

BROTHER'S KEEPER

by

JOHN M. IANNUCCI

John M. Iannucci
4103 Waltham Court
Yardley, Pa. 19067
(609) 408 7527
J_Iannucci@comcast.net

BROTHER'S KEEPER

by
JOHN M. IANNUCCI

John M. Iannucci
4103 Waltham Court
Yardley, Pa. 19067
(609) 408 7527
J_Iannucci@comcast.net

EXT. TOWN OF GARSON PASS, TEXAS - MORNING

Sound of a church bell RINGING

1869. Small, dusty and secluded, the town has a main road and one intersection that the church sits at the end of. The livery, blacksmith and other businesses sit behind.

EXT. STREET IN FRONT OF THE CHURCH

Eyes laser focused, JAKE FULLER, early forties and impeccably dressed in black, stares down the empty street as he rolls a cigarette. He reeks of coolness and confidence. Charisma seeps out of his pours.

Faces contorted in fear, townspeople scurry into the church.

A LADY hustles a YOUNG GIRL to the church. The child stumbles and falls in front of Jake.

Trembling, the lady keeps a weary eye on Jake as she scoops up the child. He smiles and tips his hat. The lady quickly picks up the child and runs into the church.

COLTEN (O.S.)

Like sheep to the slaughter.

Jake turns to sees BUTCH COLTEN, thirties, scruffy beard and sinister smile, standing behind him.

The bell stops and the church doors close. Jake's men put a beam through the church doors, locking them.

Jake takes off his holstered pair of pearl-handled pistols and hands them to Colten.

COLTEN

Couple of torches, that church'll
flame up like a candle.

Jake scowls as he walks away.

JAKE

Just get the men in position.

Colten crosses the street and gives orders to the raggedy assortment of men remaining. They hustle to their posts.

Jake picks up a chair and walks out in front of the church. He sits comfortably facing the street, tilts his hat over eyes, folds arms, and relaxes.

EXT. RIDGE OVERLOOKING GARSON PASS, TEXAS - MORNING

Ridge about two miles from the town.

Ranger JEREMIAH "WHIT" WHITLOCK, late thirties, stands next to his horse and looks through a monocular.

As confident as Jake but without the flash and dash, Whit moves in a quiet unassuming manner.

RANGER BARRY WYNDHAM, thirties and in a long coat and bowler, paces back and forth as he looks to the prairie.

WHIT

Fifteen, maybe twenty at most.

Barry stops and stares out into prairie. He starts pacing again. His actions amuse Whit.

WHIT

Keep pacing like that, you'll be dead before they even get a chance to kill you.

BARRY

What did you see in that piece of shit anyway?

Whit looks at the town through glass.

WHIT

Remember meeting an Eastern card shark a while back with the same problems. He turned out okay.

Barry smirks and stares out at the prairie. He taps Whit and points.

A lone rider kicks up a dust storm in the distance.

Whit points his monocular and sees a mounted RANGER KIRBY STREETER, early twenties, racing toward them with his hat flying backwards, held on by only a lanyard.

Whit acknowledges who it is to Barry.

MOMENTS LATER

Kirby rides up and dismounts quickly. Barry glares up and down at him, then turns away.

KIRBY

What? Can't a man get a last poke before he might die?

Whit notices the dynamic between the two. He puts the monocular in his saddle bag.

WHIT

Kid's got a point, a man deserves his last poke.

Barry waves off the comment.

KIRBY

How many?

WHIT

More than we wanted.

KIRBY

I was thinking --

BARRY

-- Oh, now this should be good.

Kirby stares at Barry, finally relents.

KIRBY

Fort Thomas is only a two-hour ride, three at most. No reason to go it alone.

Resolved, Whit stares at the town.

BARRY

Last I heard, people who are late don't get an opinion.

Kirby stomps toward a defiant Barry.

KIRBY

Had 'bout enough of your lip.

BARRY

Time to teach you a lesson, boy.

BANG! Barry and Kirby stop in their tracks. They turn and see Whit with his pistol pointed up.

WHIT

Couple of minutes they'll be enough killin' to go 'round. Think you ladies can hold your water.

They both relent. Kirby walks toward Whit.

KIRBY

Just saying, why do what the
calvary can? We still get the
reward.

Whit mounts his horse.

WHIT

I'm aim to bring Jake in alive.
You wanna sit this one out, I'll
understand.

Whit starts slowly toward the town. Barry mounts up.

KIRBY

What's with him and Jake anyway?

BARRY

Some pots are better not stirred.

Barry slowly follows Whit. Unsure, Kirby stares at Whit.

BARRY

A poke. Ride with the great
Whitlock. Kill some really bad
hombres. Ain't no better day to
die, boy. Ain't no better day.

Barry looks back at Kirby and smiles. Kirby relents,
mounts up, and follows.

EXT. ABOUT A MILE FROM THE TOWN - MORNING

The three stop. Whit looks through his monocular.

WHIT

Reckon that Sharps of yours is
good from here?

Barry takes the long rifle from his saddle.

BARRY

Pends who's shootin'...
(cocks rifle)
Now, you just happen to have the
right man shootin'.

WHIT

First roof on the left. Above the
G.

Barry aims and fires.

After a delay, the man behind the "General Store" sign falls to the ground dead. Others on the roof scurry away.

Smug look, Barry puts the rifle away. Whit smiles and puts the monocular away.

WHIT

That should get us to the street.
(looks at sun)
They'll wanna keep the sun in our eyes. Shouldn't be many on the right.

BARRY

I'll take the left.

Barry rides off to the left. Whit waits and stares at Kirby who has his head down.

KIRBY

I don't have a good feelin' bout this.

Whit nods to the right side of the town, then starts slowly toward the main street.

Reluctantly, Kirby rides off to the right.

EXT. TOWN OF GARSON PASS / MAIN STREET - MORNING

Whit stops just short of the town. He looks down what seems like a desolate quiet street.

Dismounted and with Winchesters, Barry and Kirby disappear behind the buildings on each side.

Whit's horse starts acting up. Whit calms him and pulls out his Winchester.

WHIT

Yeah, I know, it's Jake.

Whit moves slowly into the town. A man appears from the left, fires, and hits post near Whit. Whit turns quickly and kills the man.

Startled by the sound of a GUNSHOT followed by a THUD, Whit turns quickly to see a fallen man on the street.

Movement between buildings, Whit aims his rifle. He relaxes as he sees Barry with his gun aimed at roof.

Barry tips his hat and disappears behind the buildings.

Movement on roofs, alleys and in stores. Whit ties the reins to his saddle.

He holsters his rifle and takes out two pistols. He starts slowly down the street.

Bullets start to wail. Whit picks up his pace. He flips from side to side of the horse for cover and aim.

As the GUNFIRE increases, bodies fall from windows, alleys, balconies, and roofs.

Overwhelmed, Whit dismounts and hustles into a store.

BEHIND BUILDINGS

Barry moves stealthily. Looking between buildings, he sees Whit is pinned down in the store.

He aims at the roof, but can't see the shooters. He heads to a staircase in an adjacent alley.

INT. STORE - MORNING

Whit tries to rise up and fire, but he is pinned.

EXT. TOWN OF GARSON PASS - MORNING

Barry creeps up the steps of the adjacent building. Near the roof, he sees the three men firing on Whit.

He aims and fires rapidly. The three men fall off roof.

INT. STORE - MORNING

Shooting stopped, Whit rises and sees the three men on the ground. He looks between buildings to see Barry.

Barry leans out from the staircase to look up the street. He signals Whit it's clear.

EXT. TOWN OF GARSON PASS - MORNING

Using his horse as cover, Whit heads down the street.

At the intersection, he freezes when he sees Jake sitting alone in front of the church.

BANG! A shot nicks Whit in the shoulder breaking his stare. He uses his horse to make his way past the intersection.

BEHIND BUILDINGS

Behind a water trough, Barry searches for the shooter. He sees a stable with its second floor doors open and a clear view to the intersection. He starts to it.

MAIN STREET

Whit hides at the corner store and peeks out through the intersection as he reloads.

Movement from behind startles him. He turns quickly and see Kirby crossing the street.

The SCREECH of the saloon doors opening down the street gets Whit's attention. He steps back to see the saloon doors are propped open.

He contemplates as he looks at a nearby dead body next to the a horse.

INT. STABLE - MORNING

A sniper lies in wait on the second floor.

BARRY (O.S.)

Toss the rifle, real slow and
easy.

Barry aims his pistol at the sniper from behind.

The sniper throws the rifle aside and puts hands up.

BARRY

If you wanna live, stand up real,
real slow. Keep the hands where I
can see them.

The man starts to stand.

BANG! A shot from below nicks Barry. Barry returns fire and kills the man below.

The sniper turns quickly, draws his pistol and hits Barry in his side.

Barry fans his pistol hitting the sniper multiple times.

Barry sits on a bale and looks at his wound.

BARRY

Ain't no better day.

Barry smiles as he succumbs to his wounds.

INT. MAIN STREET SALOON, GARSON PASS - MORNING

Three men hide behind turned-up tables deep in the saloon. Their hands shake as they aim their rifles out the open doors.

Through the painted picture window, a silhouette of a man riding low on his horse approaches slowly.

The three open fired as the horse carrying the dead man comes into view in the doorway.

Realizing, they look at each other.

CRASH! The window SHATTERS as Whit flies through on his horse. He quickly fells the three surprised men.

Whit dismounts and checks he is alone. Pistol in hand, he heads out the back of the saloon.

EXT. STREET IN FRONT OF THE CHURCH- MORNING

From between buildings, Whit peers out at Jake.

Noise above, Whit aims and sees Kirby moving on the roof.

The TALK of three men exiting the next building gets Whit's attention. He puts his back to the wall to hide.

After the men move past, Whit whistles. The men turn and Whit fells them before they can react.

CLAP! CLAP! CLAP! Jake claps but doesn't look up.

Whit's eyes dart to all the possible hiding places.

Jake tosses his cigarette, lifts his hat.

JAKE

Getting harder and harder to hire
a decent gun these days.

Jake puts his hands up and rises. He opens his jacket and twirls to show he's unarmed.

WHIT

Not like you to just give up.

JAKE

What would you have me do?
Challenge the great Jeremiah
Whitlock to a gunfight? I may be
crazy, but I'm not stupid.

WHIT

(over his shoulder)
We clear, Kirby?

From the roof, Kirby aims rifle at Jake who slowly
circles turning Whit away from the church.

KIRBY

Yeah, we're clear.

WHIT

(to Jake)
Guess we have a date with a judge
in Waco, then.

COLTEN (O.S.)

Judge's gonna have to wait.

Whit turns and sees Colten walk out from the side of the
church with his pistol out. Whit points his gun at him.

JAKE

I believe you two have met.

COLTEN

What's the matter, cat got your
tongue? Or maybe it's just seeing
the only man faster than you? That
is, if you're man enough to give
me a fair fight? Not like what you
did to my brother.

WHIT

Your brother got more of a chance
than the pice of shit deserved.

Whit's words annoy Colten.

COLTEN

Heard you shot him in the back
like the coward you are.

Colten walks out in the street.

COLTEN

Either way, it's not gonna be over
'til we settle it.

Boldly, Jake lowers his hands and leans against a hitching rail. Whit signals him to keep them up.

JAKE

Don't think I'm your biggest
problem right now.

Colten brazenly holsters his gun and assumes a gunfighter's stance.

COLTEN

What do you say? You man enough,
Whitlock?

WHIT

Kirby, keep your rifle at Jake's
head while I take care of that
ugly bastard over there. He moves,
kill him.

Whit holsters his gun and walks out to face Colten.

WHIT

(aside, to Jake)
Ain't gonna work.

Colten's eyes narrow and his hand trembles. Whit stands defiantly. His eyes focus to narrow slits.

Sweat appears on Colten's forehead. His nostrils flare and his hand twitches. He draws.

BANG! BANG BANG! Whit fans three shots killing Colten.

WHIT

Told you, it wasn't gonna work.
(points down street)
Now, if you don't mind.

Jake just lean against the hitch with his arms crossed.

JAKE

Told the dumb bastard he didn't
stand a chance, but he insisted.
(hesitates)
What? You thought he was my out?
Hell, you did me a favor. Saved me
some money too.

Whit knows he's been played. He's eyes scope the area.

JAKE

You just never could believe that
everybody has a price.

Jake nods to Kirby, who changes aim from Jake to Whit.

BANG! Kirby's SHOT hits Whit in the hand. His gun flies.

Whit clutches his bloody hand in pain. Shocked, he looks up at a distraught Kirby. He starts toward his gun.

BANG! A shot hits Whit in the leg. He falls to his knees.

Jake walks casually towards Whit, who strains to get up and to limp to his gun.

Jake shakes head in disbelief and looks up at Kirby.

BANG! A shot to the same leg. Whit falls on his face.

KIRBY

(distraught)

Stay down. Just stay down.

Whit tries to crawl. Jake rolls his eyes and puts his hand up to stop Kirby. Kirby disappears from the roof.

Jake walks over and picks up Whit's gun.

JAKE

Always the dreamer. We're not kids anymore, Jeremiah.

Jake points the gun at Whit's head.

WHIT

This isn't you. Come in with me. They'll listen to me. There's still a chance. We're still a family.

Jake looks on incredulously as he cocks the hammer.

JAKE

You really think they're gonna let me go? This...

(looks around)

This is me. It's the only life I know. It's all I have.

Mounted, Kirby brings Jake's horse from behind the building and sees Jake pointing the gun at Whit's head.

KIRBY

No! You said you'd spare him.

JAKE

It has to end sometime.

Jake stares at a pained Whit. His determined look begins to break. His hand starts to tremble. A tear appears.

Jake shakes his head, pulls up the pistol and looks away. He pistol whips Whit knocking him out.

JAKE

There's no family. Not anymore.

MOMENTS LATER

At his horse, Jake buckles his holster. He takes a small money bag from his saddle and tosses it to Kirby.

JAKE

You'll find your mother and sister
in a cabin just east of the pass.

Kirby's mouth trembles as he stares at Whit.

JAKE

Get out of here before I change my
mind.

Kirby saws his horse and rides off. Jake mounts up.

Jake rides up to the church door and knocks the beam off the door. He takes a last look at Whit and rides off.

The people exit the church. Some come to Whit's aid.

EXT. MAIN STREET, WACO TEXAS - AFTERNOON

Whit limps with a cane as he storms out of the "TEXAS RANGERS" office. He crosses the street.

Dapperly dressed, COLONEL PARKER, sixties, follows.

SUPER: WACO, TEXAS, FOUR WEEKS LATER

WHIT

Not gonna let those sons of
bitches railroad me.

COLONEL PARKER

All they said was you were a
little reckless.

Whit stops as he reaches the other side and turns.

WHIT

I had a plan. If I had known about
Kirby --

COLONEL PARKER

-- You'd have what? Forgot your obsession with Jake? You would have stormed in there just the same and you know it.

Whit backs down. He turns and limps down the sidewalk. Parker follows.

COLONEL PARKER

Jake's got your mind all screwed up. Just go back inside and pick up your badge.

WHIT

And do what? Sit in an office? You heard 'em, I'm ain't fit for active duty no more.

They reach the livery. A boy brings out Whit's horse and a loaded pack horse that causes Parker to raise an eyebrow.

WHIT

Got everything?

The boy nods. Whit's pays him, then checks the horses.

COLONEL PARKER

I know the whole idea of Jake comin' in over somebody else's saddle eats at your gut, but you gotta let it go.

Whit tries to tighten the cinch, but jumps back in pain from his heavily bandaged right hand. He tries again.

WHIT

Over a saddle or sittin' up, I gotta be the one.

Whit puts the cane in saddle. He tries to figure how he's gonna mount the horse.

COLONEL PARKER

You know he'll be halfway across the country by now.

WHIT

He'll head where he knows best. Where he'll fit in.

COLONEL PARKER

The Dakota territory? A healthy man'll be lucky to survive that trip. Not to mention they don't look too kindly on the law up there.

WHIT

Guess it's a good thing then I'm not the law anymore.

