

FADE UP:

EXT. BAR-B RANCH - EARLY MORNING

The sun rises over the desert, its light touches the blades of two windmills, creaking as they spin in the cloudless sky. At the foot of the towers a water tank is fed by an iron pipe. The flow of water is just a trickle.

It is morning at the Bar-B ranch. An adobe house with a tin roof and front porch, a maze of corrals and sheds. A horse stamps and blows, irritated by the wind. A chicken pecks for bugs in the yard.

In the distance a dot appears, shifting, indistinct. The figure draws closer, slowly resolving itself into a man on horseback.

At a brisk trot, he rides past ...

CUT TO:

EXT. BAR-B RANCH - YARD - EARLY MORNING

The rider, SHAD MARONE, trots his horse through the open gateway to the Bar-B yard. Marone is in his early to mid thirties, a tough and capable man. He dismounts, crosses the porch and knocks on the door. His movements have a certain pace to them, a relentless singularity of purpose that indicates this is no casual visit.

SHAD MARONE

Bowman!

Marone steps back slightly, looking around. He knocks again, louder.

SHAD MARONE

Bowman!!!

Inside there is the muffled sound of boot heels on a board floor. After a moment JUD BOWMAN opens the door. Slightly younger and softer looking than Marone, his left arm is splinted and cradled to his chest in a sling. He squints at Marone from eye reddened by alcohol and lack of sleep.

JUD BOWMAN

Shad. What the hell are you doing here?

SHAD MARONE

He died, Jud.

Jud realizes what Marone has come to do.

Marone pulls his pistol out of it's holster and deliberately fires into Jud's chest.

Jud takes a step back, slips, and falls to a sitting position. He looks up at Marone.

Marone steps closer, his pistol held at arm's length, he shoots Jud twice more.

Jud falls back, his head hitting the floor.

Marone looks at Jud's body a moment, then exhales slowly. A haze of powder smoke hangs in the hall. Then Marone turns from the doorway. He mounts his horse and rides off into the distance from which he came. Through the doorway we hold for . . .

MAIN TITLE

CUT TO:

EXT. ROAD TO PUERTO DE LUNA - DAY

A wagon wheel, turning slowly. The hub creaks as it goes around. The iron rim cuts into the dust. Moving up, we see SHERIFF WILLIAM GATES driving the wagon. Beside him sits TAYLOR, the foreman of the Bar-B ranch. They are two men of the same generation, born some sixty years before, though Taylor has become stringy and worn from hard and constant work while Gates is more refined; a politician but a lawman too. The wagon goes over a bump; Taylor turns to look back into the wagon bed. . .

As the wagon pulls away it reveals the body of Jud Bowman in the back. A vast landscape of desert rangeland and red rock lays before them.

CUT TO:

EXT. PUERTO DE LUNA - FIELDS - DAY

The wagon rolls past cornfields in the bottom-land along the Pecos river. The road turns and enters a tree lined lane.

TITLE: PUERTO DE LUNA, NEW MEXICO, FALL, 1887

CUT TO:

EXT. PUERTO DE LUNA - MAIN STREET - DAY

The street is quiet in the mid-morning sun. One or two people go about their business. Gates and his unfortunate cargo pass before several adobe buildings containing

businesses. Down the street a large Catholic church is visible. The wagon turns into a side street.

CUT TO:

EXT. PUERTO DE LUNA - SIDE STREET - BLACKSMITH'S SHOP - DAY

The shop is in a small walled yard, the forge and tools under a tin roof supported by posts. MARTÍN, a stoutly built Mexican, is fitting a shoe for BEN WHITE's sorrel mare. Ben, a young man dressed in a manner that is slightly flashy for a cowhand, sits in a chair, leaning up against the shop wall, his hat tilted forward over his eyes.

Sitting on the low wall also waiting help from the blacksmith is MIGUEL TRUJILLO, a local merchant.

Martin measures the shoe against the horse's hoof then carries it back to the forge, holding it with a pair of tongs. From OFF SCREEN the sound of the wagon coming down the street can be heard. Ben tips his hat up to take a look
. . .

Gates's wagon appears rolling slowly down the street past the blacksmith's shop.

Ben sits up. Something has happened ...

BEN
Hey, Mr. Taylor -- what's going on?

SHERIFF GATES
Come on over to the jail house, Ben.
Your boss has been killed.

Ben stands, the chair falling behind him.

BEN
What?!

SHERIFF GATES
You too Miguel, I'm going to need some
help.
(to team)
Haa!

BEN
Was it Marone?

The wagon continues down the side street, past the old hotel and saloon, toward the jail.

Martin appears in the doorway behind Ben holding a red-hot horseshoe in a pair of tongs.

MARTÍN

Que pasa?

BEN

Jud Bowman's been killed.

MARTÍN

(under his breath)

Ay, Madre de Dios.

CUT TO:

INT. PUERTO DE LUNA - JAIL - DAY

Through jail bars, we see the corpse of TOM FORRESTER, a rancher in his late fifties, laid out on a cot in empty cell. A few flies buzz inquisitively around the dead man.

In the second of the two cells, LOPEZ -- an intense, wiry man in his early thirties, who looks Mexican but whose dress and manner conceal the fact that he is half Apache -- sits on the floor in the far corner of the adjacent cell. He watches the corpse balefully, as far away as he can get. In the distance a wagon can be heard approaching. It stops outside.

SHERIFF GATES

(O.S.)

C'mon -- let's get him out of the sun.

Lopez raises his head, listening.

CUT TO:

EXT. PUERTO DE LUNA - SIDE STREET - JAIL - DAY

Taylor has opened the back of the wagon. Gates climbs into the bed. He grabs the corpse under the arms while Taylor reaches in and pulls on the feet. Ben comes running up as Gates and Taylor lug the body toward the jailhouse.

BEN

What happened?

(to Taylor)

Did you see who it was?

SHERIFF GATES

Get that door for us, Ben.

Ben opens the door.

BEN

Was it Marone?

TAYLOR
Yeah. I saw him riding off.

BEN
Son of a bitch. That rotten son of a
bitch.

CUT TO:

INT. PUERTO DE LUNA - JAIL - DAY

Taylor and Gates maneuver their way through the cramped
office. Ben moves a chair out of their way.

BEN
Where was he heading?

TAYLOR
South.

BEN
Hmph. Towards Mexico.

Lopez watches them with guarded interest. Ben tugs open the
other cell door; Gates and Taylor carry the unwieldy corpse
inside. They look around the cell, unsure of where to put
the body.

SHERIFF GATES
Uh, right here.

They place Jud on the floor next to Tom Forrester. Taylor
and Gates look down at the new corpse.

BEN
What're you going to do, Sheriff?

Gates starts out of the cell.

SHERIFF GATES
I'm going after him.

TAYLOR
I'm gonna' go with you.

SHERIFF GATES
I don't know if that's a good idea.

Taylor glances up at Gates.

SHERIFF GATES
You've a round up to finish and his
sister to notify. If she comes down from
Denver she'll need you here.

TAYLOR

I want to be there when you catch up to him, Will. That boy . . . he was like my son.

Gates puts his hand on Taylor's shoulder. Ben steps up to Taylor.

BEN

I could go.
(to Taylor)
Could I go?

TAYLOR

Take one of us, Sheriff. If you won't take me, take him.

Gates considers that for a moment.

SHERIFF GATES

All right.

Ben, we're going to need someone who can track better than I can. You go see if you can find O'Malley.

BEN

Sure thing.

Ben starts to leave.

SHERIFF GATES

We need supplies, too. Stop at Miguel's and see what you can pick up. Tell him I'll sign for the county.

BEN

Right.

Ben exits. Gates calls after him.

SHERIFF GATES

(calling after BEN)
And get some extra canteens!

Will Gates turns to Taylor.

SHERIFF GATES

I appreciate your wanting to come along but this is for the best.

TAYLOR

Just catch him, Sheriff.

There is a sound and they both look towards the door. Miguel Trujillo is standing there.

MIGUEL
Sheriff. How can I help?

SHERIFF GATES
Shad killed Jud Bowman this morning. Ben and I are going after him, I'd like you along too.

Miguel thinks about this for a moment, carefully assessing the situation.

MIGUEL
I can't be away for more than a few days . . . my business, you know.

SHERIFF GATES
I'd be obliged. We're pulling out within the hour.

MIGUEL
I'll be ready.

Miguel turns to leave. Behind Gates, Lopez stands up inside his cell and moves towards the bars.

LOPEZ
If you let me out for a few days I could help.

SHERIFF GATES
(closes his eyes for a moment
and without turning ...)
You're in enough trouble as it is, Lopez.

CUT TO:

EXT. PUERTO DE LUNA - SIDE STREET - SALOON - DAY

Ben walks up the street. He sees GANCE, the bartender, sweeping off the walkway outside the saloon.

BEN
Hey, Gance! You seen O'Malley?

The bartender inclines his head towards the door behind him.

GANCE
Inside.

CUT TO:

INT. PUERTO DE LUNA - SALOON - DAY

Ben approaches a form slouched at the end of the bar. The man is sound asleep, snoring slightly.

BEN
Hey? O'Malley?

Ben peers into his face then pokes him in the arm. O'MALLEY shifts sideways then starts slowly into a slide that will end up with him falling to the floor.

BEN
Oh, hell.

Ben swiftly moves to grab him under the arms.

CUT TO:

INT. PUERTO DE LUNA - JAIL - DAY

Ben kicks the door open, lugging O'Malley into the jail over his shoulder in a fireman's carry. Gates and Taylor are going over a map on the desk, they look up in surprise as Ben drops the big man into a chair with a grunt.

BEN
Here he is, Sheriff. For what it's worth.

O'Malley opens his eyes and looks around, dazed. Taylor, and Gates walk over and look at him skeptically.

O'MALLEY
Am I under arress?

Taylor shakes his head with disgust. Gates sighs.

SHERIFF GATES
Put him on the bench outside. He can sleep it off there.

O'MALLEY
. . . under arres-t? No?

Ben stands O'Malley up and tries to help him back out the door.

BEN
No. I'm *not* carrying you.

Gates walks to his desk. He turns the map around and looks at it again but his mind is elsewhere.

SHERIFF GATES

Damn.

Gates looks over at Taylor.

SHERIFF GATES

How about Patterson?

TAYLOR

To track?

SHERIFF GATES

Yeah.

TAYLOR

The Slash-4 is rounding up in a couple of days. He's going to have his hands full.

LOPEZ

(calling over to Gates)

I can trail Marone.

Gates glances at Lopez.

TAYLOR

Henry Burns.

SHERIFF GATES

His eyes aren't as good as they used to be.

LOPEZ

My mother was an Apache -- tracking is in my blood.

SHERIFF GATES

Oh, hell --

Gates walks back to the jail cell.

SHERIFF GATES

I can't let you out -- you *know* that.

LOPEZ

I know *Marone*. I can read his mind as well as his trail.

Ben comes back in then walks over next to Taylor.

BEN

-- what's going on?

TAYLOR

Lopez wants to track Marone.

BEN
You're not going anywhere, half-breed!

LOPEZ
(to Gates)
He is in the land of my people. I can
find him for you.

BEN
This guy stole our cattle!

LOPEZ
Sheriff -- please. For three years I was
a scout for General Crook --

Ben comes closer to Gates.

BEN
You're not going to listen to this, are
you?

Lopez glances at him, then speaks more urgently.

LOPEZ
Marone has made fools of us, Sheriff.
Both of us.

I will tell you; 'he made me steal the
cattle -- and then he betrayed me.'

Gates steps up to the bars, suddenly interested.

SHERIFF GATES
Oh yeah? . . . Go on.

LOPEZ
He said I would lose my job if I did not
do it.

Gates thinks, mulling this over.

SHERIFF GATES
Would you swear to this in court?

LOPEZ
I will not need to swear to anything if
you do not catch him.

Taylor takes a step closer, Ben glances over at him.

SHERIFF GATES
I'm no fool -- and I don't make deals.

LOPEZ

Marone is getting away as we argue.

Gates looks away, thinking. His eyes land on the corpses of Jud and Tom.

LOPEZ

I want him as much as you do, Sheriff.
And I can lead you to him.

BEN

Sheriff --

Ben steps forward but Taylor stops him with a raised hand. Gates assesses Lopez carefully, then turns to the others.

SHERIFF GATES

Maybe we have no other choice. He's
telling the truth about the scouting.

BEN

(turning away in disgust)
I'll bet.

Gates goes back to Lopez.

SHERIFF GATES

You'll be handcuffed at all times --

LOPEZ

Yes.

SHERIFF GATES

If you're lying to us about your skills
you're back in jail immediately.

BEN

(under his breath)
Only skill he has is rustling cattle.

SHERIFF GATES

And -- If there's any trouble, you can be
sure it'll go into my report to the
circuit judge.

LOPEZ

There will be no trouble.

SHERIFF GATES

Ben ... Take him over to Martín's and
get another horse.

Gates opens the jail cell door while Ben watches with silent frustration.

SHERIFF GATES

Hold out your arms.

He handcuffs Lopez. Ben steps up, pulling out his pistol to cover Lopez who looks at him, undaunted.

BEN

C'mon.

Lopez turns back towards Gates as Ben pushes him towards the door.

LOPEZ

Gracias, Sheriff.

SHERIFF GATES

This isn't a *favor*, Lopez.

The jail door swings shut behind Lopez.

CUT TO:

EXT. PUERTO DE LUNA - SIDE STREET - BLACKSMITH'S SHOP - DAY

Ben and Lopez walk up to where Miguel is outfitting his horse.

MIGUEL

He's going too?

BEN

Says he can track. I can't figure it; he's the one that started all this.

Ben looks over to Lopez and speaks louder.

BEN

Don't you go getting any ideas, half-breed. You're only along to do a job.

Lopez leans Ben's old chair against the wall of the building, pushing his hat back.

LOPEZ

At least I am out of jail.

Ben gives Miguel an 'I told you so' look.

CUT TO:

INT. PUERTO DE LUNA - SALOON - DAY

REBECCA picks at the key board of a dusty piano. She plays a classical tune that collapses into a double handful of notes.

Rebecca is slim and elegant in a slightly tattered way. Although she is young, cataracts cloud her eyes. Gates enters the room behind her. At the sound of steps behind her she turns.

SHERIFF GATES

Rebecca.

REBECCA

Who's there?

SHERIFF GATES

It's Will Gates.

He pulls up a chair and sits with the back reversed.

SHERIFF GATES

Do you know what happened this morning?

REBECCA

(nods)

Mr. Gance told me.

SHERIFF GATES

I'm going after Shad and I want to take him without a fight.

If you know where he's going . . . ?

She stares past him, saying nothing. The emotion in her seeing, unseeing, gaze makes him uncomfortable.

SHERIFF GATES

Well, I thought you and he . . . Ahh, might have made plans to meet up somewhere.

She takes a breath and struggles to hold back a laugh or a sob. . .

REBECCA

On the run with a blind woman? I wouldn't have done that to him even if he *had* asked.

He stands and puts a hand on her shoulder.

SHERIFF GATES

I'm sorry, honey.

She reaches out and takes his hand in hers.

REBECCA

Don't kill him, Sheriff. Please don't.

SHERIFF GATES

No, Ma'am. I'll do my best not to.

CUT TO:

EXT. PUERTO DE LUNA - SHERIFF'S HOUSE - DAY

Gates is tying his packed saddlebags behind his saddle. His wife, EMMA GATES, comes out of the house. She takes him in: the saddlebags, his ammunition belt filled with cartridges. She goes over to him and hugs him.

