Louisa. He stops and peers at her.

He can't believe what he's seeing. But he finally does believe.

DAVE

Yeah, we'll stay here tonight.

Red looks at Louisa too and nods. The bartender returns for the money. Dave pays him. He downs his drink, pours another and walks away to find Louisa, leaving Red with the bottle and pouring duty.

He goes to the back of the saloon. There are more tables and chairs and nooks to hide out in. There are more couples and snoring cowboys as well. Dave pushes a door open and walks through

CONTINUED:

LOUISA

Me too.

Dave smiles at her tenderly. He considers their location.

DAVE

How's your ma?

Louisa shakes her head sadly. Dave nods. He looks at her questioningly. She stifles a sob.

LOUISA

I tried to make a go of the farm.

Dave nods, realizing what she's telling him and the scope of what she's been through.

LOUISA (CONT'D)

But....

Dave nods, smiling compassionately. But then it turns into a FROWN. She smiles at him.

LOUISA (CONT'D)

But you're here.

(pause)

What are you doing?

DAVE

I... I'm just trying to figure that out.

She nods, as that's true for everyone.

LOUISA

Did you go home?

DAVE

That don't exist anymore.

LOUISA

Were you furloughed?

DAVE

I don't know. The war ended weeks before we heard about it. Bobby Lee was signin' papers when we was still dodging bullets. Then it all sort of fell apart.

She nods.

LOUISA

Everything fell apart.

(CONTINUED)

CONTINUED:

Dave and Louisa are both lying in it, spooning. He's awake and he props his head up on his hand. The room is golden from the morning sunlight. He watches her sleep. He moves a strand of her hair away from her cheek.

He studies her with an odd expression. He's seen and done a lot of violent things, and she's the exact opposite of all that. He caresses her shoulder and then her face and stops....

He stares at his HAND. It's ROUGH and SCARRED. His fingernails are dirty and chipped. The weather-beaten quality is in marked contrast to her SOFT SKIN. She sighs in her sleep.

And he watches her.

INT. KITCHEN - DAY

Louisa is carrying a pail of hot water. She tests it with her hand and considers it satisfactory. Dave is sitting in a washtub taking a bath, scrubbing with soap.

 LOUISA
 Scrub real good.

She pours the hot water over him and into the tub. He yells out.

 DAVE
 That's hot. Watch it.

 LOUISA
 The better to clean that grime
 away.

 DAVE
 You mean my skin.

She takes the soap from him and scrubs his back as he washes his feet and legs. She scrubs him like laundry, vigorously, and he notices as his body is pushed back and forth.

He stops washing and looks at her. Eventually she notices.

 LOUISA
 What?

He kisses her tenderly. He thinks about something.

 DAVE
 I want to take you away from
 here.

(CONTINUED)

CONTINUED:

She stares at him. That's a nice thought but not very realistic....

LOUISA

Well, you keep washing up, young man.

She kisses him again and then stands up and dries her hands on an apron. She changes the subject.

LOUISA (CONT'D)

Have you heard from Pete?

Dave hesitates.

DAVE

No. I haven't....

She nods to herself, sadly.

LOUISA

I got more cleaning to do. I left you a towel there.

He watches her get back to work and stops and thinks...

EXT. HUTCHINSON CITY - DAY

Dave and his men are sitting around outside Sal's. He's reading a dimestore gazette. The illustration on the magazine speaks of some sensational HOLDUP, GUNS blazing, GUNSMOKE, BULLETS.

The look in his eyes is of ADMIRATION.

Louisa crosses the street from an errand, heading back to Sal's. Dave hears her and looks up. She smiles at Dave but NOTICES that he's with these OTHER MEN, which tempers her mood.

She walks up to Sal's door and stops next to Dave.

DAVE

Hey, doll. These are the boys I told you about.

She nods at them, but doesn't like the looks of them.

LOUISA

Good morning, gentlemen.

They nod back and politely gesture their salutations. They're bandits but they recognize a lady, which actually prompts one of them to go so far as to get halfway up.

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CONTINUED:

DAVE

Sal got you working?

LOUISA

Yeah. I've got to get this inside.

She barges in and Dave notices. He follows her with his gaze. The doors close behind her. He returns to his magazine. The men are looking at him. He looks at them individually until they look away.

EXT. GRADY

Andrew rides, on a new horse, into Grady and stops at the jail. He dismounts and pats the horse's neck muttering reassurances to it. He goes inside the jailer's office.

INT. GRADY JAIL

The jailer looks up from his desk and sees Andrew.

JAILER

You the marshal?

He notices Andrew's trousers and eyes him.

ANDREW

Yeah.

JAILER

That was quick.

The jailer stands up and leads Andrew out the door.

JAILER (CONT'D)

A bank stagecoach was robbed.

EXT. GRADY

The jailer leads Andrew across the dirt street.

ANDREW

What did they get?

The jailer looks at Andrew significantly.

JAILER

Nothing. It was on its way to a pickup.

ANDREW

What happened to the driver?

(CONTINUED)

CONTINUED:

JAILER

The driver and his assistant were killed.

Andrew pauses in the middle of the street and looks at the jailer. They continue across.

JAILER (CONT'D)

You know who did it?

ANDREW

There's been a host of raids. It looks like they've led here.

The jailer frowns at him as they reach the undertaker's establishment. The jailer opens the door and allows Andrew to step inside.

INT. SAL'S

Dave and his men are sitting around in the saloon at a round table. Red walks in and joins them.

RED

The bank puts a payroll on the train heading east.

He turns a chair around and sits down focusing on Dave.

RED (CONT'D)

It's the afternoon train.

DAVE

That train makes a few other stops before here, on its way to Chattanooga.

He looks at his men sitting around him.

DAVE (CONT'D)

It should be loaded down with a lot of money.

RED

The railroad pays out on Friday.

DAVE

They get their payroll on Thursday.

RED

Yeah.

Dave smiles and sits back.

(CONTINUED)

CONTINUED:

DAVE

Then we've got some work to do.

He notices Louisa pause by the door to the kitchen. He smiles at her but she doesn't return the smile. She goes into the kitchen abruptly.

Dave shrugs and gets up from the table, thinking. He prods Jethro, who's sitting nearest to him.

DAVE (CONT'D)

Get the horses ready.

Jethro nods as Dave walks away.

INT. KITCHEN

Dave enters and finds Louisa washing dishes in a tub. She glances at him and is obviously upset. He saunters over to her with a devilish smile.

DAVE

Hey little girl, how's it going?

She looks at him, with a deadpan expression.

DAVE (CONT'D)

What's the matter?

She stops what she's doing and faces him.

LOUISA

What are you doing, Dave?

He doesn't understand the question.

LOUISA (CONT'D)

What are you doing with those men?

He stops smiling, taking her seriously. She sees that he still doesn't understand her.

LOUISA (CONT'D)

I can spot bandits as well as anyone, and those men....

(pause)

What are you doing?

He looks into her eyes, seriously. She stares back.

LOUISA (CONT'D)

Robbing? Stealing? Is that it?

(CONTINUED)

CONTINUED:

Dave shifts uncomfortably. Louisa has enough of an answer to confirm her fears.

LOUISA (CONT'D)

There's work to be done—

DAVE

(interrupting)

Oh come on, Louisa! There's nothing left. It's over—

LOUISA

(interrupting)

The railroad is rebuilding—

DAVE

(interrupting)

The Union railroad? I didn't fight a war to break my back building a railroad for Yankees.

LOUISA

That railroad is right here, not up North. And it's a sure sight better than robbing.

DAVE

You lost your farm. Our ranch is gone. There's nothing left to rebuild. Now you want me to work like some defeated—

She shakes her head.

LOUISA

(interrupting)

I want you to be the man I knew. Not a bandit.

(pause, pleading)

Having you here reminds me of the good times... and I haven't been this happy in ages.

(pause)

But, I don't like what I'm seeing.

Dave drops his hands in frustration.

DAVE

What do you see, Lou? What do you see? You think they're gonna' trust us Southern boys doing any real work? After they took all we had?

(CONTINUED)

CONTINUED:

LOUISA

Took what? It's over. The War
is over!

Dave stands up straighter, puffing himself up.

DAVE

No. This is over. The South is
over—

LOUISA

(interrupting)
So you are stealing.

DAVE

I'm taking what's mine.

She shakes her head at him, disappointedly.

LOUISA

I never thought I'd see the day.

DAVE

I never thought I'd see the day
either. But, that was before the
war.

He stares at her. She's saddened by his claim. He turns
around and walks out of the kitchen. He stops at the door
and looks back.

DAVE (CONT'D)

I'm working on something. If it
works out, I'd sure like it if
you'd come with me.

She stares at him but doesn't respond. He waits, but
then...

DAVE (CONT'D)

I'll see you in a few days.

She watches him close the door.

INT. LOCOMOTIVE - DAY

Two train engineers man the big locomotive. One of the
engineers watches the tracks as the other heaps some more
shovelfuls of coal into the furnace. The train chugs along
the tracks at a leisurely pace.

EXT. RAILROAD TRACKS

It's a long train with two coal cars and several full passenger cars. The train meanders through the hills. As it clears a hilly area it enters a flatter, more open terrain.

Dave, Red, and Scar are waiting on the tracks ahead of the train. Dave takes out his rifle and AIMS at the LOCOMOTIVE heading towards them. As if he were going to STOP a train with a BULLET.

INT. LOCOMOTIVE - (CONTINUOUS)

The First engineer is still watching the tracks in front. He's bored with his routine and it takes an extra something to get his attention.

Dave fires his rifle.

The bullet hits the locomotive, near the engine house, making a LOUD KLANG and a RICOCHET.

The First engineer jumps and spots the three men on horseback straddling the tracks ahead of his train. He starts grumbling and yanks the train whistle a few times.

The men stay on the tracks.

FIRST ENGINEER

Damn it! Pull the brake!

The second engineer opens a valve releasing steam from the pistons as the first engineer pulls the brake hard.

OUTSIDE: The wheels on the locomotive brake and then lock in place as sparks shoot out.

The two engineers work furiously to stop the train. People in the cars stumble off-balance as the train abruptly SLOWS down. A few shrieks and groans emanate from the crowd as they clutch at handholds.

EXT. RAILROAD TRACKS - (CONTINUOUS)

The train screeches to a halt just paces from the three men standing on the tracks. Immediately, Alex and Jethro appear from the treeline on either side of the passenger cars and fire their pistols in the air.

ALEX

Nobody move!

JETHRO

Everybody stay put!

(CONTINUED)

CONTINUED:

Dave and his two men ride up to the locomotive doors. The first engineer is starting to climb down as Dave greets him with his pistol. Dave sees both engineers

DAVE

You two, jump down here and keep your mouths shut.

The engineers climb down. A train CONDUCTOR pokes his head out from a passenger car.

CONDUCTOR

What's the matter, Tagg?

He sees the bandits and the engineers with their hands up. He gulps visibly and his EYES BUG OUT. Alex rides up to him.

ALEX

Where's the payroll?

CONDUCTOR

What payroll?

Alex fires a few inches away from the man, hitting the wood of the passenger car, behind him.

ALEX

Get down and show me!

The conductor understands now and hobbles down and hurries to the end of the train to a windowless car. Dave spurs forward and turns to Red and points at the engineers.

DAVE

Stay with them.

He rides down the length of the train with Scar and joins Alex.

Jethro watches the other side of the train with his pistol in one hand and a rifle in the other.

Dave jumps off his horse and climbs onto the train following the conductor.

The door of the train car slides open as a MAN with a pistol catches Alex off guard. But Dave catches the man off guard as he shoves the conductor into him.

Dave reaches the man and disarms him and then pokes him with his own pistol. He looks at Alex.

(CONTINUED)

CONTINUED:

DAVE (CONT'D)

Get up here.

Alex gets off his horse and climbs onto the car. Dave forces the man he disarmed over to a stack of bags.

DAVE (CONT'D)

Help unload these bags.

Dave opens one of the bags and looks inside at hundreds of bills of Federal money. HE SMILES.

He closes the bag and tosses it outside. Alex tosses several bags out as well. Scar hoists the bags onto their horses and ties them down. Dave and Alex have emptied the car of money bags.

He looks around and spots some empty mail bags. He points them out to Alex.

DAVE (CONT'D)

Git those!

Alex grabs them. Dave takes one.

DAVE (CONT'D)

Put it over his head.

Dave points out the disarmed guard. Alex shoves the mail bag over the man's head, shoulders, and arms, down to his waist. Dave tosses him the second bag. Alex does the same for the train conductor.