Whit tries to mount his horse awkwardly, but can't due to his leg and hand. Parker looks on and rolls his eyes.

Parker cups his hands to help. Whit waits for Parker to retreat.

Whit climbs, crawls, and pulls until he's mounted. Parker looks on incredulously. He grabs Whit's arm.

COLONEL PARKER

Isn't it enough that Barry's dead?
How many more are gonna die so you
can satisfy this personal need?
What's it gonna take before you
realize?

Ignoring Parker, Whit saws his horse and rides out.

EXT. WHIT'S CAMP IN WOODS - EVENING

Whit stands next to the camp fire about ten yards from a can on a rock. He hesitates as he looks down at his pistol. Hand trembling, he picks it up hesitantly.

In pain, he tries to aim, but his hands shakes violently. He fires and misses. The pain forces him to drop gun.

Grimacing, he picks up the gun. He misses again and again 'til the pain forces him to drop the gun.

MONTAGE - WHIT TRAVELS TO THE DAKOTA TERRITORY

- EXT RED RIVER - AFTERNOON - Flexing the clay, Whit and his horses ford the Red River. He passes a herd of cattle being lead in the opposite direction.

- EXT. OKLAHOMA PLAINS - EVENING - Silhouetted by moonlight, Whit ride across the Oklahoma mountains. Hand opens and closes on the clay.

- EXT. HILLS OF KANSAS - EVENING - In the pouring rain, Whit rides uphill through a forest with his poncho on.

- EXT. MOUNTAINS IN NEBRASKA - MORNING - Heavy coat on, Whit struggles to ride down a slippery mountain slope in a snow storm. His hand still works the clay.

END OF MONTAGE

EXT. WOODED OPENING CAMP FIRE - EVENING

Snow on the ground, Whit sits by the campfire. He flexes his hand on the clay as he stares warily at a empty bottle on a rock about twenty feet away.

He takes a swig from a whiskey bottle, gathers himself. He stands and picks up his pistol.

Staring at the bottle, he leans his head to each side cracking his neck.

His hands shakes noticeably less as he brings up the gun to aim. Jaw clenched to steady his hand, he fires shattering the bottle.

A smile turns up one side of his lip as he twirls the gun and holsters it.

EXT. WYOMING FOREST - MORNING

Whit makes his way down the side of the stream on a Spring day. He stops suddenly as something gets his attention from the woods.

He quickly dismounts, draws his pistol and takes his cane.

SUPER: WYOMING TERRITORY

Attention ahead, Whit carefully limps his way to the edge of the trees. Staying hidden, he looks into a clearing.

JACOBY BROWN, black man in his early thirties and heavy set, sits on a horse. His hands are tied and head is in a noose. His face is bruised and his clothes tattered.

Despite the situation, Jacoby sits up straight and proud. His posture emits a defiance towards his tormentors.

Four armed and mounted white men surround him.

Whit moves carefully, but loses balance, stumbles, and falls. He crawls quickly and hides behind a log.

The four men become alerted at the sound of Whit falling.

The LEADER nods for a younger man to check. He dismounts, draws his pistol, and walks carefully toward Whit.

LEADER

Now's a good time to admit what you've done, boy.

JACOBY

I'll talk to you in hell.

LEADER

Hmm. Maybe, but I can guarantee you'll be the one waitin'.

HARRY, an older man on horseback, points his rifle.

HARRY

Just let me shoot the black bastard. I deserve my peace.

LEADER

(breaks off a branch)
Nah, that would be unamerican to just up and shoot a free man. You do know they ARE free now... unfortunately.

(test the switch)

Nope, proper thing here's a good old fashioned lynchin'.

WHIT (O.S.)

Too nice of a day for a hangin'.

Startled, the three men turn as they reach for their guns. They see Whit and the younger man approach with his cane. Whit's gun in back of the younger man.

LEADER

This here's none of your business. So, why don't you let our friend go and be on your way.

WHIT

Now, that would be unamerican.

HARRY

Looks like we got ourselves a NEGRO lover.

LEADER

That right? You got a soft spot for niggers?

WHIT

Man's color's no interest to me,
but, if a man's gonna die, should
be for the right reasons.

HARRY

He forced himself on my wife,
that's reason enough.

WHIT

That right? You force yourself on
her?

JACOBY

Like I said before no.
(glares at Harry)
We loved each other.

HARRY

(aims rifle)
That's a God-damned lie.

Whit cocks his pistol. His eyes dart from one person to
the other. The Leader puts hand out for Harry to relent.

LEADER

You can understand Harry's
frustration. Man comes home, finds
his wife in bed with another
man... Well, that's bad enough,
but given he's, uh --

WHIT

-- Real ugly? Yeah, would make me
wonder too. Still no reason to
hang a man.

HARRY

My wife wouldn't do a nigger.

JACOBY

Well, she did and she enjoyed
every minute.

HARRY

(aims again)
You black bastard son of a bitch.

Whit moves his pistol to the man's head and cocks it.

LEADER

Stand down, Harry. You're gonna
get everybody killed.
(to Jacoby)

(MORE)

LEADER (CONT'D)

If I was you, boy, I'd check that mouth.

The third man slowly widens and strays from Whit's view.

LEADER

Wife testified. We all heard it.

JACOBY

Ain't true. They beat it out of her. Ruined that beautiful face.

Oblivious to Whit, the third rider gets the younger man's attention and nods to the side.

LEADER

Seems we're at a deadlock, but, you gotta think, do you really want to risk your life for some dumb nigger, especially since there's four of us and, uh...

(nods to Whit's leg)

...just about one of you..

(switch to horse)

Now, boy!

Chaos ensues as the younger man pulls away. The horse runs, leaving Jacoby hanging and kicking violently.

Whit fells the Leader and the third man before they can draw. He points his pistol at a frozen, wide-eyed Harry, who sees his horse and gallops off.

Whit fires at the rope, but hits the branch.

Whit fires again as he limps toward a struggling Jacoby. He hits the branch again as he stumbles and falls.

The branch breaks from Jacoby's weight. He hits the ground gasping for air.

Whit gets up, limps to Jacoby, and cuts him free.

JACOBY

You coulda just shot the rope.

The sound of RUSTLING in the bushes gets their attention. Whit aims, sees the younger man run away and relents.

Whit helps Jacoby up. They look at the dead bodies.

WHIT

Better get these bodies buried and be on our way before they get

(MORE)

WHIT (CONT'D)

back. Figure you can take what you need, they owe you that.

JACOBY

Headed North?

Whit nods.

JACOBY

Mind if I ride along 'til Bixby?

Whit hesitates, then shrugs.

EXT. PATH THROUGH WOODS - MORNING

Whit rides ahead of Jacoby, who's wearing the dead men's clothes and leading the pack horses.

JACOBY

Can't, for the life of me, figure it out.

Whit looks back at Jacoby quizzically.

JACOBY

Why would some white man, and a gimp at that, ride in and save my sorry fat black ass? Don't make no sense.

WHIT

Seemed like the right thing.

JACOBY

I don't know no white folk who would just help a negro just because it seemed like the right thing.

WHIT

Bothers you that much, you're free to leave.

JACOBY

So, I could just up and ride off and you wouldn't be upset in the least?

WHIT

Nope.

JACOBY

And I wouldn't owe you anything?

WHIT

Not a thing.

They ride a couple of steps. Whit looks back at Jacoby.

JACOBY

What? Leave a gimp alone in these parts? Wouldn't be right. I'll just make sure you get to Bixby.

Amused, Whit turns forward.

LATER

Jacoby's sings poorly as the two wind down a hill.

Whit glares at Jacoby to shows his annoyance at singing.

JACOBY

Not like you're a whole bunch of chatty. You'd think after two days of ridin' you'd know something about a man.

Whit turns forward and continues on.

JACOBY

Never seen a man so determined to get where he's goin'.

WHIT

Should've let 'em hang you.

JACOBY

Where are you heading?

WHIT

Told you, Bixby.

JACOBY

No, I mean for what reason?

WHIT

Looking for my brother.

JACOBY

Now that wasn't so hard. So you're a family man. That says a lot about a man's character.

WHIT

I'm gonna kill him.

Furrowed brow, Jacoby stops in his tracks.

JACOBY
 (to self)
 And I needed saving.

Something catches Whit's attention. He stops, signals Jacoby to be quiet, and points through the trees where they see...

EXT. ROAD TO BIXBY - MORNING

NAP "NAP" NEILSEN, early twenties and the son of Inger "Swede" Neilsen, sexually taunts SUE DRAPER (33) by the side of her covered wagon that has thrown a wheel.

Nap is the poster child for the lazy, slovenly, rich spoiled brat.

In front of the wagon, SLEDGE RYAN and another men watch from their mounts, amused.

EXT. PATH THROUGH WOODS - MORNING

Whit points to Jacoby's rifle.

WHIT
 You know how to use that?

Jacoby smirks as he unsaddles the rifle. He saws his horse and heads off into the woods.

EXT. ROAD TO BIXBY - MORNING

Against the wagon, Nap reaches out to caress Sue's face. She pulls back. Nap gets real close and reaches for her skirt. She swats his hand away as she scrunches up against the wagon.

NAP
 We can fix that wheel. Not gonna cost you much either. Just a show of gratitude.

In the back of the wagon a blanket rises. The eyes of JOHANN (10) and PETER DRAPER (8) barely appear.

SUE
 I, um, I'm sure I'll be able to take care of it myself.

Nap grabs and caresses one of Sue's hands.

NAP

I don't know. That's a big wheel for such a small lady. Wouldn't want you to callus these delicate soft hands.

(changes tone)

Nah, I think you should just let us do it. We'll be done in no time. Have the whole afternoon for you to show your appreciation.

(to his men)

Isn't that right, boys?

The two riders chuckle and agree. Sledge notices something behind the wagon. He nods to Nap.

SLEDGE

We got company, boss.

A mounted Whit saunters up from behind the wagon.

WHIT

Afternoon. Anything I can help with?

SUE

I've seem to have thrown a wheel and, uh, these men were --

NAP

-- Just about to repair it. So you can be on your way.

Nap's men have their hands on their guns.

WHIT

Is that right, ma'am? These men are just helping you?

Sue starts to answer, but Nap cuts her off.

NAP

Now what part of we got this don't you understand?

WHIT

Lady seems upset. A little too upset if you ask me.

Whit notices Jacoby making his way through the woods behind Nap's men. He rises in his saddle as if to dismount.

WHIT

You know what? Two more hands'll
get this done a lot faster.

Nap puts his hand on his holstered pistol.

NAP

Mister, if I was you I'd move on
or it'll be more than the wheel
that needs fixin'.

WHIT

I'd be real careful about cockin'
that hammer. My friend behind you
might get a little itchy.

Nap hesitates, then relaxes and starts to laugh.

NAP

This is where I'm supposed to turn
around and let you get the draw on
me? Pa didn't raise no fool.

JACOBY (O.S.)

Maybe it was your mother then.

Nap turns and sees Jacoby walk out of the trees with his
rifle pointed at him.

JACOBY

No offense to your ma.

NAP

Boy, you have no idea who you're
pointing that rifle at.

JACOBY

Until I find out, why don't you
just relieve yourself of those
firearms.

(to Nap's men)

You, too. All of 'em, rifles
included.

Nap's men look on defiantly. They look to Nap for an
order. Jacoby notices the dynamic.

JACOBY

You'll be first.

Tension mounts. Nap relents. The others follow and throw
their weapons on the ground. Nap turns to Whit.

NAP

You just unleashed the whole
hornets' nest once Swede finds
out.

(to Jacoby)

And, boy, you're way out of your
territory. We still have lynchin's
in these parts.

JACOBY

So I've heard.

Sue backs up to rear of the wagon. She realizes the boys
are partially exposed and covers them up quickly.

The second rider draws a hidden gun from behind him.

BANG! Rider's pistol goes flying. He grabs his hand.

Jacoby looks at Whit with his pistol out.

WHIT

Guns'll be with the sheriff in
Bixby. Now, if you don't mind
leavin' so we can get this wheel
fixed and the lady on her way.

Nap stares ominously as he passes Jacoby, then mounts up.

NAP

You're gonna regret this day.

Nap and his men ride off as Whit and Jacoby watch.

Whit dismounts and walks to Sue. Jacoby dismounts and
walks over to check out the wagon.

WHIT

You okay?

SUE

Yeah, I think. Thank you. Thank
you so much.

It is obvious that Sue is attracted to Whit's bravery.

WHIT

Not really the kind of place for a
lady, let alone one with two boys.

Sue does a double take. The boys pop up from under the
blankets with big smiles.

SUE

My brother-in-law came out two years ago to put down a stake. Boys are getting to an age where they need a male around. Figured now was as good a time as ever.

Jacoby examines the wheel and nods to Whit.

WHIT

Bixby's only a couple miles down the road. Guess we can figure out that wheel and get you there.

LATER

Wheel fixed, Jacoby hitches his and the pack horse to the wagon.

Sue and Whit are near the front of the wagon. The boys play behind the wagon's front seat.

SUE

Just can't thank you enough.

WHIT

It was our pleasure, ma'am.

Jacoby gets into the driver's seat. Sue pulls Whit aside.

SUE

Uh, he's getting in the wagon?

WHIT

Wheel's still pretty bad. Gonna take an experienced hand to keep it steady.

Sue nervously looks at Jacoby. The kids play with his nappy hair from behind. Annoyed, Jacoby swats them away.

SUE

But he's --

WHIT

-- Fat? I know. Should be enough room though.

Whit mounts his horse. Sue gets in the wagon apprehensively and they pull out.

EXT. ROAD TO BIXBY - EVENING

Dusk is falling as Whit and the wagon head down the road.

A wooden post, with a sign that reads "DRAPER FARM" points to a side road through some trees.

Smiling, Sue stands and points to the sign.

EXT. DRAPER FARM - EVENING

Jaws dropped, the group stop as they exit the other side of the trees. Jacoby and Whit look at each other.

Yards away, the main house is burnt down except for the remnants of the chimney. The barn and other buildings are in disrepair. The fields are chopped up and barren.

Distraught, Sue hops off the wagon before Jacoby can grab her and runs toward the house.

BURNOUT HOUSE

In front of the house, Sue drops to her knees, broken and in tears.

The others follow her to the house. Whit dismounts. Jacoby helps the boys off the wagon.

The boys run and hug their mother. Whit approaches her. Jacoby takes his rifle and disappears behind the ruins.

SUE

What happened?

WHIT

Best guess? Indians.

PETER

Mommy, where's Uncle Daniel?

Sue looks to Whit for an answer.

WHIT

Let's not jump to any conclusions.
 (looks at sky)
 It's getting dark. Best we put up here for the night. We can find out what we need to know in Bixby tomorrow.

Sue nods. She gets up, walks to the fields and stares out. Whit follows her. She turns to Whit.

SUE

Why would God do this? Have us
travel all this way? For what?

Whit doesn't answer. Sue starts to pound on his chest.

SUE

Why? Why? Why?

Whit awkwardly comforts a crying Sue. She realizes and
pulls back.

SUE

I'm sorry. I just...

WHIT

It's okay. It's okay.

Sue puts her head on Whit's chest as he struggles to
comfort her.

BEHIND THE HOUSE

Jacoby examines the wreckage. He bends down, runs his
fingers through the ashes and sniffs them.

The sound of HOOFS ON THE GROUND gets his attention. He
sees riders speeding toward the front of the house.

He cocks his rifle and hides behind the chimney.

FRONT OF HOUSE

MAX NEILSEN, early twenties and the illegitimate son of
Swede, approaches with five men. They stop in front of
Whit and Sue.

Max like his brother, Nap, is a spoiled brat. He,
however, demonstrates it through a brash lavish existence
that includes custom one-of-a-kind snakeskin boots.

WHIT

Can I help you?

MAX

You can start by getting off my
dad's land.

Stunned by the statement, Sue storms toward Max.

SUE

It's not your --

WHIT

(grabs Sue)

-- Sign on the post said it's the Draper's farm. Since this is Sue Draper, I think she has every right to be here.