EMMA GATES

How long?

SHERIFF GATES

Three days, maybe four. Until we find him.

She looks away, past him, and sighs.

EMMA GATES

I wish this was over with.

SHERIFF GATES

I should never have let it get started in the first place.

She glances back.

EMMA GATES

Don't say that, Will. You did what you thought was right.

SHERIFF GATES

(sighing)

Apparently that wasn't enough.

He kisses her briefly, then mounts and rides off. She raises a hand, watching him go.

CUT TO:

INT. PUERTO DE LUNA - JAIL - DAY

Gates pulls his Sharps rifle down from the rack, carefully wiping it off with a rag. He levers open the breech and loads the gun. He pauses, looking around the empty office.

His eyes stop for a moment on the two corpses in the cell. He exits.

CUT TO:

EXT. PUERTO DE LUNA - SIDE STREET - JAIL - DAY

Gates closes the door behind him. Ben, Miguel and Lopez are mounted and waiting. He slips his rifle into the scabbard and mounts up. He turns his horse to face the other men.

SHERIFF GATES

You men remember; this isn't a lynching.
We're going to make an arrest. Is that
clear?

The others nod.

SHERIFF GATES

All right. Raise your right hands.

Everyone raises their hands. Both of Lopez' hands come up because they are manacled together.

SHERIFF GATES

Not you, Lopez.

Lopez lowers his hands.

SHERIFF GATES

Repeat after me . . .

I swear to uphold and enforce the laws of
the Territory of New Mexico.

Miguel and Ben mumble along after him.

SHERIFF GATES

All right. I hereby deputize you in the
service of Guadalupe County . . .

Let's go.

They ride up the street. As they pass the saloon Rebecca stands in the yard, holding onto Gance's arm, peering into the light.

CUT TO:

EXT. PUERTO DE LUNA - MAIN STREET - DAY

The posse rides up the street and out of town. Hold on the jail building.

CUT TO:

INT. PUERTO DE LUNA - JAIL - DAY

BOTH BODIES from above. They lie in coffins side by side. An UNDERTAKER and his ASSISTANT come into the cell. They place the lid on Tom Forrester's coffin and begin to nail down the edges ...

AUDIO TRANSITION: FOOTSTEPS ON PLANK FLOOR

* * * * * TRANSITION TO: Jud/Tom FLASHBACK * * * * *

INT. RUNNING-F - FRONT ROOM - DAY

We see boots coming down an adobe walled hallway. Outside a dog barks. Jud Bowman stops in the open door to the low ceilinged parlor of the Running-F house.

JUD BOWMAN

Tom?

Tom Forrester looks up from where he is restitching a saddle. Tom is old enough to be Jud's father, a once successful rancher who after the death of his wife and a recent reversal of fortune has let himself and his spread go to seed.

TOM FORRESTER

Jud? Come on in.

Jud enters, hat in hand and looking around the room uneasily. Tom indicates a bottle on the table near him.

TOM FORRESTER

You want something to drink?

JUD BOWMAN

No. Thanks.

TOM FORRESTER

Used to be your father's favorite . . .

Tom pauses uncomfortably for a moment then moves forward, pulling a harness he's been working on from the sofa.

TOM FORRESTER

Well, sit down at least.

He pats the cushions and dust rises up in small clouds; conditions at the Bar-B have deteriorated.

TOM FORRESTER

Wasn't expecting visitors . . .

Jud sits down uncomfortably. He runs the rim of his hat between his fingers. Tom returns to his work.

TOM FORRESTER
Drought's hurting us pretty bad -- how're
you doing over there?

JUD BOWMAN
I --
(he takes a breath)
We have a problem, Tom.

Tom barely glances up from his work.

TOM FORRESTER
Yeah? What's that?

JUD BOWMAN
Your cattle. They've been using up my
south pasture.

TOM FORRESTER
By the river? They go there when the
water holes're down.

Tom adjusts his project so he can get at a new area easier.

JUD BOWMAN
That's the only good graze I've got left.

TOM FORRESTER
Yeah, well, they drink from the river;
they eat the grass.

JUD BOWMAN
That's the point, Tom. Summer's over, I
need it for my own stock.

Tom straightens.

TOM FORRESTER
You're lucky you've got that water, Jud.
The river's the only thing we can count
on these days.

Jud looks at Tom, then takes a deep breath.

JUD BOWMAN
What are you going to do about those
cattle?

TOM FORRESTER
Nothing much I *can* do.
(shrugs)
Dumb animals go where they want.

Jud stands up, his face tight.

JUD BOWMAN
I need them off my land.

TOM FORRESTER
So, what do you want me to do?

JUD BOWMAN
I don't know, Tom, and I don't really care. They're your cattle. But it's my land.

TOM FORRESTER
I'll talk to them about it, Okay?

Jud steps forward.

JUD BOWMAN
Damn it, Tom -- *something's* got to be done! And if you don't do it, *I* will.

Jud leaves.

CUT TO:

EXT. RUNNING-F - MAIN HOUSE & YARD - DAY

Tom walks to the doorway as Jud mounts his horse and rides off. A DOG gets up and wanders over to sit beside Tom.

CUT TO:

EXT. FORRESTER PROPERTY LINE - DAY

Ben White attaches barbed wire to a wooden post with staples and a hammer.

A fence is being built. BAR-B HAND 1 unreels wire off a wagon and, in the distance BAR-B HAND 2 and 3 are digging post holes. The fence closes a gap in a low hog-back ridge that effectively separates the Forrester ranch from the Pecos river.

Jud Bowman sits astride a bay gelding, supervising the work. Behind him, Taylor and BAR-B HAND 4 and 5 herd a dozen head of cattle through the fence.

CUT TO:

EXT. FORRESTER PROPERTY LINE - W/TOM & MARONE - DAY

Tom Forrester and Marone approach on horseback. They ride past a dried up water hole. In the distance they see the fence. The project is moving along. Wire is strung over half the distance and most of the posts are up.

TOM FORRESTER
What the hell --

SHAD MARONE
What's he up to now?

TOM FORRESTER
I don't know, but we're sure going to
find out.

Tom spurs his horse and Marone follows.

CUT TO:

EXT. FORRESTER PROPERTY LINE - DAY

Tom and Marone ride up to the fence, Jud is on the other
side.

TOM FORRESTER
Jud! What's going on here?

JUD BOWMAN
I told you; I'm overgrazed.

TOM FORRESTER
You're fencing me out?

JUD BOWMAN
Not you, Tom -- just your cattle.

TOM FORRESTER
This is outrageous!

Marone's horse dances around nervously and Marone must turn
in the saddle to make eye contact with Jud.

SHAD MARONE
We're in the middle of a God Damn
drought!

Tom glances over to where his cattle are being urged through
the fence.

TOM FORRESTER
We're dying over here, Jud. You may as
well shoot that stock.

JUD BOWMAN
I'm sorry. I just can't allow it
anymore.

SHAD MARONE
Allow it? You don't own that river.

JUD BOWMAN

I *own* this fence.

TOM FORRESTER

Clyde would have never done something like this.

JUD BOWMAN

Yeah? Well, I run things differently than my father.

Jud turns away from him.

TOM FORRESTER

Do you know what you're doing here?

JUD BOWMAN

Yeah. I'm protecting my investments.

Tom rides closer, forcing himself back into Jud's view.

TOM FORRESTER

Your *father* built this ranch -- with a lot of help from other people, including myself. We did each other favors all the time.

JUD BOWMAN

Look. I don't need anyone's help -- don't talk to me about the good old days.

Jud stares at Tom. Tom breaks, looking away.

TOM FORRESTER

We have to work something out.

JUD BOWMAN

We do?

TOM FORRESTER

I'll give you a couple of cattle for every week I need to go through here.

JUD BOWMAN

Don't you *understand*? I have too many as it is!

Jud stares, haunted, at his parched range, he takes a breath.

JUD BOWMAN

What I *don't have* is enough grass to feed them all.

Tom stares at him, speechless with frustration, then spurs his horse and rides away. Marone gives Jud a hard look, then turns and rides after.

The wagon lays out another section of wire, a new stretch of fence goes up.

CUT TO:

EXT. RUNNING-F - BRANDING CAMP - DAY

RANCH HANDS drive some stock away from a water trough so others can drink. Nearby is a wagon with barrels of water on it.

In the corral WILLIAMS is cutting out calves and Lopez is throwing them. CASEY works the irons, moving out to brand the animals as Williams and Lopez bust them.

Marone leaves the main herd and rides over to the corral. Tom is leaning on the corral fence. Shad dismounts and walks over to find Tom leafing through his tally book.

TOM FORRESTER

This drive won't pay half what I owe.
It's barely going to pay what it's costing.

SHAD MARONE

It's too late to call it off.

TOM FORRESTER

Yeah, I know.

Marone puts his hand on Tom's shoulder.

SHAD MARONE

We've cut it close before.

Williams cuts out and ropes a calf.

Tom looks distractedly over the herd in the holding corral.

TOM FORRESTER

If I were younger, I'd whip some sense into that runt. Clyde missed a bet on that kid.

SHAD MARONE

He *is* a kid -- he's in over his head.

TOM FORRESTER

Maybe he's trying to squeeze me out.

Lopez brings the calf down, wrestling with the animal skillfully. Casey moves in to brand it.

Marone nudges Tom to look at Lopez.

SHAD MARONE

Hey. That's the new guy.

Tom nods, not really seeing.

TOM FORRESTER

Clyde and me, we had our differences, but we'd never fight each other over water. 'Use our own water holes' -- he *knows* they're practically useless!

Williams ropes a large steer.

Marone pinches his fingers against his lips and whistles.

SHAD MARONE

Hey -- Casey! C'mere.

Casey runs over to Tom and Marone.

CASEY

Yeah?

SHAD MARONE

How's he working out?

Marone indicates Lopez.

CASEY

(glancing over at Lopez)

Okay. Quiet.

Lopez tries to hold the yearling steer down, it's big -- and stubborn.

Casey grunts derisively at the sight of the wiry man struggling with the animal.

CASEY

He's only on for the round-up, right?

Shad chuckles.

SHAD MARONE

Yeah. Go see what you can do.

Casey trots back to help Lopez.

SHAD MARONE
(calling to Casey but doing it
so Lopez can hear)
Tell him to get some of that *grease* off
his hands! Maybe he'll have better luck.

Lopez has overheard. He glances over at Marone with defiant pride. He ties the steer's feet together deftly.

SHAD MARONE
(calling to Lopez)
Hey -- *amigo!* Take it easy, Okay?

Lopez looks over confused and angry. The steer bawls as Casey applies the brand. Lopez stands back from the steer, flipping his rope loose.

Marone shakes his head grinning. He turns back to Tom.

TOM FORRESTER
This used to be free range, God Damn it!
Clyde and I flipped a nickel to stake
those boundaries.

SHAD MARONE
We'll cut our losses and hope it rains.

Marone glances at his boss. Tom shakes his head.

TOM FORRESTER
It was a gentleman's agreement -- doesn't
that mean anything any more?

Williams ropes a calf and as the animal hits the end of his rope the man is spilled from the saddle, hitting the ground in a cloud of dust.

Marone and Tom watch Williams pick himself up.

CUT TO:

EXT. RUNNING-F - SARAH'S GRAVE - AFTERNOON

Tom sits, leaning on a headstone. 'Sarah Tomlinson Forrester 1846 - 1878' Nearby, on the hill behind him, is the Running-F compound. Marone comes walking down the hill from the house.

SHAD MARONE
Come on, Tom. Food's on.

TOM FORRESTER
I'm coming.

Tom does not turn to look at Marone.

SHAD MARONE

You all right?

TOM FORRESTER

Yeah.

Did you know that this is the spot where
I proposed to Sarah? We sat right here .
. . she brought out a basket of supper.

He gets up, slowly ... still not meeting Marone's eyes.

TOM FORRESTER

Unless we do something the bank's going
to take this place. Jud Bowman's made
that certain.

SHAD MARONE

What *can* we do? You tell me, Tom, and
I'll do it.

TOM FORRESTER

I'm not leaving here! You can spend your
life watching a boy grow up but, By God,
friendship only goes so far.

AUDIO TRANSITION: DIGGING. PICKS AND SHOVELS

* * * * TRANSITION FROM: JUD/TOM FLASHBACK * * * *

EXT. PUERTO DE LUNA - CEMETERY - AFTERNOON

Two coffins lay in the back of a wagon. Nearby two GRAVE
DIGGERS are each at work in a separate hole. The afternoon
sunlight makes the air, dusty from the digging, glow.

DISSOLVE TO:

EXT. PECOS VALLEY - AFTERNOON

MATCHING ... the sun reflected in river water flowing by.
TILT UP to Marone as he rides through the river, keeping to
the water and the rocks. His chin bristles with a two-day
growth and he looks weary. He pauses turning to look
upriver.

Nothing.

He frowns slightly, as though worried about something he's
not seeing. He rides off. PAN back upriver and. . .

DISSOLVE TO:

EXT. PECOS VALLEY - UPRIVER - AFTERNOON

Lopez' horse, with an empty saddle, stands in the water, drinking. Miguel, Ben and Gates ride up, looking at something beyond the horse. The men are hot and sweaty.

Lopez sashes through the river, back towards the other men.

SHERIFF GATES

Well?

LOPEZ

He was here four hours ago.

BEN

How can you be so sure?

Lopez takes a couple of steps down river and points down to the water.

LOPEZ

His horse kicked this rock, here. The sand has not yet filled in on the upstream side.

BEN

Lopez, any animal could do that!

Lopez bends and fishes the rock out of the river.

On one side is a white scrape.

LOPEZ

Yes. Any animal wearing steel shoes. Believe me; four hours.

MIGUEL

We're getting closer.

SHERIFF GATES

Come on, then.

He starts forward. Miguel takes up the reins on Lopez' horse and leads it along. Lopez remounts as they ride past.

DISSOLVE TO:

EXT. PECOS VALLEY - BLUFFS - AFTERNOON

They ride up the bluffs.

CUT TO:

EXT. PECOS COUNTRYSIDE - AFTERNOON

The posse rides across the skyline, long shadows trailing behind.

CUT TO:

EXT. PECOS COUNTRYSIDE - LATE AFTERNOON

From behind we see The posse all standing side by side on the edge of a cliff, looking out at a beautiful vista stretching into the distance. The wind blows. One or another of them makes a sound, a sigh, a whistle of breath, a sound of appreciation. As the noise of the wind dies it becomes obvious that they are all taking a piss. After a moment they shake off and button their pants.

CUT TO:

EXT. MISSION RUINS - SUNSET

The posse rides towards an adobe ruin on the top of a low rise. Ahead of them is a maze of crumbling walls. They draw up, looking at the place.

There are towers of loose brick and several crows are watching them, their croaking cries the only sound. Ahead are two stagnant pools of water. The wind whistles forlornly through the walls.

BEN

What is this place?

SHERIFF GATES

An old mission, from the Spanish days.

Lopez speaks up, staring straight ahead.

LOPEZ

The Old Ones lived here, too. Many years ago the Spanish tried to make them Catholics. But one night the people of the pueblos rose up and killed all of the priests.

SHERIFF GATES

It's getting dark.

BEN

You thinkin' about the haunts, Lopez?
Afraid they're going to come and get you?

