

Law of the Desert Born
by
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Based on the Short Story
by Louis L'Amour

Version 9.0

FADE UP:

EXT. BAR-B RANCH - EARLY MORNING

The sun rises over the plains. Its light touches the blades of two windmills 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. A medium sized 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. His horse is heavily loaded with bedroll, saddle bags and a pair of burlap sacks tied on either side of his saddle horn. He dismounts, goes up the steps onto the porch and knocks on the door.

SHAD MARONE

Bowman!

Marone knocks again, louder.

SHAD MARONE

Bowman!!!

After a moment JUD BOWMAN opens the door. Younger and softer looking than Marone, his left arm is splinted and cradled to his chest in a sling. He squints at Marone from eyes 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 its 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 holds his pistol at arm's length, he shoots Jud again.

Jud falls back, his head hitting the floor.

A haze of powder smoke hangs in the hall. Marone turns from the doorway and goes down the steps off the porch. He mounts his horse and rides off into the distance from which he came.

CUT TO:

EXT. ROAD TO PUERTO DE LUNA - DAY

A wagon wheel, turning slowly. 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. Taylor has become stringy and worn from hard and constant work while Gates is more refined, a lawman but a politician too. The wagon goes over a bump; Taylor turns to look into the wagon bed ...

As the wagon pulls away we see the body of Jud Bowman in the back.

CUT TO:

EXT. PUERTO DE LUNA - FIELDS - DAY

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

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

CUT TO:

EXT. PUERTO DE LUNA - LANE INTO TOWN - BLACKSMITH'S SHOP - DAY

The shop has a small walled yard covered with a brush arbor, the forge and tools are in an open fronted adobe building behind it. 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.

Also visiting the blacksmith is DOC TRUJILLO, the local physician. He leans on one of the posts holding up the brush arbor covering part of the yard area.

As the Sheriff's wagon approaches, Ben tips his hat up to take a look.

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.

SHERIFF GATES

Doctor Trujillo, we may need your help
also.

(to team)

Haa!

The wagon continues toward the town square.

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:

EXT. PUERTO DE LUNA - TOWN SQUARE - DAY

The square is quiet in the mid-morning sun.

One or two people go about their business. Gates and his unfortunate cargo pass before a couple of haphazardly placed adobe buildings containing businesses. At one end of the square a large Catholic church is visible. The wagon turns into the area beside the jail and stops.

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 an empty cell. Flies buzz inquisitively around the dead man.

JESUS LOPEZ sits in the far corner of the second of the two cells. He is an intense, wiry man in his early thirties, whose dress and manner indicate that he is Mexican, and attempt to conceal the fact that he is also half Apache.

LOPEZ raises his head, listening, as the wagon stops outside.

SHERIFF GATES

(O.S.)

Open the back. I'll get his arms.

CUT TO:

EXT. PUERTO DE LUNA - BESIDE JAIL - DAY

Gates climbs into the bed and grabs the corpse under the arms, while Taylor reaches in and pulls on the feet. Ben runs up as Gates and Taylor lug the body toward the jail.

BEN

What happened?

SHERIFF GATES

Get that door for us, Ben.

CUT TO:

INT. PUERTO DE LUNA - JAIL - DAY

Taylor and Gates maneuver their way into the office.

TAYLOR

Marone. I saw him riding off.

BEN

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

Lopez sits up straighter, listening intently.

Ben moves a chair out of the way.

BEN

Where was he heading?

TAYLOR

South.

Ben tugs open the other cell door; Gates and Taylor carry the unwieldy corpse inside.

They place Jud on the floor next to Tom Forrester. Lopez watches them with guarded interest.

BEN

What're you gonna do, Sheriff?

Gates starts out of the cell.

SHERIFF GATES

I'm going after him.

TAYLOR

That boy ... he was like my son, Sheriff.
I'm going with you.

BEN

Me too!

(to Taylor)

Could I go?

They both look at the Sheriff. Gates considers this a moment.

SHERIFF GATES

Well, first thing I'm going to need is
someone who can track better than I can.
Ben, why don't you find O'Malley.

BEN

Sure thing.

Ben exits, pushing past Doctor Trujillo as he enters the jail house.

SHERIFF GATES

(calling after)

... and we'll need supplies. Go go over
to Alexander's store, tell him I'll sign
for the county.

DOC TRUJILLO

How can I help?

SHERIFF

I'd like you to take a look at Jud
Bowman's body in case something should
come up at trial.

DOC TRUJILLO

Por supuesto, Sheriff.

SHERIFF GATES

I'd also like you to come with us.

Trujillo hesitates.