Max is taken aback when he hears the name.

MAX

Daniel your husband?

SUE

Brother-in-law.

MAX

Well, it was the Draper Farm 'til the attacked. After that, your brother took the first offer and bolted.

SUE

Daniel knew we were coming. He wouldn't leave.

MAX

Ma'am, I understand your distrust, but this land makes cowards of a lot better men than Daniel. Now, if you would be on your way.

Sue looks to Whit.

WHIT

She's got the two young boys and it's getting late. How about you let us set down for the night? If everything checks out tomorrow, we'll be on our way.

Max looks off to the side as he hesitates.

MAX

One night. That's it.

Max sees his horse and leaves. The others follow.

SUE

That's it? One night?

WHIT

It's been a long day, let's get some sleep.

Sue grabs the boys and stomps off. Jacoby appears next to Whit and holds out his fingers.

JACOBY

You know of any Indians that use
lamp oil on their arrows.

Whit doesn't answer as they stare out at the riders.

EXT. TOWN OF BIXBY - MORNING

Small one road town in the middle of nowhere. The main road has a jail in the middle of the far end. Behind the road are the livery, blacksmith and other businesses.

Unfinished construction takes up half of the left side followed by the saloon. The other side has businesses and buildings. Houses are scattered in the distance.

Sue and Jacoby exit the wagon as Whit hitches his horse in front of window that reads: "Mayor's Office, Deeds and Records, Telegraph Service"

MAYOR DAILY looks out the window. SERGI ILLIKOFF, a short Russian immigrant, sits next to the telegraph.

Sue starts toward the mayor's office with the boys. Whit takes the bag of guns out of the wagon and starts toward the jail using his cane.

Whit stops and looks back at Jacoby waiting by the wagon.

JACOBY

You don't really expect a black
man to walk into jail on his own?

Whit smirks and continues toward the jail.

INT. JAIL - MORNING

SHERIFF BOBBY THOMPSON (19) sits at his desk with his feet up. His babyface make him even look younger and more naive than his actual age.

With one hand he holds a dime-store novel that he reads. With the other he practices his draw, twirling his gun each time before he holsters it.

Whit is taken aback as Bobby draws just as he enters.

Bobby scrambles to holster his gun and put the book down.

BOBBY

Sorry about that. I was, uh...

WHIT

(throws sack on desk)

Took these from a group of men
about five miles down the road.
Told 'em they could pick 'em up
here.

Bobby looks at Whit quizzically from different angles.
Bobby's stare makes Whit uneasy.

In a eureka moment, Bobby picks up the novel and looks at
the cover.

INSERT: COVER that reads: "FURTHER EXPLOITS OF WHIT
WHITLOCK " with a poor drawing of Whit hanging on the
side of his horse with both pistols blazing.

BACK TO SCENE

BOBBY

You're him, by golly. Right in my
office. Who'd believe it?

Whit is annoyed at the attention. Bobby turns and picks
up a stack of novels from behind his desk.

BOBBY

I've read 'em all. Some as many as
five times. I can quote every
gunfight you've had.

Whit looks off.

BOBBY

Oh, guess you probably don't wanna
talk about yourself, do you?

WHIT

They were harassing a woman. If it
means anything, one of them called
went by Nap. Mentioned a Swede
fellow.

Whit raises an eyebrow as he notices Bobby's frozen
reaction to the names.

BOBBY

Nap's Swede's son. The man that
practically owns this town. He's
really not a bad kid. A little
mischievous maybe. Nothing

(MORE)

BOBBY (CONT'D)
serious. I'll have a talk with
him. In these parts, most people
look at harassing a woman as just
a rite of passage. You know, boys
being boys.

Whit scowls. He relents and turns to leave.

WHIT
Well, those boys'll be in for
their guns. Make sure you have a
nice long talk with 'em. I'm sure
that'll make the woman feel a
whole lot better.

BOBBY
Oh, I will. Real long.

Annoyed, Whit smirks and leaves.

Bobby looks at a novel and smiles like a boy who got a
date with his first crush.

EXT. TOWN OF BIXBY / MAIN STREET - MORNING

Leaving the jail, Whit stomps toward Jacoby.

Bobby follows Whit out and sits in a chair outside the
jail. He smiles admiringly at Whit.

WHIT
Just boys being boys.

JACOBY
Yeah, well, our boy Nap and his
buddies just went into the saloon.

WHIT
See you?

JACOBY
Don't think so.

JACOBY
(nods at Bobby)
Seems like you have an admirer.

Whit turns. Bobby smiles and waves at him.

B.G. An irate Sue puts the boys in the wagon. She takes
out a shotgun and checks if it's loaded.

WHIT

Reads too much.

They notice as Bobby leans out. Focused behind them, Bobby slowly rises.

Whit and Jacoby turn to see Sue aim the shotgun at the mayor's office.

BAM! The shotgun blast shatters the mayor's window. It sends Sue flying backwards on her ass.

Whit, Jacoby and Bobby hustle to her.

Whit helps Sue up, Bobby picks up the shotgun. Jacoby hustles over to comfort the boys.

People come out of the shops. INGER "SWEDE" NEILSEN, fifties and a huge man with a Swedish accent, exits the general store. Max is with him.

Well-dressed, Swede has a friendly look that conceals his serpent's tongue and cunning killer's mind.

SUE

(at the window)

Daniel would never sell his dream
for pennies. He loved that place.

In the background, Swede and Max approach.

INT. MAYOR'S OFFICE - MORNING

Mayor Daily cowers under the desk.

MAYOR DAILY (O.S.)

I don't make the deals, Miss
Draper, I just do the paperwork.

EXT. TOWN OF BIXBY / MAIN STREET - MORNING

Bobby grabs Sue by the arm.

BOBBY

'Fraid you're gonna have to come
with me, ma'am.

SUE

Me? What? He's the thief. He stole
my land. He should be put in jail,
not me.

Swede listens from behind as Max whispers in his ear.

WHIT

You're not seriously gonna take the lady in. She's obviously distraught. Nobody got hurt. She's got two young boys.

SUE

I am not distraught. I knew what I what I was doing. He deserved it.

BOBBY

Law's been broken. If anybody would knows that it's you.

WHIT

Think of the boys. You charge her, it'll change their lives forever.

Conflicted, Bobby looks at the boys. Swede steps up.

SWEDE

Man's got a point, Sheriff. Woman's been through enough.

BOBBY

You want me to just let her go?

SWEDE

I really don't see anybody who's hurt and those boys need their mom a lot more than our mayor needs a window.

BOBBY

I guess... If you say so.
(hesitates)
Can I have a minute, Mister Neilsen.

SWEDE

Sure.
(to Sue)
Excuse us, Ma'am.

Swede and Bobby move to the side with Max. The boys break free of Jacoby and run to their mom.

Out of earshot, Bobby whispers to Swede. It is obvious from their glances that it's about Whit.

Swede approaches Whit. Bobby goes to the mayor's office.

SWEDE

No more beautiful sight than a
mother with her children.

Sue sends the boys to Jacoby and walks up to Swede.

SUE

I need to thank you, Mister..?

SWEDE

Nielsen. Inger Nielsen, but around
here everybody calls me Swede.

Sue is taken aback by the name.

SWEDE

I can understand your displeasure,
but let me assure you that the
deal was up and up. You're brother-
in-law was a good man, just not
meant for the harsh realities of
this place. Not many people are.
My offer prior to the raid was
much more generous. Given the
condition of the farm, it was
still very fair.

Sue clinches her jaw and fights to hold her tongue. She
relents.

SUE

I guess we can put that behind us
for now.

SWEDE

Good, I look forward to seeing you
and your boys around my town.

Sue nods and starts toward the boys. She turns back.

SUE

Do you know of Daniel's
whereabouts?

Swede takes his time to choose his words.

SWEDE

Ink wasn't even dry when he hopped
in his wagon and headed west.

MAX

Yeah, uh, mentioned something
about San Fransisco, I think.

Dejected, Sue nods and walks away with the boys.

Swede turns to Whit.

SWEDE

Can't imagine what they went through to get here. To find what? A burnt-out farm that they don't even own any more.

(extends hand)

Swede... Swede Nielsen.

Shakes hands, Whit starts to reply, but Swede cuts him.

SWEDE

-- I know who you are, Mr. Whitlock. Seems our sheriff has somewhat of a boyhood fascination with your career. I'm also guessing that you're the one that had the run-in with my son, Nap, back on the road.

Whit's eyes narrow as he contemplates an answer.

SWEDE

Don't worry. I am well aware of his preponderance for mischief, especially when it comes to the ladies. Wasn't the first nor will it be the last.

Swede glances at his pocket watch.

SWEDE

It's not often we get a celebrity in these parts. Why don't you stop by my ranch tonight? We can continue this talk over Kentucky bourbon and some fine cigars.

Before Whit can answer, Swede turns to leave.

SWEDE

You'll find I don't take no for an answer. See you around six.

Jacoby comes up from behind.

JACOBY

New friend?

WHIT

Why would a man, so fearful of another Indian attack that he sold everything, go off into the wilderness by himself?

INT. SWEDE'S RANCH / DINING ROOM - EVENING

Feasting alone, Swede sits a long table. Nap bursts in.

NAP

How could you embarrass me like this?

Not looking up, Swede keeps eating.

SWEDE

Sit down and eat before it gets cold.

NAP

You invite that gimp to our house? Why didn't you invite the nigger? Whole town'll be laughing at me.

Swede's voice becomes sterner, but doesn't look up.

SWEDE

I said sit down and eat.

NAP

You expect me to eat with you after you did this to me? Why?

Swede looks up through his eyebrows. He pours wine.

SWEDE

I did nothing to you. You embarrassed yourself when you didn't handle it on the road. My son got outfoxed by a man with one leg and a nigger.

Swede takes a sip of wine. Nap starts to talk, but Swede puts a finger up to signal him not to speak. He gets up.

SWEDE

I had such high hopes for you as a man. Instead I got this weak pathetic clown.

(walks toward Nap)

But I do blame myself for indulging your infantile needs all these years. Your constant

(MORE)

SWEDE (CONT'D)
suckling at the breast of this
empire I built. Milking it of the
reputation I have worked so hard
to sustain.

Swede delivers a huge roundhouse backhand to Nap's face.
It sends Nap to the table with a bloody mouth.

Nap tries to respond but Swede shoves him into a chair.

SWEDE
You do not talk when I talk.
(stalks Nap)
I will fix your problem as I have
always done and you will grow up
and start acting like the man I'd
hope for. Otherwise, and make no
mistake, I will feed your carcass
to the pigs as I do all my
problems.

Swede gets face to face. Nap looks down.

SWEDE
Do you understand?

Head down, Nap nods meekly.

Swede grabs his hair and forces his head up.

SWEDE
Look at me boy. I said do you
fuckin' understand?

Max opens the door and sticks his head in. He freezes
when he sees the situation.

MAX
Sorry to disturb you, dad, but,
uh, Mr. Whitlock is here. I put
him in the den.

Swede nods as he glares at a trembling Nap. He finishes
his wine and throws the glass, shattering it.

SWEDE
Now eat before the food gets cold.

Swede leaves. Nap's slumps down in the chair and cries.

DEN

Exotic animal heads adorn the walls. Swords are on
display behind the desk. A chess board sits on the side.

Smoking cigars, Whit sits opposite Swede as the latter pours two bourbons and hands one to Whit.

SWEDE

Now this, Mr. Whitlock, this is the nectar of the gods.

Whit takes a sip and agrees.

SWEDE

Even in a country as crude as this, if one hunts, one can find rare gems such as these. Human comforts that separate us from the savages that threaten our very existence.

(sits at desk)

So, tell me, Mr. Whitlock, what brings Texas' most famous ranger to my humble town?

WHIT

Not a ranger anymore. Just passing through. Once I get the current situation squared away, I'll be moving on.

SWEDE

By current situation, I assume you mean Miss Draper and her boys?

WHIT

I am concerned.

SWEDE

As am I.

(hesitates)

And the nigger? He just passing through too?

Whit is taken aback by the statement.

WHIT

If you mean Jacoby, you'll have to ask him yourself.

SWEDE

Of course. Please forgive my indiscretion. There's a change I'm still getting use to.

WHIT

I was hoping you could see to somehow givin' the Drapers back their land.

SWEDE

Even with all my sympathies, I am a businessman first.

WHIT

I'm not askin' for a donation. I know she has a little savings and I wouldn't mind throwin' in what I have to help.

SWEDE

You seem taken by this woman?

WHIT

Just tryin' to help.

SWEDE

Hmm. I would have thought there was more to it.

(nods to the chess board)

You play?

Whit shakes his head.

SWEDE

Neither do I. Such a stupid game. You capture all the pieces then you give back so you can play again. Nothing's final. Nothing's kept. Waste of one's time if you ask me.

Swede gets up and walks to his wall of trophy heads.

SWEDE

Now these magnificent beasts, they know what real competition is. In their world, one asks no ground and gives none. There's a finality in all their actions. I've learned greatly from studying these animals.

WHIT

A simple no would have been fine.

SWEDE

You did say that once the lady was settled you'd be on your way?

Whit acknowledges he did.

SWEDE

Unfortunately I already have plans for the Draper's plot. However, I do have another homestead on the south side of town. It'll take some work, but if she's willing, I'd call it even. A back payment on her brother's original claim.

WHIT

I'll run it by her.

SWEDE

Tell her to be at Mayor Daily's tomorrow. Nine sharp.

Whit gets up, shakes hands and leaves. Swede's servant enters as he does.

SWEDE

Get the carriage ready. I think I'll spend the night in town.

INT. BIXBY SALOON - EVENING

Crowd is large and rowdy. Max sits at a table and makes out with a young whore. He pulls the whore from the table and to the stairs.

TRIX McALESTER (48) the madam and Max's mother, leans on the bar and looks at Max with disdain.

Swede enters, looks around, and walks up next to Trix.

SWEDE

(to the bartender)
My private stock.

Max enters a room with the reluctant whore.

TRIX

I swear, if he lays one hand on that girl I'll --

SWEDE

-- You'll do what? You need to remember you're nothing more than
(MORE)

SWEDE (CONT'D)
 a cheap old dried-up receptacle.
 If you weren't his mother, I'd be
 Have you doin' Chinamen up in the
 mines.

The bartender serves Swede. Trix starts to leave, but Swede grabs her.

SWEDE
 Where you goin? Don't you want to
 reminisce?

TRIX
 Told you, never again.

SWEDE
 'Fraid the word of a whore doesn't
 mean much to me.

Trix pulls a hidden derringer from her dress. Swede wrestles it from her, discharging it in the fracas.

All goes QUIET as all eyes are on the two.

Swede delivers a huge backhand that sends Trix reeling.

SWEDE
 Now start acting like the whore
 you are and go get yourself ready.

Trix's lip bleeds. Back to the door, she looks around for help that doesn't come. She backs into her room.

Sinister stare, Swede picks up his bottle, takes a swig and follows her. He notices the crowd.

SWEDE
 What's the matter, haven't seen
 the proper way to treat a whore?

The crowd returns to it's frolicking as if nothing happened. Swede enters Trix's room.

EXT. TOWN OF BIXBY / MAIN STREET - MORNING

Jacoby and Whit wait outside of the mayor's office as men replace the window. Bobby sits outside the jail.

JACOBY
 Doesn't seem like a man that would
 wanna give anything away.

WHIT

I can tell you one thing he wants.
That's me and you out of his town.

Jacoby raises an eyebrow as he looks at Whit for more.

WHIT

Aah, doesn't matter anyhow. As
soon as that ink's dry, I'm out of
here.

The CRASH of glass and a loud THUD startles them. They
turn to see the whore who was with Max on the ground
below the shattered second-floor saloon window.

Jacoby, Whit, Bobby and a number of townspeople rush out.
Trix, bruises on her face, exits from the saloon.

Bobby turns the dead girl over. Her face is beaten to a
pulp. He looks at Trix and shakes his head.

INT. MAYOR DAILY'S OFFICE - MORNING

Swede and Sue sit opposite Daily at his desk. Sergi shows
the boys the telegraph.