Lopez shrugs.

SHERIFF GATES

There's water and fuel. A few Indian spirits won't bother us.

CUT TO:

EXT. MISSION RUINS - EVENING

Ben hobbles their horses. Gates stands on a rise, surveying the countryside with his field glasses. Lopez sits on a rock while Miguel unloads his saddlebags. Ben drops an armful of branches onto the ground and starts laying a fire. Miguel passes behind him and lays out his bedroll.

BEN

If he's so close, I don't see why we can't catch up tonight.

LOPEZ

(under his breath)
Ay, idiota --

BEN

What did you say?

Gates lowers his glasses, listening for trouble.

LOPEZ

I said it is not wise to track a murderer in the dark.

BEN

That's *not* what it sounded like to me.

The fire begins to burn. Ben sits back, relaxing. He looks over to Miguel, getting an idea.

BEN

So. Lopez. You're a pretty good tracker.

Ben winks at Miguel who looks away and starts preparing a meal, not interested in playing along.

BEN

You were a scout for General Crook.

LOPEZ

Yes.

Ben leans back on his bedroll.

BEN

Tracking Apaches, right? Your own
cousins . . . sisters maybe?

LOPEZ

I was a soldier in the 10th Cavalry. And
General Crook was twice the man you are,
cabrón. For an Anglo.

BEN

What's that supposed to mean?

MIGUEL

Ben -- knock it off.

Gates puts and end to it by dropping his saddle on the
ground. Ben and Miguel look around at him.

SHERIFF GATES

Save your steam, boys -- we've got a long
way to go.

He sits down and starts pulling at a boot. The flames of the
campfire begin to curl up around the wood . . .

DISSOLVE TO:

EXT. MISSION RUINS - EARLY MORNING

The sun comes up in a blaze of orange. Gates awakens,
grunting as he sits up stiffly, looking around. Lopez stands
at the edge of the camp, looking off to the southwest. He
turns towards Gates.

SHERIFF GATES

Don't you sleep, Lopez?

Gates stands, hoisting his suspenders.

SHERIFF GATES

Come on -- rise and shine.

Ben and Miguel wake up groggily. They run their fingers
through their hair and grunt as they stretch their tired
bodies. Lopez walks back in and pours himself some coffee.

Miguel saddles his horse, he digs out some biscuits from his
saddlebag. Miguel whistles to attract Ben's attention.

Ben, rolling his bed roll, looks up. Miguel tosses one to
Ben. Ben catches the biscuit and takes a bite. Gates leads
his horse forward.

SHERIFF GATES

Ben, pack up Lopez' gear and let's go.

Lopez looks up from where he's squatting by the campfire.
Ben heads for Lopez' stuff.

LOPEZ

If you take these cuffs off, I can help.

Gates chuckles dryly.

SHERIFF GATES

Not a chance, amigo.

Miguel gets on his horse. It bucks, kicking out its morning kinks. Ben lashes his bedroll to the back of his saddle and mounts up.

Gates mounts up and starts down the trail, Miguel follows.
Gates turns in the saddle, calling back to Ben and Lopez.

SHERIFF GATES

Let's go! I want to get this over with today.

Ben rides over near Lopez.

BEN

Douse the fire with that coffee and come on!

Lopez picks up the pot as Ben rides away. Lopez looks up at Ben riding off. He disappears down the trail.

Lopez glances at the now empty trail. Knowing he has only seconds to spare, he pours the coffee over the wood they gathered the night before then dumps as much of the wood as he can on the fire. Lopez hurries to his horse and rides off. As he heads down the trail he looks back to check.

A thin line of SMOKE begins to rise.

CUT TO:

EXT. MISSION COUNTRYSIDE - OVERVIEW - EARLY MORNING

Marone squints into the distance.

From down on the flat SMOKE RISES from the posse's campfire.

SHAD MARONE

(under his breath)

Well, I'll be . . .

He pauses a moment, then makes a tough decision.

SHAD MARONE
(to horse)
C'mon.

He turns his horse's head and takes off towards the west, leaving the area near the river behind.

CUT TO:

EXT. DESERT OVERVIEW - TRAIL - DAY

The posse rides up behind Lopez, who is peering down at the ground carefully. A thin smile plays on his lips but it disappears as the others get close. He lets his horse take a few steps away from the course that he was following then turns to Gates.

LOPEZ
He has turned toward the desert.

Gates and others start forward to see what he's talking about. Lopez comes to the edge of an open slope. After a moment the posse joins him.

A vast landscape of red rock mesas and sand opens up before them.

Gates looks out over the forbidding landscape to the west.

SHERIFF GATES
Are we gaining on him?

LOPEZ
Yes. But it will be harder now, and very dangerous.

BEN
You showing a little yellow, Lopez? Wish you were back in that nice, cool jail?

LOPEZ
Maybe.

Lopez reins his horse around until he is between the posse and their view of the desert.

LOPEZ
Before we make camp tonight each of us will drink more than a gallon of water and our horses must have ten! For all of us this is more than *three hundred pounds* of water -- every day.

The Spanish did not call this place *El Jornada del Muerto* for nothing. If we are not careful it can take our lives.

Gates looks over at them.

SHERIFF GATES
He's right.

MIGUEL
You think he knows we're after him?

SHERIFF GATES
Either that, or he's just not taking any chances. . . .

Well. Nobody said it would be easy.

Gates clucks to his horse and starts forward. The posse follows after him passing by Lopez and heading down toward the desert. The terrain beyond looks barren and formidable.

CUT TO:

EXT. YESO CANYON - MOUTH - DAY

As Marone rides along, he sees . . . A narrow canyon cutting into the mesa. He turns up it.

CUT TO:

EXT. YESO CANYON - FLOOR - DAY

Marone kicks his horse and takes off at a dead run up the canyon. He crosses to the northern side of the stream, still riding hard. He scans the right wall of the cliff for a path to the top. He finds a path, then turns his horse to go up. They scramble their way to the top.

CUT TO:

EXT. YESO CANYON - RIM - DAY

Marone tops the path from the canyon below and turns back towards the direction from which he came. He stops for a moment scanning his back trail.

SHAD MARONE
Well now, let's just see who's back there.

The bullet hits a rock in front of Ben's horse. The horses start bucking.

Marone fires twice more.

The posse members look around, desperately searching for the unseen rifleman. They scramble to dismount and find cover. Gates pulls Lopez behind a rock next to him, pushing him down as he scans the cliff above.

Marone shoots again,

He narrowly misses the various members of the posse as they run behind trees and boulders. Miguel and Ben work their way into cover. Gates scans the rim intently, trying to fix Marone's position.

SHERIFF GATES
Marone! Stop shooting!

SHAD MARONE
(O.S.)
I'm *not* going back!

Gates adjusts his aim, watching the rim.

Marone peers down into the canyon, watching the rocks behind which Gates and Lopez hide. He is reloading his rifle.

BEN
You'd *better* come down! Taylor saw you
kill Jud, and I *know* you stole those
cattle!

A shot whizzes by from above in answer to Ben. Ben aims his pistol and fires three times in the direction of the shots.

SHERIFF GATES
BEN!

A flurry of shots comes from above. Gates ducks. Ben crouches down, waiting to return fire. One of the shots shatters some rock by Miguel's shoulder.

MIGUEL
Aahh!

Gates glances at Miguel, then back at BEN. He waves at Ben to stop shooting.

Marone reloads his rifle again, then stands, looking cautiously over the edge of the cliff.

Lopez looks up . . . he sees Marone. They lock eyes.

Marone, rifle ready, stares at him for a moment.

Lopez straightens, looking at Marone, almost daring him to shoot.

Rather than shooting, Marone turns and walks off.

Gates looks at Lopez, wondering what the hell is going on. Lopez turns, catching Gates's glance. Lopez shrugs.

LOPEZ

He is gone.

AUDIO TRANSITION: HISSING OF A CARBIDE LIGHT

* * * * * TRANSITION TO: LOPEZ FLASHBACK * * * * *

INT. RUNNING-F - BUNKHOUSE - NIGHT

Marone vaguely lit behind the blaze of a carbide lantern. The pool of it's light swings around the Running-F store room. Lopez is bunked in a corner. Marone stops beside Lopez' bunk. He shakes the sleeping man's leg.

Lopez is instantly awake. Marone motions for Lopez to follow him.

SHAD MARONE

Shhh. Come on outside.

Marone turns and leaves the room.

Lopez watches him go, then slips a thin bladed knife that he'd been holding out of sight into it's sheath. Lopez slips out of his bunk, pulls his pants on over his long-johns, and hoists up the suspenders.

CUT TO:

EXT. RUNNING-F - YARD - NIGHT

Marone has two saddled horses outside the bunkhouse, he is mounted and ready to go. Lopez stops in the doorway.

LOPEZ

What are we doing?

SHAD MARONE

Special job.

LOPEZ

Now?

SHAD MARONE

Yeah. Now.

Marone turns and rides off.

CUT TO:

EXT. FORRESTER PROPERTY LINE - NIGHT

Marone and Lopez ride along at a brisk trot. They ride out into the area where Jud Bowman has built his drift fence. Marone dismounts and pulls out a pair of pliers. He fires the carbide light again. It's beam flashes on Lopez for a moment as Marone turns and starts to loosen the fence.

Lopez also dismounts.

LOPEZ

What is this, Marone?

Marone pauses in his work.

SHAD MARONE

The Running-F needs a little help this year.

LOPEZ

We will get caught.

Marone looks over his shoulder.

SHAD MARONE

Only if we're stupid.

Marone shakes one of the posts loose and pulls it out of the ground. Marone steps on the post, and leads his horse across.

LOPEZ

I will not do this, Marone.

SHAD MARONE

You're *quitting*?

LOPEZ

This is not the kind of round-up I signed on for.

SHAD MARONE

Maybe we can find a little more cash for you when this is over.

Lopez waits for him to say something meaningful; the Running-F is nearly broke ... Shad knows Lopez knows there isn't much to the offer.

SHAD MARONE

I'll get you as much as I can -- but I can't offer you something we don't have, understand?

Lopez shrugs; it's not his problem. Marone looks at him, then sighs.

SHAD MARONE

How'd you like to stay on after the drive?

LOPEZ

What do you mean?

SHAD MARONE

I mean a job the year 'round. Steady work.

LOPEZ

Doing *this*?

SHAD MARONE

Hell, *no!*

LOPEZ

I do not know your boss, Marone. Perhaps his ranch will need *help* more than once.

Marone stabs a finger at Lopez' chest.

SHAD MARONE

Get this straight, Lopez. If it wasn't for the drought, this wouldn't be happening.

Lopez still hesitates.

SHAD MARONE

We'll go in, round 'em up and get out. I know where to keep them and I know places to hide if it comes to that. But it won't.

LOPEZ

You have done this before?

SHAD MARONE

Look, Lopez. I don't like this any more than you do. Either help me out or go back to wherever the hell you came from.

They stare at each other . . . then Marone heads off.

After a moment Lopez reluctantly leads his horse across the wire.

LOPEZ

If my grandmother were alive, she would curse you until you begged for relief.

CUT TO:

EXT. BAR-B - PASTURE - NIGHT

Marone and Lopez ride into the pasture beyond. Marone stops and assesses the situation.

SHAD MARONE

I'll sweep along here to the left -- you go over where the trees begin. We'll force them out that way.

Marone moves off quickly.

SHAD MARONE

Hyah!

Lopez takes a beat, then follows.

CUT TO:

EXT. FORRESTER PROPERTY LINE - NIGHT

A wider section of the fence is down with logs laying across it at intervals. Lopez herds fifty head of cattle back out through the gap. Marone brings up the rear and dismounts, he whistles to Lopez.

SHAD MARONE

Keep them on the trail ... where the old tracks are.

Marone quickly begins to tip the logs off the fence.

CUT TO:

EXT. CORRAL CANYON - EARLY MORNING

Marone and Lopez herd the cattle down a wash toward a high, narrow gap. The sides are steep; it is a perfect natural

corral. The cattle are forced through a gate in the crude fence across the mouth of the gap. They ride back through the fence and dismount. Lopez squints into the canyon where the cattle are milling around.

LOPEZ

You are sure they will have enough grass
in there?

Marone kicks aside some dirt and starts to pull out the wires and posts of a long-out-of-use gate which once closed a gap in the fence.

SHAD MARONE

They'll be okay for about a week.

Lopez assesses the canyon carefully.

LOPEZ

It is a good place -- for a bad thing.

SHAD MARONE

There was an old Yaqui I worked with --
we used this place a lot. He knew every
canyon and gully around.

Lopez goes over to the other side and helps pull the poles out of the ground. Marone picks up the end of the gate and starts pulling the wire and posts over to the upright to close it off.

SHAD MARONE

One time he took me out beyond the
Malpais -- he showed me springs and
tanks that he said no white man knew how
to find.

Marone lifts up the post and tries to loop a piece of barbed wire around it. The top strand is hanging loose; Marone tightens it, twisting the rusty wire around the gate post. The wire suddenly slips from his grasp.

SHAD MARONE

OW! Bloody hell.

Marone examines his hand with a frown, then glances up at Lopez. He shakes his hand, then starts to wrestle the loop over the gate post. The gate won't close.

SHAD MARONE

Hey, give me a hand here -- !

Lopez grabs the gate post and pulls it closer to the upright. He slips the loop over the top. Marone glances at him, catching his breath.

SHAD MARONE

That'll do it.

Lopez leans on the fence post while Marone takes a canteen off his saddle and takes a drink. He offers the canteen to Lopez who also drinks.

LOPEZ

Why are you doing this, Marone?

Lopez hands the canteen back . . .

SHAD MARONE

Work is work.

But as Marone tries to take it he won't let go. The answer wasn't enough. . . . Lopez stares at him.

SHAD MARONE

I met Tom about fifteen years ago. He caught me -- rustling his cattle.

Instead of turning me in, he hired me. For some reason he seemed to think I was worth something . . . I've got to live up to that. At least to him.

LOPEZ

I think he has gotten the better end of the deal.

Lopez hands the canteen back and climbs through the fence, Marone lifting the wire. Marone wipes his face with his bandanna.

LOPEZ

Why did you choose *me*?

Marone wipes his hands on his dusty chaps.

SHAD MARONE

You're quiet. I figured you could keep your mouth shut. I -- I guess I thought you wouldn't be too much trouble.

Lopez arches an eyebrow.

LOPEZ

Too much *trouble*? . . . I will try to live up to your expectations.

Marone glances over, then laughs. Marone mounts his horse.

SHAD MARONE
You any good with a rifle?

LOPEZ
I am better at shooting than you are at
fixing fences.

Shad laughs.

SHAD MARONE
When we get back to the Running-F, I want
you to pack up your gear and come back.

Lopez mounts up too.

LOPEZ
I will not kill for your boss, Marone.

SHAD MARONE
I understand -- but the cattle still need
to be watched.

Lopez watches him, carefully.

SHAD MARONE
It'll only be for a few days -- Then
we'll mix them in with the others and
drive them up to Santa Rosa.

Marone turns his horse and rides off. Lopez follows.

DISSOLVE TO:

EXT. CORRAL CANYON - CAMP - EVENING

The setting sun touches the walls of the canyon. In the highest rocks birds are flying and diving, finding a place to roost. Marone rides up to the small camp where Lopez is keeping watch. He steps down from his horse.

SHAD MARONE
Talked to Tom.

LOPEZ
Yeah?