DOC TRUJILLO

I may have patients ...

SHERIFF GATES

I understand. But a posse's like a jury,
it's best to take men the community
respects.

I'd be personally obliged.

DOC TRUJILLO

Alright. Yes.

Trujillo starts for the cell where the bodies are, taking off
his jacket and rolling up his sleeves.

Behind Gates, Lopez stands and moves towards the bars of his
cell.

LOPEZ

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

Sheriff Gates is looking through the desk drawers for a map,
he doesn't even look up.

SHERIFF GATES

You're in enough trouble as it is, Lopez.

CUT TO:

EXT. PUERTO DE LUNA - TOWN SQUARE - SALOON - DAY

Ben approaches the saloon, a big old adobe building that also
houses the Alexander Grzelachowski store. GANCE, wearing a
bartender's apron, is sweeping off a walkway from the porch
to the set of boulders that lay at the edge of the square.

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 who sits, head in his hands, as if
contemplating a shot glass on the bar.

BEN
Hey? O'Malley?

Ben pokes him on the arm. O'MALLEY starts a slow slide that will end up with him falling to the floor. He is completely unconscious.

BEN
Oh, hell.

Ben swiftly moves to grab him under the arms.

CUT TO:

INT. PUERTO DE LUNA - JAIL - DAY

Doc Trujillo confers with Sheriff Gates.

DOC TRUJILLO
... all went through, either of the
bullets might have killed him.

SHERIFF GATES
Thanks. We'll be pulling out within the
hour.

Trujillo starts to leave as Ben pushes the door open, lugging O'Malley 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 man into a chair.

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 down at him skeptically. He takes them in.

O'MALLEY
'm I under arress ...?

Taylor shakes his head with disgust. Gates sighs.

SHERIFF GATES
Damn.

Well, put him on the bench outside. He
can sleep it off there.

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

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

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.

Everyone turns to look at Lopez. Then ...

TAYLOR
How about 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.

BEN
-- what's going on?

TAYLOR
Lopez wants to track Marone.

BEN
You ain't going nowhere, half-breed!

LOPEZ

(to Gates)

I can find him. For three years I was a scout for General Crook --

BEN

This guy stole our cattle!

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 turns to Lopez, suddenly interested.

SHERIFF GATES

Would you swear to this in court?

LOPEZ

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

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

SHERIFF GATES

I'm not a fool -- and I don't make deals.

LOPEZ

Marone is getting away. I want him as much as you do, Sheriff. And I can lead you to him.

Ben steps forward but Gates stops him with a raised hand.

SHERIFF GATES

All right. You'll be handcuffed at all times -- 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, you take him and go 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:

INT. PUERTO DE LUNA - SALOON - DAY

REBECCA picks at the keyboard of a dusty piano. 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.

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.

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

I thought you and he -- Well, you 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 bedroll and 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 and hugs him.

EMMA GATES

How long?

SHERIFF GATES

I don't know. 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:

EXT. PUERTO DE LUNA - TOWN SQUARE - JAIL - DAY

Martin, Ben, and Lopez are mounted and waiting.

Taylor and Trujillo are talking to heavy set man in his late thirties.

DOC TRUJILLO
Sheriff, this is Silas Carter. Senor
Carter is from up in Santa Rosa.

SHERIFF GATES
Very good. Pleased to have you along.

Behind them an UNDERTAKER and his ASSISTANT carry coffins across the square to the jail.

Sheriff Gates turns his horse to face the other men. He sees Ben has his rifle at the ready.

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.

The four men 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:

INT. PUERTO DE LUNA - JAIL - DAY

BOTH BODIES 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 ...

* * * * * TRANSITION TO: JUD/TOM FLASHBACK * * * * *

INT. RUNNING-F - FRONT ROOM - DAY

Jud coming down an adobe walled hallway. He stops in the open door to the low ceilinged parlor of the Running-F house.

TITLE: RUNNING F RANCH. 18 DAYS EARLIER.

JUD BOWMAN

Tom?

Tom Forrester, a man in his sixties with the weight of the world on his shoulders, looks up from where he is restitching a saddle.

The parlour has been converted into an office and workshop though none of its more civilized furnishings have been removed. Another saddle has been thrown over the back of a settee, papers and tools are stacked on the sideboard and Tom has placed his desk in one corner ... it's obvious the house is no longer formally receiving guests.

TOM FORRESTER

Jud! Come on in. Something to drink?

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

JUD BOWMAN

No. Thanks.

Tom gestures to Jud with the bottle ...

TOM FORRESTER

Used to be your father's favorite ...

Tom pours himself a drink.

TOM FORRESTER
Well, sit down at least.