Seeing the commotion outside, Sergi stands up and walks
over to look out.

MAYOR DAILY

Just one more signature and we're
done.

Daily passes Sue a paper that she signs. Swede is
distracted by Sergi's movement. He walks over to see.

MAYOR DAILY

Welcome to Bixby, Miss Draper.
(to Swede)
Something going on out there?

Sue turns to see.

SWEDE

We done here?

Daily nods. Swede hustles out the door.

EXT. TOWN OF BIXBY / FRONT OF SALOON - MORNING

Whit notices a seething Trix staring at the window. He sees her slip a derringer out of her sleeve.

BOBBY
(to crowd)
Anybody see anything.

Trix slowly starts to the saloon. Whit grabs her and pulls her aside.

TRIX
Let me go. I should have killed
that boy long ago. Knew he'd turn
out evil. Whole family's evil.

Whit wrestles the derringer from her.

WHIT
You wouldn't get within ten feet
of whoever's up there.

Trix looks at the crowd, then to the window where Max now sits in the frame, smirking.

WHIT
They'll be a better time.

Trix relents. Whit cautiously releases her.

Crowd gathered, Bobby glares at Max. Swede hustles over.

MAX
Dumb bitch got herself all doped
up and just jumped out the window.
Tried to grab her, but, seeing my
pants were down...

Bobby shakes his head in disbelief.

BOBBY
Awful lot of bruises.

MAX
(looks into the
crowd)
Anybody out there see anything
different. Come on. Speak up.

The crowd puts their heads down and shuffle their feet.

MAX

Guess you're just gonna have to take my word, Sheriff... And I should get a refund, seeing I wasn't even finished.

SWEDE

He's right Bobby. Two-bit whores like her, they get tired of spreading their legs, next thing you know they're high on drugs and then one day...

(to Trix)

Isn't that right, Trix? Aren't there days when you'd just wish it would end?

Trix steps forward. Whit grabs her.

BOBBY

From that height? Maybe a broken leg or two. Then there's these bruises.

Swede leans in and whispers to Bobby.

SWEDE

Jesus Christ, she's a fuckin' whore. We'll get another. We'll get ten more. Now, do what I pay you for.

Swede turns to the crowd.

SWEDE

Shows over, folks. Let's get the girl to the undertaker.

A couple of men pick up the body. The crowd disperses.

Swede walks up to a restrained Trix. He holds out money.

SWEDE

See the girl gets a proper burial.

Trix spits in Swedes face. Swede wipes the spit with the money and puts it in the front of her dress.

SWEDE

(to Whit)

If you're thinking of throwing this one a poke... don't bother, she's all dried up.

Swede walks away.

LATER

Situation is cleaned up, Bobby sits outside the jail.

Jacoby and Whit load supplies. The boys are in the wagon.

JACOBY

(looks at Bobby)

You believe that guy, sitting all comfortable like nothing happened?

WHIT

Don't think he has much of a choice.

JACOBY

You don't believe that.

There is a commotion behind them. They turn to see the bartender throw ROSCOE TANNER, sixties, scruffy, and sloppy drunk, from the saloon.

Roscoe lands on his face. His bottle flies away.

BARTENDER

How many times I have to tell you, no more panhandling.

Jacoby hustles over and helps Roscoe up. Mouth open, Whit hesitates, then follows. Annoyed, Bobby saunters slowly.

JACOBY

You okay, buddy?

ROSCOE

(looks for bottle)

Yeah, if I just can find...

(sees bottle)

There it is.

Roscoe staggers over toward the bottle. As he gets closer, Roscoe notices Whit. He freezes and squints, trying to focus.

ROSCOE

Is that you, Jeremiah?

(feels Whit's face)

It is you, isn't it?

JACOBY

Jeremiah?

Bobby comes up behind them.

BOBBY

Sorry 'bout this.

(to Roscoe)

Come on, Roscoe. You know the routine. Time to sleep it off.

Whit holds Bobby off.

WHIT

It's okay, I got this.

Roscoe gets sick and pukes on Bobby's boots.

BOBBY

Damn you, Roscoe. If that doesn't come out, you're paying for new boots.

WHIT

You go get yourself cleaned up. I'll take care of him.

BOBBY

If you want the headache.

Bobby shakes his head and storms off. Whit and Jacoby hold up a barely awake Roscoe.

WHIT

Let's put him in the wagon.

JACOBY

Jeremiah?

WHIT

Dad's deputy. Practically raised me and my brother.

They put a semi-conscience Roscoe in the wagon.

ROSCOE

Jeremiah, you came back.

Contented smile, Roscoe dozes off.

MOMENTS LATER

Sue hums as she walks down the sidewalk.

Roscoe tries to sleep in the wagon as the boys playfully tease him. He swats them away. Jacoby and Whit wait.

SUE

Took me a while to bicker the man
down, but I got us a plow mule --
(sees Roscoe)
-- There's a man sleepin' in my
wagon.

WHIT

I'm sorry, ma'am, but I ran into
Roscoe and seein' that he's dear
to me, I was hoping...

SUE

(sniffs Roscoe)
There's a drunk man sleepin' in my
wagon.
(to boys)
-- Don't touch him. You don't know
where he's been.

WHIT

Yes, ma'am, he's kinda fallen on
hard times, but I can vouch, when
he's straight, there's no better
man alive. Just needs a place to
dry out. He'll tow his load.

Sue is unsure. Looks to Jacoby who smiles and shrugs.

SUE

Well, I, uh, suppose, but he
sleeps in the barn.

Whit smiles and nods.

SUE

So, let's go see our new home.

Whit and Jacoby mount up. Sue gets in as the wagon's
driver. They pulled out.

EXT. OLD HAYES PLACE - AFTERNOON

Whit and Jacoby ride next to the wagon as it exits to a
clearing with a homestead that clearly has seen better
days.

Sue stands in the wagon, puts her arms out and nods
approvingly.

SUE

It's wonderful.

She looks at a totally bewildered Whit and Jacoby.

SUE

Two days ago, I lost everything.
Now I have a home. I have hope.

(gets off wagon)

Coat of paint, little elbow
grease, we can do this.

Sue looks at Jacoby, who looks Whit. Whit looks sheepishly away.

JACOBY

Ma'am, I got no place to go. For a
hot meal, place to sleep, I'd be
happy to work, but I can't speak
for everybody here.

Sue look at a conflicted Whit in anticipation. The glimmer of hope leaves Sue's face as he continues to look away.

SUE

What was I thinking? You've
already done way too much.

Whit hesitates. A smirk appears on the side of his mouth as he shakes his head.

WHIT

I suppose a couple of days.

Sue smiles. The boys celebrate.

SUE

Come on boys, let's see our new
home.

Sue helps the boys off the wagon. They head toward the house.

Seeing a smiling Jacoby, Whit realizes.

WHIT

Me? Her? No, it's not like that.

Jacoby dismounts and heads towards the house.

JACOBY

Yeah. And you were really shooting
at the branch.

Roscoe rises from the wagon.

ROSCOE

Has anybody seen my bottle?
 (smiles at Whit)
 Jeremiah? What are you doin' in my
 dream?

Roscoe falls backward, passing out.

EXT. TOWN OF BIXBY / MAIN STREET - AFTERNOON

Jacoby packs the wagon with supplies that are stacked on the sidewalk.

Bobby sits in front of the jail. Nap and two men wait outside the mayor's office.

Nap notices Jacoby and nudges one of his men. They walk casually towards him.

Oblivious to Nap's arrival, Jacoby tries to pick up a board. Nap steps on it, snapping it to the sidewalk.

Jacoby looks up through his brow to see Nap.

JACOBY

Not lookin' for any trouble.

B.G. Bobby notices the confrontation. He gets up and starts slowly to the group.

NAP

Trouble? No. Me and the boys were just wondering about you working for the Draper woman. Now I say it's out of the kindness of your heart, but the boys, they think you're getting some special privileges, if you know what I mean.

Gritting his teeth, Jacoby continues to look down to avoid eye contact.

JACOBY

Just tryin' to help out.

NAP

That's good, cause we wouldn't take kindly to a nigger taking advantage of our woman.

The men nod in agreement. Nap takes his foot off the board.

Without looking up, Jacoby picks up the board and puts it on the wagon. Bobby appears behind Nap.

BOBBY
Everything okay here?

NAP
Yeah, sure sheriff. Just thanking
the man for helping out Miss
Draper and the boys.

BOBBY
That right?

Jacoby nods meekly. Bobby isn't convinced.

BOBBY
Alright then. You said your peace,
be on your way.

Nap passes Jacoby as he leaves and leans in.

NAP
Don't think I forgot about what
happened on the road, boy.
(tips hat to Bobby)
Enjoy your day, Sheriff.

Bobby and Jacoby watch Nap and his men walk toward the mayor's office.

BOBBY
A lot of anger in that boy.

Out of earshot, Swede storms out of the mayor's office waving a paper and talking in a obvious angry voice at Nap. Swede shoves Nap into his horse.

Bobby looks at Jacoby, who shrugs.

Swede slaps Nap viciously, then mounts his horse and rides out. The others follow.

INT. SWEDE'S RANCH / DEN - AFTERNOON

Having been pushed, Nap stumbles through the door and on to the floor. Swede follows, slamming the door behind.

SWEDE
You said the surveyor was taken
care of.

NAP

I swear I put the fear of God in that man. There's no way he would betray us.

SWEDE

Fear of God? What about the money I gave you?

Nap inches backward on hands and feet. Swede stalks him.

SWEDE

Speak up, boy. That was a lot of money for any man to turn down.

Face contorted in fear, Nap continues until he's against the wall.

NAP

I, um, I got myself into a little, um, gambling mess up in Yankton.

Swede's eyes widen as he slowly circles his son.

NAP

I didn't know the game was rigged. I promise, I'll it all back.

Swede unleashes a vicious backhand to Nap's face that sends him reeling.

SWEDE

You think I care about that money? That's a pittance nothing to what was comin'.

A backhand, with the opposite hand, sends Nap to the corner.

NAP

Just let 'em take the southern route. We own all that ...

(eyes widen)

The Hayes Place. You gave it to the Drapers.

Swede looks off.

NAP

This isn't about me. This is about you covering your own mess?

Incensed, Swede lashes out with another backhand. He takes his belt off and forms a loop in his hand.

Naps scrunches up against the wall. He cowers in a ball and begins to rock.

NAP
I didn't mean that. I really
didn't. It's all my fault.

Swede walks to the door, opens it and calls out.

SWEDE
Max, get it here.

Swede seethes as he stares at Nap cowering in the corner.

NAP
No, dad, no. I didn't mean that.
I'll fix it. I promise.

Max enters and freezes as he sees Nap. He looks to Swede.

SWEDE
Close the door and sit down.
(waits)
I said sit down.

Max closes the door and sits apprehensively on the sofa.

SWEDE
Watch and learn what happens if
you ever screw up like your
brother.

Max looks on, his face frozen in shock.

NAP (O.S.)
No, dad, please. Please. I'll make
it right. Please. Give me a
chance.

Max cringes and jerks back with every CRACK of the belt hitting flesh. The sound repeats, again and again.

EXT. OLD HAYES PLACE - AFTERNOON

Jacoby and Roscoe paint the house. Whit works on a fence post out in the field. He is without his cane.

Sue and the boys come out of the house carrying a meal. They approach Jacoby and Roscoe. Roscoe notices them.

ROSCOE
Oh, great, I'm famished.

Jacoby and Roscoe sit. The boys hand out plates and bread. Sue serves them as she admires their work.

SUE

Amazing what a coat of paint can do. Can't thank you enough.

Roscoe and Jacoby mumble incoherently as they eat.

SUE

There's no way a single woman can handle this place. It's just too big. The right thing to do is to bring in some partners.

Jacoby and Roscoe stop mid-bite and look up.

ROSCOE

I don't know ma'am, there are a lot of people who would take advantage of a lady.

SUE

I'm not talkin' about strangers. I'm offering you two a share.

JACOBY

I ain't got that kind of money.

SUE

There'll be plenty of work to pay it off.

Jacoby looks at Roscoe.

ROSCOE

I ain't had a steady roof over my head for the longest time. A warm meal and a bed is all I need. This is your place, but I'd be more than happy to stay on as a hand.

Sue looks at Jacoby.

JACOBY

If it's okay with you, I'll take the same deal as Roscoe.

Sue relents. She stares out affectionately at Whit.

ROSCOE

That horse has a mind of his own. Don't go thinking you're about to change it.

SUE

If he insist on leavin', least I
can do is make sure it's on a full
stomach.

(to the boys)

Come on, boys.

MOMENTS LATER

Roscoe and Jacoby eat near the house as Sue and Whit do
the same by the fence. The boys play nearby.

JACOBY

You think he has any idea as to
her feelings?

ROSCOE

Jeremiah? Nah. Always been one to
put blinders on when he gets his
mind set to scratchin' an itch.

JACOBY

Never knew a man so bent on
killing his brother.

Roscoe stops in mid bite and stares at Jacoby.

ROSCOE

Jeremiah told you that?

Jacoby acknowledges he did.

ROSCOE

Their father was a good sheriff
and a better man, but all that
killin' gets to even the best of
men. After his wife died, the
bottle took over. Rage had to go
someplace. Someplace close.
Someplace he could hide.

JACOBY

His boys?

ROSCOE

One night Jeremiah shows up at my
door, face all bruised. Thought it
was just more of the same. By the
time I got to the house, the whole
town had gathered. Found Jake
standing over his dad's body,
father's pistol in his hand.

Jacoby stares out at Whit.

ROSCOE

Jeremiah's never talked about it.
Best I can figure is Jake came
home, found the dad beating on his
little brother and had enough.

JACOBY

Still don't explain the whole
killin' part?

ROSCOE

Town spared Jake the rope, but,
given the places they sent him,
I'm not sure they did him any
favours. Nah, Jeremiah's not trying
to kill Jake. He's tryin to save
him.

JACOBY

Or himself?

Roscoe gets up and stares out at Whit and Sue.

ROSCOE

Best get back to work if you're
gonna finish paintin' before dark.

JACOBY

Yeah.

(gets up)

Me? Wait. What about you?

ROSCOE

I'm gonna go try and wrestle me a
stubborn bull.

Roscoe slowly starts toward Whit.

OUT BY FENCE

Whit and Sue sit and eat as Roscoe slowly approaches.

SUE

... Got killed in a card game back
in Chicago.

WHIT

Sorry for your loss.

SUE

Given the person he turned out to
be, it was probably a blessing.
Now his brother, Daniel, he was

(MORE)

SUE (CONT'D)

good man. What about you, Mister Whitlock? You ever been married?

WHIT

Me? No ma'am.

SUE

Come on, a handsome man like you, there's gotta be a line of women waitin'.

WHIT

Given where I've been and what I've done, I wouldn't be too good of a husband.

Sue sees Roscoe approaching. She gets up and cleans up.

SUE

Seems to me, a man keeps lookin' behind might miss what's standing right in front of him.

She takes the plates toward the house, passing an approaching Roscoe.

ROSCOE

Food was great ma'am.

Roscoe notices that Whit is staring at Sue.

ROSCOE

Pretty woman. Good ones like her are hard to find.

Whit realizes what Roscoe's getting at. He shrugs, gets up and goes back to work on the fence.

ROSCOE

Yeah, keep sellin' that story.

WHIT

A little too old for your preachin', Roscoe.

ROSCOE

You know that even if you do find Jake, they'll only --

WHIT

-- Hang him? Maybe? But I gotta try.

ROSCOE

You're as stubborn as a Goddamn --

Whit turns to Roscoe.

WHIT

I've stared into the eyes of a lot
of killers and seen the emptiness.
It's like their souls are gone.
When I looked into Jake's...
that's not what I saw. There was
light. There was still hope.

ROSCOE

You saw what you wanted to.

Whit scoffs and goes back to work.

WHIT

You better get to helpin' Jacoby
if you wanna get that house
finished by dark.

Roscoe waves Whit off and storms towards the house.