DAVE (CONT'D)

Keep quiet and we'll kill ya' quickly.

CONDUCTOR

Oh Lord?!?

DAVE

I said "keep quiet!"

Dave cinches up the bags, tying a knot, and then ties the two "bagged" men together with a rope.

DAVE (CONT'D)

Now sit down!

The two "packaged" men clumsily sit down, or try to. Dave waves Alex out of the car with his pistol and then fires two SHOTS into the CEILING before jumping out himself.

(CONTINUED)

CONTINUED:

CONDUCTOR

(muffled)

Oh God!

Dave leaps onto his horse. They wheel around and ride off at full gallop. Red passes, seconds later, catching up to them. They leave a dust trail along the railroad tracks as they make their escape.

INT. RAILROAD OFFICE

The engineer, and his second, and the train conductor and the guard are sitting on one side of a table in a room at a train station.

The room has windows that look out to the busy street and windows that look into the rest of the station and other offices. All four men are nervous.

A man in a THREE-PIECE SUIT is pacing back and forth behind them. Several other "assistants" are standing by.

SHERIFF JOHNSON is sitting in a chair adjacent to the table. The door opens and Andrew steps into the room. He glances around the room.

The man in the three-piece suit, E. A. HARRIMAN, stops and turns. He walks up to the Marshal. He clamps a cigar in his mouth and extends his hand.

HARRIMAN

You the Marshal?

ANDREW

Marshal Coll. And you are-

HARRIMAN

(interrupting)

I'm Mr. Harriman. Vice President of the Memphis/Little Rock Railroad. We're part of the Southern Mississippi Railroad-

ANDREW

(interrupting)

Who are these men?

HARRIMAN

Uh, these men are my secretaries, and that's the Vice President-

(CONTINUED)

CONTINUED:

ANDREW
(interrupting)
Has anyone spoken with these men
yet?

HARRIMAN
Uh,... no. Not really--

ANDREW
(interrupting)
Good. Would you please excuse me
then?

Harriman stares at Andrew. He blinks uncomprehendingly. Andrew stares back. He then gestures with his arm for the men to go out through the door. Harriman looks around, chomps on his cigar and then figures it out.

HARRIMAN
Why don't we give you a sec'.

ANDREW
That would be good.

Harriman hesitates and then leads his entourage outside. Andrew closes the door firmly behind them. He turns to Sheriff Johnson who's eyeing his trousers.

ANDREW (CONT'D)
You Sheriff Johnson?

Sheriff Johnson stands, but he still gives him attitude.

JOHNSON
Yessir.

ANDREW
Have you separate rooms you could
put these men in?

JOHNSON
Separate rooms?

ANDREW
One for each?

JOHNSON
I suppose so.

ANDREW
I don't want them talking to each
other.
(pause)

I'll talk to the engineer first,
(MORE)

(CONTINUED)

CONTINUED:

ANDREW (CONT'D)
then to the other three
individually.

Johnson nods slowly. The men look at Andrew nervously.

ANDREW (CONT'D)
You got someone who can take
notes?

JOHNSON
Sure.

ANDREW
Great. Send them in.

JOHNSON
Alright.

The Sheriff shepherds the other three men out of the room.

The Sheriff sends in a deputy with a ledger and a pencil.
The deputy sits down and waits. Andrew draws a chair up to
the table opposite the First engineer. The engineer gulps.

ANDREW
What's your name?

FIRST ENGINEER
Taggert, Richard Taggert.

ANDREW
Good. Mr. Taggert, what did you
see?

FIRST ENGINEER
Well, I saw three men on the
tracks ahead and I had to pull
the brake, they weren't gettin'
off.

Andrew glances at the deputy who isn't doing anything. The
deputy glances at Andrew and suddenly realizes he should be
taking notes. Andrew turns back to the engineer.

ANDREW
How many men were there total?

FIRST ENGINEER
I think four, or maybe five. The
three I said and another'un on
down the train.

ANDREW
Was there a leader?

(CONTINUED)

CONTINUED:

FIRST ENGINEER

I guess so.

ANDREW

Could you say who that was?

FIRST ENGINEER

I don't know him.

ANDREW

Could you tell if one of the men was the leader?

FIRST ENGINEER

Oh. Well, I suppose. Maybe.

Andrew waits. The engineer does too.

ANDREW

And?

FIRST ENGINEER

Oh. I think it was one of the three.

Andrew stares at the engineer.

ANDREW

What did he look like?

FIRST ENGINEER

He was kind'a normal lookin'.

ANDREW

Normal lookin'.

FIRST ENGINEER

Yeah, kind'a.

Andrew stares at the engineer longer this time.

EXT. MINE

It's a bright, hot, sunny day.

Dave and his men are stopped at a shack at an abandoned mine.

Dave is squatting on his haunches, picking at a clump of weeds on the ground. The rest of the men are checking out the area. The sun beats down on them.

Dave pulls his hat forward to ward off the sun's rays. Scar approaches Dave from the shack.

(CONTINUED)

CONTINUED:

SCAR

They ain't nobody here, Dave.

Dave turns to look at him, questioningly.

SCAR (CONT'D)

Ain't been anybody for ages.

DAVE

Find a place to stash the loot.

Scar takes off in search. Dave stands up and tosses aside the bits of weed he was playing with. He walks over to his horse and checks the bindings on his saddle, loosening them.

He spots Peter's old gun and takes it out of its holster. He studies it as he turns it slowly. He aims at a bush nearby, thinking. He stops and looks at the gun, up close, again.

He flips it around and puts it away, sighing deeply.

He walks over to the shack and enters.

INT. SHACK

The shack is covered in dust and it's clear that nobody has disturbed it in years. Dave opens some windows and looks around the cabinets and cupboards.

He finds a bucket and looks out the window and sees Red at a nearby pump, cranking water out of the ground. The spigot spits and splatters brown water at first. Then clear water comes up. Dave walks to the door.

DAVE

Red. Bring in some water.

Dave tosses the bucket towards him and Red walks over and picks it up. Dave leans against the door jamb, contemplating their situation.

INT. RAILROAD OFFICE

Andrew is now interviewing the train conductor in another room. They're sitting at a desk.

CONDUCTOR

He then put mail bags over our heads, tied us up and left us there. I was sure he was goin'a kill us. Right where we was!

(CONTINUED)

CONTINUED:

The conductor is worked up retelling the story. Andrew nods at him.

ANDREW

How many men were there?

CONDUCTOR

I believe it was five. I saw one man with a rifle on the other side of the train, keeping guard.

ANDREW

Did you notice anything else?

CONDUCTOR

Nope. Can't say as I did.

ANDREW

Very well, sir. Thanks for your time.

Andrew stands up from the desk. The conductor watches him from his seat.

CONDUCTOR

What you goin'a do?

ANDREW

We're going to stop these men.
(pause)
Thank you.

The conductor stands and awkwardly shakes hands with Andrew.

CONDUCTOR

Thank you.

Andrew shows him out of the office and walks over to Sheriff Johnson.

ANDREW

Can you put a posse together, Sheriff?

Sheriff Johnson seems surprised.

JOHNSON

Sure can. You got some idea?

ANDREW

Yes I do.

(CONTINUED)

CONTINUED:

JOHNSON

How many men you want?

ANDREW

How many can you get?

He thinks about it. Andrew collects some of his things and heads outside.

EXT. HUTCHINSON CITY

Andrew exits the railroad office and looks around the street. He spots a saloon and heads for it.

The street traffic is pretty busy, carriages, wagons, horses, people walking around, some of them carrying different things. Andrew wends his way around the street until he reaches Sal's place.

He looks around, one last time, for a better choice but there isn't one.

INT. SAL'S

He steps inside and walks over to the bar. Sally is behind the bar, keeping watch. She smiles at Andrew as he approaches.

SAL

How can I help you, young man?

ANDREW

Just came in for something to drink.

SAL

Well, step on up. You've come to the right place.

She grabs a whiskey bottle and shows it to Andrew. He nods and she pours him two fingers worth. He fishes out some coins and raps them on the counter.

ANDREW

Thanks.

SAL

No problem.

Andrew takes his drink and turns around, looking outside at the dusty bustle on the street.

The kitchen door opens as Louisa steps out and Andrew turns to look at her. He recognizes her, half smiling.

(CONTINUED)

CONTINUED:

She's doing chores, carrying out a tray of clean glasses. She goes behind the bar to store the glasses. Sally watches Andrew's newfound interest in her. She shakes her head.

SAL (CONT'D)
I gotta' put that girl to work.

Andrew glances at her.

SAL (CONT'D)
You the second fella' who took a shine to her.

ANDREW
That so?

Andrew walks down the bar towards Louisa.

She stops and looks up at him. She's shocked. She breaks into a smile. She comes around the bar to greet Andrew.

LOUISA
Andrew? What are you doing here?

ANDREW
I'm about to ask you that.

They hug long and hard.

LOUISA
It's not what you think.

He appraises her obvious doing-of-chores.

ANDREW
I hear ya'.

She gets serious.

LOUISA
Are you still... in the army?

ANDREW
They need the law more than they need soldiers. I'm a federal marshal now.

She nods solemnly.

LOUISA
Have you seen Dave?

He looks at her in surprise.

(CONTINUED)

CONTINUED:

LOUISA (CONT'D)

He's here. He's been here.

Andrew points where they're standing. He's a bit flustered.

ANDREW

Dave? No, I haven't seen him.
What's he up to?

Louisa looks in his eyes.

LOUISA

I don't know.

Andrew can tell she knows but doesn't want to elaborate.

ANDREW

What is it?

LOUISA

I don't like it.

ANDREW

Don't like what?

LOUISA

I don't like the kind he's
associating with.

(pause)

Common scoundrels.

Andrew nods at her.

ANDREW

How long has he been here?

LOUISA

A week or so.

He drops his head, thinking.

LOUISA (CONT'D)

Have you... talked to him?
Since?

Andrew looks up at her. She's apprehensive.

ANDREW

Not since I left for the war.

LOUISA

Your parents were heartbroken.

(CONTINUED)

CONTINUED:

ANDREW

The Confederacy couldn't—

LOUISA

(interrupting)

No! It's not that! They understood your decision. Kinda'.

(pause)

It was the break between you two. That broke their hearts. But they respected you—

ANDREW

(interrupting)

It was plain foolishness to split up this country. No good would come of it.

He gestures frustratedly with a fist.

ANDREW (CONT'D)

Maybe now he understands...

He smiles at Louisa, stopping himself.

ANDREW (CONT'D)

Who am I kidding?

LOUISA

You always were more...grown up.

They stare at each other for a long time.

ANDREW

How about your folks?

He knows the answer by looking at her face. She smiles sadly.

LOUISA

They're gone too.

(pause)

You heard about your ma and pa?

ANDREW

I got a letter. Old Solomon took care of them.

(pause)

I visited their graves....

(pause)

I think they'd like it.

(CONTINUED)

CONTINUED:

He smiles, coming back to the present.

ANDREW (CONT'D)

You haven't changed though.

She smiles and gestures him away, embarrassed.

LOUISA

You're blind, Andrew. That's what's different about you.

ANDREW

No I'm not. You look wonderful.

He smiles tenderly at her and she smiles back.

LOUISA

It's been a long time.

ANDREW

Certainly.

LOUISA

Are you hungry?

He thinks about it and nods.

ANDREW

Sure.

LOUISA

I was about to make my lunch.

She finishes putting the glasses away and sets the tray aside.

LOUISA (CONT'D)

Will you join me?

ANDREW

I'd love to.

EXT. HUTCHINSON CITY

Louisa and Andrew have finished eating lunch, sandwiches. They're sitting on a wagon behind Sal's, looking out on the land of dry brush and bushes and the far-off mountains.

She takes a swig from a glass bottle of water and offers it to Andrew. He takes a drink from it. Louisa's mood dips.

LOUISA

I'm sorry you had to see me here. Working here that is.

(CONTINUED)

CONTINUED:

Andrew looks at her, not understanding at first, then compassion takes over.

ANDREW

What? Oh don't be silly.

LOUISA

It's not a proper place for a girl.

ANDREW

I don't think Sal would agree with you.

He smiles and she laughs.

LOUISA

Still.

ANDREW

We've all been through a lot.

She squints at him, in the midday sun.

ANDREW (CONT'D)

We've all had to do things we didn't want to. To survive.

She nods.

LOUISA

That's a fact.

ANDREW

You've got nothing to be ashamed of. Definitely not with me.

LOUISA

Thank you.

ANDREW

It looks like a good place and it's honest work.