Tom moves a harness he's been working on from the sofa.

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 -- 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.

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. Summer's over, I need it for my own stock.

Tom straightens.

TOM FORRESTER
We're lucky we'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
Tom, I need those cattle off my land.

TOM FORRESTER

What do you want me to do? Dumb animals
go where they want.

Jud stands up, his face tight.

JUD BOWMAN

I don't know, Tom, and I don't really
care. But *something's* got to be done!
And if you don't do it, I will!

Jud leaves.

CUT TO:

EXT. BAR-B PROPERTY LINE - DAY

The Bar-B ranch hands are hard at work. Ben White attaches
barbed wire to a wooden post with staples and a hammer.

BAR-B HAND 1 unreels wire off a wagon and, in the distance
BAR-B HANDS 2 and 3 are digging post holes.

Taylor and BAR-B HANDS 4 and 5 herd a dozen head of cattle
through the fence. The cattle are all wearing the "Running
F" brand.

Jud Bowman sits astride a bay gelding, supervising the work.

CUT TO:

EXT. BAR-B PROPERTY LINE OVERVIEW - W/TOM & MARONE - DAY

Tom Forrester and Marone ride past a dried up water hole.
They ride up a slope and pull up at spot where the crew of
men building a barbed wire fence is revealed below them.

TOM FORRESTER

What the hell --

From here it can be seen that the fence closes a gap in a low
hog-back ridge and effectively separates the Forrester ranch
from the Pecos river.

Tom spurs his horse and Marone follows.

CUT TO:

EXT. BAR-B 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.

SHAD MARONE
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 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 never do anything like this.

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

Jud turns away from him.

TOM FORRESTER
Well, your *father* is the one built this ranch -- with a lot of help from other people, including myself.

JUD BOWMAN

I don't need anyone's help -- don't start on me about the good old days.

Jud stares at Tom. Tom breaks, looking away.

TOM FORRESTER

I'll give you a couple of cattle a week. We have to work something out.

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.

TOM FORRESTER

Ha!

CUT TO:

EXT. RUNNING-F - BRANDING CAMP - DAY

RANCH HANDS fill a water trough from barrels in a wagon bed. They drive some stock away from a water trough so others can drink.

In the corral WILLIAMS is cutting out calves, roping their heels and Lopez is throwing them, wrestling them to the ground, holding their heads to the ground as Williams keeps them stretched out with his rope. CASEY works the irons, moving out to brand the animals.

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 thumbing through his tally book doing the math again and again with the gnawed stub of a pencil.

TOM FORRESTER

This drive won't come near to breaking even.

SHAD MARONE

It's too late to call it off.

TOM FORRESTER

And then there's what I already owe.

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 was 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. He knows our water holes are practically useless!

Williams cuts out and heel ropes a yearling steer, larger than the others, that escaped last year's branding.

Marone motions to Casey.

SHAD MARONE

Hey -- Casey! C'mere.

Casey runs over to Tom and Marone. Williams's horse backs, tripping the steer and Lopez runs over, twisting its horns, pulling it down.

CASEY

Yeah?

Marone indicates Lopez. The steer struggles to get to its feet.

SHAD MARONE
How's he working out?

CASEY
(glancing over at Lopez)
Okay. Quiet.

Without Casey to slap on the brand, Lopez has to hold the steer down, it's big -- and stubborn.

TOM FORRESTER
This used to be free range. Clyde and I flipped a nickel to stake those boundaries.

Shad is trying to distract Tom ... who is lost in his own world.

SHAD MARONE
(loud, so Lopez can hear)
Well, maybe he'd have better luck if he got that *grease* off his hands.

Lopez flips the steer onto its side and ties its legs deftly. He glares over at Marone with defiant pride. Casey runs back over to grab an iron.

SHAD MARONE
(calling to Lopez)
Hey -- *amigo!* Go easy on the livestock, okay?

The steer bawls as Casey applies the brand. Lopez stands back from the steer, flipping his rope loose like a contestant in a rodeo.

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

SHAD MARONE
All we can do is 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?

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! You can spend your life
watching a boy grow up but, by God,
friendship only goes so far.

* * * * 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

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.

TITLE: PECOS VALLEY.

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. Gates and the posse ride up, 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.

SILAS CARTER

How can you be sure?

Lopez turns and points down to the water.

LOPEZ

His horse kicked this rock, here. The sand has not yet filled in on the up stream 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. Trust me; four hours.

MARTÍN

We're getting closer.

SHERIFF GATES

Come on, then.

He starts forward. Martin takes up the reins on Lopez' horse and leads it along. Lopez remounts, bareback style, 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.