Conflicted, Whit stares at Sue.

EXT. HAYES PLACE - EVENING

OUTSIDE MAIN HOUSE

Whit is checking his horse as Jacoby walks up him.

JACOBY

So this is it?

WHIT

Figured it's time.

JACOBY

You know they're still gonna --

WHIT

-- Roscoe talks too much.

JACOBY

And this place? Just gonna leave
it behind.

WHIT

You and Roscoe can handle it.

Jacoby stares at Whit's cane in the saddle.

JACOBY

And here I thought it was because
of your leg. All the while you
were blind.

Whit scoffs. He sees an upset Sue, with arms crossed in
the doorway. Torn, he sees his horse and gallops off.

Jacoby turns and sees Sue wipe a tear as she turns and
goes inside.

EXT. TOWN OF BIXBY - EVENING

As Whit exits the General Store, a voice from the street
gets his attention.

BILLY (O.S.)

Max Neilsen, I'm callin' you out.

A drunk BILLY MCDONALD (40's), stands in front of the
saloon in a gunfighter's stance.

BILLY

You heard me, Max. You killed my
wife. Stole my land. Get your
sorry ass out here.

Max struts of the saloon. Others, including Trix and
Sledge, follow him out.

Whit watches as Sergi exits the office and approach him
from behind.

SERGI

This will not end well. They never
do.

Max casually fixes his gloves as he saunters out to the
street.

MAX

You're drunk, Billy. Go home.

WHIT

(to Sergi)
Get the Sheriff.

SERGI

(heads off)
Won't help. Never does.

BILLY

I ain't got no home. You took it.
You took it and my wife. All I got
left is my name and I intend to
defend that. Now, get ready to
meet your maker.

Max faces Billy on the street. The crowd makes a corridor
for them.

MAX

Alright, if you insist.
(to the crowd)
You all heard him. It's self-
defense.

Max pushes his coat open to give him access to his gun.
He wiggles his fingers next to the pistol.

MAX

Call it Sledge.

SLEDGE

(smirks)

ONE

(Pause)

TWO

Max draws on two. BANG! A shot from an approaching Whit
knocks the gun out of Max's hand. Billy stands frozen.

WHIT

I didn't hear three.

Sledge draws on Whit. BANG! Sledges gun goes flying. Whit
snaps his eyes to an approaching Bobby with his gun out.

MAX

He challenged me, Bobby. It was a
fair fight 'til the gimp showed.

BOBBY

Just get out of here before I run
you and Sledge in.

(waits)

Do you want your father havin' to
come and get you? Now get.

Max and Sledge mount up. Max looks back at Whit.

MAX

This ain't over, gimp.

They leave. Bobby nods to Whit. They holster their guns.

BOBBY

All right people, show's over.
 (to Billy)
 Come on Billy, you can sleep it
 off in a cell.

The crowd disperses. Whit goes to mount his horse. Trix makes her way to him.

TRIX

Tryin' to figure if you're really
 that brave or just plain dumb.

WHIT

Little of both I guess.

TRIX

People around here been waitin' a
 long time for somebody to stand up
 to the Neilsens. They'd pay
 mightily to see it continue.

WHIT

You got a sheriff.

Trix looks at Bobby walking Billy to the jail and smirks.

WHIT

(mounts up)
 And I got a job.

TRIX

I'm not talking about a job, I'm
 talking about a war.

Whit stares at Trix, then sees his horse and rides off.

INT. OLD HAYES PLACE / MAIN HOUSE - EVENING

Jacoby, Sue, Roscoe, and the boys sit around the table.
 Their heads are down as they fiddle with their utensils.

ROSCOE

Jesus, Mary and Joseph, it's not
 like somebody died. Jeremiah can
 take care of himself.
 (reaches for food)
 I don't know about you, but I'm
 starvin'

A KNOCK on the door causes everybody looks at each other
 in anticipation.

Sue gets up, fixes herself up and opens the door. She sees Swede on the other side and becomes disappointed.

Brow furrowed, Swede is confused by her reaction.

SUE
I'm sorry, Mister Neilsen, I
thought you were somebody else.
Won't you come in.

Swede enters and sees the others.

SUE
Please, sit down.

Swede sits. He stares at Jacoby and Roscoe until they react.

JACOBY
(grabs Roscoe's
plate)
Uh, I'll just take care of these
dishes.

ROSCOE
I just started eatin'.

Jacoby kicks Roscoe under the table. Roscoe realizes.

ROSCOE
Come on boys, let's go play.

Roscoe and the boys go off to a corner. Jacoby picks up the plates. Sue sits opposite Swede.

SUE
Can I get you something to eat or
drink?

SWEDE
I'd really like to make this as
quick as possible.

Jacoby cleans the plates in a bucket as he listens. Roscoe plays with the boys, his attention divided.

Swede takes papers out from his coat.

SWEDE
It seems I have done you a
terrible misjustice. One that I
have not been able to sleep with
for days. This dump is in no way
(MORE)

SWEDE (CONT'D)
comes close to the possibilities
of Daniel's place.

SUE
I don't know, we've kinda grown
used to it.

SWEDE
I just couldn't live with myself
knowing I took advantage.
(puts the papers in
front of Sue)
Therefore, I am prepared to give
you Daniel's original claim and
buy back this... shack.

Sue reads the papers as Swede takes out a pen and small
bottle of ink. Her head snaps up. She stares at Swede
with her mouth open.

SWEDE
The very considerable profit is
for the work and effort you've put
into the place. I'm sure you'll
find it reasonable.

SUE
This offer is... well, it's
ridiculously gracious.

Swede dips the pen and holds it out for Sue.

SWEDE
If you would indulge a old man
tryin' to right his wrongs?

Sue takes the pen. She hesitates.

ROSCOE
(clears throat)
Don't forget the partners.

JACOBY
That's right, we all get a vote.

Confused, Swede looks to Sue.

SUE
If I'm right, it seems that Mr.
Brown and Mr. Tanner have taken me
up on my offer of a partnership.

JACOBY
And as a partner, I vote no.

ROSCOE

I second that.

SWEDE

An offer this generous doesn't appear every day. This is your place. You really need to reconsider... For the boys.

Sue looks at the boys in the corner.

PETER

Mom, we don't want to move again.

JOHANN

Yeah, we like it here.

SUE

(hands Swede the pen)
I'm afraid it's decided then.

Swede tries to hide his anger. He gets up.

SWEDE

Think it over. Out here... In this wilderness? You never know what can happen. It's not really a safe place for a woman with two young boys.

Swede turns to leave.

JACOBY

Uh, Mr. Neilsen...

(waits)

I think you forgot your papers.

Swede looks at the papers, then tips his hat to Sue.

SWEDE

Think it over Miss Draper. Think it over.

Swede walks and opens the door.

ROSCOE

Good luck sleeping tonight, Mister Neilsen.

Swede freezes in the door frame. He clenches his jaw, but doesn't look back. He leaves. The boys rejoice.

EXT. OLD HAYES PLACE - EVENING

Outside the house, Swede hustles into his carriage. Nap sits as the driver. He looks off to the side in thought.

NAP

She'll come around.

SWEDE

We don't have time. Tell Max to get the men and burn it down. Make sure it look like Indians.

NAP

I can handle it, dad.

SWEDE

Like you did her brother-in-law? I don't need anybody else dying.

Nap hesitates, relents, and they drive off.

EXT. OLD HAYES PLACE - MORNING

Sue stands in the house's doorway. Jacoby hitches the wagon. Peter, Johann and Roscoe exit the house.

JACOBY

And where might you boys be going?

PETER

Roscoe's taking us fishing at the pond. Says if we catch something, we can cook it for dinner.

JACOBY

Well, catch me a big one, okay?

The boys nod. They march off with Roscoe.

SUE

They've really grown fond of him.

JACOBY

Not sure who's gettin' the most out of that. What's your plans?

SUE

Goin' down to the orchard. Finally gonna bake you that apple pie.

Jacoby gets in the wagon.

JACOBY

Hop in. I'll drop you off.

Sue gets into the wagon. They pull out.

EXT. WOODS NEAR THE OLD HAYES PLACE - MORNING

Sledge hides in the woods. Seeing the wagon pull out, he quickly mounts up and races off.

INT. GENERAL STORE, BIXBY - AFTERNOON

Jacoby drops a sack on the counter. He looks at a list.

JACOBY

Pickling juice?

STORE OWNER

Over there, bottom shelf.

Jacoby kneels down to read the labels on various jars.

The RING of the door opening, followed by the sound of BOOTS on the wood floor.

Nap and three men walk up behind an oblivious Jacoby. Max nods to the owner to leave. He hustles out.

Jacoby finds the right jar and gets up.

JACOBY

All right, this is the last --

Jacoby turns to find himself face to face with Nap.

JACOBY

I ain't looking for no trouble.

NAP

Seems to find you, boy.

Jacoby looks out the window to see his rifle in the front seat of the wagon.

Jacoby cracks the bottle on Nap's head. He throws a bag of flour at Nap's men and tries to escape.

Nap's men take him down. They beat him mercilessly.

NAP

Don't kill the nigger. Wouldn't be any fun then.

Pinned to the floor, Jacoby struggles as Nap sits on him with a large knife in his hand.

NAP

Gonna enjoy branding this one.

Nap rips open Jacoby's shirt and brings the knife down.

Jacoby screams in extreme pain.

INT. OLD HAYES PLACE / MAIN HOUSE - AFTERNOON

Sue peels apples in the kitchen. She is startled by the sudden CLANK of metal cans from outside.

She looks out the window to see one of Swede's men get up off the ground with a number of empty pails in his hands.

The man runs to Max and Sledge about thirty yards away.

Sue goes to the cupboard, grabs a shotgun and loads it.

EXT. OLD HAYES PLACE - AFTERNOON

Sledge has started a fire as Max dips the cloth-covered arrows in a bucket. The other man reaches them.

MAX

Could you make anymore noise?

SLEDGE

Nobody's home.

Max lights an arrow and shoots it at the house. The flame spreads rapidly from accelerant.

SLEDGE

Don't understand why we have to go through this whole charade.

MAX

It's what the old man wants. Now, grab a bow and let's get this --

BANG. A shotgun blast causes the men to drop to the ground. They reach for their guns.

SUE (O.S.)

That one's a warning. If you leave now, we'll just call it a misunderstanding.

MAX

I thought you said it was empty.

SLEDGE

It was, I swear. Don't know how --

BANG. Another gunshot blast causes the men to duck.

SUE (O.S.)

Next one's at your head, Max.

Max is startled at hearing his name. He contemplates.

MAX

Get me the Kentucky.

The men look at Max like he's crazy.

MAX

She knows who we are. Just get the rifle.

SLEDGE

Your father made it clear --

MAX

-- And what would my father say when she points a finger at us? You think he wants this coming back on him? You think he wants more questions about the others?

The third man relents, goes and gets the rifle.

SUE (O.S.)

I'm not kiddin', Max, get out.

MAX

Yeah, okay. We're leavin'. Give us a minute. We were just havin' a little fun.

SUE

Burnin' down my house? Is that what you told Daniel, you were just havin' a little fun?

MAX

(to his men)

I'll take care of this. Leave the arrows. Meet me down by the lake.

The others move cautiously to their horses, mount up and ride off as Max moves stealthily toward the house.

EXT. LAKE AREA - AFTERNOON

Roscoe wrings his hands and paces as he tries to look through the woods. The sound of a shotgun BLAST causes him to jump.

PETER

Is that shooting?

Johann looks on as Roscoe paces and mutters to himself, stopping occasionally to look through the trees.

A rifle SHOT, in the distance gets his attention. Another SHOT soon follows.

Roscoe eyes dart from place to place around them. He notices a small cavern.

ROSCOE

How about we play a game?

JOHANN

But what about the fish?

ROSCOE

I think they need a break. They get tired from all that swimmin' you know.

(ushers the boys)

Come on, get in here.

Another rifle SHOT causes Roscoe to look up.

ROSCOE

You remember the game we played where you hid and I tried to find you?

PETER

But you know where we are?

JOHANN

This isn't a game is it, Roscoe?

ROSCOE

No, it isn't. I need you to stay in here and be perfectly quiet. I'm gonna go check on your mom. You don't speak, come out, or even move for anybody except me. You hear?

The boys nod and creep back into the cavern.

ROSCOE
Remember, nobody but me. Nobody.

Roscoe covers the opening with foliage and branches.

EXT. WOODS NEAR OLD HAYES PLACE - AFTERNOON

Roscoe hustles through the woods. In the distance he sees smoke from the area of the main house.

EXT. LAKE AREA - AFTERNOON

Johann and Peter hug as they hide in the darkened space.

They hear HOOF BEATS and see horses legs appear through the foliage. The boots of Sledge and the other man appear as they dismount.

SLEDGE (O.S.)
I swear it was empty.

SWEDE'S MAN #1 (O.S.)
Yeah, good luck convincing Swede of that.

EXT. OLD HAYES PLACE - AFTERNOON

Roscoe appears from the edge of the woods. Shocked, he sees the main house burning. He rushes into the house.

INT. OLD HAYES PLACE / MAIN HOUSE - AFTERNOON

Covering his mouth, Roscoe enters the flaming house. He fights through the smoke and fire. He sees Sue on the floor. He picks her up and carries her out.

EXT. LAKE AREA - AFTERNOON

Johann and Peter watch the four boots pacing.

SLEDGE (O.S.)
You think those boys were in there?

The sound of HOOF BEATS.

SWEDE'S MAN
Guess we'll find out soon enough.

Max's unique snakeskin boots appear as he dismounts.

SLEDGE (O.S.)

I swear she left with the nigger.

MAX (O.S.)

Don't worry I cleaned it up.

SLEDGE (O.S.)

Thank you. I'm sorry, Max. I don't know how...

MAX (O.S.)

Just one more loose end.

The boys jump back at the SOUND of a gunshot.

Sledge falls dead. His lifeless face stares through the foliage at the boys, who scrunch against the back wall.

MAX (O.S.)

Find some big rocks. We'll dump him in the lake.

Wide-eyed and shaking, the boys hug each other as the body is dragged from the opening.

INT. DOCTOR'S HOUSE - EVENING

Small house outside the town. The DOCTOR answers the door and is faced by Roscoe carrying a seemingly lifeless Sue.

ROSCOE

She's been shot.

The doctor signals Roscoe in. Cautiously, he looks out and sees only the boys in the wagon. He closes the door.

Roscoe places Sue on the table.

The doctor checks her as a worried Roscoe looks over his shoulder.

DOCTOR

How did this happen?

ROSCOE

Not sure. Can you save her?

DOCTOR

She's lost a lot of blood. Even if I manage to get the bullet out... I don't know.

Roscoe leans closer. The doctor's stare lets Roscoe know he is annoyed by Roscoe's closeness.

ROSCOE

I'll, uh, go tell the sheriff.

Doctor nods. Roscoe walks to the door.

ROSCOE

Doc, she's got two young boys. You gotta do this. You gotta save her.

The doctor nods unconvincingly. Roscoe leaves.

INT. TOWN OF BIXBY - EVENING

Boys in hand, Roscoe walks toward the jail. He stops and squats down to talk to them.

ROSCOE

You need to listen to me. 'Til we figure this out, nobody must know you're mom's alive. Okay?

The two boys nod as Max exits the jail behind them. Roscoe is surprised as he turns unto him, creating an awkward situation.

MAX

Oh, um, if you're here to tell the sheriff about the attack, I already took care of it. Army from Denton's on its way for a lil payback as we speak. I'm really sorry, she was a good woman.

Roscoe stares at Max quizzically.

Johann eyes widen as he sees Max's boots. He tugs Peter's arm and points. Peter has the same reaction. The boys scurry behind Roscoe to hide.

MAX

Oh, yeah... Guess you're wonderin'. I was on the main road and saw the fire. Guess I got there a little too late.
(looks at the boys)
Can only imagine what they're going through, being so young and all. Still, the lady should've realized she wasn't meant for this place.

Unconvinced, Roscoe nods. The fearful boys remain hidden.