She rolls her eyes. He watches her for a while, studying her, trying to see into her mind. He's very compassionate about her. She glances at him. He smiles. She looks away. He lets out a sigh.

ANDREW (CONT'D)

What did Dave say?

LOUISA

Dave? About what?

(CONTINUED)

CONTINUED:

ANDREW

Where he's been? What he's been doing?

LOUISA

The War's made him bitter. He was always headstrong... but this....

Andrew listens intently.

LOUISA (CONT'D)

He didn't tell me anything specific.

(pause)

I accused him of no good.

(pause)

But he wouldn't say what he was doing.

ANDREW

Did he mention Pete?

LOUISA

He said he hadn't heard from him.

ANDREW

How many of them were there?

She thinks about Dave and his crew. She counts on her fingers.

LOUISA

I think it was five. Dave and four others.

Andrew looks very serious suddenly.

LOUISA (CONT'D)

Why?

He shakes his head, gnawing on a lip.

ANDREW

Nothing.

LOUISA

I told him how I felt about it.

She looks at Andrew for support. She looks defeated.

ANDREW

He never much cared for what others think.

(CONTINUED)

CONTINUED:

She nods.

ANDREW (CONT'D)
Did he say he was coming back?

LOUISA
Yeah. Soon.

ANDREW
When?

LOUISA
Any day I guess.

Andrew nods to himself, thinking. Now it's her turn to study him. He stares off at the distant mountains.

LOUISA (CONT'D)
Why is he doing this?

Andrew continues thinking. Gradually he turns his attention to her and looks into her eyes. No matter how hard he tries to come up with an explanation for Dave's behavior, he can't.

Andrew just stares at her and shrugs slightly, frowning. She nods slowly and then looks away.

LOUISA (CONT'D)
Yeah.

Andrew stands up and shakes his legs out.

ANDREW
Well, I gotta go.

Louisa keeps her head down. Andrew approaches her and puts an arm around her shoulders. She looks up at him. He looks down into her face.

He could easily kiss her.
But....
He leans in and kisses her hairline.

ANDREW (CONT'D)
I'll be back.

She hugs him. When they part he steps back and smiles at her.

ANDREW (CONT'D)
It's great seeing you.

(CONTINUED)

INT. LOCOMOTIVE

The same engineers as before are manning the locomotive, working away at making their train run efficiently. The first engineer looks out the window as the train makes it around a bend onto the straightaway.

He spots Dave and his men on the tracks, in the distance.

EXT. RAILROAD TRACKS

Dave takes out his rifle and aims, as before, at the locomotive. He FIRES two quick rounds.

INT. LOCOMOTIVE

The bullets TWANG and WHINE, RICOCHETING off the locomotive. The engineer DUCKS as one RICOCHET goes through the window. The second engineer jumps and LOOKS at his partner.

FIRST ENGINEER

Damn it!

SECOND ENGINEER

What was that?

FIRST ENGINEER

What do you think?

He looks at the first engineer with a horrified expression. The first engineer immediately turns some valves and YANKS on the TRAIN WHISTLE three times followed by two times.

He repeats the train whistle, three times and then two times. He turns to his second.

FIRST ENGINEER (CONT'D)

More speed!

SECOND ENGINEER

What?

FIRST ENGINEER

I said more speed! Shovel some more!

The second engineer shovels more coal from the pile in the engine house into the furnace. The locomotive gets hotter and pumps faster and pulls the train, accelerating.

FIRST ENGINEER (CONT'D)

I ain't gonna' give so easy this time.

(CONTINUED)

CONTINUED:

Another shot ricochets off the locomotive making him duck again.

EXT. RAILROAD TRACKS

Dave fires a fourth shot.

DAVE

Damnit!

The TRAIN chugs noisily towards them without slowing. They scramble off the tracks as the train approaches them. ...And then PASSES them.

The engineers are too busy in their duties to look as the locomotive passes the bandits. But Dave and his crew, on either side of the train, look up at the FACES that look DOWN at them from the train.

People in the passenger cars peek out at the bandits below. The bandits watch the train pass.

DAVE (CONT'D)

God damnit!

He angrily slides the rifle into its holster. He wheels his horse around and spurs it to chase after the train. The caboose is almost on them as he sprints beside the train. His men wheel around as well and give chase.

The TRAIN CONDUCTOR inside the train spots the bandits with an astonished expression on his face.

Dave is in full gallop as his horse furiously chases the train. He gains on the locomotive as the train enters the flatter more open area of land, coming out from the mountains.

Scar and Jethro catch up to Dave, in full gallop.

Dave manages to gain on the coal car behind the locomotive and gradually gets closer to the locomotive itself with each furious, panting, gallop of his horse. The horse's sure FEET chew the ground underneath, surging forward.

Dave pulls out his pistol. He fires two shots into the engine house as he gains on the locomotive. The bullets RICOCHET around the engine house without effect. The engineers duck and keep their train speeding.

DAVE (CONT'D)

Stop this train!

(CONTINUED)

CONTINUED:

FIRST ENGINEER
(muffled)
No way!

Dave is furious. With his gun in his right hand he uses one of his reins to WHIP his horse, LEFT and RIGHT. He ekes out some more speed from the animal.

Dave stands up in his saddle. He leans his horse closer to the locomotive.

The horse is panting heavily as it rides closer to a handhold on the side of the locomotive.

Dave puts his gun away. He whips his horse again. He reaches out with his hand to grab the handhold. The horse is galloping violently. Steadily. Dave crouches a bit.

The engineer blows his whistle again. Dave jumps. He GRABS the handhold.

And HOLDS ON.

His horse rides off without him and slows down. Scar veers off to get it. Dave pulls himself up by the handhold, with both arms.

INT. LOCOMOTIVE

Dave climbs into the engine house and immediately pulls his gun, gasping for breath. He aims at the first engineer.

DAVE
STOP THIS TRAIN!

FIRST ENGINEER
No!

The engineer doesn't look over.

DAVE
Stop this train!

He fires a warning shot. The engineer glances at him. He suddenly realizes that Dave's climbed onboard.

FIRST ENGINEER
Oh God!

DAVE
Stop the train!

He walks over to him, grabs him by the shirt while poking him with the pistol.

(CONTINUED)

CONTINUED:

DAVE (CONT'D)

Do it!

The first engineer nods nervously, afraid. Dave glances at the second engineer who stops shoveling. Dave pulls out his other gun. He points it at the second engineer.

DAVE (CONT'D)

Help him.

The first engineer opens valves and releases steam. A big geyser of steam plumes out of the stack on the locomotive. The second engineer grabs the brake and pulls back hard.

Dave teeters but keeps his balance. Dave steps back, holding them at gunpoint as they stop the train. It takes a lot of work and time

...to slow the train down.

From the other side of the train Alex climbs onboard, repeating the same stunt Dave did, only with the train slowing down a bit.

Alex gets to his feet in the engine house and pulls his gun and tugs on his moustache anxiously.

Dave is SPITTING MAD holding his pistols, white-knuckled.

The engineers pull more levers and open more valves as the train...

comes to a...

Stop.

The first engineer turns around afraid.

DAVE (CONT'D)

Hands up!

The first engineer throws his hands up. Dave shoots him, killing him. The second throws his hands up too, terrified.

SECOND ENGINEER

Please mister. Don't do anyth-

DAVE

Shutup!

Dave kills him too. Alex is surprised by Dave but stands by. Dave approaches the first engineer and grabs him by the shirt and tugs on him, making sure he's dead. Dave steps back and then kicks him.

(CONTINUED)

CONTINUED:

DAVE (CONT'D)

Old bastard!

Dave turns, puts away one pistol, and leans out of the locomotive looking back down the tracks. He sees Scar and Jethro are riding up to the locomotive. Scar rides up presenting Dave with his horse.

EXT. RAILROAD TRACKS

Dave climbs down and gets on his horse. He spurs forward and the three ride down the length of the train to the first of the windowless cars on the train.

Dave spots the train conductor SNOOPING from the passenger car. He jumps off his horse and climbs the passenger car.

Inside the passenger car he grabs the conductor and drags him outside. Dave points at Scar and Jethro with his chin, holding his pistol on the conductor.

DAVE

Open the doors.

Scar nods and rides up closer, jumps off his horse and starts to unlatch the sliding door.

Dave drags the conductor off the train to the ground. Scar slides the door aside while Jethro covers him from his horse.

ANDREW IS INSIDE with some other men. He already has his GUN out as Jethro makes a move. Andrew fires, knocking JETHRO off his horse. Scar is startled and goes for his pistol as he rears back on his heels.

ANDREW

Don't!

Scar doesn't listen. He draws his gun and squeezes off a wild shot. Andrew shoots him, hitting him in the shoulder, spinning him around.

Dave witnesses this and starts walking backwards with the conductor as a shield. As Andrew pokes his head out of the car, to look, Dave fires a wild shot at him, making him duck.

ANDREW (CONT'D)

Drop your guns!

Andrew saw Dave. He recognized his brother and tries to catch his breath. Dave is wide-eyed. He walks back to his horse pulling the conductor along until he stops him.

(CONTINUED)

CONTINUED:

DAVE
(to the conductor)
Stay right there.

Andrew jumps down suddenly from the train car and aims at Dave. Andrew is sickened by the confirmation that it is Dave. Dave too is shocked to see Andrew as he blinks repeatedly.

DAVE (CONT'D)
Don't do it. I'll kill him.

But Andrew keeps his aim. Dave mounts his horse the whole time pointing his gun at the conductor. Andrew moves to his side, putting Dave's horse's head in the way.

ANDREW
What are you doing, Dave? Drop
your gun. Don't do this.

Dave glares at Andrew and his Union trousers and badge. Andrew stares back at his older brother, haggard from years of war.

DAVE
You're alive.

ANDREW
So are you.

A moment passes as their enmity surfaces.

ANDREW (CONT'D)
You can't get away with this.
This isn't right.

DAVE
I suppose you know what's
"right."

Andrew stares at Dave, wondering who he's looking at. Dave does basically the same thing. Dave raises his gun and gets a better grip of his reins.

ANDREW
I may not know what's "right."
But, I know this isn't it. Don't
do this.

Some men jump off the train car beside Andrew. Dave SHOTS the conductor, killing him. The conductor drops to his knees first, before landing on his face. Andrew hesitates as Dave wheels around and spurs his tired horse.

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CONTINUED:

Scar gets up and turns with a pistol. Andrew shoots him, killing him. Andrew turns to one of his posse.

ANDREW (CONT'D)

Unload the horses.

The doors of the second windowless car are already sliding back. Three men take out a wooden ramp and place it at the doors.

A posse of men Andrew has deputized bring their horses out of the train car. One of the men brings Andrew his horse.

ANDREW (CONT'D)

(to the horse)

Alright girl!

He mounts his horse and looks at the progress of the rest. As soon as several of them are mounted he leads them off at full gallop.

Dave and Alex are riding fast as they pass the locomotive. Red is waiting ahead, having heard the ruckus.

RED

What's going on?

DAVE

Ride!

He wheels around and joins them. Dave turns around in his saddle, looking back. He stows his pistol and takes out his rifle. The three of them ride along the train tracks and then veer off onto the flat land.

Andrew and five mounted men clear the locomotive seconds later.

EXT. PRAIRIE

Andrew is crouching forward, raised up slightly in his saddle, absorbing the shock with his legs, as his horse gallops. There's an intense, pained look in his eyes as he chases the three bandits across the terrain.

Dave is in the same position, on his horse. In one hand he holds the rifle by the lock, in the other hand he holds the reins, up short, and periodically he whips his horse, left and right.

He loosens his grip on the reins and wraps them around one arm. He straightens up in his saddle and twists around, balancing on his legs and aims the rifle at their pursuers. He fires.

(CONTINUED)

CONTINUED:

He fires again.
He fires a third time.

A horse next to Andrew is hit and it pitches, immediately throwing the rider.
Andrew keeps riding. He takes out his rifle from its holster.

It's easier for him to ride and aim, going in the same direction. He does the same thing Dave did, wrapping the reins around his forearm and aiming the rifle.

He shoots back a few times.
Another rider in his posse does the same thing.

Dave ducks down out of paranoia. He glances at Red and Alex.

DAVE
Split up!

RED
What?

DAVE
Break it up.

Immediately the three riders break apart from the "V" formation they naturally took. Alex aims his pistol backwards and fires a few shots, evenly spaced, to harry their pursuers. Red does so too.

Dave looks back and then forward.

DAVE (CONT'D)
Split up and we'll meet at the mine.

RED
At the mine.

ALEX
At the mine.