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, rather than enjoying the view, 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 large 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. Ahead are two stagnant pools of water. The wind whistles forlornly through the walls.

SILAS CARTER

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, first. 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.

BEN

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

Lopez shrugs.

SHERIFF GATES

Well, there's water and fuel. A few Indian spirits won't bother us.

CUT TO:

EXT. MISSION RUINS - EVENING

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

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

BEN

So. Lopez. You a pretty good tracker?

Ben winks at Martin who looks away and starts preparing a meal.

BEN

Heard you were a scout for General Crook.

LOPEZ

Yes.

Ben leans back on his bedroll.

BEN

Trackin' 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?

DOC TRUJILLO

Ben -- knock it off.

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

SHERIFF GATES

Save your steam, boys -- we may have 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, sitting up stiffly, looking around. Lopez stands at the edge of the camp, looking off to the southwest. He glances back at Gates.

SHERIFF GATES

Don't you sleep, Lopez?

Gates stands, hoisting his suspenders.

SHERIFF GATES

Come on, boys -- rise and shine.

Martin wakes up groggily. Lopez walks back in and pours himself some coffee.

Taylor saddles his horse, digging out some biscuits from his saddlebag. He tosses one to Ben. Ben catches the biscuit and takes a bite. Gates leads his horse forward.

SHERIFF GATES

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

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

LOPEZ

If you take these cuffs off, I can help.

Gates chuckles dryly.

SHERIFF GATES

Not a chance, amigo.

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

Gates starts down the trail. The others follow. Gates turns in the saddle, calling back to Ben and Lopez.

SHERIFF GATES

Come on! I want to get this over with today.

Ben rides over near Lopez.

BEN

Douse the fire with that coffee an' come on!

Lopez picks up the pot as Ben rides away. Lopez looks up at the posse riding off. They start to disappear down the trail.

Knowing he has only seconds to spare, Lopez dumps out the coffee on the ground and then throws as much of the wood as he can on the fire. Lopez hurries to his horse and rides off hooking the coffee pot handle around his saddle horn. As he heads down the trail he looks back to check.

A thin line of DARK SMOKE begins to rise.

CUT TO:

EXT. MISSION COUNTRYSIDE - OVERVIEW - EARLY MORNING

On a hillside Marone squints into the distance.

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

SHAD MARONE

(under his breath)

Well, I'll be ...

He pauses a moment, then turns abruptly.

SHAD MARONE

(to horse)

C'mon.

He moves off towards the west.

CUT TO:

EXT. DESERT - OVERVIEW - TRAIL - DAY

Lopez is peering off into the distance. A thin smile plays on his lips but it disappears as he reins around to face the others.

LOPEZ

He has turned toward the desert.

Gates and others start forward to see what he's talking about.

DOC TRUJILLO

Are we gaining on him?

LOPEZ

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

BEN

You showin' 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 the view.

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 a *thousand 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.

DOC TRUJILLO

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

CUT TO:

EXT. DESERT - AMBUSH CANYON - MOUTH - DAY

As Marone rides along, he sees a moderately sized canyon cutting into the mesa. He turns into it.

CUT TO:

EXT. DESERT - AMBUSH CANYON - FLOOR - DAY

Marone kicks his horse and takes off at a dead run up the canyon. He crosses to slope the riding hard. He scans the right wall of the cliff for a route to the top. He finds a path, then turns his horse to go up.

SHAD MARONE

Ha!

They scramble, through sliding rocks and dirt, their way to the top.

CUT TO:

EXT. DESERT - AMBUSH CANYON - RIM - DAY

Cresting the rim Marone turns back towards the direction from which he came. He stops for a moment scanning back down the canyon.

SHAD MARONE

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

There is no one in the canyon yet. He urges his horse into a gallop.

CUT TO:

EXT. DESERT - AMBUSH CANYON - FLOOR - DAY

The posse appears in the distance.

As they approach, Lopez peers more closely at the tracks. He stops his horse.

LOPEZ

Sheriff?

Gates rides up to where Lopez is pointing.

The tracks of Marone's horse dig in where he put on speed.

Gates looks up the canyon, then at the rims above. There is nothing to be seen except that it's a great place for an ambush. He pulls out his rifle and they ride onward cautiously. Ben and Trujillo glance at each other, then follow. Lopez hangs back.

CUT TO:

EXT. DESERT - AMBUSH CANYON - RIM - DAY

Marone turns away from the rim and slows his horse.

SHAD MARONE

Whoa, there.

Taking his rifle, he dismounts, jogging back towards the rim of the cliff.