MAX

(heads to the saloon)
Anyway, if there's anything me or
my dad can do, you come see us.

Peter tugs on Roscoe's arm. Roscoe bends down and Peter whispers in his ear as he points to Max's boots. Roscoe's eyes grow wide and his jaw drops.

LATER

As Trix walks down the sidewalk, she hears MOANS coming from the alley that get her attention.

Halfway down the alley, she sees a beaten, blood-soaked, semi-conscious Jacoby laying between barrels.

She runs up and checks him. Jacoby mutters incoherently.

Seeing the blood on his shirt, she opens it. She cringes at the Neilsen's circled N craved in his chest.

TRIX

Should have figured.
(looks around)
Let's get you outta here.

Propped up by Trix, they head out the back of the alley.

EXT. TOWN OF DENTON - MORNING

SUPER: TOWN OF DENTON, TWO DAYS LATER

Sidewalk is lined with anxious townspeople as Whit rides up and hitches his horse in front of the jail.

Entering the jail, Whit notices a small contingent of soldiers riding slowly toward the crowd.

INT. DENTON JAIL - MORNING

Sheriff relaxes at his desk as Whit enters.

DENTON SHERIFF

You must be Whitlock?

Whit acknowledges.

DENTON SHERIFF

'Fraid you're too late. Fuller and his gang left last night. Headed north toward the Dakota territory. Probably at Silver Lake by now.

Whit nods. Showing his disappointment, he turns to leave. Out the window he sees the soldiers passing.

WHIT

What's that all about?

DENTON SHERIFF

Figured you knew, coming from Bixby and all. Indians attacked some lady's homestead 'bout day ago. Our boys are goin' to teach those savages a lesson they won't forget.

Whit hesitates, then hustles toward the door.

DENTON SHERIFF

If your got a notion 'bout goin' after Fuller, I'd think twice. Up there, law doesn't mean much.

Whit doesn't respond as he leaves.

EXT. TOWN OF DENTON - MORNING

Crowd disperses as the army contingent rides away, turning the corner.

Conflict, Whit watches the army disappear. He looks in the opposite direction, puts his head down and thinks.

He mounts up and starts away from the soldiers.

MOMENTS LATER

The army contingent is just leaving the outskirts of the town when a mounted Whit flies by them towards Bixby.

EXT. TOWN OF BIXBY / MAIN STREET - AFTERNOON

Roscoe enters the General Store just as Swede exits.

B.G. Max and two men wait in front of the saloon.

SWEDE

Roscoe. I was hoping to see you
sometime today.

Roscoe acknowledges Swede apprehensively.

SWEDE

Terribly tragedy, the Draper
woman. How are the boys doing?

ROSCOE

As good as can be, I guess.

SWEDE

Losing your mother like that. My
heart goes out to them. So much
so, I would be willing to honor my
full offer on the Hayes' place and
a cash value for Daniel's plot...
to help 'em out. I'd also be
willing to throw in a little
something extra for the partners.

ROSCOE

I'll pass it on.

Swede takes notice of the stage pulling in. BRETT
SWENSON, a dapperly dressed railroad executive, and his
two guards get out. Nap greets them.

SWEDE

You do know that if the boys
should become wards of the state
or if that plot remains barren,
anybody can claim it.

Swede turns and starts to the stage.

SWEDE

My offer's more than generous.
Think about it ... For the boys.

Roscoe watches as Swede shakes hands with Brett. They get
in the carriage. The other mount up. They leave.

Roscoe enters the store.

LATER

Roscoe exits the general store. He is surprised to see
Whit hitching his horse near the jail. He hustles to him.

ROSCOE

Jeremiah! Jeremiah! Over here.

Whit sees Roscoe and eagerly meets him halfway.

ROSCOE

Are you a sight for --

WHIT

-- Is it true?

Roscoe looks around and pulls Whit toward to the side.

ROSCOE

She got it pretty bad. It was touch and go for a while, but it looks like she'll be okay. She and the boys are stayin' with the doc. Figured it was better if nobody knew she was alive 'til we can see where the lines are drawn.

WHIT

Where was Jacoby?

ROSCOE

Don't go blaming him. Nap took to slicing him up pretty good. If Trix hadn't stumbled on him, probably wouldn't had made it. He's holed up with her in the saloon.

(hesitates)

It wasn't Indians.

Whit's look lets Roscoe know he had his suspicions. He stares at the saloon with evil intentions as he clenches and unclenches his fist.

ROSCOE

Don't go getting yourself all lathered, they just left with some new suit fresh off the stage.

(sees Whit's anger)

I know what you're thinkin'. Doc ain't got many more beds. They'll be a better time.

Whit relents and nods.

INT. DOCTOR'S HOUSE / BEDROOM - AFTERNOON

Whit sits on the bed next to a sleeping Sue, holding her hand. The Doctor stands by the door.

DOCTOR

She's got a lot of fight. A weaker person wouldn't have made it.

Sue opens her eyes, sees Whit and smiles.

SUE

You came back?

WHIT

Should've never left.

SUE

No, you were right. This is no place for a single mother.

WHIT

Things change. You just worry about gettin' healthy.

Sue starts to cough. The doctor leans forward, concerned.

SUE

You're not thinking about doin' something stupid? It's only land.

Sue's coughing intensifies. The doctor comes over.

DOCTOR

We should let her sleep.

Whit nods.

WHIT

You just get well.

Whit starts to leave, but Sue grabs his hand.

SUE

Promise me you're not gonna do anything rash.

Whit hesitates as he looks at her, turns and leaves.

SUE

Promise me!

The Doctor tends to Sue as Whit exits the room.

EXT. BIXBY SALOON - EVENING

A tipsy Max exits the saloon. Bottle in hand, he staggers to his horse. He takes a long chug and tosses the bottle.

The CLICK of a gun being cocked get his attention. He turns his head slightly, strains his eyes to the side, and sees a barrel to his head.

From behind, Whit unarms Max.

WHIT

Been busy while I've been gone?

MAX

Well if it ain't the gimp? Feelin' guilty about leavin' the woman all by herself? Heard every one of those savages had their way with her... And it's all on you.

WHIT

Only thing I'm feelin' guilty about is not putting a bullet in your head that first night. Why, Max? Why a woman with two young boys to care for? You could've just scared her off.

MAX

Nobody in this town would dare point that finger. And every judge within miles is on my father's payroll. You're the dead man here.

WHIT

Guess I'll see you in hell then.

Whit pistol whips Max sending him to the ground.

INT. JAIL - AFTERNOON

Feet on the desk, Bobby nods off in his chair.

The SOUND of the door opening awakens Bobby. He stares out into the darkened street, becoming uneasy.

Gun pointed, Whit appears from the side. He pulls a bound and gagged Max behind him.

BOBBY

What the..?

WHIT

Don't want no trouble. Just put your guns on the desk, keep your hands where I can see 'em and step to the side.

Bobby does as told.

WHIT
Keys for the cell?

BOBBY
You gonna tell me what's going on?

WHIT
Keys.

Bobby doesn't answer. Whit points the gun at Max's head and cocks the hammer.

BOBBY
Alright. Alright. Top draw.

Whit opens the draw and takes out the keys.

WHIT
I'm arresting Max for attempted murder.

Gun aimed at Bobby, Whit pushes Max into the cell and locks it.

BOBBY
That's a mighty big accusation.

WHIT
Ain't no accusation.

Whit reaches through the bars and unties on Max.

MAX
(tugs his gag off)
He's lying. Bobby. Ain't got no witnesses. Ain't got no p5oof. Just shoot the bastard. I'll vouch you were in the right.

WHIT
You don't shut up, I'm might not wait for a judge.

MAX
Come on, Bobby, you don't want an angry Swede comin' down here.

BOBBY
Assuming it's true, why not let me handle it.

MAX WHIT
True? Listen to yourself. Can't take that chance.
Whose side you on?

BOBBY
I'm the sheriff for God's sake.

MAX
Law don't pay you, my father does.
Now, kill him and unlock this
door.

WHIT
(motions to the door)
If you don't mind.

There is a moment of tension, Bobby relents and turns.

MAX
You really gonna leave? He's got
one fuckin' leg for Christ's sake.

At the door, Bobby stops and looks back at Whit.

BOBBY
It's a delicate balance with
Swede. Last three sheriffs just up
and disappeared. Way I look at it,
what good do I do these people if
I'm dead? You have no idea of
what's he's capable of. He'll be
coming fast and with a lot of
firepower.

MAX
You hear that, gimp? You're a dead
man. I'm looking at a dead man.

Bobby turns and leaves.

MAX
What? Wait. You can't leave. He's
fuckin' crazy. He's gonna kill me.

Whit sits in the desk, puts feet up and picks up a dime-
store novels. He becomes amused as he scans it.

INT. SWEDE'S RANCH / DEN - EVENING

Swede and Brett look over a map. Brett's two guards sit
on the sofa. Nap leans against the door frame.

BRETT

Given the surveyor's report,
there's just no way I can change
the board's decision.

SWEDE

It's only one plot. Just give me a
couple of days and I'll have it
for you.

B.G. Daily comes to the door and whispers to Nap. Nap
eyes narrow and he stands up straight as he listens.

BRETT

They're not gonna wait. I go back
tomorrow with all the southern
deeds or Denton's the hub.

Brett signals his guards that they're finished. They get
up. Tensions mount as Swede grabs Brett's arm.

SWEDE

We had a deal. You can't just walk
out on me like this.

Brett looks down at Swede's hand with disdain and pulls
away.

BRETT

We had a deal, 'til you son fucked
it up. Should have handled it
yourself.

(to his guards)

We're done here.

Brett and his guards pass an unaccommodating Nap.

Nap stops Swede, who follows. Nap whispers in his ear.
Swede's eyes widen to Nap's message. He storms out.

EXT. SWEDE'S RANCH - EVENING

A number of Swede's men stand around as Brett gets in as
the driver of his carriage. His two guards mount their
horses. Swede storms out of the house. Nap follows.

SWEDE

If it's more money you want, just
say a number.

Brett ignores Swede and picks up the reins. Swede signals
his men, who fell Brett's guards before they can react.

Brett drops the reins and freezes in his seat.

SWEDE

Boys, show Mr. Swanson to his room. He's gonna be stayin' with us 'til we work out a new contract.

Two men take Brett and lead him inside. Swede addresses the rest of the men.

SWEDE

Mount up. We got a problem in town to take care of.

Swede, Nap and the men start to mount up. Swede grabs Nap's arm.

SWEDE

You stay and watch Swanson.

Nap stares as Swede in disbelief, then dismounts. He watches in disappointment as the men ride off.

INT. BIXBY SALOON - EVENING

Saloon is empty except for Bobby sitting at the bar. Trix leans against her door with her hands hidden behind her. Bobby's badge lies on the bar next to a bottle.

Bobby stares at himself in the mirror with disdain. He guzzles a shot, winces, then looks back in the mirror to see Swede enter.

A pistol in each hand, Swede stops and stares at Bobby.

Swede walks up and puts the pistols on the bar next to the badge. Not turning, Bobby watches in the mirror.

BOBBY

Just what is it you pay me for?

SWEDE

To protect this town, of course.

BOBBY

This town or your town?

SWEDE

This town, my town, it's all the same.

Bobby pours and guzzles another shot. He pores one more.

SWEDE

Man gets his gun taken away, feels his manhood challenged. Starts to question if he's good enough. Only way to face that demon is to put down the source. Cut it off at its head.

BOBBY

This isn't about my manhood. This is about where the line's drawn and who gets to cross it.

Swede pushes the pistols toward Bobby.

SWEDE

Town needs you, Bobby.

Bobby stares at the pistols, then points to the street.

BOBBY

That man... The man you want me to kill. He's the only reason I wanted this job in the first place. You think I'm not gonna believe him?

SWEDE

You knew the rules when you signed on.

Bobby slides the badge toward Swede.

BOBBY

Need to get yourself a new dog.

Bobby guzzles the shot and stares at the mirror.

Swede puts his hand on his gun and cocks it in the holster.

The dual CLICK of a shotgun's hammers cause him to relent.

Bobby looks in the mirror to see Trix with a shotgun pointed at Swede.

Swede hesitates, then storms out.

Bobby throws the glass, shattering the mirror. He gets up, stares at Trix for a moment and hustles out the back.

Trix reaches behind and opens the door to her room. A bandaged, weak Jacoby staggers out with his rifle.

They grabs a number of rifles and ammunition from behind the bar. She and Jacoby head toward the front window.

EXT. TOWN OF BIXBY / MAIN STREET - EVENING

Fifteen mounted men with rifles span the street. One holds Swede's horse as he approaches from the saloon.

Swede mounts up and nods to two men hidden on the sidewalk. Holding dynamite, they sneak toward the jail.

The mounted men approach slowly in unison. They stop about ten to fifteen yards from the jail.

SWEDE

Mr. Whitlock, I am not an unreasonable man. Release my son and I will have mercy.

The two men sneak down the sidewalk.

Swede taps his fingers on his leg impatiently as he stares at the jail.

SWEDE

I may be reasonable, but I am not patient. Release my son now.

No answers, Swede signals with his finger. The mounted men unleash a hail of rifle fire on the jail.

The men on the side approach the jail. They light and toss two sticks of dynamite in front of the door.

The EXPLOSIONS knock the door off the hinges creating a large dust cloud.

After a moment of total silence, a number of his men dismount. Firing at will, they enter the door.

As the dust clears, the men exit the sheriff's office to an impatient Swede. They shrug and signal the jail is empty.

Alerted, Swede's eyes dart around the street.

SWEDE

It's a trap.

Whit rises from the roof above the mayor's office and fells one of Swede's men. The CRASH of glass from the saloon. Jacoby and Trix fire out the broken windows.

Swede and his men scramble in the chaos. Some are shot. Some are thrown. Most dismount and take cover.

BEHIND THE CONSTRUCTION

Shotgun in hand, a hidden Roscoe watches the action next to a hog-tied and gagged Max.

ROSCOE

Better hope this works, your life depends on it.

INT. BIXBY SALOON - EVENING

Trix and Jacoby fire rapidly as bullets break windows and nick the wood around them. They change guns.

TRIX

There's just too many of them.

EXT. TOWN OF BIXBY / MAIN STREET - EVENING

On the side of the saloon, Bobby twirls two pistols, then holsters them. Confidently, he redraws and boldly saunters into the street.

Walking brazenly, Bobby fells a number of the surprised and flanked Swede's men.

Emboldened by Bobby's move, Whit rises and fires rapidly.

Swede hides behind the water trough. He sees his men fall. Seeing three horses near him, he signals two men.

The men get up and fire as the three run to the horses, mount up and ride off.

MOMENTS LATER

Shooting stopped, bodies litter the street. Several of Swede's men have surrendered. Whit stands on the roof. Trix and Jacoby exit the saloon.

After surveying the area, Whit tips his hat to Bobby, who nods and smiles in return.

EXT. SWEDE'S ESTATE - EVENING

Swede and the two men gallop in. They dismount as a confused Nap exits the house.

NAP

Where are the rest of the men?

Swede storms by Nap and into the house.

INT. SWEDE'S ESTATE - EVENING

Swede enters and starts pacing. He is followed by Nap.

SWEDE

Go up to Silver Lake. Hire every
gun you can. Money's not an issue.

NAP

You know they'll be unreliable?

Swede whirls and delivers a vicious backhand that send
Nap reeling.

SWEDE

Did I ask your opinion? Just do
what I fuckin' say.

Nap recovers and storms out the door. Swede seethes.

INT. MAYOR'S OFFICE - AFTERNOON

Whit and Sergi enter. Sergi walks over to the desk.

WHIT

Any problems?

SERGI

Daily? He's too busy, how you say,
pooping his pants over what
Mister Neilsen may do.

Sergi picks up a piece of paper and hands it to Whit.

SERGI

Just like you thought, Swede's
buyin' land cheap knowin' the
railroad's comin'.

(waits for reaction)

Seems Bixby's gonna be the
northwest hub. Trains coming and
going from everyplace.

Whit looks out at the construction and smirks. He hands
the paper back to Sergi.