Dave nods at them and veers his horse to the left crossing in front of Alex. He sees a gulch and rides towards it. Alex veers RIGHT after deliberating.

Red fires some more shots and continues straight. He reloads his pistol as he's riding, full gallop. He looks back at his PURSUERS who have broken up into THREE GROUPS of two or three.

Andrew is following Dave, with two other riders. He fires his rifle three times, quickly.

Dave hugs his horse's neck making a low profile. He can see a gulch or dry river bed up ahead. As he approaches

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the edge he realizes it's more of a cliff than anything. He pulls up hard on the reins, stopping his horse in a cloud of dust.

Shots are still being fired at him. He spurs the horse and rides along the edge looking for a way down.

DAVE (CONT'D)
Comeon, comeon, comeon!

He finds a dip. Good enough.

He rides down and forces the horse to jump down the rest of the way, clumsily. But he's successful. He looks both ways, deliberating.

Andrew and his two deputies ride up to the plume of dust and dirt, left by Dave's horse, that's dissipating in the wind.

ANDREW
Watch out.

He waves the men to FLANK the area where Dave stopped. Andrew aims his rifle tentatively, waiting for the dust to clear. He glances around quickly for signs of Dave's escape. He spots dust rising from the dry river bed to the left.

ANDREW (CONT'D)
There!

The man on his left sees it. The other one does too. They regroup at the edge looking for a way down. Andrew guesses at a way and rides over the edge in a leap.

EXT. DRY RIVER BED

His horse lands violently in the river bed. He pats his horse gratefully. His deputies follow more cautiously. Andrew looks and then spurs forward with a cry.

Dave is riding a slalom, as it were. The dry river bed is full of bends and turns and bushes and shrubs are growing throughout.

It slows his progress and makes for very violent riding, turning one way then the another, speeding up, slowing down.

Andrew quickly discovers the same problem. Although he's intent he's careful not to ride into an ambush. He peers at every corner and nook.

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CONTINUED:

Dave pushes through his patch. Andrew rides through the same areas Dave's passed.

Dave finds another eroded, shallow area. He rides over to the edge and stands up in his saddle, peering across the prairie.

He rides up, out of the river bed. He rides for a bit and then back into the river bed using another eroded bank. He kicks his horse into a full gallop again.

Andrew rides into the shallow area and immediately sees the possibilities. He slows down and looks around. He studies the ground for tracks.

He rides up the bank to the prairie. He crouches low in his saddle to keep from being an easy target. He looks around quickly for dust trails.

He can't see any obvious signs of flight. He studies the river bed ahead. Maybe there's dust coming from it.

Yes, it's dust.

He rides forward and stays outside of the river bed. His deputies catch up to him. One rides up and out and the other stays in the river bed. They glance at each other communicating with their looks and their barrels.

They spur forward a little faster.

Dave is pushing his exhausted, panting horse through a wider area of the river bed. He's looking around desperately. He rides for a distance and finds a cut on the right hand bank. He stops there and jumps off.

He climbs up the bank and looks back.

He can see Andrew riding on the opposite side a way back. He can see that Andrew is studying the ground in front of him, careful not to stumble onto Dave unprepared. He infrequently looks ahead.

Dave watches, panting, trying to keep his breathing quiet. His horse is noisy, but he can't do anything about that. He watches Andrew with an odd expression on his face. It's something like pain, as if from a burden or puzzle.

Each movement Andrew makes prompts little physical reactions from Dave. He brings his rifle up and slides it on the ground, careful not to reflect a telltale gleam. He aims it at Andrew. He watches him over his sights.

(CONTINUED)

CONTINUED:

DAVE
(whispered)
Get down, get down, get down.
(pause)
Damn it.

He cocks the hammer back.

DAVE (CONT'D)
Get down, you blue bastard.

Something prompts Andrew to ride back down into the river bed.

Dave rises a bit to check and waits a moment, then he jumps back down to his horse, in the dry river bed, and tugs on the reins forcing it to climb up the cut in the bank.

With his horse on the prairie level Dave jumps back into the cut and kicks the horses tracks apart. It's not perfect, but they're less obvious.

He climbs out of the river bed, takes the horse's reins and pulls it forward away from there.

After a few yards he climbs back on and rides away a further distance. He looks around desperately.

He finds a dip in the terrain. He rides into it, jumps off his horse and then pulling the reins down he forces the horse to kneel. He whispers encouragements in its ear. The horse obeys and he manages to get it to lie down.

The horse is panting and twitching from the exertion. He lays his body over its neck and continues cooing to it.

He aims his rifle over the horse, just in case. He can't see anything in the distance. The dip he's lying in is just enough to hide them.

DAVE (CONT'D)
It's okay girl. That's good.

Andrew and his deputies look around the river bed. They make their way closer to where Dave left the river bed. Andrew spots some tracks and follows them. He spurs his horse forward, faster.

Dave waits nervously.

Andrew and his men pass the cut in the bank too quickly. They look around nervously, constantly alert to an ambush. Andrew studies the river bed ahead and finds a flattened, shallow flood area that would be easy to exit. He rides

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ahead and out of the river bed, onto the prairie. He looks around looking for Dave who seems to have disappeared.

Dave is still keeping low. He can hear a few muffled words and grunts from his pursuers. Off in the distance he hears more gunshots.

Andrew hears them too, turning in their general direction. He whistles for the attention of his deputies. They ride up to him.

ANDREW

Anything?

DEPUTY 1

Nothin'.

DEPUTY 2

Nope.

Andrew looks around unhappily. He shakes his head, tired. More gunshots reach them from faraway.

ANDREW (CONT'D)

Let's go.

Andrew gives up for now and leads them back the way they came, to find the rest of the posse.

EXT. COPSE OF TREES

A clump of trees stands in the prairie where the land dips, en masse, to a lower area.

Alex rides into the midst of the trees and jumps off his horse. He takes his rifle and slaps the horse's rump sending her on her way.

He looks around desperately and climbs a large tree. He finds a perch from which he can watch his pursuers.

The three deputies chasing him, ride up to the area and dismount carefully, looking for Alex. They stay outside of the copse waiting for a sign.

Two of them have rifles, one has pistols. They split up and approach the trees cautiously.

Shots ring out and one of the deputies drops. He clutches his thigh, bleeding.

DEPUTY 3

Damnit!

The others duck and fire back wildly. More shots ring out and they spot leaves in the large tree buffeted by some unseen force.

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DEPUTY 3 (CONT'D)

Up there!

He aims his pistol and the other two get the idea. All three fire at the foliage of the large tree. Moments later, Alex drops out of the tree like a sack of potatoes.

The unhurt deputies approach him, aiming their rifles at the body writhing on the ground. Alex had the wind knocked out of him by the fall, in addition to suffering from his new wounds.

The wounded deputy hobbles closer on his good leg, pointing his pistol at the bandit.

Alex is still clutching his rifle. He tries to turn it towards the two deputies as they approach.

DEPUTY 4

Drop that piece, Mister.

Alex gasps for breath. Several wounds are evident on his upper body and a few in his legs.

DEPUTY 4 (CONT'D)

I said, drop it!

Alex tries to aim at them. The Fourth deputy fires from five feet away. The other deputy adds some shots as together they pump four more bullets into him.

Alex is dead.

Andrew and his two men ride up to them just as the deputies relax, pointing their guns in the air. The fifth deputy spits on Alex's body. Andrew jumps off his horse and walks over to look.

ANDREW

What happened?

DEPUTY 4

We treed him and he shot at us.

(pause)

He got Jake there.

Andrew looks at the injured deputy.

ANDREW

Take him back to the train.

DEPUTY 4

Alright.

(CONTINUED)

CONTINUED:

They grab hold of the injured deputy and help him onto his horse.

Andrew crouches and grabs Alex's rifle. He looks at the lock and reads the manufacturer's mark.

He pilfers the corpse's pockets, finds papers and odds and ends. He grabs Alex's head by the hair and turns it to look directly at his face.

He studies him; another dumb young man... Andrew shakes his head almost imperceptibly. He stands up and turns to his other two deputies.

ANDREW

Let's get him on a horse, head
back.

EXT. HILLS - EVENING

Dave is riding his horse into the hills. He looks back, the way he came, periodically, making sure he isn't followed.

He's holding his pistol in his right hand as he makes his way up the hillside. He rides up to the abandoned mine area.

I/E. MINE

Dave rides into the camp and looks around warily.

RED

Hold it!

Dave looks up nervously. Red steps out from one of the shacks. Dave recognizes him and relaxes. Red drops the gun he was holding on him in hiding. Dave rides up to him and dismounts.

DAVE

You made it.
(pause)
How'd you get away?

Red brandishes his pistol.

RED

I had to plug the two fellas was
chasing me.

Dave nods grimly. He pauses, thinking, and frowns. MORE
DEAD BODIES.

(CONTINUED)

CONTINUED:

RED (CONT'D)
How'd you git away?

DAVE
I outthunk them.

Dave taps his temple.

DAVE (CONT'D)
How's the camp?

RED
Fine. Nobody's been here.

DAVE
Anybody else make it?

Red shakes his head.

Dave takes his horse to the mine entrance and leads it inside. Red follows him. Red's horse is also in the mine entrance, drinking from water in a trough made out of a wheel barrel.

RED
Now what?

Dave looks at him and he unsaddles his horse.

DAVE
The money okay?

Dave peers at him. Red steps back.

RED
Yeah. No problem.

Dave moves his horse to the trough. Red scratches his neck and thinks.

RED (CONT'D)
What happened to Jethro and-

DAVE
(interrupting)
Dead. Shot, by that... lawman.

RED
Lawman?

DAVE
The one leading the posse?

(CONTINUED)

CONTINUED:

RED

Right.

DAVE

Both of them.

Dave walks out and heads to one of the shacks carrying his saddle, rifle, and bedroll.

RED

What are we going to do?

DAVE

We don't have enough money... not enough to go South. Yet.

Red nods nervously and follows Dave, but....

DAVE (CONT'D)

We better rest up and figure things out tomorrow.

EXT. SAL'S

Louisa and some of the working girls are sitting outside at the front doors. Down the main street they can see that a train has pulled into the station. Stella perks up. It's odd to have a train pull in at this time of the evening.

LOUISA

What's going on?

Stella shrugs. Louisa steps off the sidewalk and heads to the train station.

I/E. RAILROAD OFFICE

Andrew and his deputies are unloading the horses and dead bandits. They carry the dead bodies of Scar, Jethro, and Alex to a wagon, outside by the water tank, and line them side by side. Andrew grimly watches his men do the work.

Sheriff Johnson walks from the train and stands by his side. Andrew looks at him.

JOHNSON

The doctor's looking after Jake.

Andrew nods. The Sheriff seems upset. Some other posse members carry STRETCHERS loaded with their two DEAD friends. They take the dead posse members into the station. Andrew walks in after them with Sheriff Johnson.

(CONTINUED)

CONTINUED:

The men place the deputies on a table beside the two dead engineers and the train conductor.

JOHNSON (CONT'D)
How'd this happen, Marshal?

Andrew turns to look at him, frowning. The Sheriff meets his gaze but drops his eyes shortly afterwards.

JOHNSON (CONT'D)
It's just a hard thing to take,
you know?

The Sheriff glances at him. Andrew steps away and walks over to the five dead bodies on the table. Mr. Harriman walks into the room. People seem to snap to attention around him.

HARRIMAN
Marshal.

Andrew glares at him as a warning. Harriman doesn't seem to care too much about the dead men. He turns to Andrew.

HARRIMAN (CONT'D)
Who are they? The bandits.

Andrew thinks...

ANDREW
We... don't know.

Harriman glances at him. Andrew stares back. Andrew glances at Sheriff Johnson to see if he has any words of wisdom. He doesn't. Andrew leaves the room and heads outside.

Louisa is waiting outside. Andrew spots her. He walks up to her and takes her by the arm and gently turns her away.

LOUISA
What happened?

ANDREW
Nothing.

Louisa pulls her arm away.

LOUISA
I've got eyes, Andrew.

Andrew thinks twice and is contrite about evading her.

(CONTINUED)

CONTINUED:

ANDREW

There was a robbery. The train.

She can see the wagon with the dead bandits and the men milling inside with the other dead. She walks up to the wagon and looks at the dead bandits.

She recognizes the dead men. She stares at them and seems to realize something.

ANDREW (CONT'D)

There was a shoot-out.

Louisa puts a hand to her mouth.

LOUISA

Are you alright?

He nods at her.

ANDREW

Come on.

He walks her back to Sal's.

INT. SAL'S

Andrew and Louisa walk in and head to the bar. The bartender pours them a drink, smiling at Louisa. She's nervous and trying to figure out how to address her thoughts.