Marone pulls out some food from his saddlebags and walks over.

SHAD MARONE

We'll stop at around two hundred. That's about how much that son-of-a-bitch set us back. One more group ought to do it.

LOPEZ

Good.

He drops down across from Lopez.

SHAD MARONE

Everything quiet?

Lopez shrugs. Marone glances over and sees a tattoo around Lopez' wrist.

SHAD MARONE

Hey -- what's that?

Lopez looks up quickly. Marone points to the tattoo.

SHAD MARONE

You an Indian or something?

Lopez narrowly examines Shad.

LOPEZ

My mother was a Warm Springs Apache.

SHAD MARONE

Apache, huh? So that's some kind of symbol?

Lopez looks at his wrist, rolls down his sleeves and then buttons his cuffs.

LOPEZ

No.

Marone looks carefully at Lopez and realizes that's the only answer he's going to get. Lopez stands and busies himself putting the food in a sack hung from a tree. Marone watches him curiously.

SHAD MARONE

You got an Indian name? You know; in Apache.

Lopez picks up his saddle and looks back at Marone.

LOPEZ

Let's go, Marone.

SHAD MARONE
Come on. What is it?

Lopez stares at him thinking . . . then . . .

LOPEZ
I did not take a name.

Lopez puts down his saddle.

LOPEZ
They called me *nakaii* (na-kai-yeh).

SHAD MARONE
Yeah? What's that mean?

Lopez gives him a look, challenging Marone to make a comment or maybe just to understand.

LOPEZ
The Mexican.

CUT TO:

EXT. BAR-B - RIDGE SLOPE - EARLY MORNING

Marone and Lopez herd cattle down the ridge, silhouetted against the pre-dawn sky.

CUT TO:

EXT. BAR-B - JUNIPER BREAKS - EARLY MORNING

Lopez and Marone drift a few head out of the brush and off toward the gap.

CUT TO:

EXT. CORRAL CANYON - EARLY MORNING

A small group of cattle thunders by. Marone chases them through the gate . . .

SHAD MARONE
Yeee-haw!

. . . joining them up with a larger herd already in the corral. Lopez pulls to a hard stop by the wire gate, getting down to pull it closed. Once the cattle are in, Marone spurs his horse and gallops back towards the gate and past Lopez, as he starts to pull the gate shut. Marone reins in and drops off his horse, running back to help Lopez.

SHAD MARONE

Whew . . .

They pull the gate shut and pause a moment as they catch their breath, looking inside. Lopez takes off his hat and beats the dust out of it. Marone drops into a sitting position in the sand near the gate. Lopez squats beside him.

SHAD MARONE

Warm Springs Apache . . . your home's in Arizona, right?

LOPEZ

This is home.

SHAD MARONE

You know what I mean.

Marone looks at him steadily. Lopez looks away.

LOPEZ

My mother's people never accepted me. So when I was thirteen I went to Mexico, to find my father.

. . . all he cared about was drinking.

Marone watches Lopez carefully.

SHAD MARONE

What'd you do?

LOPEZ

I tried to go home. But men from Tucson had come and killed many of our women and children while the men were away hunting. The soldiers had tried to protect us from them, but . . . My mother was among those that died.

Marone looks away.

SHAD MARONE

How did you get here?

LOPEZ

I walked.

He looks up, meeting Marone's eye.

LOPEZ

I am telling you the truth when I say this is my home.

Marone stands.

SHAD MARONE
Come on. Let's go back and get some
sleep.

They mount up and start back to the ranch.

DISSOLVE TO:

EXT. RUNNING-F YARD - DAY

Marone and Lopez ride through the gates into the Running-F compound. In front of the cookhouse Casey, Williams, and a couple of other RANCH HANDS are washing up or eating.

SHAD MARONE
See you later.

Marone rides towards the main house. He dismounts and drops his reins over the hitching post. Tom comes out of the house, pulling on his hat.

TOM FORRESTER
All done?

Lopez heads for cookhouse.

SHAD MARONE
Yeah.

As Marone comes up Tom turns his back on the activity at the cookhouse.

TOM FORRESTER
Bowman's drive is leaving soon.

SHAD MARONE
Not for another couple of weeks.

TOM FORRESTER
We have to have'em sold by then.

SHAD MARONE
We'd better.

Behind them at the cookhouse, a ranch hand, Williams, blocks Lopez from getting to the wash stand.

TOM FORRESTER
What are we going to do about their
brands?

SHAD MARONE

I've been working on them. I'll get us a contract that'll look like we bought some Double Diamond steers ... that'll cover just about anything.

Aww, Christ Tom, I thought I put this behind me.

Lopez tries to push his way past Williams, and suddenly the bigger man stands aside, waving Lopez on. Casey and Williams lean on the wall on either side of the wash stand while Lopez rinses his face.

CASEY

You gonna help out at the branding camp, Lopez?

LOPEZ

I'm going to get some sleep.

WILLIAMS

Seems like all I see you do is sleep ... Sure hope you don't expect to get paid.

Tom Forrester looks at Marone.

TOM FORRESTER

It's more than you signed on for. I know that.

SHAD MARONE

Shit ...

Marone shakes his head, not knowing what to say to Tom.

Over by the bunkhouse, the altercation between Williams and Lopez is escalating rapidly. Marone turns and sees what's going on.

SHAD MARONE

Oh, Hell ...

Marone runs towards the bunkhouse.

Williams and Lopez are slugging it out. The other HANDS crowd around, egging them on. Marone steps into the middle of it, yanking the two men apart.

SHAD MARONE

Hey! Back off.

He pushes Lopez back, then turns and straight-arms Williams as Williams tries to follow. Williams backs off and grins at Marone, catching his breath.

WILLIAMS

We ever gonna get a day's work outta this guy? -- god damn lazy greaser --

Marone punches him, hard. Williams goes flat in the dust, stunned from the blow.

HAND #1

Jesus . . .

The HANDS look at Marone in disbelief.

SHAD MARONE

He's been working with me. Anyone got a problem with that?

Lopez watches carefully, slowly realizing that Marone just took his side. The HANDS look at each other.

HAND #2

Sure.

CASEY

Yeah. Whatever you say, Shad.

Lopez looks at Marone's back waiting for him to turn around. Marone doesn't turn.

SHAD MARONE

Lopez --

LOPEZ

Yeah.

SHAD MARONE

Get on back out there. Soon as you can.

Lopez nods briefly, then turns disappears towards his room.

AUDIO TRANSITION: WIND

* * * * * TRANSITION FROM: LOPEZ FLASHBACK * * * * *

EXT. YESO CANYON - RIM - DAY

Lopez looking off down the canyon. He turns and walks off.

Gates kneels on the ground, holding a handful of dirt and the shells from Marone's rifle. The dirt sifts through his

fingers and the wind blows it away, whistling in the mouths of the shells. Lopez crosses behind him.

BEN

Lucky he didn't kill us.

Gates looks up to ... Ben scowling at the view from Marone's vantage point. Gates stands.

SHERIFF GATES

It was no accident. He's got something in mind ... If he didn't think he could still get away he'd have shot our horses.

He looks over at Miguel, who nods. His face is bleeding where it has been peppered by rock.

Lopez stands back by the horses. He opens a canteen on Ben's saddle, watching the others carefully.

The posse members look off the edge of the canyon. Ben begins to reload his pistols

BEN

You think he's going to try this again?

Unseen by the other men, Lopez reaches under the horse and carefully pours out most of the water from the canteen ... making pattern so it will look like the ground is wet from urine.

SHERIFF GATES

Not necessarily.

Gates turns towards his horse.

Lopez raises the nearly empty canteen and pretends he's been drinking. Gates walks over and remounts his horse.

SHERIFF GATES

But keep your wits about you, just in case.

Lopez mounts up.

CUT TO:

EXT. FLAT ROCKS - DAY

Marone has walked his horse out onto an area of flat sandstone. He is tying burlap around his horses hooves. He starts forward.

DISSOLVE TO:

EXT. FLAT ROCKS - LATER DAY

The posse follows as Lopez slowly walks across the sandstone tracking the slight signs of Marone's passing.

Ben tries to drink from his canteen but finds it empty.

BEN
(under his breath)
What the hell ..?

He turns it upside down over his hand and a single drop falls out.

CUT TO:

EXT. DESERT FLOOR - DAY

Marone walks his horse along the desert floor at the base of some craggy mesas. He sees a trail and starts up it.

CUT TO:

EXT. DRIPPING SPRING - DAY

A small pool of water fed by a spring dripping from above. Marone dismounts and drinks from the pool greedily.

As his horse drinks, he walks back to the mouth of the cove and looks back out over the desert.

Marone goes back towards the spring. He picks up a large rock and places it nearby. Then he picks up another and another. He goes over to his horse and taking his canteen, pours out the water and refills it. Then he lays down in the shade and tips his hat forward over his eyes.

AUDIO TRANSITION: WIND TO WINDOWS RATTLING IN THE WIND

* * * * * TRANSITION TO: MARONE FLASHBACK * * * * *

INT. PUERTO DE LUNA - SALOON - REBECCA'S ROOM - DAWN

Marone looks out the window, staring off to the south as the early light touches the window frame. He hears a rustle of sheets behind him and his eyes flicker momentarily in that direction. Rebecca sits up in her bed. She looks around the room, seeing very little.

REBECCA
Shad?

SHAD MARONE
I'm here.

Rebecca's eyes shift.

SHAD MARONE
I was watching you sleep.

The sun's coming up.

REBECCA
I can see ... I can just see the light.

She wraps herself in a blanket, shivering a little.

What's wrong?

SHAD MARONE
I've been doing something ... something I
don't want to do.

REBECCA
I won't ask what. Why do it?

SHAD MARONE
For Tom. I have to take care of Tom.

REBECCA
Because he saved you from going to jail?

SHAD MARONE
Partly.

REBECCA
... and now he's going to get you in
trouble.

SHAD MARONE
I hope not. Not if we're careful.

She carefully crosses to the window and, standing behind him, she puts her arms around his waist and leans her head on his shoulder.

REBECCA
Don't do it. Whatever it is, don't do
it.

SHAD MARONE
I already have.

She sighs ...

REBECCA
Don't get caught.

She turns away from him.

Stay until the sun comes up ... I want to see you against the light.

CUT TO:

INT. RUNNING-F - FRONT ROOM - DAY

A roll-top desk, cluttered with papers and bills marked "Past Due". Laying on them is an old photograph of Tom with a young woman.

SHAD MARONE

(O.S.)

We should've been on our way two days ago.

Tom is sitting, staring at all bills and paperwork, immobilized by its immensity. After a moment he speaks.

TOM FORRESTER

He has tally books! When he rounds up he's gonna find out.

Behind him Marone paces the length of the room. He stops.

SHAD MARONE

So what? If we move them now he may guess, but he'll never be able to prove anything.

We're in this up to our necks, Tom. It's too late to talk about it.

Tom sighs.

TOM FORRESTER

I'm not sure we're doing the right thing, Shad.

Marone laughs, a hard humorless laugh.

SHAD MARONE

Of course we're not! We *knew* that going in.

You let me take a couple of men and get them *out* of here. Then it'll be over.

TOM FORRESTER

We're not going to do anything until it's safe -- you hear me?

SHAD MARONE

It's *not* going to get any safer!

DOGS start to bark outside. Then Marone hears hoofbeats approaching. He crosses to the window to see what's going on.

CUT TO:

EXT. RUNNING-F - MAIN HOUSE & YARD - DAY

Gates and Jud Bowman ride up and dismount.

CUT TO:

INT. RUNNING-F - FRONT ROOM - DAY

TOM FORRESTER

Who is it?

SHAD MARONE

Sheriff Gates and Jud Bowman.

Tom gets up and comes over to Marone at the window. Marone starts to move towards the door and Tom grabs his arm.

TOM FORRESTER

Wait -- what are we going to do?

SHAD MARONE

We're going to shut up and listen; we don't know what they're here for.

TOM FORRESTER

Shad ... you didn't want to do this.

Marone puts his hand on Tom's shoulder, reassuring him.

SHAD MARONE

Don't say anything you don't have to.

Marone leaves the room. Tom listens to the door open and voices come from the hallway.

SHERIFF GATES

(O.S.)

Shad -- is Tom around?

SHAD MARONE

(O.S.)

Come on in -- how're you doing, Jud?

Marone, Jud and Gates enter. Tom offers his hand.

TOM FORRESTER

Jud.

JUD BOWMAN

This isn't a social call.

Marone turns.

SHAD MARONE

Well, what kind of call is it?

SHERIFF GATES

Jud here -- well, Jud thinks one of the Slash-4 riders saw some Bowman cattle holed up northeast of here.

SHAD MARONE

Cattle?

JUD BOWMAN

Bar-B cattle. About two hundred head.

SHAD MARONE

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

JUD BOWMAN

Damn it, Marone -- You stole them. And this wouldn't be the *first* time.

SHAD MARONE

Sheriff -- we don't know anything about this.

Gates looks hard at Tom and Marone; something is wrong here.

SHERIFF GATES

I don't think he's making this claim lightly.

JUD BOWMAN

Of course I'm not. Don't you think I have other things to worry about?

SHAD MARONE

So -- where are these cattle supposedly being held?

JUD BOWMAN

You should know, Marone -- you probably did it yourself.

SHERIFF GATES

Jud, let me do my job here.

JUD BOWMAN

They would never have tried this when my father was alive!

TOM FORRESTER

Your father would never have built that god damn fence!

Gates realizes what he has just heard. Marone reacts quickly.

SHAD MARONE

Tom --

JUD BOWMAN

Friendship. Honor. That's all you guys ever talked about. This -- this is unbelievable!

SHERIFF GATES

Jud -- calm down.

JUD BOWMAN

I *am* calm!

Gates turns towards Tom and Shad.

SHERIFF GATES

I take it they're being held in a box canyon out near the cap-rock.

JUD BOWMAN

That's right.

SHAD MARONE

That's not our land.

SHERIFF GATES

You have any objection to going over there and looking around?

TOM FORRESTER

No ...

SHAD MARONE

I'll go with you.

Gates assesses both of them.

SHERIFF GATES

You'll both come ... Leave your guns here, just in case.

Tom and Marone share a look. Marone lays his gun belt on the table.

CUT TO:

EXT. RUNNING-F - COUNTRYSIDE - DAY

The four men approach the canyon.

CUT TO:

EXT. CORRAL CANYON - CAMP - DAY

Lopez is sitting in his hidden camp when he suddenly sees his horse's ears come forward and it starts to nicker. Lopez jumps up and holds the horse's nose to his chest.

After quieting the horse he moves to a place where he can see the approach to the canyon.

Jud, Gates, Tom and Shad are riding closer.

Lopez watches them.

The four men ride out of sight.

Lopez starts forward, cautiously staying under cover.

EXT. CORRAL CANYON - DAY

They near the canyon where the stolen cattle are being kept. Jud rides with alert anticipation.

JUD BOWMAN

They're right around here -- I can smell them!

Gates presses forward from behind Marone and Tom.

SHERIFF GATES

Okay, slow and easy. Let's just see what's going on.

Gates spots the fence first.

SHERIFF GATES

There -- what's that? --

JUD BOWMAN

I told you.

Jud pulls out his gun. Gates gives him a sharp glance. Jud looks back at him and does not holster his revolver.

Above them, Lopez picks his way, from one piece of cover to the next, along the hillside.