WHIT

Post this someplace the whole town
can read it.

Sergi nods and Whit starts to leave.

SERGI

If I can ask, how are Miss Draper
and the boys doin'?

WHIT

They're good. Doc's keepin' 'em up
at his place, but keep that
between us.

Sergi smiles and nods.

B.G. Out the window a stage pulls up in front of the
saloon. Sergi nods to the window.

SERGI

Seems our Judge has arrived.

Whit turns to see the stage, smiles and heads out.

BACKROOM

Next to the door with his back to the door, Daily hides
listens. He leaves out the back in a hurry.

EXT. TOWN OF BIXBY - MORNING

As Whit exits the mayor's office, he sees Bobby and
Jacoby approaching the stage from the jail.

The driver quickly jumps off the stage.

Jacoby, Bobby and Whit stop in their tracks and look at
each other, concerned. They sprint to the stage.

Whit opens the stage door and sees the judge and two
marshals dead with bullet holes to their heads.

INT. SILVER LAKE SALOON - EVENING

SUPER: SILVER LAKE, DAKOTA TERRITORY

Nap sits at a table with Jake and a number of scruffy
gunslingers including Josh Hartnett and Henry Cole.

HARTNETT

That's only four men. Your father's more than capable of handling that himself.

NAP

Aah, this gimp's in my dad's head. Got him all jumpy.

COLE

Gimp's got a name?

NAP

Whitlock. Whit Whitlock.

Henry Cole and Josh Hartnett look at each other, incredulously. The conversation gets Jake's attention.

NAP

You heard of him?

HARTNETT

Oh, yeah, we heard of him. Isn't a gun for miles that wouldn't like a shot at that son of a bitch. You won't have any problem gettin' your army. Count me and my boys in.

COLE

Same here. Been waitin' a long time to meet up with that man.

They all look at a apprehensive Jake.

HARTNETT

A man like you must have had a run-in with Whitlock somewhere.

JAKE

Can't say we've ever crossed paths. From the sound of it, you don't need me.

(pulls a woman onto his lap)

I'll just stay here. Make sure all these women don't miss you.

Jake flirts with the woman as the others pour shots.

The others toast and guzzle their shots. Jake, face turned from view, stares out narrow-eyed into space.

INT. JAIL - EVENING

Dejected, Whit, Jacoby and Bobby sit around. Max lays on the cot in his cell, humming. Roscoe fixes the door.

JACOBY

How'd he even know?

MAX

Told you, Swede has a long reach.

Max confidently pulls his hat over his eyes and resumes humming.

ROSCOE

I swear I'm gonna kill him, if he doesn't stop that God-damn humming.

JACOBY

Best idea I've heard so far.

BOBBY

He's only got a handful of ranch hands left. They shouldn't be much of a problem.

(to Roscoe)

And why you fixin' that? Ain't gonna matter.

Whit looks away, defensively.

ROSCOE

Maybe, but I figure the more I'm busy, the less I think about headed across the street and back into the bottle.

The others pick up on Whit's vibe, look to each other, then stare at him.

ROSCOE

Something you ain't tellin' us?

WHIT

(exhales)

Word is Swede's sent up to Silver lake for guns.

ROSCOE

The Dakota territory? Every two-bit thug this side of the Mississippi'll be available up there for a price.

WHIT

Wouldn't blame anybody, but, if
you wanna leave, now's the time.

Interested, Max picks up his hat to watch. Whit looks at
each person. They all have their heads down.

WHIT

Speak your mind. Nobody's gonna
hold you for it.

BILLY

Not what I wanted, but if I had
to, can't think of a better place
than at your side.

ROSCOE

Hell, you already know my answer.

MAX

(imitates sheep)
Bah! Bah! Bah! Sheep following
their shepherd to the slaughter.

The group looks at a reluctant Jacoby, who looks away. He
finally looks up.

JACOBY

Listen to you two talkin' like
dyin's some kind of noble act.
These are professional killers
we're talking about, not some
cattle branders with rifles.

(waits)

I don't know about you all, but I
got places still to see, women to
make love to. Not gonna just throw
my life away. For what? A town
that doesn't care?

Jacoby walks to the doorframe and looks out. He sees
people packing up to leave. Others board up their stores.

JACOBY

Look at 'em. Even they know it's
hopeless.

MAX

The black sheep strays.

Face contorted, Jacoby looks to Whit.

WHIT

You don't owe me anything.

Jacoby gathers his strength, exhales and leaves.

Max puts his hat over his eyes and resumes humming.

Roscoe picks up a tin cup and throws it at his cell. It CLINKS off the bars.

After flinching, Max smiles from under his hat and resumes humming.

EXT. SWEDE'S RANCH - EVENING

Nap and about fourteen riders gallop in and dismount. They quickly enter the house.

INT. SWEDE'S RANCH / DEN - EVENING

Swede stands behind his desk admiring the ornate sword in his hands. Brett sits on the sofa.

SWEDE

I'm running out of patience.

BRETT

You can run out of anything you want, Denton will be the hub.

SWEDE

And what would your board think of their agent making side deals?

BRETT

Can't be proved. There's nothing in our records. And your word over mine...

(chuckles)

They wouldn't even consider it.

Swede turns quickly and thrust the sword into Brett.

SWEDE

Then we'll just have to make sure that your word doesn't get out.

Eyes bulging, Brett gasps as Swede removes the sword and stabs Brett again. Brett topples over on the sofa, dead.

Nap burst in the room and is taken aback by the sight.

Swede nonchalantly cleans the blade on Brett's clothes.

SWEDE

Just cleaning up your mess. You
get the men?

Mouth open, Nap nods apprehensively. Swede smiles
sinisterly as he replaces the sword on its holder.

GREAT ROOM - LATER

Swede sits in a big chair. Daily sits opposite him,
eagerly leaning forward. Nap, Hartnett and Cole stand on
the side, drinking.

SWEDE

And you're sayin' she's alive?

MAYOR DAILY

Came right from Whitlock's mouth.
Doc's hidin' 'em at his place.

Swede hesitates, then turns to Nap.

SWEDE

You and Daily ride out first thing
in the morning. Fetch Draper and
her boys. Meet us back in town.

Nap nods. Daily's sits up straight in the chair, upset by
the remark. He starts wringing his hands.

SWEDE

Something wrong?

MAYOR DAILY

You know I'm not a gunfighter.

SWEDE

Well, you're not the mayor
anymore. So, you're either open to
the new job or expendable.

Daily gulps, accepts his fate and nods.

SWEDE

(to Nap)

I want them taken alive.

NAP

But --

SWEDE

-- Don't make me to show these men
how I handle obstinate children?
Alive.

Cole and Hartnett look at Nap, amused. Nap agrees.

SWEDE

As for the doc... People need an example of what happens when you cross the Neilsens.

Swede holds up a glass of wine.

SWEDE

To the hunt, gentlemen.

All the men toast.

INT. DOCTOR'S HOUSE - EVENING

The doctor lets Whit in. Whit holds out a shotgun for the doctor, who refuses and walks to his desk.

WHIT

Town's 'bout to explode.

DOCTOR

I heal people, I don't kill them.

The doctor sits down at his desk and works. Whit looks at the closed bedroom door.

DOCTOR

She much better, but I'd still keep it short.

Whit relents and walks toward the closed bedroom door.

BEDROOM

Sue sits on the bed reading as Whit enters. Happy to see him at first, she becomes concerned as she sees the gun.

Whit puts the shotgun on the bed along with some ammo.

SUE

Guess you didn't take my advice.

Whit puts his hand on Sues shoulder. The two exchange passionate stares causing the tension to mount.

Whit's eyes break off to the side ending the moment.

Whit breaks away and heads to the door, leaving a disappointed and confused Sue.

WHIT

-- Don't hesitate to use it.

As Whit leaves, Sue sits up.

SUE

You don't have to do this. We can
take the boys and go someplace
else. It's only land.

Whit gone, Sue pounds the mattress in frustration.

INT. TOWN OF BIXBY - MORNING

Two wagons turned on their side in front of the jail to
form a redoubt. Stage still sits in front of the saloon.

Roscoe and Whit wait by the wagons. The town is a ghostly
sight with windows boarded up and no sign of life.

ROSCOE

(looks into sky)
Sun'll be in their eyes --

WHIT

-- It was me who killed him.

Confused, Roscoe tilts his head, stares quizzically.

WHIT

Wasn't Jake. It was me. Came home,
thought pa was gonna kill him this
time. Tried everything, but he was
just too strong. Saw his guns
hanging on the chair and...
well...

Jake looks at Roscoe for a reaction, but he is frozen.

WHIT

Jake took the gun, told me to run.
I was scared, so I did. Should be
me who went through that
nightmare, not him.

ROSCOE

Sometimes things just happen. It
wasn't your fault. Wasn't his.
Sooner or later somebody would
have stood up to him.

Whit scoffs.

The sound of HOOFBEATS gets their attention. They see a mounted Bobby race up to them. He dismounts quickly.

BOBBY

Best I can count, a little over
twenty. They're 'bout an hour out.
Got Cole and Hartnett with 'em.

Whit takes a minute to let it sink in.

WHIT

Not too late to back out.

BOBBY

(heads into jail)
I'll get the ammo from the jail.

Roscoe and Whit check the rifles.

ROSCOE

Why tell me now?

WHIT

Had to tell somebody. Figure we're
all gonna die anyway.

EXT. DOCTOR'S HOUSE - MORNING

Pistol out, Nap hides next to the door as a jittery Daily
knocks on it.

Door opens slightly and an apprehensive doctor looks out.

DOCTOR

Yeah?

Nap pushes the door open and shots the doctor. Daily's
face becomes contorted in disbelief as he looks at Nap.

INT. DOCTOR'S HOUSE / BEDROOM - MORNING

Sue and the boys are startled by the gunshot

SUE

Quick, under the bed.

The boys do as told. Sue grabs Peter right before he
disappears.

SUE

No matter what you hear you
mustn't come out. Do you hear me?
(MORE)

SUE (CONT'D)

No matter what. Even if something happens to me, you mustn't come out.

Peter nods and disappears.

Sue takes the shotgun and places it under the covers just as the door suddenly opens and Daily appears.

MAIN ROOM

Hidden from Sue, Nap urges Daily into the room.

Apprehensively, Daily enters. There is the loud BANG of a shotgun blasts followed by a THUD on the floor.

Nap peers in and sees Daily's body prone on the floor. Sue is frantically and futilely trying to load the gun.

BEDROOM

Frustrated, Sue drops the shells. She looks up to see Nap enter with his gun aimed at her.

UNDER THE BED

Wide-eyed, Peter has his hand over a trembling Johann's mouth. Naps boots appear next to Daily's dead body.

NAP (O.S.)

The boys?

SUE (O.S.)

Sent 'em away.

NAP (O.S.)

We'll see about that. Get up.
You're coming with me.

Sue's feet appear next to Nap's boots. They leave.

EXT. TOWN OF BIXBY - MORNING

Rifles in hand, Whit and Bobby stand defiantly in front of the wagons, looking down the road.

At the far end, a mounted, Swede, Hartnett and Cole lead twenty dismounted men, who span the street.

WHIT

Roscoe

Jacoby raises his hat and starts out toward the street.

FRONT OF SALOON

SWEDE

Put down your arms and we'll act
like this never happened.

ROSCOE (O.S.)

How 'bout I put a bullet right
between Max's eyes unless you put
down your guns.

SWEDE

You still wouldn't make it out
alive. And me? I have another son.

Hartnett and Cole look incredulously at Swede.

SWEDE

But, unfortunately, I have neither
another town or time for this
nonsense. Now lay down your arms.

ROOF OF SALOON

Trix pops up from the roof and aims her rifle at Swede.

TRIX

Been waitin' too long for this day
to give up so easily.

MAIN STREET

Hartnett and Cole tilt their heads and look to Swede.

SWEDE

It's an old whore. Just do what
you're paid for.

From the side of the jail, Jacoby walks out casually.

JACOBY

You might wanna reconsider, now
that the nigger's back.

Jacoby takes his spot next to Whit, who smirks.

JACOBY

(aside to Whit)

What? Leave a gimp all alone in
these parts to fend for himself?
Just wouldn't be right.

NAP (O.S.)
Really don't matter.

INTERCUT FRONT OF SALOON AND FRONT OF JAIL

Hands tied, Sue is pushed out the saloon doors. Nap follows with his gun aimed at her. Swede smiles proudly.

NAP
(tp Jacoby)
How's that little decoration I gave you, boy.

Whit steps forward toward Sue. Bobby grabs his arm.

NAP
(aside to Whit)
That boy's one mine.

SWEDE
I do believe I'm holding all the cards.

Whit hesitates, then calls over his shoulder.

WHIT
Roscoe, bring out Max.

BOBBY	ROSCOE
You realize he's still gonna kill us?	You can't be serious?

WHIT
Just do what I say. Bring him out.

Tensions mount as the two sides wait. Using Sue as a shield, Nap backs himself up next to Swede.

WHIT
(to Swede)
They both start down the street at the same time. If I even get an itch, Max gets a bullet.

SWEDE
Agreed.

Jail door opens. Max is pushed out by Roscoe, who follows with his shotgun aimed.

Max nods for Roscoe to take off the handcuffs. Roscoe hesitates, then does as told. Max winks at the Whit.

SWEDE

(aside to Hartnett)

As soon as Max gets close enough I
want her dead.

(aside to Cole)

Take out the shooter.

Hartnett stealthily slips his pistol out, Cole his rifle.

WHIT

(to Swede)

Send her down.

Swede nods to Nap who pushes Sue forward. Roscoe pushes
a smiling Max down the street.

Tensions mount as the trip seems to take forever. They
cross sides as they walk. Max to the saloon side. Sue the
other. Max blows Sue a kiss.

SWEDE

Now boy.

Max runs toward Nap, who tosses him a rifle. Cole quickly
aims his rifle and fells Roscoe before he can shoot.

The shooting stirs Swede's and Hartnett's horses. Trix
nicks Swede in the commotion, knocking him off his horse.

Hartnett gathers his horse and takes aim at a frozen Sue
in the middle of the street.

Just as Hartnett fires, Sergi bursts from the mayor's
office. He grabs Sue and throws her inside.

Hartnett's second shot hits Sergi in the leg. He crawls
inside with the help of Sue.

Everyone's gun is blazing. Jacoby hides behind the wagon.
Whit drags Roscoe there. Bobby hides behind the stage.

Surprised by the suddenness, some of Swede's men fall.

Nap and Max help Swede to cover at the construction site.
Hartnett and Cole dismount and give cover.

Behind the overturned wagons, Whit tends to Roscoe while
Jacoby returns fire. Roscoe pushes Whit's hand away.

ROSCOE

Ain't gonna help.

WHIT

Will you just shut up and let me do this?

ROSCOE

A man knows when he's at the end of his line.

WHIT

Seen a lotta men shot, never seen one die from a wound like this.

(takes Roscoe's hand)

Here, keep your hand on it.

Whit starts to join Jacoby. Roscoe grabs his arm.

ROSCOE

Case I don't make it, promise me that when this is over you'll put this nonsense with Jake behind.

Whit rolls his eyes and shakes his head.

ROSCOE

Damn it, a dyin' man deserves one last wish.

Jacoby raises an eyebrow as he looks to Whit.

WHIT

If it'll shut you up, I promise.

Whit joins an amused Jacoby in returning fire.

ROSCOE (O.S.)

And you can do a lot worse than that Draper woman.

JACOBY

He's got a point there.

Whit scoffs. They both fire down the street.

MOMENTS LATER

Gunfire has died down. Swede surveys the situation from behind cover with Cole and his sons. He turns to Max.

Hartnett and his men are in cover on the other side of the street.

SWEDE

Take a couple men behind the saloon and flank 'em.

Max leaves with two men while the others give cover.

SALOON ROOFTOP

Trix takes a number of shots at Max. She fells one of his men but misses him. She heads to the back of the roof.

CONSTRUCTION SITE

Swede gets Hartnett's attention and signals him to go around back of the buildings.