LOUISA

Did you kill those men?

Andrew downs his shot. The bartender pours another. Andrew drinks half of it.

ANDREW

Two of them.

She's more nervous now.

LOUISA

Did you...

ANDREW

I don't want to talk about it,
Lou.

She keeps quiet, struggling with her emotions and questions.

(CONTINUED)

CONTINUED:

She closes her eyes, squeezing tears out, instead of keeping them in.

 LOUISA
Did you shoot him?

 ANDREW
No.

 LOUISA
You're going to, aren't you?

 ANDREW
It's possible.

She drops her head as tears flow freely. Andrew watches her uncomfortably. He sips his drink and sets the glass down. He turns to her.

She's weeping quietly but fully. Her crying is upsetting him. He doesn't know exactly what to do with it.

He puts his hand on her shoulder. She stifles her sobs and composes herself.

 LOUISA
It's too horrible to think.

Andrew tries to soothe her, caressing her shoulder and her arm. She composes herself more and looks at him.

 LOUISA (CONT'D)
Who was it?

Andrew looks at her, trying to figure out what she means.

 LOUISA (CONT'D)
Who was the man?

 ANDREW
The train conductor.

She winces as she imagines the scene and realizes the callous disregard someone would have to do such a thing.

 LOUISA
Why?

Andrew shakes his head slowly, patiently.

 ANDREW
To get away.

(CONTINUED)

CONTINUED:

She composes herself and wipes her tears away with a handkerchief. She sips her drink. They stay there in silence for a while. Finally...

LOUISA

What are you going to do?

Andrew thinks about his response and seems to have an internal dialogue before answering.

ANDREW

I'm...going to stop him.

She grabs his arm, pleading with him.

LOUISA

Why does it have to be you?

Andrew turns to her.

ANDREW

I think Pete was with him when he got killed.

EXT. HUTCHINSON CITY - NIGHT

Andrew is walking away from Sal's and heads to a hotel a short distance away. As he reaches the doors he stops and looks back at Sal's.

The light from the hotel illuminates him in stark contrast. Half of his face is visible. He turns and goes inside.

EXT. BATTLEFIELD - FLASHBACK - DAY

UNION LINE: LIEUTENANT ANDREW COLL is on horseback, in his blue uniform, peering through the cannon and musket smoke and the haze of the late sun.

Somewhere on one of the flanks, CONFEDERATE CAPTAIN DAVE COLL is watching as his squad of troopers capture a FEDERAL battery. His UNIFORM shows the WEAR and TEAR of being on the run with Lee's army for the last two years.

His face shows a GRIM DETERMINATION that comes from the bloody fighting of the last four years. WILLOUGHBY rides up to Dave and salutes.

DAVE

Inform the Colonel that we've taken a federal battery and are directing fire on the Yanks.

(CONTINUED)

CONTINUED:

WILLOUGHBY

Yes, sir.

Willoughby rides off with another salute. Dave rides over to the limbers for the guns and motions his riders to assist.

DAVE

We're going to move two of these guns to our infantry line. Move!

CONFEDERATE LINE: PETER COLL, dressed in his Confederate Sergeant's uniform, sees two teams of Confederate riders ride up behind him and his men with the two captured guns. Then he sees DAVE.

PETER

Dave?

He stands up and runs over.

DAVE

Hey, little brother. I've got a present for ya'.

Peter is shocked. Some of the infantry nearby give another cheer.

PETER

You're a miracle Dave! You're A
MIRACLE!

Dave smiles down at him proudly. Soldiers immediately turn the guns and put them to use. The FEDERAL LINE stops in its tracks and shortly falls back as the Confederate soldiers cheer and whoop it up.

DISSOLVE TO:

INT. SHACK - NIGHT

Dave WAKES UP on a cot inside the shack. He rolls over and gives up on sleeping. He looks around and sees Red on another cot nearby.

Dave throws his blanket back and sits up. He's got his pants on his longjohns. He puts his boots on and grabs his shirt and puts that on as well.

He gathers his jacket and fastens his holsters on his waist. He walks to the door and Red sits up, awakened by his noise. Red grabs his pistol and cocks it.

(CONTINUED)

CONTINUED:

RED

What's going on?

DAVE

Nothing. Relax. I'm going into town to get my girl.

Red is still asleep and doesn't quite get what Dave is up to... but he figures it out.

RED

Now?

DAVE

I'll be back. Sit tight.

Dave grabs his saddle and lifts it.

RED

What if-

DAVE

(interrupting)

It's dark. Nobody'll know.

Red shakes his head trying to clear the cobwebs.

RED

Suit yerself.

Dave nods at him and steps outside.

EXT. MINE

Dave goes to the mine entrance and saddles his horse. He fastens the bonds and mounts. He rides out leisurely from the mine and heads down the hill in the moonlit night.

EXT. HUTCHINSON CITY

Dave rides to the outskirts of town and studies it carefully before riding in.

There are a few lights on in different windows, candles and lanterns. But the town's pretty much asleep. He clucks his tongue and moves forward quietly...and sinks into the shadows behind the buildings.

Dave dismounts in the darkness and walks to a back-door. Light from inside casts trapezoids on the dirt outside. Music emanates from inside.

INT. LOUISA'S ROOM

Louisa is sleeping despite the noise from above of bedsprings and other carousing. Her door opens slowly and then shuts quickly. A hand covers her mouth as she wakes up abruptly.

DAVE

Louisa. It's me.

She's startled but realizes who it is pretty quickly. He takes his hand away. She stares at him unhappily.

Dave smiles at her in the dim moonlight from her window. She can't manage to smile back. He caresses her face.

DAVE (CONT'D)

Get dressed.

He leans in and kisses her passionately. He pulls back and lets her get her things. She hesitates.

DAVE (CONT'D)

(whispered)

Come on.

She grabs her dress. Dave grabs some of her other things and pulls her by her arm outside.

EXT. HUTCHINSON CITY

Dave leads Louisa, in her slip, through the darkness to his horse. He picks her up and sits her on his horse. He gives her her things and mounts. Quietly he rides out of town with her.

EXT. HILLS

Dave and Louisa are riding up the hills to the abandoned mine. They're quiet. She looks around, her eyes having adjusted to the moonlight. It's beautiful.

She's troubled. Her conversation with Andrew and now being with Dave places her in an awkward position. Dave seems to sense it. But he keeps quiet.

EXT. MINE

They reach the mine and Dave helps Louisa off the horse. He ties the horse to a post and leads Louisa into another building, not the one Red's in.

But Red, peering out a window, sees them arrive. He watches them and then sinks back into the dark, and sleep.

INT. BUNKHOUSE

Dave opens the door and leads Louisa in.

DAVE
Are you cold?

LOUISA
A little.

Dave finds a lantern and lights it quickly. He carries it to a bunkbed and sets it on the floor.

He quickly prepares the bed with blankets. Louisa watches him apprehensively, hugging herself against the cold.

Dave glances at her. He pats the bed and reaches out for her. She hesitates but then gives him her hand. He pulls her closer and sits Louisa on the bed. He sits down next to her and pulls a blanket up for her to get in.

She's staring at him intently. He stares back. He leans into her and kisses her. She doesn't respond at first. But then she does.

She reclines and he gets in bed with her. She pauses from kissing him by clutching him in a desperate hug. Tears well up in her eyes. He can tell she's weeping.

They make love by lantern light.

EXT. HUTCHINSON CITY - MORNING

The dead bandits, Alex, Scar, and Jethro, have spent the night outdoors. A few ants are crawling over them.

Andrew is standing by the wagon they're on, staring at them.

The dead bodies look odd in their frozen yet strangely animated poses. Their eyelids are half open, one more than another, giving them a sort of living, dopey quality. Death. Andrew stares at them, thinking.

EXT. UNDERTAKER'S SHOP - FLASHBACK

Peter's body is being wrapped by an undertaker, prepared for burial. Andrew is standing by, supervising the care of his brother.

EXT. HUTCHINSON CITY - (CONTINUOUS)

Andrew stares at the dead bandits and then snaps out of his reverie. He turns around and walks away. He crosses the now busy main street.

EXT. MINE

Red comes out of the shack buttoning his trousers. He sees Louisa holding a blanket around her shoulders. She's standing on the edge of the dilapidated mining camp looking at the view of the valley below. She seems to be thinking.

Dave comes out of the bunkhouse putting his pants on. He isn't wearing his longjohns. He approaches her slowly. As he gets close to her he reaches out to touch her shoulder.

But something about her stops him. He drops his hand and shoves both into his pockets. He stands beside her.

She knows he's there but she doesn't move or shift her gaze. He glances at her tentatively.

Red walks over to the water pump.

DAVE

You okay?

She doesn't say anything. He looks around, trying to figure her out.

LOUISA

Andrew is looking for you.

Silence.

They hear noise. Red is at the pump, getting water. Louisa and Dave turn to look at him. Dave turns away, unconcerned.

Louisa studies Red at the pump. She then turns back to face the view. Dave studies her.

LOUISA (CONT'D)

Do you know that?

She looks at him. He squints at her, wary of her.

LOUISA (CONT'D)

You're gonna' get yourself
killed.

(CONTINUED)

CONTINUED:

DAVE

I'm going to Mexico. Soon as I
have enough money, I'm going.

She turns her body to him.

DAVE (CONT'D)

And I want you to come with me.

She stares at him, trying to make him understand. She sobs
forcefully and weeps.

LOUISA

Why?

DAVE

What else am I going to do?

She stares at him in quiet astonishment. He really
believes that's his only option. He stares back.

DAVE (CONT'D)

What else is there?

She stares at him. She can't believe him. She finally
thinks of another approach.

LOUISA

A future. Here!

DAVE

That's gone.

She frowns at him.

LOUISA

Why?

(pause)

Andrew says you killed a man.

Dave reacts in denial.

DAVE

What?

LOUISA

A train conductor. He told me he
saw you kill him.

(pause)

Is that true?

He hesitates. He steps towards her, desperation building
up. She flinches.

(CONTINUED)

CONTINUED:

LOUISA (CONT'D)

What about Peter?

That jabs him.

DAVE

That was an accident. I didn't
mean to hurt hi-

Louisa is suddenly more horrified. He lifts his hands,
placating her.

DAVE (CONT'D)

You don't understand....

LOUISA

You said you hadn't seen him.

She turns away from him and goes back to the bunkhouse.
Dave watches her but doesn't follow.

Red is drinking water from the bucket. He watches Dave and
Louisa as he runs water over his head and neck.

She comes out seconds later, putting her dress on over her
slip and putting on a jacket.

She walks up to Dave.
She says something to him.
He says something to her.
She shakes her head.

He insists.
She becomes more emphatic. She chokes on a word. She
composes herself with effort.

She shakes her head and stares at him. He relents and
walks over to his horse, still tied to a post. He takes
his saddle and bridle off and presents the horse to Louisa.

She grabs the horse's mane and Dave boosts her onto its
back. He looks up at her, almost pleading with her to say
something. She looks at him sadly, but then looks away,
ahead. She gathers the mane and kicks the horse to move.

She rides down the hill without looking back. Dave watches
her go the whole way, without interruption.

Red pumps more water into the bucket.

INT. SAL'S

Andrew is standing at the bar as Sal walks in from a back
room.

(CONTINUED)

CONTINUED:

SAL
Marshal. How are ya'?

ANDREW
Fine, ma'am. Is Louisa about?

SAL
I thought she was with you?

Andrew looks at her questioningly. He shakes his head.

ANDREW
No.

SAL
Well she ain't in her room and
hasn't been around for work.

Andrew walks further into Sal's toward Louisa's room. He
pauses for permission from Sal. Sal nods.

SAL (CONT'D)
Take a look.

INT. LOUISA'S ROOM

Andrew opens her door and sees her unmade bed. He looks
around at her things. He checks the door. It seems fine.
Nothing looks out of order.

INT. SAL'S - (CONTINUOUS)

Andrew comes out again.

ANDREW
You don't have any idea where she
may have gone?

SAL
Nope.

She smiles at him.

SAL (CONT'D)
She's a good girl. I'm sure
she'll show up.

Andrew smiles at her, but he's more guarded.

ANDREW
Yeah.

SAL
You want a drink?

(CONTINUED)

CONTINUED:

Andrew thinks about it and then steps up to the bar.

ANDREW

Sure.

SAL

Thattaboy!

Sal pours Andrew a shot of whiskey. He picks it up and thinks a bit before drinking it. Then he downs it. Sal nods and winks at him. He fishes out money and leaves it on the bar.