Marone looks closely for Lopez. After a moment, Marone spots Lopez hiding in the rocks just past the mouth of the canyon.

Lopez catches his eye and stares back warily.

Marone glances at Tom who looks back nervously. They approach the canyon, past where Lopez is hiding, and see the cattle inside. Gates frowns, then turns.

SHERIFF GATES

What the hell's going on here, Tom?

TOM FORRESTER

Sheriff, Shad didn't have . . .

JUD BOWMAN

Come on, Sheriff. Arrest him! Arrest them *both!*

SHERIFF GATES

Jud! Shut up!

Marone looks between them and Tom, who is now sweating profusely, then over Tom's shoulder towards . . .

Lopez' hiding spot.

Marone looks down for a moment, takes a breath, then makes a decision. He swings his horse towards Lopez.

SHAD MARONE

Look! Over there -- !

He points towards where Lopez is hiding.

Lopez takes off, jumping down from his position and running down the hill and along the wash towards his camp.

Gates takes off after him. He thunders past marone.

SHERIFF GATES

Let's go!

They chase Lopez through the rocks. Lopez runs desperately, frantically trying to reach some better cover. Marone follows the others, now in hot pursuit.

Gates and Jud charge past Lopez, cutting him off and hemming him in. Lopez wheels but Tom and Marone are behind him, reining to a stop.

Lopez leans over, breathing heavily.

SHERIFF GATES
What are you doing here?

Lopez remains silent.

SHERIFF GATES
You speak English?

JUD BOWMAN
You work for Forrester, right?

Lopez looks up at Tom, but says nothing.

SHERIFF GATES
What's going on here? Tom, do you know him?

SHAD MARONE
(cutting in)
Sure we do. He works for us -- or he did.

SHERIFF GATES
Was he doing this on your orders?

SHAD MARONE
Of course not!

Gates turns back to Lopez, angrily.

SHERIFF GATES
Come on, vato -- hablame.

Lopez spits on the ground in Marone's direction.

SHERIFF GATES
You're leaving me with very little choice here.

Gates dismounts, pulling out his handcuffs. Lopez eyes the handcuffs warily, pulling back a little, but says nothing. Tom and Marone exchange a look.

SHERIFF GATES
You sure you don't want to tell me what's going on?

LOPEZ
You will put me in jail anyway, *verdad?*

SHERIFF GATES
Uh huh.

Lopez stares at Gates, then silently holds out his wrists. Lopez looks once at Marone, a look full of bitterness and hatred. Jud presses forward.

JUD BOWMAN
What about *them*?

SHAD MARONE
We had nothing to do with this.

JUD BOWMAN
He couldn't rustle all these cattle alone.

Gates looks up at him.

SHERIFF GATES
You're probably right -- but that won't convince a judge.

It takes time to build a case--

He looks over at Tom and Marone.

SHERIFF GATES
--*if* you want to convict someone.

JUD BOWMAN
You're going to let them go?

SHERIFF GATES
For now, that's all I can do.

Jud turns his horse and rides away in disgust. Gates turns back to Marone and Tom.

SHERIFF GATES
But I'm not going to let this rest, gentlemen. You can count on that. If either one of you tries to leave the county, I'll throw you in jail.

Marone and Tom share a look. Lopez glowers at them, then glances down. The cuffs are tight around his wrists.

AUDIO TRANSITION: DRIPPING WATER

* * * * * TRANSITION FROM: MARONE FLASHBACK * * * * *

EXT. DRIPPING SPRING - AFTERNOON

Marone wakes up and pulls his hat back onto his head. He goes to the spring and takes a drink. He picks up the

largest of the rocks and dumps it into the pool. He does this again and again.

The water is displaced and runs over the hot sandstone with a hiss. There is now barely enough water to fill a canteen. He stands back and looks out toward the desert.

SHAD MARONE

Hope you're thirsty, boys.

He mounts up and rides to the back of the cove, disappearing into the rocks on a thin trail.

DISSOLVE TO:

EXT. DRIPPING SPRING - AFTERNOON

Water drips into the mouth of a canteen, filling with agonizing slowness.

The horses drink the small amount of water left in the pool. Lopez walks from horse to horse. He pinches one on the neck near the mane, checking the elasticity of it's skin. He goes to another and crouches, feeling the warmth of it's lower legs. He turns and looks behind him.

The other men of the posse sit or recline wearily on the rocks around the spring. They are obviously worn out with the day's travel. Gates rests off to one side, Lopez stands suddenly.

LOPEZ

We must move on.

Ben lifts his head slightly, looking at Lopez, then drops it back, his eyes closed. Miguel doesn't even move.

BEN

We've moved on plenty today.

MIGUEL

By the time we fill these canteens, it'll be too dark to track him.

Lopez walks toward them, his eyes shift over toward Gates.

LOPEZ

I do not need to follow his trail -- I know where he is going.

Gates looks up.

SHERIFF GATES

What's this?

Lopez turns toward Gates.

LOPEZ

We can get there first if we leave now.

Ben sits up.

BEN

What the hell are you talking about?

MIGUEL

These horses need rest.

BEN

So do we.

SHERIFF GATES

Wait -- go on.

LOPEZ

He is heading south, keeping away from the Malpais. He cannot cross the lava field on horseback, so he will go to a spring at the southern end of the Oscura mountains.

MIGUEL

Yes, and how is it we could get there before him?

LOPEZ

We can go around the north side. It is a greater distance but he will not expect us to take that route.

Ben stands and walks over to Lopez.

BEN

That's not a *short cut* -- it's miles out of our way!

Lopez looks at Ben, then back to Gates.

LOPEZ

He thinks we will wait here for water -- and he will stop to sleep. We will not.

BEN

Aw, Sheriff -- I don't believe *any* of this.

SHERIFF GATES

I've heard of the spring --

Ben speaks to Gates.

BEN
But how can we be sure Marone'll go
there?

LOPEZ
It is the only place he *can* go.

Ben comes back, crowding Lopez.

BEN
How do you know? You know everything
about this hell-hole?

LOPEZ
I know much.
(to SHERIFF)
But maybe it is not a good idea, Sheriff.
It will be difficult. Your men may not
be *able* to do it.

Gates and Miguel look at each other.

BEN
What do you mean by that?

LOPEZ
They have ridden far today and they are
tired.

But if we do not get ahead of him we will
always be behind. And he will win.

SHERIFF GATES
How long you figure it to be?

LOPEZ
Twenty miles -- maybe more. We'll be
there by dawn.

BEN
Twenty miles? He'll have at least four
hours on us --

MIGUEL
Lopez, the horses won't make it without
more water.

LOPEZ
Yes they will, we'll give them all we
have and we will wait for sundown.

SHERIFF GATES

Maybe we could do it -- if we had water.

LOPEZ

There will be a dew tonight and if we let the horses graze after midnight they will make it.

BEN

If we can find some grass. In the *dark*.

Ben moves towards Gates.

BEN

Sheriff, think about this --

SHERIFF GATES

I *am* thinking.

LOPEZ

Perhaps everyone is too tired.

BEN

Perhaps we'd do it if it made any sense.

Gates walks a bit away from them trying for a moment in which to think. He glances back . . .

Ben glares across at Lopez. Miguel is still sitting. Lopez moves closer to BEN.

LOPEZ

You are right to want to go home.

MIGUEL

No one's saying anything about turning back.

LOPEZ

(to BEN)

Marone killed your boss. You signed up to catch him. Still -- it is reasonable that you cannot do your job.

BEN

Do my *job*? I *am* doing my job!

LOPEZ

You are too tired. There is not enough water ... *poble sito*.

Gates glances back.

BEN

I'll show you how I do my job, half-breed.

Ben lunges at Lopez and they start to struggle. Miguel scrambles to get out of the way. The horses rear and back away as the men roll on the ground. Gates steps up, quickly pulling them apart. Lopez stops fighting immediately but Ben keeps trying to get at him.

SHERIFF GATES

Hey! That's enough.

The fighting stops. Miguel gets control of the horses. He turns back to the others.

MIGUEL

What are we going to do, Sheriff?

Gates looks hard at each of them.

SHERIFF GATES

We've come this far. And if there's a chance of ending it quickly, we're going to take it.

Gates's gaze stops on Ben and Lopez. Then he stalks to the slowly filling canteen. He takes it down and looks into it. He slowly screws on the lid and glances up.

SHERIFF GATES

This *will* work -- right, Lopez?

LOPEZ

I *am* part Apache.

Gates takes a deep breath and lets it out.

SHERIFF GATES

That's the part that worries me.

CUT TO:

EXT. DESERT FLOOR - LATE AFTERNOON

The posse heads off along the new route that Lopez suggested. Long shadows stretch out behind them.

DISSOLVE TO:

EXT. MESA TOP - TWILIGHT

The posse moves across the mesa's rim.

DISSOLVE TO:

EXT. DESERT VALLEY - NIGHT

The posse leads their horses along the desert floor. The mesa is to the left. Their hooves kick up plumes of dust in the moonlight.

DISSOLVE TO:

EXT. CANYON - NIGHT

They ride down a canyon, spread out, each alone with their thoughts. The men and animals hang their heads with weariness. Miguel rides grimly, Ben sits huddled in his bedroll blanket. Lopez rides in front, his back straight.

DISSOLVE TO:

EXT. CANYON MEADOW - NIGHT

The horses crop grass as the posse rests around a hastily built campfire. Coffee is heating. Ben lays on a rock snoring. Gates sips from a enamel cup and looks at Lopez, watching him closely, thinking ...

AUDIO TRANSITION: JAIL CELL DOOR OPENING

* * * * * TRANSITION TO: SHERIFF FLASHBACK * * * * *

INT. PUERTO DE LUNA - JAIL - NIGHT

Gates carries a cup of coffee over to Lopez in his jail cell.

SHERIFF GATES

Here.

Lopez is finishing his dinner.

LOPEZ

Gracias.

Gates leans against the railing, assessing him.

SHERIFF GATES

I got an Army dispatch about two months ago -- telling me to be on the lookout for a Warm Springs Apache who escaped the relocation train.

Lopez glances up at Gates.

SHERIFF GATES

You're a renegade Indian, caught with stolen cattle -- a civilian jury's not going to show you much mercy.

If you talk to me, maybe I can help.

LOPEZ

I will be pardoned?

SHERIFF GATES

There's a good chance I could get you remanded back to the Army. The worst they could do is send you on to your people at Fort Marion.

LOPEZ

Fort Marion is a prison camp in Florida.

Lopez looks steadily at Gates.

LOPEZ

If I am not a free man, I will keep my secrets to myself.

SHERIFF GATES

It's your life.

Gates's office door opens and Jud Bowman enters.

JUD BOWMAN

Sheriff, I need to have a word with you.

SHERIFF GATES

Sure, Jud.

Gates walks over. Jud speaks in a low voice.

JUD BOWMAN

Why haven't you arrested them yet?

SHERIFF GATES

I'm working on it.

JUD BOWMAN

Have you questioned the Running-F hands?

SHERIFF GATES

Yes I have, and I didn't learn a thing.

JUD BOWMAN

Did you try trailing the cattle?

SHERIFF GATES

It didn't tell me much. There's been quite a few head moved through that gap recently. Most of them Tom's; you moved them yourself.

JUD BOWMAN

Well, Forrester's lying -- he's got to be!

SHERIFF GATES

It looks a lot like it, I'll grant you,

But Tom's been a good member of this community for a long time, Jud. He was friends with your father -- and he's helped me out a few times, too. I can't just arrest him. Not in good faith.

JUD BOWMAN

Good *faith*? This is ridiculous!

SHERIFF GATES

We have one prisoner already. I don't have evidence on anyone else --

JUD BOWMAN

So you're going to arrest this sorry son-of-a-bitch and simply let it go?

SHERIFF GATES

It's a start. And I'm not letting *anything* go.

JUD BOWMAN

It may be a start -- but it sure isn't justice!

Jud wheels around and slams out the door.

CUT TO:

INT. PUERTO DE LUNA - SALOON - EVENING

A dozen or so PATRONS stand at the bar or sit at tables. Marone sits beside Rebecca as she plays the piano. He stands and, touching her shoulder in farewell, walks over to where Tom stands, dejectedly looking into a shot glass. Marone pours himself a drink, toasts Tom's glass as it sits on the bar.

SHAD MARONE

Don't you worry Tom, we'll let Casey take the herd up north. He can handle it.

Tom nods, not really caring anymore. He slugs down the whiskey and refills his glass.

TOM FORRESTER

No matter how much money we get, it's not going to be enough.

SHAD MARONE

It'll help. We can't give up until it's over.

TOM FORRESTER

(under his breath)

Jesus, Shad -- we'll be lucky to stay out of jail -- I can't figure what that Lopez is waiting for . . .

Marone drinks thoughtfully. Tom takes another swig of whiskey and attempts a smile.

TOM FORRESTER

Good thing we don't have those two hundred extra cattle to worry about.

Marone looks sideways at Tom and snorts, shaking his head. After a moment of mock seriousness, Tom laughs with him.

Jud enters the saloon behind them. He sees Tom and Marone and strides over.

JUD BOWMAN

Hey. Marone.

Marone turns around right into Jud's fist.

TOM FORRESTER

Jud!

Jud begins to pummel Marone who can't manage to get on top of it enough to begin fighting back. Marone goes down and Jud begins to kick him.

Tom steps up from behind and lands a blow into Jud's kidneys. Jud whirls around and punches Tom solidly in the stomach. Tom doubles over, the wind knocked out of him.

Marone uses this chance to pull himself up to his feet. Marone swings at Jud who sidesteps him, punching back. Marone falls against the bar, shaking his head as if to clear it. Tom is just beside him.

SHAD MARONE

Jesus . . . All right, all right -- come on you bastard!

Jud is also out of breath, but not as badly as the other two men. He steps back, surveying his handiwork.

A bar patron turns away, shaking his head silently. Rebecca stands near the piano trying to sort out what has happened.

TOM FORRESTER

(coughing)

There, boy . . . *That's* the way your father would have handled things.

JUD BOWMAN

My father would've killed you for stealing his cattle.

Jud glares at them, then turns to leave.

TOM FORRESTER

(yelling after him)

Well, you yellow pissant, you arrogant Son of a Bitch!

The doors swing closed behind Jud.

SHAD MARONE

(yelling after)

Hey!

TOM FORRESTER

Come *back* here!

SHAD MARONE

Okay, -- so you want to take it outside?

Marone and Tom glance at each other, for a moment a spark of humor dances in their eyes.

TOM FORRESTER

That's *fine* with us!

Tom and Marone follow him out.

CUT TO:

EXT. PUERTO DE LUNA - SIDE STREET - NIGHT

Tom and Marone emerge from the saloon, looking up and down the street for Jud. Several of the people from the saloon follow them out.

They see him about 50 yards away, heading for his wagon across from the jail.

SHAD MARONE
Come back here, Bowman!

TOM FORRESTER
Yeah! Where's your respect?

SHAD MARONE
You afraid of us or something?

Jud climbs into the wagon.

TOM FORRESTER
Your old man wouldn't run away!

Tom and Marone stop in front of the saloon. They begin to have fun with their taunting.

SHAD MARONE
Hey! Your scrubs aren't worth stealing anyway!

TOM FORRESTER
(with a chuckle)
Yeah! We wouldn't take them if you gave them to us!

JUD BOWMAN
Hyah!

Jud slaps the reins across the horses' backs.