Hartnett nods, takes three men and leaves.

SWEDE

(looks at the roof)

Now to deal with that whore.

Nap looks at the roof, hesitates and gets up.

NAP

Give me some cover.

Swede and Cole open fire as Nap sprints to the saloon.

BEHIND THE SALOON

Trix exits from between buildings. She sees Max and his man turn the corner of the buildings nearest the jail.

FRONT OF THE JAIL

Jacoby looks incredulously at Whit.

WHIT

Just sayin', if she was worth hanging for, she's worth goin' back for.

JACOBY

You should be the last person givin' me advice on my love life.

ROSCOE (O.S.)

Amen to that.

WHIT

When you're old and all alone, don't say I didn't tell you.

The SOUND of a shot causes them to turn towards the end of the buildings on the saloon side.

Max's man lies dead. Holding his rifle, Max raises his hands as he slowly stands from behind some crates.

From behind, Trix has her rifle aim at him.

END OF THE BUILDINGS

Max holds his hands up with his back to Trix.

TRIX

Put the gun down, Max. It's over.

Max's smiles and slowly starts to lower his hands.

MAX

Oh, it's you, mom. You had me all worried for a moment.

TRIX

Don't test me, Max. Keep 'em up.

MAX

You ain't gonna shoot your own son, now, are you?

Max turns quick to shoot, but Trix fires first and kills him. Face contorted in agony, Trix stares at a dead Max.

BANG! A shot from behind the buildings fells Trix.

BEHIND THE SALOON

Facing the fallen Trix, Nap lowers his rifle. He looks up at the roof and heads there.

INT. MAYOR'S OFFICE - MORNING

Hidden behind a desk, Sue tends to Sergi's leg. She is startled by the CRASH of the backdoor slamming open.

Hartnett enters followed by three men. He smiles as he sees Sue and Sergi.

HARTNETT

Well, if it ain't Whit's little lady friend.

(to his men)

Seems we captured the biggest prize, boys.

Hartnett goes to grab Sue, but she bites his hand. Reacting in pain, Hartnett pistol whips Sue.

HARTNETT

Gotta a lotta spunk. May even you
keep you for myself when this is
over.

(Grabs her hair)

But right now, time to find out
how much your man cares.

Hartnett drags a screaming kicking Sue by the hair
towards the window.

EXT. TOWN OF BIXBY / BEHIND THE STAGE - MORNING

From the roof, Nap slowly rises up behind an unsuspecting
Bobby and shoots him in the side.

Whit and Jacoby give Bobby cover as he scrambles under
the stage.

In pain, Bobby puts his hand on his wound.

BOBBY

I'm okay. It's just a nick.

He cringes as he stares at his blood-drenched hand,
knowing it's anything but a nick.

BEHIND THE WAGONS

Whit and Jacoby reload.

WHIT

With him up there, we're at a big
disadvantage.

Three SHOTS from the mayor's office get their attention.

Whit steps toward the office. Jacoby grabs his arm.

JACOBY

Ain't gonna do no good gettin'
yourself all shot up.

Three more quick shots send a dead Hartnett flying
backwards out the picture window.

Jake walks nonchalantly into the window frame. Dressed in
his usual black, he tips his hat to Whit.

JACOBY

Don't tell me?

Whit doesn't answer.

ROSCOE

Am I dead or is that --

WHIT

-- You're not dead.

Jake nonchalantly holsters his pistols and fixes his clothes. He takes off and brushes off his hat, smooths his hair, and then puffs his jacket.

JACOBY

Now I now why you wanted to kill him.

Putting on his hat, Jake casually walks out. The shooting stops. Many of Swede's men eyes widen and jaws drops.

Jake draws both pistols, starts felling a number of them.

Nap rises from the roof and returns fire, nicking the wood near Jake. He runs to the wagons.

Behind the wagons, Whit just stares at Jake.

JAKE

Don't get any ideas, I'm still gonna kill you when this is over.

ROSCOE

Hmm. Now I can die in peace now.

Jake looks at Roscoe, then quizzically at Whit. Whit rolls his eyes and shakes his head.

BOBBY (O.S.)

I'm out of ammo.

Jacoby grabs a second rifle.

JACOBY

I hate to break up the family get together, but would you mind givin' me a little cover.

Jake and Whit rise and pin down Nap as Jacoby runs out and dives under the stage.

JAKE

How's the leg?

WHIT

Are you kiddin' me? You're the one who shot me.

JAKE

Seemed like a good idea at the time.

UNDER THE STAGE

Jacoby looks at Bobby's wound and cringes.

BOBBY

It's only a nick, right?

Looking away, Jacoby tries to cover how bad it is.

JACOBY

Yeah, We're gonna get you out of here.

Bobby nods. Jacoby turns and makes his way to the end of the stage. Bobby grabs his arm.

BOBBY

You think they might write one of those books about this. Always wanted to be in one of those.

JACOBY

(covering)

Yeah kid. Probably have a drawing of you on the cover.

Shots from Nap cause Jacoby to move farther under the stage. He sees Whit and Jake are having a stare down.

Upset, he whistles to get their attention and points to the roof for them to give him cover.

Jake and Whit pin Nap down. Jacoby runs around the side of the buildings.

FRONT OF SALOON

Cole's foot nervously taps the ground. Lips pursed to the side he looks down at the ground and contemplates.

COLE

You didn't say anything about Jake Fuller.

SWEDE

He's just another man.

COLE

Fuller and Whitlock? You have no fuckin' idea, do you?

(MORE)

COLE (CONT'D)
(yells to men)
We're outta here.

Swede grabs his arm as a number of men are running off.

SWEDE
I'll give you Hartnett's share.
That's double the money.

COLE
You ain't got enough.

Cole gets up, signals, and runs off with his men.

Swede carefully aims and shoots him in the back.

SWEDE
Fuckin' cowards.

FRONT OF THE JAIL

Whit and Jacoby reload.

JAKE
You know, as little brothers go,
you are one big pain in the ass to
watch over.

WHIT
Really? Need I remind you again
that you shot me in the leg. And
you're the one bitchin'?

JAKE
Well, if you insist on bringing it
up, it was actually your own man
who shot you. Says a lot for your
leadership abilities.

Whit scoffs.

ROSCOE
Can't you two just pretend to get
along and let an old man die in
peace.

WHIT
I told you, you ain't dying.

ROOF OF SALOON

Jacoby climbs on the roof and approaches Nap from behind.

JACOBY
(aims rifle)
I'd drop that if I was you.

Nap throws the rifle, puts his hands up and turns.

NAP
Why if it ain't the nigger. Guess
sneaking up on people goes with
your type. Not really man enough
and all to go face to face.

Jacoby signals Nap, who removes and tosses his sidepiece.

Nap smiles as he sees Jacoby suddenly drop the rifle and
pull out a large Bowie knife.

JACOBY
Still got that brandin' iron of
yours.

Nap smiles smugly as he pulls out his Bowie knife.

NAP
Guess all that talk about niggers
being dumb is true. Not gonna
brand you this time, I'm gonna
slice you up like a roasted pig.

They two go at each other with Nap drawing first blood.
Nap smiles confidently. He strikes again. It is obvious,
Jacoby is no match for him.

FRONT OF JAIL

Whit notices as Jake looks at the last of their bullets
in his hand.

WHIT
I got about one reload for each.

JAKE
Same.
(looks out to street)
Most of the hired guns are gone. I
count about ten left. Probably
just ranch hands who really don't
want to be here. Our reputations
may just be all the ammo we need.

Whit looks out and hesitates.

WHIT
I've heard dumber.

ROSCOE

You guys aren't really thinking...

ROOF OF SALOON

Bleeding heavily, Jacoby is obviously getting the worse of the fight. Smiling, Nap stands in the corner of the roof about ten feet away from him.

NAP

Slicing time's over, boy. Now I'm gonna gut you.

Nap taunts Jacoby by feinting forward a couple of times.

JACOBY

Oh, the hell with it.

In one quick motion, Jacoby quickly flips the blades in his hand and throws it. It pierces Nap's chest.

Eyes bulging, Nap twists, turns and falls off the edge.

FRONT OF SALOON

THUD! Nap's lifeless body hits the ground in front of a startled Swede. Nap's vacant stare faces Swede.

ROOF OF SALOON

A smiling Jacoby looks over the parapet at a dead Nap and a shocked Swede.

JACOBY

How's the nigger lookin now.

Weak and bleeding, Jacoby laughs loudly as he slumps down and leans against the parapet.

WHIT (O.S.)

You good, Jacoby.

JACOBY

Oh, yeah. I'm good. May not be much more help, but, yeah, I'm fuckin good.

FRONT OF THE JAIL

Jake and Whit are poised at opposite ends of the wagons. Whit drops his head as he sees Bobby dead under the stage.

JAKE

You ready, little brother.

WHIT

Why'd you do it?

JAKE

Ah, Silver Lake was just too boring. And the women? They were God-ugly.

WHIT

Should have been me who went to prison, not you.

JAKE

You just saved my life. You would've done the same.

(hesitates)

You know, I followed your whole career. In a lot ways, I lived the life I could never have through you. I couldn't have been prouder.

ROSCOE

You making me all teary-eyed. Now will you get out there and kill somebody for Christ's sake.

Whit and Jake are amused by Roscoe.

WHIT

You ready.

JAKE

Yep. The great Jake and Jeremiah Whitlock fly charge into the fray.

Whit thinks for a minute, realizes.

WHIT

What? Wait. It's Jeremiah and Jake. There's no way --

Amused, Jake charges out from the wagons. Whit follows.

FRONT OF SALOON

As the brothers charge down the street gun blazing, Swede is forced to put his head down. The men around him who aren't felled, get up and flee.

B.G. Sue walks out slowly from the mayors office behind the brothers.

MOMENTS LATER

The gunfire has died down and there is only the sound of the CLICKING of empty pistols.

Swede looks up quizzically, realizes and smiles. He stands with his gun at his side to see Whit and Jake, pistols empty. He looks behind him and sees men fleeing.

Pistol in hand, Swede walks slowly toward Whit.

Whit throws his pistol at Swede and starts to charge, but freezes when Swede aims his pistol.

Whit looks to Jake who shrugs indicating he is empty too.

B.G. Sue stands about five yards behind Whit.

ROOF OF SALOON

Looking over the parapet, Jacoby sees Swede slowly walk out and pick up second pistol while keeping his aim. He tries to get to Nap's gun, but is too weak and in pain.

FRONT OF SALOON

Swede stands with his pistol aimed.

SWEDE

Seems you underestimated my will
to survive.

Swede looks down at a dead Nap.

SWEDE

Max?

Whit raises his eyebrows and shrugs.

Hiding his emotions, Swede suddenly points the gun to the side and shoots Jake, who drops to the ground.

Whit starts to Jake, but a shot near his feet stops him.

SWEDE

He's not dead. At least not yet.

Jake raises his other hand letting Whit know he is okay.

SWEDE

You tried to take everything from
me. My family. My dreams. And for
what? These common people? This

(MORE)

SWEDE (CONT'D)

trash that I let live in my town?
Why? Why?

WHIT

Seemed like a good idea at that
time.

Swede circles, trying to get an aim at Sue.

Whit turns and realizes Sue is behind him. He moves to
keep himself between the two.

SWEDE

It's only fair that you suffer
what you would have me. Make no
mistake, I will destroy everybody
near to you. But they won't die
quickly. You will have to watch as
they fall piece by piece, 'til
they scream for the mercy of a
quick death. Then and only then
will I take your life.

They have circled so Swede is near the wagons.

BAM! A shotgun blast staggers Swede. He falls to his
knees. BAM! A second blast sends Swede on his face.

Stunned, Whit and Sue turn to see Roscoe leaning against
the side of the wagons with a shotgun in hand.

ROSCOE

He really does talks too much.
(sees the reaction)
What? Said I was dying, didn't say
I was dead.

Whit and Sue are amused. They suddenly stop and stare
passionately into each other's eyes.

After what seems like an eternity, they run to each other
and embrace. Sue grabs Whit's face and kisses him deeply.

She pulls back and there is a moment of awkwardness.
Finally, Whit grabs her and there is a long tender kiss.

ROSCOE

'Bout time you got some sense in
that thick skull of yours.

Whit and Sue look at Roscoe and smile.

Whit suddenly realizes. He turns and looks for Jake, but
he isn't there. He scopes the area.

Roscoe nods behind the buildings where a mounted and obviously wounded Jake tips his cap and rides off.

SUE

You need to let him go.

WHIT

Only wish people knew who he really was.

SUE

You do. That's all that matters.

They watch as Jake rides off into the distance.

EXT. TOWN OF BIXBY - MORNING

While there is still some repair going on, the town has mainly returned to normal.

SUPER: THREE WEEKS LATER

Whit sits in a wagon in front of the general store. Badge on, Roscoe sits in a chair in front of the jail.

Crutch to support him, Sergi supervises men who change the window to read "Mayor Sergi Illikoff."

Jacoby rides slowly down the street, leading a pack horse. He stops in front of Whit.

WHIT

See you're up and around.

JACOBY

Couldn't stay in that room for another day. Town looks like it's no worse for the damage.

(looks at Roscoe)

Even got themselves a new sheriff.

WHIT

Yeah, well... Heard he's looking for a good deputy. Know anybody?

JACOBY

Would if there wasn't a woman waitin' for me. At least I hope she is.

WHIT

If she knows the man, she'll be waitin'.

JACOBY

How 'bout you? Goin after your
brother?

Whit looks away and shakes his head.

Sue and the boys exit the general store, getting Whit's
attention.

WHIT

Got enough on my plate right here.

JACOBY

Well, you take care than.

WHIT

You too.

Jacoby acknowledges Sue and the boys as he heads out.

Sue kisses Whit as her and the boys board the wagon.

SUE

What's with him?

WHIT

Going to find his past, I guess.

Sue notices Whit is preoccupied with Jacoby leaving.

SUE

And you? You still lookin' for
your past.

Whit doesn't answer, just looks away. He shakes his head.

WHIT

Nah. It's just he's out there and
he's hurt.

SUE

Look, I understand. He's your
brother. If you need to go --

WHIT

(turns to Sue)
-- It's not what you think.

B.G. Something behind Whit gets Roscoe's attention. He
gets up and starts slowly down the street.

SUE

What is it then?

Whit notices Roscoe's reaction. Suddenly, Sue's attention goes to something behind Whit. He turns to see.

A dapperly dressed and mounted Jake saunters down the street.

B.G. Jacoby has stopped and has turned watching the action.

Whit's head follows Jake's path 'til he stops in front of him.

JAKE

Look like you've seen a ghost.

WHIT

Thought maybe I have.

JAKE

You should know it's not that easy, brother. Not that easy.

An awkward silent moment followed by Jake scoping the town.

JAKE

While I was recovering... and with a very pretty young lady mind ya. I got to thinking. And for the life of me, I couldn't figure a more Godforsaken, middle of no-place, town for a man to get lost in then this hell hole.

WHIT

(smiles)

It that serves that.

(looks at Roscoe)

Matter of fact, there just happens to be an opening for a deputy. Sherrif's a little rough around the edges, but he may give you a try.

JAKE

Hmm... Deputy, huh? My family were pretty good lawman.

WHIT

Well, you'll have to run it by the sherrif.

Jake looks at Roscoe and lets out a small chuckle.

JAKE

Guess I'll see you around town
then.

WHIT

Guess I will.

Jake starts toward Roscoe. Whit picks up the reins. Sue
puts his hand on Whit's arm for him to stop.

SUE

Mr. Fuller.

(waits for Jake)

Would you like to join us for
dinner tonight?

JAKE

Sorry ma'am, you must have the
wrong person. Names's Whitlock,
Jake Whitlock. But if the offers
still applies, I'd like that.

SUE

See you around six then.

Jake tips his cap and heads to Roscoe. Whit starts the
wagon down the street.

Sue romantically wraps her arm is Whit's, kisses Whit on
the cheek, and leans her head on his shoulder.

WHIT

Wait. Did say pretty good?

Sue smiles and directs him to keep driving.