ANDREW

Thanks.

He turns to leave.

SAL

You want me to tell her something
if'n I see her?

He smiles at her.

ANDREW

Sure.

And he leaves.

SAL

Awright.

EXT. HUTCHINSON CITY

Andrew walks to the hotel stables and gets his horse. A stable boy jumps to attention and helps Andrew saddle his horse. Andrew climbs on and tosses the boy a coin. Andrew gallops out of there.

He rides out of town looking for Louisa. He reins in at the outskirts and stares off at the distance.

EXT. PLAIN - DAY

Louisa is riding along a road, letting the horse walk back to town. She's deep in thought. She shakes her head in resignation and then "spurs" the horse into a canter.

EXT. MINE

Dave is finishing washing from a bucket of water. He puts on his shirt and jacket. Red is standing nearby. Dave steps over to Red who is holding one of the bags of money they stole.

(CONTINUED)

CONTINUED:

RED
Where you gonna' go?

He takes out a wad of bills, counting them.

DAVE
I'm gonna' get us some new
horses.

Red looks at the money.

DAVE (CONT'D)
I'll take your horse.

RED
What do I do?

DAVE
Make supper.

Dave looks at him with a half smile. He cinches up the bag of money and tosses it back at Red who catches it. Dave steps over to Red's horse and mounts it. He nods at Red reassuringly and rides out of camp.

EXT. PLAIN

Louisa is galloping along the road when she sees another rider approaching her from the opposite direction. She reins in and slows down a bit. She's a bit apprehensive. She checks her skirt. She's riding like a boy....

She peers at the rider in the distance and recognizes Andrew. She kicks her horse forward and hurries to meet him. Andrew is riding at a fast pace. He closes in on her pretty quickly.

As they meet he reins in and slides to a stop and then lets his horse pace around her. She smiles at him. He nods at her and looks at her clothes and the horse without gear.

LOUISA
Where are you off to?

ANDREW
I'm looking for you.

LOUISA
Why?

ANDREW
I was worried. You weren't in
your room.

(CONTINUED)

CONTINUED:

He stares at her seriously. She shuts down a bit.

ANDREW (CONT'D)

Where were you?

She doesn't say anything. He now rides alongside as they head in the same direction. He's staring at her, leaning towards her.

LOUISA

No place.

ANDREW

Where'd you get that horse?

He studies it more closely. The fetlocks are scuffed and muddy and scratched. The horse is sweaty and tired looking.

LOUISA

I borrowed it.

ANDREW

From whom?

LOUISA

Sal.

Andrew peers at her. She glances at him to see if he's buying any of it.

ANDREW

I've seen this horse before.

She looks at him nervously. She starts to get upset.

ANDREW (CONT'D)

I saw a man die in front of this horse.

LOUISA

If you know so much then why are you asking?

Tears start to well up in her eyes. That upsets Andrew as well, but...

ANDREW

Where is he?

LOUISA

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

(CONTINUED)

CONTINUED:

He reaches for her arm and grabs her, trying to be gentle.

ANDREW

Where's Dave? Tell me!

She starts crying.

LOUISA

No.

ANDREW

I need to find him.

She yanks her arm away and speeds ahead of him. She wipes the tears from her face. He catches up to her.

ANDREW (CONT'D)

Louisa.

LOUISA

NO!

She grabs hold of the horse's mane, leans forward and spurs it into a full gallop. Andrew sees her riding without a saddle and chases after her, worried.

ANDREW

Be careful, Louisa! Slow down.

He gives up after a while and lets her go at her own pace. She disappears ahead of him on the road. He slaps his thigh in frustration.

ANDREW (CONT'D)

Damn.

EXT. BINDLE

Dave rides into Bindle, a little service town with a blacksmith and water tower and post office. He rides to the blacksmith and stables.

The BLACKSMITH sees him ride up and walks out to him from the stables. He's peering at Dave, in the sunlight.

BLACKSMITH

Goodday.

Dave stops next to him. The blacksmith glance's at the horse Dave's riding. It's seen some rough riding.

BLACKSMITH (CONT'D)

How can I help you?

(CONTINUED)

CONTINUED:

DAVE

I'm looking to buy some horses from you.

BLACKSMITH

That one's been rode hard.

DAVE

Yeah, a little.

BLACKSMITH

Okay, why don't you ride out back? Show you what I got.

Dave nods at him, turns the horse around and rides around the buildings. The blacksmith walks into the stables heading further back.

EXT. CORRAL

Dave rides into the corral as the blacksmith opens a gate for him. He dismounts. The blacksmith eyes him suspiciously.

BLACKSMITH

What you looking for?

DAVE

Two, maybe four horses, if you've got 'em.

The blacksmith nods. He leads him over to a pack of horses penned in the corral.

BLACKSMITH

Well, take a look.

He looks back at Dave to make sure he's following. A young ranchhand is sitting on the corral fence near them.

BLACKSMITH (CONT'D)

What brings you around here?

DAVE

Just riding through.

BLACKSMITH

What do you need the horses for?

Dave is walking beside him now. He stops and turns to look at the blacksmith. He takes out the wad of money and shows enough of it to the blacksmith.

(CONTINUED)

CONTINUED:

DAVE

I've got some cold hard cash for
some livestock. You want it?

The blacksmith looks at him nervously. The way Dave is standing is very threatening. The blacksmith can see the two pistols he's wearing. He sees the wear and tear of Dave's clothes and boots. He nods at him, sheepishly.

BLACKSMITH

No offense, Mister. I was just
asking, what kind of ride you
looking for.

Dave stares at him.

BLACKSMITH (CONT'D)

I'm sure you'll find something
you like here.

Dave continues to stare at him. The blacksmith shrugs and gestures with his hand at the horses.

BLACKSMITH (CONT'D)

You probably want some rugged
hill climbers.

He glances at Dave.

BLACKSMITH (CONT'D)

Why don't I let you take a look
at them and see....

Dave puts the wad away and turns towards the horses keeping his eyes on the blacksmith until the last moment. The blacksmith keeps quiet.

Dave walks over to the pack of horses and checks them out. He takes his time. He glances back at the chagrined blacksmith and then turns back to the horses. The blacksmith lets out a slow breath.

EXT. HUTCHINSON CITY

Louisa is riding into town, walking the horse. Andrew is a few paces behind her. She rides through the bustling street to Sal's. Andrew follows her. She dismounts behind Sal's and ties the horse to a post.

Andrew dismounts as well. She looks at him for the first time since meeting on the road. He smiles at her sadly. She smells her dress and drops it, disgusted. She makes a face that the horse is sweaty and now she is.

(CONTINUED)

CONTINUED:

LOUISA

I need to change out of this.

Andrew smiles. She goes inside Sal's, through the back.

INT. LOUISA'S ROOM

Andrew follows her inside. She takes her jacket off and throws it over something. She opens an armoire and pulls the dress over her shoulders while still wearing her slip. Andrew looks away a bit.

ANDREW

I need to stop him, Louisa.

She finds another shift to put on and gets dressed. Andrew looks at her, now that she's "decent."

ANDREW (CONT'D)

He's killed a man-

LOUISA

(interrupting)

Andrew. Stop.

She looks at him, getting upset again. She stifles something, working hard to keep her composure. Andrew can see that and it scares him.

ANDREW

Did he hurt you?

She shakes her head and turns away, frustrated, and looks out her window, leaning against the frame. Andrew steps forward to put a hand on her.

LOUISA

I love him.

Andrew freezes. She turns and looks at him.

LOUISA (CONT'D)

Don't do this. Don't look for him.

ANDREW

Does he love you?

She shrugs and nods and smiles uncertainly.

LOUISA

Yes...

Andrew grimaces and shakes his head.

(CONTINUED)

CONTINUED:

ANDREW

He's not the only man who loves
you.

She stares at Andrew, knowing full well whom he's referring to. She's saddened by her conflicting emotions. He stares at her as years of unrequited emotions well up.

ANDREW (CONT'D)

I have to stop him—

LOUISA

(interrupting)
Why does it have to be you?

ANDREW

I'm a federal marshal.

She's crying, looking at him through her tears.

ANDREW (CONT'D)

It's my...duty—

LOUISA

(interrupting)
He's your brother!

ANDREW

So was Peter.
(pause)
Maybe he'd still be alive if Dave
had kept a closer eye on him...

Louisa drops onto her bed and buries her head. Andrew is suddenly AWARE of stumbling onto something. He approaches her tentatively, curiously.

ANDREW (CONT'D)

What is it?

She shakes her head.

ANDREW (CONT'D)

Did he tell you something? About
Peter?

LOUISA

(muffled)
Nothing.

ANDREW

Louisa, I need to stop him. I
know he thinks the world owes him
but he's wrong. Ma and Pa never

(MORE)

(CONTINUED)

CONTINUED:

ANDREW (CONT'D)
raised us to think like that.
(pause)
Maybe I can help him.

LOUISA
(muffled)
You can't. He won't listen. He
won't even listen to me...

She looks up at him abruptly, tears streaming down her face.

LOUISA (CONT'D)
I know what he's doing. But I
can't help you. I can't do that
to him.
(pause)
To either of you.

She stares at him to see if he understands.

LOUISA (CONT'D)
If you find him, one of you will
die.

He attempts to articulate another argument but stops short.

LOUISA (CONT'D)
I couldn't live with that.

Andrew nods. He thinks. He steps up to her and touches her shoulder. She reaches out to him. He sits down on her bed and hugs her as she clutches onto him and cries.

ANDREW
It's okay.

LOUISA
Don't do it, Andrew. Don't do
it. Let him go.

Andrew lets out a breath and looks around. He's stuck with his conviction.

EXT. BINDLE

Dave is riding out of Bindle, on a new horse, leading three others. He rides past the post office and turns around to look at the postings nailed on the side of the building.

He spots a new WANTED poster: WANTED; "PAYROLL BANDITS" DEAD OR ALIVE! Dave stares at the "DEAD OR ALIVE" with a grim smile on his face. He leans over and snatches the poster from the wall. He looks at it again and pockets it.

(CONTINUED)

CONTINUED:

He turns around and rides out of town.

EXT. RAILROAD OFFICE - THE NEXT DAY

Andrew is standing with Mr. Harriman at the train station
A train is slowly pulling out of the station.

HARRIMAN

This time we have armed guards
with the payroll. Coming and
going.

Andrew looks at Harriman.

ANDREW

I doubt they'll make another
attempt.

HARRIMAN

Yeah, well it's hard to know the
criminal mind. The only thing
they understand anyway is the
blunt end of a bullet.

Andrew spies Harriman as he does his tough guy act,
chomping on his cigar.

The train rolls by them on the way out of town and the
freight cars pass them. There's a man sitting on the roof
of the first windowless car, holding a Winchester rifle in
his hands.

Andrew spots him and watches the whole sight pass by.

ANDREW

How many guards?

HARRIMAN

Three. One on the roof with a
repeater to keep anyone away, and
two inside with the money. Next
week we'll cut slits in the sides
and the sliding doors. Gun
slits.

Impressed with himself, he turns to look at Andrew. Andrew
smiles at him diplomatically.

ANDREW

Sounds good.

Harriman grins big and turns away to watch the train
disappear in the distance.

(CONTINUED)

CONTINUED:

HARRIMAN

Yeah. I'd like to see someone try to get that payroll.

Andrew stares at the back of Harriman's head.

EXT. SHELBYVILLE - DAY

The SHELBYVILLE BANK & TRUST sits in the middle of town, three blocks from the train station. Shelbyville is a small town with a growing center. Ranches and farms can be seen in the distance.

There's a saloon across the street from the bank named SALOON. It's part of a hotel with a large veranda skirting the building.

Several men are sitting in bentwood chairs on the veranda whiling away the time. They're thugs and scoundrels. Most have some bit of army uniform leftover. Like Red who is sitting with them.

More bandits. And their horses are all tied up right in front.

From inside, Dave walks up to the saloon door, separate from the main hotel entrance on the corner, leans on the jamb and squints outside.

He watches the traffic of horses, pedestrians, carriages, wagons and an assortment of other passersby. His eyes roam around and rest on the bank.

People go in and out the bank's front doors. Periodically a guard steps outside, holding the door open for a lady, and takes a breather, before heading back in to wait around.

All of the bandits sitting on the veranda are watching the bank in their own lazy ways. Red has his feet up on the railing and is leaning his chair back. He has his hat cocked forward, sleepily. But he's watching too.

Dave opens the swinging doors of the saloon with both arms and steps outside. He casually walks out on the veranda, turns around and leans against a post.