TOM FORRESTER
(laughing)
Right! Next time you're in trouble -- don't come running to us for help!

Tom is doubled up with laughter as he and Marone egg each other on.

The wagon approaches.

SHAD MARONE
(laughing even harder)
What're you going to do now -- run us down?

Marone spreads his arms in invitation then calmly moves back out of the way.

Jud urges the horses faster.

Tom has thought up a great line and holds for a moment to get it out.

TOM FORRESTER
Damn it, Bowman - if you'd just *given* us
a couple hundred head --

SHAD MARONE
(suddenly serious)
Tom -- hey, Tom!

He steps forward pointing at Jud in the oncoming wagon.

TOM FORRESTER
-- your problems would be *over!*

Marone steps up to grab Tom but the team is on them pummeling Tom to the ground.

Marone stumbles out of the way. The wagon careens into a row of boulders lining the roadway, smashing into one and pitching over on it's side. Jud is thrown from the wagon and lands in the street. Marone runs to where Tom is lying.

Gates comes running up, stopping as he reaches the accident. Marone looks up at Gates . . . a strained, haunted look on his face.

CUT TO BLACK

FADE IN:

INT. PUERTO DE LUNA - ROOM - NIGHT

Tom lies on a bed, his eyes closed, face bruised, his breathing labored. Marone sits next to him, looking down at his hands helplessly. Gates sits, his back slumped against the wall. The vigil has been going on for some time.

Tom stirs. Marone sits up, watching him intensely. Gates moves and Marone waves him to be quiet.

SHAD MARONE
Tom?

Tom opens his eyes and tries to talk. He winces as his lips move.

SHAD MARONE
You need anything?

TOM FORRESTER
Water.

Marone pours Tom a glass of water and then holds his head up so he can drink it. Tom drinks, savoring it, then sinks back

into the pillow. Marone puts the glass down, then glances back at Gates. Gates is watching Tom closely.

SHAD MARONE
How're you feeling?

TOM FORRESTER
(his voice dry and weak)
Aah ... some hangover.

Marone almost grins until Tom starts coughing, wracking his battered lungs.

TOM FORRESTER
I'm pretty bad off.

Tom shifts in the bed and groans.

SHAD MARONE
Here. Have some more.

TOM FORRESTER
You got ... something stronger ... ?

Gates pulls out a flask and Marone takes it, handing it over to Tom. He helps Tom drink and the sick man closes his eyes, savoring the whiskey.

TOM FORRESTER
That's better.

He looks around, focusing on Gates. His eyes glance over at Marone.

TOM FORRESTER
Bowman's cattle ...

Gates moves closer.

SHERIFF GATES
What about them, Tom?

TOM FORRESTER
That was a mistake.

SHAD MARONE
Tom -- you don't have to tell him anything.

Tom coughs badly, painfully. He motions for Gates to lean forward . . . Gates moves closer.

TOM FORRESTER

Shad ... didn't have anything to do with ... the rustling. I told Lopez to take those cattle myself.

Tom leans back, his eyes challenging Gates. He is lucid and calm, but very weak. Gates glances at Marone who avoids his eye. Tom reaches out and takes hold of Marone's arm. Tom looks at Gates.

TOM FORRESTER

You are my witness.
(then, to Shad)
The ranch is yours, son -- if you can save it.

Tom smiles like he's just thought of something which amuses him ... then his breathing slows to a stop. Marone watches him, still holding his hand.

SHAD MARONE

Tom? Tom!

Marone stumbles to his feet. He turns and hits the wall with his fist. He winces and grunts with pain.

SHAD MARONE

Damn it! Damn! Damn!

Furious, he kicks the wall repeatedly, letting loose a shower of plaster. Gates steps closer, grabbing Marone's shoulder. Marone spins around angrily. It seems as though he could hit Gates as well. After a tense moment he calms down.

SHAD MARONE

He's going to pay for this.

SHERIFF GATES

That's not your job, Shad.

SHAD MARONE

You weren't there! He could've pulled those horses back any time!

SHERIFF GATES

Let me take care of it.

SHAD MARONE

You gonna hang him?

SHERIFF GATES

That's up to the court.

SHAD MARONE
You gonna hang him?!

Marone wrestles away from Gates's grasp. Gates's eyes lock on Marone's.

SHERIFF GATES
Don't you do it, Shad.

Marone stares back, his eyes cold and angry.

SHAD MARONE
Do *what*?

Marone pushes away and leaves. Hold on Gates.

SFX: KNOCKING ...

CUT TO:

EXT. BAR-B - RANCH HOUSE - EARLY MORNING

The Bar-B door swings open, revealing Marone.

SHAD MARONE
He died, Jud.

Marone takes a deep breath ... he is in a more extreme emotional state than he was the first time we saw this scene; we see the moment with a new understanding of what is at stake here.

Marone fires his pistol.

Jud's head hits the floor.

CUT TO:

INT. BAR-B - RANCH HOUSE - DAY

A gust of wind blows sand and leaves past the door.

Gates stands beside Taylor, looking down at Jud. Jud Bowman's body lays in the doorway of his house, his shirt caked with a small pool of dried blood. Gates kneels down and closes Jud's eyes.

AUDIO TRANSITION: HORSE'S HOOFBEATS

* * * * TRANSITION FROM: SHERIFF FLASHBACK * * * *

EXT. CANYON SPRING - APPROACH - EARLY MORNING

Gates rides in front of the exhausted posse. The men's faces are gray with stubble and fatigue, their clothing is dusty and disheveled. The sky is growing light. As they near the mouth of the canyon Lopez sits up, pointing ahead.

LOPEZ

There it is.

The mouth of the canyon is obscured by brush and boulders.

SHERIFF GATES

Slowly now -- let's take a look around first.

They ride into the canyon cautiously, holding their horses back. Gates goes first, his gun ready.

CUT TO:

EXT. CANYON SPRING - EARLY MORNING

A fair distance into the canyon they come upon a depression in the rocks which holds the water from the rocky hills above. The men pause for a moment, carefully looking around.

LOPEZ

We have gotten here first, as I said we would.

BEN

Damn near killed us, too.

The men dismount. The horses drink eagerly while the men splash water on their faces.

Lopez goes down the canyon with Gates and they begin wiping out the posse's tracks.

Miguel begins filling their canteens. Lopez drops his on the pile.

Gates climbs the side of the canyon to get a view of the approach to their position. Lopez joins him.

The canyon stretches before them. The sun is just beginning to touch the mountain walls.

LOPEZ

We will be able to see him first.

Gates raises his field glasses, shading them with his hat and looks around carefully.

SHERIFF GATES

If he comes here.

LOPEZ

He will come.

The early morning sun slowly rises.

DISSOLVE TO:

EXT. CANYON SPRING - DAY

The sun has reached a mid-morning height.

Ben sleeps against a tree, still wrapped in his bedroll blanket. Miguel sits by the horses, gazing off into space.

Gates sits slightly above on a boulder, occasionally lifting up his field glasses and scanning the canyon. Lopez stands by, watching.

LOPEZ

There he is.

Lopez points, and Gates raises his field glasses.

CUT TO:

EXT. CANYON SPRING - MOUTH - DAY

In the distance Marone approaches, riding easily.

CUT TO:

EXT. CANYON SPRING - DAY

SHERIFF GATES

You have eyes like a hawk, Lopez.

LOPEZ

He will be here soon.

Gates lowers the field glasses slowly, then turns and climbs back down towards the other men.

Ben startled awake, snatches at his gun. Miguel watches, exhausted.

SHERIFF GATES

Miguel, I want you and Lopez over there. Ben and I will cut off his escape. I want him *alive*, understand?

LOPEZ

Sheriff -- he knows I have come with you.
He knows I can go to court against him!

SHERIFF GATES

Bloody Hell!

Lopez scrambles down towards Gates. Gates comes out of his hiding place. Gates levers open the breach of the rifle and runs a thumb over the primer of the single cartridge. He hands the gun to Lopez.

SHERIFF GATES

One shot is all you get -- so don't try anything stupid.

Lopez takes the gun and starts back up to his position. Gates turns back to scanning the canyon for Marone.

Miguel eases his position, rifle ready. Ben has one pistol out. After a moment he pulls the other too, weighs the logistics of using two guns then returns the second gun to it's holster.

Marone rides into sight ...

Slowly Lopez raises the gun and aims at Marone. He watches Marone in his sights.

LOPEZ

(to himself)

Not too much trouble, eh? You got me into this, amigo. You're going to get me out -- or die trying . . .

Lopez' thumb draws back the hammer, it clicks back loudly. Gates looks back quickly at the sound.

SHERIFF GATES

(in a loud whisper)

Lopez! Not *now!*

Marone is in Lopez' sights. Suddenly, Lopez adjusts his aim minutely. He fires.

The bullet ricochets off the rocks just in front of Marone. Marone pulls up, his horse rearing. He looks wildly around, instinctively pulling his revolver. Ben leaps from behind his cover.

BEN

Stop! You're under arrest!

Marone shoots in his direction, then takes off, as fast as his horse will go. Miguel stands, firing the Winchester after Marone. Marone disappears down the canyon.

Ben stumbles, having been hit by Marone's bullet. He looks down at his bleeding side, then tries to stand.

BEN

I'm hit.

Marone heads for the mouth of the canyon, jumping over a tangle of brush and logs.

Gates stands up from behind his cover and wheels around.

SHERIFF GATES

God damn it, Lopez! What the *hell* was that?

Lopez slides down the slope. He frantically points down the canyon.

LOPEZ

He is escaping!

Ben staggers unsteadily towards Gates, he falls.

BEN

I've been hit. That bastard shot me.

Gates helps Ben up the glances then back at Lopez. Lopez rushes towards the horses.

SHERIFF GATES

I TOLD YOU TO HOLD OFF -- DAMN IT!

Lopez swings into the saddle, taking off at a full run.

LOPEZ

I will get him!

Miguel and Gates help Ben back towards the horses. Lopez tears past them.

BEN

What the hell's he doing?

MIGUEL

He can't catch Marone all by himself.

BEN

He's a *fool* --

SHERIFF GATES
(to himself)
No he's not . . .

Gates turns away, staring after Lopez.

SHERIFF GATES
Come on, you idiots . . . He's *escaping!*

CUT TO:

EXT. CANYON SPRING - APPROACH - DAY

Marone emerges from the canyon mouth, racing his horse along the desert.

Lopez leaps a low barricade of brush, pushing his horse as fast as it will go after Marone.

CUT TO:

EXT. DESERT FLOOR - DAY

Lopez chases behind Marone.

Marone turns and shoots back at Lopez.

LOPEZ
Maldido -- !

Lopez eases up a bit . . .

Marone pulls away, becoming lost in the folds of the terrain.

Lopez hears another shot. He looks back.

Gates aims his revolver and shoots again. The rest of the posse coming after him.

Lopez reins in his horse as Gates rides up.

LOPEZ
Stop shooting! He is too far!

SHERIFF GATES
I was aiming at *you*.

LOPEZ
Me?

Miguel rides up, he has Gates' rifle with him.

MIGUEL
What are you -- *loco?*

LOPEZ

I could have caught him!

Ben rides up awkwardly; his shirt is bloody.

BEN

You scared him off, you son of a bitch.

LOPEZ

I had him in my *sights* --

MIGUEL

The plan was to capture him -- not shoot him.

SHERIFF GATES

CALM DOWN! All of you!

Ben, take off your shirt and let's see to that wound --

Gates drops from his horse then helps Ben down, glaring at Lopez as he does so. Lopez sits on his horse, both are still wound up. Gates rips off the sleeve of Ben's shirt and proceeds to use it as a makeshift dressing, rinsing the wound with water from the canteen. Miguel sits on his horse behind them.

BEN

Send him back, Sheriff -- *I* can track Marone!

LOPEZ

You could not track Marone through your own bunk house.

BEN

Well, *I* wouldn't be shooting during an ambush!

LOPEZ

Valentón -- it is all *talk* what you do. Nothing but hot wind!

Ben struggles to get to Lopez. Gates holds him back.

SHERIFF GATES

Quit it!

Gates finishes wrapping up the wound. Lopez glares at BEN.

SHERIFF GATES

(to BEN)

All right. You'll be okay until you get

to a doctor.

Lopez -- you've just earned your ticket back to jail.

LOPEZ
What do you mean?

SHERIFF GATES
That shot scared off Marone.

LOPEZ
I am an Apache. I get -- *excited*.

MIGUEL
Do not blame your *Mexican* half.

SHERIFF GATES
I don't care *what* half did it, *both* halves are going back to jail. I told you the terms when we started out.

Gates looks at Miguel, then BEN, with a frown.

LOPEZ
You cannot *do* this!

Gates looks up at Lopez.

SHERIFF GATES
I sure can.

Lopez jumps down from his horse.

LOPEZ
I am more useful to you out here than I am in jail, Sheriff.

Ben suppresses a groan as he looks at his side. The wound is bleeding again. Gates hands him his flask. Lopez moves over to them.

SHERIFF GATES
You're going to need this tonight, so go easy.

LOPEZ
Sheriff -- I know where he is heading. Send your men home and I will lead you to him.

MIGUEL
Jesus Christo -- We'll be out here *forever!*

SHERIFF

Just how far do you think you can push this, Lopez?

LOPEZ

He needs supplies and a fresh horse. So do we. Fort Stanton is too far away. So he will head for the Mescalero Agency. They are my people, Sheriff, and he will not be able to hide. We can catch him -- if we are smart.

MIGUEL

Fort Stanton! William, you are following a lunatic and I have had enough of it. I have to get back to my family. I have a *business* to run.

Gates thinks. He's hot and the day is wearing on.

LOPEZ

Sheriff -- your men are tired.

SHERIFF GATES

(snapping)

I'm tired, Lopez. You're *making* me that way.

He looks at Ben and Miguel. They look beat. Behind him, Lopez speaks up.

LOPEZ

With rest and water, Marone will be in Mexico in three days. We have to go now - - otherwise he will escape forever.

Gates looks back at Lopez, his eyes narrowing. Lopez tries to seem as innocent as possible.

LOPEZ

I have been right so far.

Gates looks back at the other men with a grunt of frustration ... they're whipped. He starts pulling some of the extra supplies off of BEN's horse.

MIGUEL

Sheriff, I'm sorry . . .

SHERIFF GATES

Go on, both of you. Back to town.

BEN

But Sheriff --

SHERIFF GATES

He's right ... damn it all. If he knows where Marone is going, I still need him ... And this *isn't* a deal, Lopez.

BEN

This is crazy.

SHERIFF GATES

Don't I know it. But give me your extra canteens. I expect we'll need them.

MIGUEL

Do you want me to send someone out with supplies?

SHERIFF GATES

If we're not back in three days.

Miguel dismounts and helps Ben up onto his horse. Ben glares at Lopez, but the fire is out of him. With his good arm he turns his horse.

Miguel and Ben ride off into the distance, leaving Gates and Lopez looking after them.

SHERIFF GATES

You'd better know what you're talking about, Lopez. Or there'll be one more dead half-breed out here for the vultures to eat.

DISSOLVE TO:

EXT. MESA ROCKS - DAY

Marone hides behind some rocks high on a small mesa, looking towards where he came.

In the far distance he can see the two groups of men splitting up. One group is turning back, the other is coming after him.

He watches with disbelief at his followers' tenacity. Marone pulls back ... He pauses a moment, to examine a long wound in his horse's flank where it was grazed by a bullet. He mounts up, and urges the horse on with grim determination.

CUT TO:

EXT. DESERT ROCKS - DAY

The wind blows dust into Marone's tracks. Lopez turns towards Gates.

LOPEZ

Can I have some water?

When Lopez reaches for the canteen, Gates notices his lack of handcuffs.

SHERIFF GATES

Damnation, Lopez -- Miguel still has your handcuffs.

LOPEZ

I had forgotten.

SHERIFF GATES

I'll *bet* ... Don't *forget* to give back that canteen.

CUT TO:

EXT. TOP OF MESA - DAY

Gates and Lopez follow Marone's trail across a broad plateau and then out into land covered with pinon and juniper brush.

CUT TO:

EXT. SANDSTONE & JUNIPER - DAY

Marone leads his horse, his head down, his pace slogging forward. He feels his reins go taut and looks backwards. His horse has fallen and is struggling to get up.

CUT TO:

EXT. SANDSTONE & JUNIPER - LATER DAY

Gates rides wearily with his head down. Lopez looks around, scanning the desert for any sign whatsoever. Suddenly he straightens up, pointing.

LOPEZ

Look.

In the distance he sees vultures circling.

Gates squints, then looks through his field glasses.

SHERIFF GATES

Sun's right in my eyes.

LOPEZ

Over there.

There is a black lump on the sands far ahead of them.

SHERIFF GATES

What is it?

LOPEZ

His horse. We have him.

(to horse)

C'mon.

They take off at a dead run.

CUT TO:

EXT. SANDSTONE BLUFFS - APPROACH - DAY

Marone walks slowly through an eroded area of sandstone.

CUT TO:

EXT. SANDSTONE & JUNIPER - LATER DAY

Lopez and Gates gallop up to the dead horse and circle it.
Lopez gestures towards the bluffs.

LOPEZ

That way.

SHERIFF GATES

Towards the lava field?

LOPEZ

Without a horse, it's the only way he can
even the odds.

Gates and Lopez spur their horses back into a gallop.

CUT TO:

EXT. SANDSTONE BLUFF - DAY

Gates and Lopez ride along a sandstone bluff. Lopez points.

In the distance in front of them, Marone picks his way along
looking for a way down to the lava field.

Gates and Lopez urge their horses faster.

Marone turns and shoots from an area of boulders and pot
holes.

Gates reins in his horse as the bullet whizzes by him. The
terrain has become too rocky, and now Marone's shooting makes
it dangerous as well. He and Lopez pull up and dismount.

Marone scrambles out onto a sandstone ridge, looking for cover. He comes to the edge of the cliff and stops abruptly, peering over. The sandstone edge falls away revealing the black lava below. Marone backs up, he seems trapped.

Gates and Lopez move toward Marone's last position. They move up through the rocks to where Marone shot from. He's not there and they look around cautiously.

Marone moving along a ledge, scanning for a way down.

SHERIFF GATES
(O.S. echoing)
Marone!

Marone looks back.

SHERIFF GATES
It's over. Give yourself up!

Marone throws himself into a gap in the rocks and shoots. He worms his way under better cover.

The bullet ricochets off a rock about five feet away from Gates. Gates scans the ridge ahead: there is no sign of Marone. Another SHOT comes from the ridge.

Gates hunkers down quickly as the bullet hits the rock in front of him. He glances at Lopez ... He has better cover than Gates does. Gates fires toward the ridge then breaks and runs towards Lopez.

Marone shoots, missing.

Gates falls next to Lopez with an exhausted grunt. Lopez looks at Gates's rifle as he reloads.

LOPEZ
I could hit him, Sheriff.

SHERIFF GATES
I've seen you shoot, Lopez. That's why we're here.

Lopez looks back up at Marone.

LOPEZ
He will go over the lava field when he runs.

Gates motions Lopez back ... They start to crawl back, away from their position.

Marone watches intently for any movement.

Under the rim of the ridge Gates and Lopez work their way silently along. Thirty feet above is the crack where Marone has taken cover. Lopez looks up.

Marone is not visible but the crack is visible against the sky.

Gates has gotten ahead of Lopez and now he turns, a hand on his pistol butt. He motions Lopez to hurry up. They make their way to the end of the ridge, cautiously circling around Marone's position. They climb over the boulders at the end. As Gates makes his way over the pile of loose rock his foot slips, sending a softball sized rock over the edge of the drop down to the lava. Lopez makes a grab for it but misses. The rock goes over the edge. It falls and shatters on another sandstone ledge.

Marone hears the noise, faintly, and stiffens. He pulls his lariat off his shoulder and drops it on the rock ...

Gates and Lopez cautiously proceed.

They emerge under the area where Marone took cover.

Gates and Lopez search out how they can get up to reach the gap where Marone is hiding. The gap can be seen through the rocks and brush. Gates ejects the bullet from his rifle and places it in his belt then he leans the rifle against a rock and takes out his pistol. Gates alternately looks for Marone and keeps an eye on Lopez. Slowly, they climb up the rocks. Lopez glances back . . .

 LOPEZ
 (whispering)
 Maybe I should stay here.
 (glances at Gates)
 He will shoot at us.

Gates motions him forward with his pistol.

 SHERIFF GATES
 That's why you're going first. Amigo.

They slip through the rocks. Gates touches Lopez' back with the barrel of his gun. Lopez looks back sharply. Gates holds out his hand to silence him, then walks around him cautiously. Gates jumps quickly around to the spot where Marone had taken cover.

He is gone.

 SHERIFF GATES
 Damn!

Lopez climbs up to join him. The notch is empty. Gates turns to look back the way they came. Lopez notices something ...

A rope stretching along the top of the rock.

Marone is hanging off the side of the cliff from his lariat. He pushes off and swings into the notch to land beside a startled Lopez. He pulls back the hammer of his gun.

SHAD MARONE

I don't want to kill you ...

Gates freezes and slowly turns his head. Marone has gotten behind Lopez and has a hand tightly clenched in his hair and a pistol to his head.

SHAD MARONE

... or him. But I won't let you take me in.

Marone nods to Gates's pistol.

SHAD MARONE

Put it down.

After a moments hesitation Gates drops the gun to his feet.

SHERIFF GATES

Shad, do you want to be running the rest of your life?

SHAD MARONE

I *murdered* him Sheriff. If I go back I'll hang.

You go back down through those rocks.

SHERIFF GATES

Are you going to let him go?

SHAD MARONE

I just want to get away.

Gates turns and starts down. Marone watches him carefully.

LOPEZ

You're going to die out there, Marone.

Marone pulls him over to the edge of rock that Gates is climbing down.

SHAD MARONE

Then that'll be justice.

Marone puts a foot in his back and kicks Lopez off the rock, he slams into the slope just above Gates. He turns and they both look but Marone is no longer on the rocks.

Lopez jumps up and climbs furiously. Startled, Gates follows, grabbing up his pistol. Gates and Lopez come to a stop.

Leaning out they see Marone's rope hanging from the low cliff, it's still swinging from his slide to the bottom.

They hear rattle of rocks from down along the cliff edge. Marone is scrambling down the talus slope about fifty yards off.

Gates raises his pistol. Lopez is right beside him.

SHERIFF GATES
Marone! Stop!

Marone turns and fires his rifle from the hip.

Gates shoots back. Lopez ducks.

Marone flinches and falls, sliding down across the rock. He drops his rifle and it slips away from him. Marone scrambles to find cover in the rocks.

Gates straightens up, Marone has disappeared. Lopez stands beside Gates, eyes searching. They glance at each other. Then out at the landscape of black rocks.

SHERIFF GATES
Damnation.

Suddenly, Lopez points.

Marone is far below and off to one side. He is limping and he is making his way into the brush and broken rock of the Malpais.

Lopez runs to the end of the ridge, silhouetted against the sky.

LOPEZ
I'LL GET YOU ... SON OF A BITCH!!!

Marone disappears into the wilderness of black rock.

CUT TO:

EXT. LAVA FIELD - SHERIFF AND LOPEZ - DAY

A picket pin is driven into the ground, securing the horses in the last patch of grass.

Gates and Lopez start into the lava. Gates pauses for a moment, pulling on his gloves. They climb the first rise, with difficulty and stop.

They see that the surface of the field is no better. It is a storm tossed sea of black glass.

LOPEZ

Now what do we do?

SHERIFF GATES

Do you know where he's heading.

LOPEZ

There is a water hole beyond the sand dunes on the other side of the Malpais. A Yaqui cattle thief knew where it was. Marone will also.

SHERIFF GATES

And you know where it is?

LOPEZ

I know that it exists.

SHERIFF GATES

We're turning back before we run out of water, you got that?

LOPEZ

Yes. Of course.

They pick their way across the black rock that stretches away into the distance.

CUT TO:

EXT. LAVA FIELD - MARONE - DAY

Marone stumbles across the black rocks of the lava field. His shoulder is bloody and his face is gaunt and desperate.

Marone falls, cutting his hand against the sharp edges of the rock. He wraps it up with his bandanna.

CUT TO:

EXT. LAVA FIELD - SHERIFF AND LOPEZ - DAY

A spot of blood, a scuff mark in some wind blown sand. A shadow falls over these signs. Lopez squats, examining the clues.

Gates and Lopez climb across the forbidding rocks. They move with concentrated effort, sweat saturating their clothing, their lips chapped and bleeding from the sun.

Lopez presses on, behind him Gates pauses, wiping his face with his bandanna. His shirt is soaked through.

SHERIFF GATES

Lopez! Rest a moment.

Lopez hesitates, then walks back. Gates sits, face gray.

SHERIFF GATES

Sit.

Lopez sits on some rocks about ten feet away. Gates leans back with a sigh, closing his eyes. Lopez watches him, then casually stands up, stretching. He glances at Gates, then starts walking slowly away. Gates's gun cocks behind him. Lopez turns.

SHERIFF GATES

Just wait. You're not going anywhere without me.

Lopez stops.

CUT TO:

EXT. LAVA FIELD - MARONE - DAY

Marone trudges forward. He picks his way around blow holes and collapsed blisters.

CUT TO:

EXT. LAVA FIELD - SHERIFF AND LOPEZ - AFTERNOON

Gates's feet move slowly, his boots scarred from the sharp rock. Gates and Lopez press on throughout the day.

DISSOLVE TO:

EXT. LAVA EDGE - SHERIFF AND LOPEZ - LATE AFTERNOON

Gates and Lopez come to the end of the lava. Before them is a vast expanse of sand, rippling with dunes.

Gates stares, Lopez starts to make the sign of the cross instinctively, then catches himself and lowers his hand as he looks out.

The dunes shimmer in the twilight. In the sand, footprints lead away from the lava fields.

Gates turns to Lopez.

SHERIFF GATES
You think he'll make it?

LOPEZ
No.

SHERIFF GATES
Hmph. He's crazy. Would you try that?

Lopez looks out, saying nothing. Gates grunts.

SHERIFF GATES
You're *both* crazy.

LOPEZ
He has no choice.

Gates glances at Lopez, then back out.

SHERIFF GATES
Well, we do. Let's find a place to camp.

He turns to go. Lopez says nothing as he stares out at the desert wasteland.

CUT TO:

EXT. LAVA FIELD - CAMP - EVENING

Gates turns away from the fire he has just built. He squats uncomfortably by a rock, taking a small swallow from the canteen. Gates pulls out some jerked beef and hands it to Lopez. They share the canteen. Gates hand trembles slightly.

SHERIFF GATES
We're heading back in the morning.

Lopez looks out over the alkali flat, then back to Gates, assessing him.

LOPEZ
You have come far -- why did you do it?

SHERIFF GATES

It's my job.

LOPEZ

I did my job and look where it got me.

Gates chuckles and adjusts himself against the hard rocks.

SHERIFF GATES

You working up to some kind of point,
Lopez?

LOPEZ

I've done my best to help you catch
Marone.

SHERIFF GATES

Oh, yeah? What was that business back
there at the spring?

LOPEZ

He betrayed me to save himself. I don't
forget that.

Gates turns, examining Lopez before he speaks.

SHERIFF GATES

Before Tom Forrester died, he told me *he*
was the one who ordered you to steal the
cattle.

Lopez glances up quickly.

LOPEZ

Forrester?

SHERIFF GATES

Uh-huh. He cleared Shad completely --
although I suspect he was lying.

LOPEZ

Marone was free when he killed Señor
Bowman?

SHERIFF GATES

As far as the law was concerned.

Lopez digests this information.

SHERIFF GATES

Thing of it is -- he might've salvaged
the ranch and carried on just fine.

LOPEZ
(realizing)
He did not turn me in just to save
himself.

SHERIFF GATES
I don't know. But If that's *all* he was
doing, would he have thrown everything
away when Tom died.

Did you know he had a girl in town?

Lopez thinks for a moment, he didn't know this.

LOPEZ
He is paying much for that friendship.

SHERIFF GATES
Why did you do it, Lopez? The rustling,
I mean.

Lopez shrugs.

LOPEZ
Marone said I could stay on, after it was
over. I wanted ... a place to rest.

Gates sits back, thinking this over.

SHERIFF GATES
Uh huh ... Is it you the army is after?

LOPEZ
Yes.

SHERIFF GATES
You want to tell me what happened?

Lopez hesitates ... Gates waits for him to speak. Lopez
looks away, into the night.

LOPEZ
I was a Scout when the Army was ordered
to help relocate the Chihenne and
Chiricahua Apaches.

We went with the soldiers to guard our
people against angry ranchers and enemy
tribes. Finally we got to the railroad.

Many of the dine` had never seen a train
before. We had to form a chain, forcing
them up the chutes they used to load
cattle.

When we were through, the soldiers turned on the Apache Scouts. They took our guns. I fought but they pushed me into the car.

I told them I was part of the Army, but to them I was just another Indian.

Gates waits to see if he'll tell more.

LOPEZ

Three days into the trip, a guard told me the train was going to Fort Marion. A prison.

SHERIFF GATES

So you escaped.

LOPEZ

Near St. Louis. I headed west. I walked for a long time. Finally, I found a job -
- in your peaceful town.

I can not go to Fort Marion, Sheriff.

Gates looks at Lopez, then turns away slowly, assessing the desert. He thinks a long moment, then finally speaks, choosing his words carefully.

SHERIFF GATES

In the old days, people trusted a lawman to help decide the difference between right and wrong.

I *know* justice and the law are not always the same thing. The courts ...

Gates sighs.

SHERIFF GATES

I can't dismiss the charges, Lopez.

They lock eyes. Gates breaks away first. He stands, all business. He removes another set of cuffs from his saddlebags. Lopez watches him carefully.

SHERIFF GATES

I brought these along for Shad. You're going to have to put them on while we sleep.

Lopez understands his decision has been made for him.

LOPEZ

You are a hard man, Sheriff.

Lopez stands. He waits for Gates to move, then leaps towards him, knocking him backwards. Lopez wraps one hand around Gates's wrist holding the cuffs, pushing his other forearm across Gates's throat.

Gates twists, forcing Lopez over. Lopez kicks; Gates elbows him in the stomach. They roll over in a clinch again. Lopez grabs for Gates's pistol, and jerks it free from the holster. They roll backwards into the campfire, their flailing legs kicking up a shower of sparks. Gates's shoulder is lodged in Lopez' armpit, making it hard for Lopez to bring the gun up to bear. Gates punches at Lopez, trying to control his gun hand. The cuffs go skittering off into the jagged rocks. They roll away from the fire. Lopez squirms around, finally getting on top. Lopez points Gates's pistol at his face and cocks the hammer.