He faces the bandits sitting with Red and eyes them. They lazily look at Dave, expectantly.

Dave ponders for a while and then points out two men and jerks his thumb across the street in the direction of the bank.

(CONTINUED)

CONTINUED:

They groan out of their seats, adjust their hats and coats and go down the steps to the dirt street. They cross the street and walk to the bank.

Dave takes his time before turning around to watch them. He leans against the post with one arm up warding off the bright sun.

The two bandits make their way casually to the bank entrance. They climb the steps and open the front doors.

INT. BANK

The bandits pause as the guard inside looks at them and holds one door open. The bandits nod at the guard. The guard nods back stoically.

It's fairly crowded inside with lines to the three teller windows. The public area is separated by a wooden wall with decorative moulding. The ostensible bank manager sits at a desk behind that wall.

The two bandits glance around the room and take in the arrangement. They turn around casually and head out the front doors, one of them still held open by the stoic guard. They nod at the guard as they pass.

EXT. SHELBYVILLE - (CONTINUOUS)

Dave continues to watch. This time the bandits cross the street and head away from the hotel rather than to it. He turns around and snaps his fingers getting the rest of the men on their feet.

He steps down to the street and finds his new horse and mounts. The rest of the bandits and Red mount their horses as well. As soon as they're all up they ride away from the hotel at a casual canter.

Two of the men lead two riderless horses as well. The pack rides a few blocks to where they meet the two bandits from the bank.

They climb onto their horses and the whole pack rides off, out of town, in earnest, kicking up a cloud of dust.

EXT. HUTCHINSON CITY

Andrew and Sheriff Johnson are at a shooting range which is simply an open area a short distance behind the jail.

A broken-down wagon sits on its own in the open area. It's clearly been used for target practice as it's riddled with

(CONTINUED)

CONTINUED:

holes and pockmarks. Tin cans and cardboard boxes sit on the edge of the wagon; targets.

Andrew is standing next to a wooden barrel on which he has a box of bullets. He loads his army issue Colt .45 and tamps each bullet in the cylinder to make sure they're snug.

He turns around and faces the targets. He fires quickly, hitting all of them, with only the slightest pivot of his torso. His pistol smokes from the shooting. The Sheriff is impressed.

He steps over to the barrel as Andrew reloads his pistol. The Sheriff sees the box of cartridges and picks it up, reading the label.

JOHNSON

Par...Abullum?

Andrew glances at him and finishes loading his pistol. He tamps the cartridges with the pistol's rod.

ANDREW

Parabellum!

JOHNSON

What's that?

The Sheriff blinks at him. Andrew holsters the pistol.

ANDREW

Latin. "Si vis pacem, para bellum."

The Sheriff raises an eyebrow.

ANDREW (CONT'D)

"If you would have peace, prepare for war."

Andrew holds up a single bullet from the box.

ANDREW (CONT'D)

Para bellum!

He tosses the bullet for the Sheriff to catch. The Sheriff catches the bullet.

Andrew draws his pistol, turns and shoots the remaining targets off the wagon while side-stepping quickly, freehand cocking the hammer for each shot.

The Sheriff lets out a slow whistle.

(CONTINUED)

CONTINUED:

Andrew turns back to the wooden barrel and disassembles his pistol to clean it. He glances at the Sheriff who is still looking at him.

ANDREW (CONT'D)

It's a good brand...

INT. SAL'S - EVENING

Louisa is sitting with Stella at a table drinking tea. Louisa is unhappy and Stella is listening to her troubles. Stella has a hand on Louisa's shoulder.

LOUISA

They're... going kill each other.

STELLA

You don't know that.

Louisa looks at Stella.

LOUISA

Neither of them is going to back down.

STELLA

I suppose.

Stella reflects on that thought.

STELLA (CONT'D)

A lot of things have changed.

LOUISA

Not them.

INT. ANDREW'S HOTEL ROOM

Andrew is looking over maps and papers on the table in his room. The documents he has are letters and books from the RAILROAD COMPANY and from several BANKS.

He reads a list from one piece of paper and traces the map with a finger. Then he picks up a nubby pencil and marks the map. He looks over other documents and consults the map again.

He does this for a while until he seems to come to a conclusion.

He flattens out the map on the table. He traces his finger along a line indicating a railroad. His finger passes several towns and stations. Until it stops at one larger and bold type designation: SHELBYVILLE.

(CONTINUED)

CONTINUED:

He stares at the name with his finger on it for a while, thinking. He seems to drift as he gazes at the map. He comes back to the present and closes the map, folding it carefully.

He collects all of his papers and stuffs them into a saddle bag.

EXT. HOTEL

Andrew steps outside, carrying his saddle bags. A stable hand is waiting with his horse at the steps. Andrew digs in a pocket for a coin and looks up and sees Louisa walking up to him.

He smiles apprehensively. He hands the money to the kid, excusing him.

Andrew walks over to his horse and throws the saddle bag over it. He turns to Louisa.

ANDREW

How are you?

LOUISA

I'm fine.

(pause)

Don't go after Dave. I beg you.
Let someone else do it.

ANDREW

Why? What's so important about
Dave?

That's not it...

LOUISA

It will only end in tragedy.

Andrew understands that much.

LOUISA (CONT'D)

More tragedy than there already
is....

She stares at him hoping she'll persuade him. He grabs the reins of his horse and smiles at her. He leans forward and KISSES her on the LIPS, the way he's always wanted.

ANDREW

I'm sorry.

(CONTINUED)

CONTINUED:

He turns and mounts his horse and looks back at her as he spins around. She seems calm and resigned, if not exactly happy.

LOUISA

Be careful.

He nods at her solemnly.

ANDREW

Dave never did appreciate what he had...

And with a cluck of his tongue he rides off. She watches him disappear into the darkness.

DISSOLVE TO:

EXT. SHELBYVILLE - DAY

The train steams into Shelbyville station and chugs to a noisy stop. Doors open on the rear cars as two sets of two men unload bags of money; payroll.

They carry it to a pushcart that they load under the supervision of a man with a rifle.

The rifleman on the roof of the train sits up there, bored out of his mind. The four men finish loading the pushcart and then push the whole thing to the SHELBYVILLE BANK & TRUST.

Dave is leaning against a post across the street watching as the men push the cart to the bank entrance. The rifle guard is walking behind them as they turn to enter the bank.

Dave stands up and casually crosses the street. His hands rest on the grips of his pistols as he follows the men.

The men open the doors and push the cart through into the bank. Dave walks up to the guard and pokes one of his pistols in his back. The guard jumps and starts to turn.

DAVE

Don't! Unless you want your guts all over that money.

The guard stops turning, holding his rifle up, and all six men walk into the bank.

INT. BANK

The four men pushing the cart turn to look at Dave who is holding the guard. They want to go for their guns.

Red and three other bandits are ALREADY INSIDE and they take their pistols out. The few customers inside notice the guns and let out aborted groans and gasps. Red moves, with two of the bandits, and gets the BANK MANAGER.

RED
Open that door.

He points at the gate to the backroom and the safe.

BANK MANAGER
Whatcha want with that?

Red points his pistol at the bridge of the manager's nose.

BANK MANAGER (CONT'D)
Okay, Mister.

The two bandits disarm the cart pushers and herd them into the backroom with the bank manager. They toss the pistols onto the push cart. The bank manager takes his skeleton key and opens the gate. Red takes the keys away.

Dave pushes the guard inside and takes his rifle away. He tosses it to another bandit who cocks it and aims it at the guard. Three more bandits walk in behind Dave.

DAVE
Grab some bags and take them to
the horses.

Red then holds the backroom door open and, using his pistol, motions the customers to move in as well.

RED
Come on, folks, git movin'.

Dave watches as his men walk outside carrying two bags each. They don't look too odd carrying the bags— no odder than the four men pushing the cart in a few moments ago.

Dave shoves the guard towards Red. Red grabs him and shoves him into the backroom. Red closes the door on the huddled customers, tellers, bank manager and others.

He locks the door with the bank manager's keys and pockets them.

(CONTINUED)

CONTINUED:

He runs out, past Dave, grabbing a bag of money. Dave motions the bandit with the pilfered rifle to move. There are two bags left. The bandit takes one. Dave takes the last one and leaves the bank.

EXT. SHELBYVILLE

They run down the bank entrance to the horses waiting out front (the last bandits to come in must have ridden up with them).

Dave hurries to his horse. Most of the men are mounted and ready. Dave mounts and rides off leading his men. He looks around and smiles, barely believing they've done it. He looks at Red, smiling.

DAVE

Now we go to Mexico!

The whole mass of horsemen start to kick up dust in the main street, forcing people aside, as they spur their horses.

A SHOT rings. One of the bandits falls.

Dave sees the bandit falling off his horse. The bags of money fall off the horse... and rupture. He looks around for the source of the shot.

Another SHOT. And another one. Sharpshooters stationed on different buildings are coming out of their hiding places.

Dave wheels his horse around, spotting one of the sharpshooters, and shoots at him with his pistol. He stows his pistol and yanks out his rifle. He cocks it and FIRES. He FIRES again. AGAIN.

The sharpshooter SHOOTs back. He SHOOTs again. Dave hits the sharpshooter, knocking him back from his post. The rest of the bandits now have their guns and rifles out and are shooting wildly.

The shots are sporadic and clumped in nervous clusters: 1, 2, 3! 4, 5, 6, 7! 8, 9!

10!

11, 12! 13, 14, 15, 16, 17, 18! As a lull occurs it seems to be over, only to be filled by more angry gunfire. HORSES are NEIGHING frantically. Men are grunting as they try to stay on horseback.

Confused orders are shouted about.

(CONTINUED)

CONTINUED:

PANDEMONIUM.

DAVE (CONT'D)
Ride OUT! Ride OUT!

Three of the riders turn and continue riding out the way they were headed.

ONE of them is SHOT in the HEAD and flies off his horse, CRASHING on the ground sloppily. His horse rides on without him.

THE SECOND one is HIT in the BACK. He doubles forward and his horse veers to one side. Another shot hits the horse, making it stumble, dropping the wounded bandit.

THE THIRD one manages to get away.

Dave shoots several wild shots as he then turns his horse and spurs it into a gallop. A sharpshooter kills another bandit who tried to shoot at him using his pistol.

ANDREW comes running out of the lobby of a three story building with his pistol in his hand. He runs onto the street. He sees DAVE.

ANDREW
DAVE! STOP!

Dave sees ANDREW.

Andrew aims at Dave.

ANDREW (CONT'D)
STOP THIS!

He stares at Dave over the barrel of his pistol. Andrew's SHOUTS remind Dave of Peter's VOICE....

EXT. RANCH - FLASHBACK - MORNING

The MOTHER screams. Horrified. A YOUNGER SON comes out now with a rifle of his own. Peter spurs forward CLOSER to Dave and grabs his sleeve.

PETER
STOP SHOOTING! STOP SHOOTING!
(pause)
DAVE! STOP THIS.

EXT. SHELBYVILLE - (CONTINUOUS)

DAVE (O.S.)
GET BACK!

(CONTINUED)

CONTINUED:

Dave rides by staring at Andrew, aiming his rifle at him. Neither Dave nor Andrew shoot.

Andrew fires a shot over Dave's head as he rides off. He gapes at the fleeing horse and then runs off to get his own horse before he gets run over by the other bandits.

The LAST THREE BANDITS in the middle of the street are pivoting around and shooting wildly at their attackers.

Andrew jumps onto his horse nearby. He rides into the street and looks up at his men.

ANDREW

Get down here.

He waves some of them down. They make their ways to the street and the horses waiting for them. One of them climbs down from a balcony and then jumps the last feet to the dirt.

ONE of the last three bandits gets shot repeatedly. He falls off his horse.

THE SECOND one has his horse shot out from under him as he tries to turn and flee. He's sent sprawling on the ground, in the dirt. He gets up on one knee and looks around.

Two sharpshooters come out from a storefront with rifles. They run up to the fallen bandit shooting the whole way. The bandit raises his pistol to shoot— the sharpshooters shoot him six or seven times, on the ground, killing him.

The THIRD ONE, RED, rides off as other shooters fire at him. He shoots at one riflemen and hits him. But he's HIT in the shoulder as well. He almost falls off his horse but hangs on, crouching to stay clear.

The group of sharpshooters watch him go. Some run to their horses and some check on the dead. Wounded horses hobble about. Currency flutters in the breeze from fallen and ruptured money bags.

Andrew and five sharpshooters, deputies, are galloping after Dave and the first bandit who managed to get away. They pass the railroad station. They reach the outskirts of town and are near the town's growing cemetery.