Gates looks Lopez in the eye, relaxing his struggles.

SHERIFF GATES

You can die out here as easily as any of us. Don't you forget that.

Lopez draws a ragged breath and pushes back slightly. Then, in one movement, he un-cocks the gun and strikes Gates across the forehead with the barrel ... knocking him unconscious.

CUT TO BLACK

FADE IN:

EXT. LAVA FIELD - SHERIFF - DAY

The mid-morning sun shines bright and hot on Gates's face. An angry red welt is crusted over on his forehead. Gates awakens. He holds his hand up to feel his wound. He sits up stiffly, looking around. Lopez is nowhere in sight. Gates checks for his canteen and his gun; the canteen is there but the gun is not.

CUT TO:

EXT. LAVA EDGE - SHERIFF - DAY

Gates approaches the edge of the lava field and looks out over the expanse of dunes stretching to the mountains beyond.

In the sand below he can see TWO SETS of footprints leading off into the distance.

He shakes his head slowly: a look of both respect and disgust.

SHERIFF GATES
Vaya con dios . . . you son of a bitch.

He pauses a moment, then turns back.

DISSOLVE TO:

EXT. SAND DUNES - DAY

Lopez is a small speck in a large expanse of desert. He heads slowly towards the distant mountains.

Lopez crosses a patch of rocky ground. He stoops briefly, putting a pebble in his mouth. He keeps walking forward.

Lopez stumbles, falls, then picks himself up and starts walking forward uncertainly.

* * * * * TRANSITION TO FLASHBACK * * * * *

INT. PUERTO DE LUNA - JAIL - DAY

Gates looks sternly back into the jail cell, his hand on the open door.

SHERIFF GATES
You give me any trouble, I'll throw you right back in jail.

The jail door SLAMS shut.

* * * * * TRANSITION FROM FLASHBACK * * * * *

EXT. SAND DUNES - DAY

The sun, burning white hot in a hard blue sky.

Lopez stumbles and falls, then jerks himself back up to his feet. He shakes his head, then keeps going.

DISSOLVE TO:

EXT. SAND DUNES - LATER DAY

Lopez pushes himself onward, faster, with grim determination.

A wind has begun to blow, covering the tracks in front of Lopez with sand.

He pulls the bandanna up to cover his nose and mouth.

DISSOLVE TO:

EXT. SAND DUNES - AFTERNOON

Lopez leans down to study the ground intently. The bandanna wrapped around his face has become white with gypsum dust.

There are no tracks anywhere. The world is a whirlwind of blowing dust.

DISSOLVE TO:

EXT. SAND DUNES - LATE AFTERNOON

Lopez stumbles through a white-out of dust. His face is white and blistered from the sand and heat. The bandanna has fallen down; his lips are cracked and bloody. Lopez falls to his knees ... crawls a few feet ... then passes out.

* * * * * TRANSITION TO FLASHBACK * * * * *

EXT. RUNNING-F YARD - DAY

Marone steps into the middle of the fight between Lopez and Williams, yanking the two men apart.

Williams backs off and grins at Marone, catching his breath.

WILLIAMS

We ever gonna get a day's work outta this guy? -- god damn lazy greaser --

Marone punches him, hard.

SHAD MARONE

He's been working with me. Anyone got a problem with that?

Lopez watches carefully, slowly realizing that Marone just took his side.

CUT TO:

EXT. CORRAL CANYON - DIFFERENT DAY

Four horses beat down on Lopez as he scrambles to get away. TILTING UP - Shad points, shouting to Gates.

SHAD MARONE

Stop him!

* * * * * TRANSITION FROM FLASHBACK * * * * *

EXT. SAND DUNES - LATE AFTERNOON

The wind has calmed. Lopez opens his eyes slowly. In front of his face is a scorpion. He backs off carefully, tosses some sand over the insect, then forces himself to get back up. He painfully walks a few feet, stumbles, then starts forward again.

* * * * * TRANSITION TO FLASHBACK * * * * *

EXT. CORRAL CANYON - OVERLOOK - DAY

Lopez and Marone are sitting on a rock outcropping, taking it easy in the early morning sun.

SHAD MARONE

That old Yaqui bastard found water where
those ranchers never dreamed of looking.
We lost them in two days . . .

Marone turns to Lopez, growing serious.

SHAD MARONE

I remember every place we went, Lopez.
If it looks like we're going to get
caught, you stick with me . . .

* * * * * TRANSITION FROM FLASHBACK * * * * *

EXT. SAND DUNES - FAR EDGE - LATE AFTERNOON

Lopez struggles up to a point where the dune area can be seen behind him, stretching off into the distance. He pushes on.

CUT TO:

EXT. DESERT MOUNTAINS - FOOTHILLS - LATE AFTERNOON

Lopez stumbles along. Off to one side he sees some distant cottonwoods and stops. They are green, beneath them there is shade ... and reeds.

LOPEZ

Water ...

Lopez starts in that direction.

CUT TO:

EXT. DESERT MOUNTAINS - FOOTHILLS & ARCH - MARONE - LATE
AFTERNOON

At the base of a slope topped by a huge sandstone arch Shad Marone is laying, nearly unconscious, in the shade. His arm

is horribly bruised and cradled in a sling made from his shirt. As he looks out at the bleak landscape he sees something move.

Lopez, stumbling, bleached by dust, is heading his way.

He wipes his eyes ...

Lopez is still there.

Marone scrambles deeper into the brush to hide. He looks out and sees that ...

He's left tracks. He looks up; Lopez is not in sight.

He moves back trying to throw some dirt and leaves over the broken dirt. The leaves make *noise*, his movement is making *noise*. He winces, giving up, pulling back into his pathetic cover. There is a whisper of sound and Marone peers out in that direction.

Beyond a screen of Juniper and reeds he sees movement; Lopez searching for water ... or searching for him. Lopez moves out of sight.

Marone draws his pistol.

CUT TO:

EXT. DESERT MOUNTAINS - FOOTHILLS & ARCH - LOPEZ - LATE
AFTERNOON

Lopez sees tracks; tracks that stumble, fall, a hand print ... crawling. He follows, pulling Gates's pistol from his belt.

CUT TO:

EXT. DESERT MOUNTAINS - FOOTHILLS & ARCH - MARONE - LATE
AFTERNOON

Marone peers around ... nothing. His breathing is ragged. He hears a crunch of dirt beneath a boot sole ... nothing. As he turns a twig catches in the sling that cradles his arm ... it snaps.

There is a rush of motion, Marone twists, bringing the gun up. A figure looms out of the sun, a branch blocks Marone's aim and he leans back, almost reclining, turning into the shadow and pointing the pistol, shooting.

Bullets tear through leaves, dry branches, hit the trunk beside him. Lopez, never seen clearly, fires and rolls away. Gone. Marone looks wildly around.

Nothing.

He starts to crawl out of his now useless cover, at every moment expecting Lopez to kill him. He scrambles forward.

Suddenly, there is another rush. Lopez comes off the ground, takes two steps forward and kicks Marone solidly in the stomach. Marone is lifted, hits the ground, rolls over thumbing back the hammer of his Colt.

Lopez dives into him, grabbing the gun hand, the two of them rolling over and over in the dust, maneuvering for position. Marone slips his arm out, straining, angling the gun but Lopez pins it to the ground with his knee, pointing his pistol in Marone's face . . .

LOPEZ

Where . . .

Lopez can barely catch his breath, barely swallow, barely speak. He takes Marone's gun, stuffing it into the waistband of his pants.

LOPEZ

Where's the water?

Marone is beaten, his face blistered and his side bloody. Lopez grabs Marone's canteen, looks into it, then shakes it over his hand. A thin trickle of sand pours out.

LOPEZ

Marone ...

Lopez stands and the area they have been fighting in is revealed, caked and dried mud, dead reeds, dead moss. Lopez stares at the water hole blankly, the implications slowly dawning on him.

LOPEZ

No ...

Marone shifts, turning to look at Lopez. Marone's face is scraped and bloody, he tries to swallow and speak but his mouth is dead dry, his tongue swollen, and everything hurts.

LOPEZ

You ... you bastard!

Lopez throws the canteen at Marone. Then he picks up Marone by the shirt, pulling him to his knees.

SHAD MARONE

Ungh ...

LOPEZ

This is *it*?

Lopez laughs sharply, hysterically. He pushes Marone away.

LOPEZ

This is *impossible!* I thought you knew where the water was! I walked thirty miles across the malpais for -- for *this*?

Lopez kicks rocks and sand at Marone furiously. Marone cringes, trying to shield his face.

SHAD MARONE

Lopez! Stop ...

LOPEZ

You set me up, you son of a bitch! They put me in *jail* like a *god-damn animal* --

Lopez pulls the gun and jabs it into Marone's chest.

LOPEZ

I went without food or water or sleep. I escaped their god damn posse. I fooled them all! Now I am free -- to die in the god damn *desert*?

SHAD MARONE

This isn't it --

LOPEZ

Well if I am going to die, I am going to kill you *first* --

Lopez aims Gates's pistol at Marone. He is shaking with fatigue and rage. Lopez cocks the gun.

SHAD MARONE

No! Lopez! This isn't where the water is!

LOPEZ

I CAN SEE THAT!

SHAD MARONE

THE WATER'S UP THERE, GOD DAMN IT!

Marone points, indicating a large arch carved in the rock high in the hill above them. Lopez freezes, staring at him.

LOPEZ

Up there?

You will not make a fool of me.

Marone collapses to the ground, whispering . . .

SHAD MARONE

... 'couldn't make it.

Lopez looks up again at the arch, his eyes narrowing.

Marone holds up his hand.

SHAD MARONE

Help me up.

Lopez pauses a moment then pulls Marone up roughly.

LOPEZ

Hijo de la chingada. I was cursed the
day I met you.

CUT TO:

EXT. ARCH - SLOPE BELOW ARCH - DAY

Large boulders litter the hillside below the arch. Lopez stumbles up the gravelly incline, Marone's arm wrapped around his shoulder. They start to climb. Marone grunts, then collapses. Lopez picks him up again, forcing him to keep going.

LOPEZ

Come on, Marone. We have to keep going.

Marone moans.

LOPEZ

You have to find the water. Once you
find the water, then you can die, okay?

They pause when they come to a large boulder they can not go around. Marone is struggling, unable to climb with his injuries. Lopez watches coolly for a moment as the other man pulls himself along. Finally Lopez boosts Marone up, high enough that he can pull himself over the top, then Marone turns and helps Lopez as he scrambles up after him.

Marone scrambles up the trail, finally coming to the cistern, a hollow at the base of the huge sandstone arch. It is filled with water.

Marone groans as he collapses in front of it.

FADE TO BLACK:

EXT. ARCH - MARONE'S POV - AFTERNOON

Looking up through the rounded opening high above the arch ... a cascade of water comes splashing down. Water is dumped on Marone's battered face from the canteen. He tries to sit up, licking at some of the drops on his face, on his hands.

SHAD MARONE
Aagh . . . am I alive?

Lopez stands above him, pointing the pistol at Marone. Lopez drinks some from the canteen, watching Marone.

LOPEZ
You are not dead ... yet.

Marone touches his swollen, scratched face and winces. His arm is bloody and sore.

Lopez sits down, still holding the pistol in one hand. He pours the rest of the water over his own head, letting it drip over his hair. He shakes his head. Water flies all over. Drops cut through the gypsum dust.

LOPEZ
You betrayed me, Marone.

Marone sits back, watching Lopez warily.

SHAD MARONE
What are you going to do?

LOPEZ
With you?

Marone nods.

LOPEZ
I have not decided.

Lopez stands up. He goes back to the cistern to refill the canteen.

Marone opens his eyes suddenly, remembering something.

SHAD MARONE
Yesterday. At the spring. Someone shot
at me ...

Lopez washes his face and hair with the water in the tank.

LOPEZ

I did.

SHAD MARONE

You missed ... Was that an accident?

Lopez looks over his shoulder at Marone.

LOPEZ

No.

Marone frowns.

SHAD MARONE

You wanted me to get away ...

Lopez turns ... Marone begins to put it all together ...

SHAD MARONE

You *needed* me, didn't you? To escape.
And to lead you to the water!

Marone sits up, wincing at the pain in his shoulder.

SHAD MARONE

You didn't know. You followed me all
this way -- and you didn't know where it
was.

Marone starts to laugh. Lopez straightens up, turning angrily
toward Marone.

LOPEZ

The hell with you, Marone! I should have
left you to die!

SHAD MARONE

You *needed* me, you son of a bitch! Admit
it!

Lopez approaches angrily.

LOPEZ

I despise you. You used me to save your
own skin!

SHAD MARONE

So did *you!*

They stare at each other, poised and angry.

SHAD MARONE

(Giving in.)

It was a bad thing I did to you, *ALL*
RIGHT?

Marone collapses back, leaning against a rock.

SHAD MARONE

I -- I'm sorry.

Finally, slowly, Lopez relaxes.

LOPEZ

If we had never met, I would have been
much happier.

Marone laughs involuntarily. He looks up at the canteen in
Lopez' hand.

SHAD MARONE

Look, I *said* I was sorry -- now give me a
god damn drink.

Marone reaches out for the canteen, holding Lopez' eye.
Lopez hesitates a moment, then hands it to him. Marone takes
it gingerly and drinks a sip, wincing as the water touches
his blistered lips.

Lopez glares at Marone, then, after a moment, he grudgingly
tucks the gun back into the waistband of his pants. He sits
down.

SHAD MARONE

You going on to the Rio Grande?

Lopez shrugs.

SHAD MARONE

It's a long way on one canteen. Maybe
you need some help?

LOPEZ

From *you?*

Marone knows he's a wreck.

SHAD MARONE

After I rest up a bit.

Lopez looks steadily at Marone, and then begins to smile.

LOPEZ

Well, if you are not 'too much trouble'
... I will think about it.

Marone lies back. Lopez tips his hat over his eyes and leans back against the rocks.

DISSOLVE TO:

EXT. PUERTO DE LUNA - SHERIFF'S HOUSE - AFTERNOON

Emma Gates is taking clothes off the line, out of the wind and dust. As she lowers a sheet she hesitates, looking off down the street...

Coming up the street toward her is a bedraggled Will Gates. His hair is matted with dried blood, his clothing torn and bleached by the desert sun and sand. He is leading a worn out horse.

Emma Gates runs to him and they embrace.

CUT TO:

INT. PUERTO DE LUNA - SALOON - DAY

A small group of cowboys and farmers has gathered and Ben is telling the story of the chase, without actually hearing what he is saying we can tell he is acting out different moments, no doubt exaggerating his own role grandly. MOVE to see Taylor and another old hand watching him, Taylor shakes his head in disbelief.

In a corner, Rebecca stands in the half-light looking forlorn.

CUT TO

EXT. PUERTO DE LUNA - CEMETERY - DAY

Silhouetted on a hill top are the two grave markers for Jud Bowman and Tom Forrester. Fresh earth is visible on the graves. The wind whips up some dust and leaves.

DISSOLVE TO:

EXT. MOUNTAINS AND DESERT - DAWN

Two figures, Lopez and Marone, slog through the shallows of the Rio Grande. At the base of the hills on the Mexican side they find the beginnings of a trail, and disappear into the distance.

FADE TO BLACK ...