Andrew takes his rifle out and fires at Dave. The other deputies fire their pistols. They hit the other bandit's horse and both go down.

As the six of them ride up on the fallen horse the bandit emerges from the cloud of dust shooting back.

(CONTINUED)

CONTINUED:

He takes one deputy down, and then another as they ride past.

ANDREW (CONT'D)

Get him!

Two of the deputies rein in and shoot at the bandit. They jump off their horses and immediately run in opposite directions making for harder targets.

The bandit's horse is struggling to get to its feet. The bandit looks for a deputy to shoot at. The deputies fire freely and hit the bandit before he can hit them.

As they run up to the dying bandit RED rides up to them, shooting. They DIVE to the ground, their horses scampering about, kicking up more dust. As Red rides by he shoots one of the deputies.

Immediately the rest of the mounted deputies surge past after Red.

Andrew still has two deputies alongside. They continue to harry Dave as he flees. Andrew aims and fires.

Dave's horse is hit in the rump and it immediately is lame. Dave struggles with the injured beast as it slows down. Another shot hits it, killing it. The horse collapses, dropping Dave.

Andrew and the deputies are yards away.

Dave rolls and comes up next to his horse. He rests his rifle on the horse and fires back.

He hits one deputy and knocks him off his horse. He fires again and hits the second deputy's horse. It rears up and throws the man.

Andrew veers off to his left to avoid getting shot. But he fires wild shots, holding his rifle with one hand.

Dave turns to shoot at Andrew. He FIRES and MISSES. He cocks the rifle again and shoots. He hits Andrew's horse. Andrew falls off or jumps off, he doesn't even know. His rifle is cast aside.

Dave cocks and aims— Andrew's in his sights— and shoots and his RIFLE is EMPTY. Andrew rolls to a crouch. He immediately draws his pistol. He fires two wild shots to throw Dave off guard.

Dave turns and runs away. Andrew is about to shoot again, but he stops. He reloads the two spent rounds and starts

(CONTINUED)

CONTINUED:

to run after Dave. The sound of gunshots and rifle shots turns him around.

Red is riding towards him at full gallop. Andrew aims. Red is crouched forward along his horse's neck. His right arm is extended backwards as he fires at his pursuers. Random shots chase him.

Red's pistol is empty. He pulls another one out and aims. Andrew fires at Red as he gallops past him. The shot knocks Red off his horse. The horse rides on wildly.

The deputies charge by seconds later. Some glance at Andrew, wide-eyed. They flank Red as he scrambles to his feet. He's mortally wounded. He raises his pistol to ward off the ring of deputies around him.

They canter their horses closer to him aiming right at him the whole time. He raises his pistol to aim at one particular deputy and then he... collapses.

DEAD.

Andrew turns around and chases after Dave.

EXT. GRAVEYARD

The graveyard is on a hill with lots of trees. The graves are randomly situated throughout the hill. Some have wrought iron fences about them. Others barely have wooden markers made from broken planks.

Grass grows knee-high over the hill. Andrew searches along the hill carefully. There are lots of places to hide. He holds his pistol out warily.

ANDREW

DAVE?

Step by step he meanders around the graves looking for Dave.

ANDREW (CONT'D)

WHAT HAPPENED TO PETER?

He gets closer to a tree and flanks it for fear that Dave may be behind it. He glances at its branches. Nothing. He looks around, pivoting, searching. Aiming.

ANDREW (CONT'D)

HOW DID HE DIE?

Dave is hiding behind a tombstone. He sees Andrew. He hears the deputies shooting randomly. He waits and when

(CONTINUED)

CONTINUED:

Andrew is looking away he gets to his feet and runs to another hiding place.

ANDREW (CONT'D)
Who killed Peter?

Andrew turns around. Dave watches Andrew hunting on the opposite side of the graveyard hill.

ANDREW (CONT'D)
How did Peter die?

Andrew starts to disappear behind the hill. Dave gets up and stalks around several graves making a circumference of the hill. He runs to a tombstone and crouches behind it. He watches.

ANDREW (CONT'D)
WHAT HAPPENED?

Andrew clears the hillside, looking. He approaches a tree and checks it out. He passes underneath looking around himself. Andrew rechecks where he came from in case Dave somehow got behind him.

Dave rises from behind the tombstone. He aims at Andrew.

ANDREW (CONT'D)
You were supposed to take care of him.

Andrew is looking the other way.
Dave has him in his sights.
Andrew turns and sees Dave.
He stops.

Dave straightens up. Andrew does so too. Dave aims his pistol carefully at Andrew as he approaches.

DAVE
Don't move.

Andrew stares at Dave, boring a hole through him.

DAVE (CONT'D)
I'm getting out of here.

Andrew watches him over his own pistol, like a predator. Then he shakes his head slowly as he still approaches him.

DAVE (CONT'D)
Drop your piece.

He waves the barrel at him.

(CONTINUED)

CONTINUED:

DAVE (CONT'D)

Tell your men you didn't see me.

Andrew stares at him without saying anything as he stops, close enough. He simply keeps his pistol aimed at Dave.

Dave swallows apprehensively. Andrew studies him carefully, minutely. Dave is trying to keep his face from twitching.

ANDREW

How did Peter die?

Andrew takes a step forward.

DAVE

I don't want to shoot you. But I will.

ANDREW

That's up to you, Dave.

DAVE

Then let me go—

ANDREW

(interrupting)
What happened to Peter?

DAVE

Let me go!

ANDREW

What happened to Peter?

DAVE

I said, LET ME GO!

Dave's face twitches. Andrew's eyes widen. Dave stares at Andrew's eyes.

ANDREW

Who killed Peter?

Dave chokes.

DAVE

It was an accident.

Andrew is horrified as he realizes what happened to Peter.

DAVE (CONT'D)

I thought he was shooting at me.
It was—

(CONTINUED)

CONTINUED:

ANDREW
(interrupting)
You?

Dave's hand is shaking.

ANDREW (CONT'D)
He was your brother!

Andrew's anguished.

DAVE
I didn't mean to.

ANDREW
He worshipped you! You made him
follow you! He would have done
anything you said!

DAVE
Just let me go.

Andrew can't believe the request Dave is making.

ANDREW
Just let you go?

DAVE
Just.... I didn't mean to.

Andrew gets angry.

ANDREW
What did you mean?

Andrew stares at him. Dave is upset and trying to control himself.

DAVE
I thought... he was shooting...
at me.

ANDREW
And?

EXT. RANCH - FLASHBACK - MORNING

The front door of the house creaks open as the RANCHER comes out with a shotgun, half-dressed, in trousers and suspenders, and with his longjohns instead of a shirt.

PETER (O.C.)
Dave, we shouldn't do this.

(CONTINUED)

CONTINUED:

DAVE

You mind that gun, old man.

The rancher peers at Dave.

Dave can see that Alex, and Zach have noticed the old man and stopped in their tracks. But Red pushes aside a barn door that gets the old man's attention.

The old rancher turns and sees the men stealing his horses.

PETER sits up, alert, in his saddle, his hand on his holster.

PETER

Dave?

RANCHER

Hey! What are you doing?

Dave raises his pistol and points it at the rancher.

DAVE

Put the gun down, old man.

The rancher glances at him while AIMING his shotgun at Alex, Zach and Red. Dave COCKS the hammer on his PISTOL. Alex pulls the ROPE and starts to lead the horses out.

RANCHER

Hey!

The rancher fires at the three men, missing all of them, almost hitting Alex. Some of the shot hits Alex's horse which neighs and rears. Alex tugs on his reins.

DAVE

Drop the gun, old man!

Zach pulls his pistol, lays it over his horse's saddle and shoots the rancher, as he turns to aim at Dave, dropping him.

DAVE (CONT'D)

Damn it!

Alex, Zach and Red jump onto their horses and lead the other horses out of the barn.

Peter is appalled that Zach shot the rancher and looks at Dave, questioningly.

PETER

Dave?

(CONTINUED)

CONTINUED:

They hear a SCREAM. Dave turns to see a woman run out of the house, onto the porch, wearing a nightgown. She is the RANCHER'S WIFE, presumably, and she drops to his side and tries to prop him up.

He's still alive and trying to aim his gun at the bandits. Then another man, a younger man, one of the rancher's SONS comes out.

He picks up his father's SHOTGUN and aims at Alex, Zach and Red who are spurring their horses to a gallop.

He fires and hits Zach. Scar has a rifle and he shoots at the son, missing. The son turns to shoot at Scar. He fires at him but the shotgun is empty. He expertly breaks it open to reload.

Scar fires again, hitting him square in the chest and killing him. The mother screams. Horrified. A YOUNGER SON comes out now with a rifle of his own. He's frightened and off guard.

Peter pulls HIS GUN out.

PETER (CONT'D)
STOP SHOOTING! STOP SHOOTING!

Peter spurs forward CLOSER to Dave and grabs his sleeve.

PETER (CONT'D)
DAVE! STOP THIS!

DAVE
GET BACK!

Dave spurs away from Peter.

The rancher has crawled over to his older son and started RELOADING his shotgun with shells from his pocket. The younger boy is staring, wide-eyed, at the happenings. The BOY aims his RIFLE tentatively.

The rancher lifts his shotgun and fires a wild shot making Dave and Peter jump and their horses scamper. Dave aims and shoots the rancher, killing him.

The mother SCREAMS again and clutches her husband. The BOY aims his rifle more carefully. Peter raises his PISTOL in the air.

PETER
STOP!

The BOY FIRES AT DAVE, MAKING HIS HORSE SCAMPER.

(CONTINUED)

CONTINUED:

Dave fires back at the BOY and hits him, dropping him.
More SHOOTING from somewhere.

PETER (CONT'D)

NO!

Peter FIRES to get Dave's ATTENTION.

Dave pivots and returns fire, TWICE. Peter's shocked. Hit
in the chest! Dave pivots again and shoots at the boy.

The woman is the only one remaining, standing, SCREAMING.
Dave and Scar, and who knows who else, shoot her. She
slumps next to her family on the porch. Dave fires one
last time. He stares at the bodies piled together.

Dave looks around quickly. Scar rides up to the porch,
jumps off his horse and checks the house. The sound of his
shooting comes from inside the house.

Dave glances at Peter, slumped over his saddle. Peter then
slides off his horse, onto the ground.

DAVE

Pete?

Dave spurs forward and jumps off. He runs to Peter's side
and props him up, still holding his pistol.

DAVE (CONT'D)

I thought... I thought you were
shooting at me....

PETER

Why?

Dave checks his chest. Peter's head falls backwards as
Dave holds him.

Dave stares at Peter and holds him but then pushes him away
as he realizes that he killed him.

He looks at his bloody hand and stands. Alex, Zach, Jethro
and Red ride back, all of them holding their guns. Zach is
slumped forward.

ALEX

What are you waiting for,
Captain?

Alex then sees Peter lying on the ground.

ALEX (CONT'D)

What happened?

(CONTINUED)

CONTINUED:

Dave is still staring at Peter. He stares at his gun and slowly holsters it.

EXT. GRAVEYARD - CONT'D

DAVE
...I shot him.

Andrew's gaze fogs over. He's dazed. Dave is shaking.

DAVE (CONT'D)
I thought he was someone else,
shooting at me.

Dave is anguished, aiming at Andrew.

DAVE (CONT'D)
Let me go!

Dave takes some steps to the side to leave. Andrew fires into the ground, to the side, stopping Dave.

ANDREW
Do not move!

Andrew stares at Dave with a whole new determination. Dave sees that clearly.

ANDREW (CONT'D)
I'm taking you in.

DAVE
What good will that do?

ANDREW
What good will letting you go do?

They stare at each other for a long time. Dave's hand is shaking even more. Andrew is serene, waiting. He shakes his head slightly. The judgement cuts into Dave pushing him to the edge.

ANDREW (CONT'D)
We all survived the War. Only to
have him die-

Dave fires. Hitting Andrew. Andrew is astonished. He fires and misses. Dave has a MAD LOOK ON HIS FACE.

ANDREW (CONT'D)
...because of you....

Dave grimaces and shoots him again, dropping him and killing him.

(CONTINUED)

CONTINUED:

Dave walks up to Andrew's body. Andrew's head is turned slightly to one side. His eyes are slightly open.

Dave stares at his brother's face, still pointing the gun at him. His hand calms down. He stops shaking. He lowers his pistol and drops his hand to his side.

He stands on the cemetery hill over Andrew's body, the last link to his family, his world and his life.

In the distance the deputies surround the cemetery hill and gradually close in.

FADE OUT:

THE END