CUT TO:

EXT. DESERT - AMBUSH CANYON - DAY

Marone finds a good vantage point and edges closer.

Trees and brush partially obscure Marone's view, so he does not see all of the posse at once. He sees Gates, Trujillo and Ben. Then he sees Carter, Taylor, and Martin.

After a moment, Lopez emerges from behind some brush.

Marone's eyes narrow, staying with Lopez.

SHAD MARONE

(under his breath)

Lopez? What the hell?

He raises his rifle and fires.

The bullet hits a rock in front of Ben's horse. The horses start bucking, different amounts depending on the rider.

Marone fires twice more.

The posse members scramble to dismount and find cover. Gates pulls Lopez behind a rock next to him, pushing him down as he scans the cliff above. Carter is already curled up in a fetal position behind a rock.

Gates scans the rim intently, trying to fix Marone's position.

SHERIFF GATES

Spread out!

Marone! Stop shooting!

Gates adjusts his aim, watching the rim.

Marone peers down into the canyon, watching the rocks and cottonwoods behind which the posse is hiding. He is pushing cartridges into his rifle.

DOC TRUJILLO

Senor Marone! It will be better to give up now.

BEN

Taylor saw you kill Jud, and I know you stole those cattle!

Sheriff Gates glares over at Ben, then ...

SHERIFF GATES

You'll have a fair trial, Shad. I guarantee it.

SHAD MARONE

I'm *not* going back!

Taylor suddenly stands and fires. Ben joins in firing both his pistols.

SHERIFF GATES

TAYLOR! STOP IT!

Bullets ricochet near Marone, then he opens up.

A bullet rips the hat from Ben's head. Another sprays fragments of rock in Trujillo's face.

DOC TRUJILLO

Aahh!

Gates glances at Trujillo, then back at Taylor. The flurry of shots has stopped but everyone is making themselves very small behind whatever cover there is. Gates sees that Taylor has collapsed behind a rock with a bullet wound across his thigh.

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

Now?

SHAD MARONE

Yeah. Now.

Marone turns and rides off.

CUT TO:

EXT. BAR-B PROPERTY LINE - NIGHT

Marone and Lopez ride out into the area where Jud Bowman has built his fence. Marone dismounts and pulls out a pair of fencing pliers. He fires the lamp and begins prying the staples off a fence post.

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 another of the posts loose and pulls it out of the ground. Laying it down with the wire attached, 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 sort 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

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. BAR-B 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,
whistling 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. CAP ROCK CANYON - EARLY MORNING

The Cap-Rock is a low loaf-like strata that seems to lay on
the landscape like a layer of icing on a cake.

Marone and Lopez herd the cattle down a wash toward a high,
narrow gap in the Cap-Rock. The sides are steep; inside
there is a perfect natural corral of several hundred acres.

The cattle are forced through a long out of use gate in the
crude fence across the mouth of the gap. Marone and Lopez
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 the gate. This gate is just a loose section of fence with light posts not attached to the ground and that can be hooked to the fence proper by a couple of rough loops of wire one on top and one on the bottom.

SHAD MARONE

They'll be okay for a couple of weeks.

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 gets on the other side of the fence and helps pull the wire out of the ground. Marone picks up the end of the gate and starts pulling the post over to the upright to close it off.

SHAD MARONE

One time he took me out past the lava
beds -- the Malpais -- showed me
waterholes no white man knew how to find.

Marone lifts up the post and sets it in the bottom loop of wire. He then starts to wrestle the rusty loop over the top of the post but the wire is too tight and suddenly slips from his grasp.

SHAD MARONE

OW! Shit!

Marone examines his hand with a frown.

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 the canteen Lopez won't let go. Marone's answer wasn't enough.

SHAD MARONE

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

But he didn't turn me in. He hired me. So I've got to live up to that.

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.

LOPEZ

Why did you choose *me*?

Marone wipes the inside of his hatband with his bandanna.

SHAD MARONE

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

Lopez arches an eyebrow.

LOPEZ

Too much trouble? Well, 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.

Marone 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 on the drive up to Santa Rosa.

Marone turns his horse and rides off. Lopez follows.

DISSOLVE TO:

EXT. CAP ROCK CANYON - CAMP - EVENING

The setting sun touches the walls of the canyon. Marone rides up to a small camp on the slope to the west of the canyon where Lopez is keeping watch. Days have passed and it is obvious that they have settled into a routine and made themselves comfortable. He steps down from his horse.

SHAD MARONE

Talked to Tom.

Marone pulls out some food, cans, bacon, and bags of bean and rice 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?

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

LOPEZ
My mother was a Warm Springs Apache.

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

Lopez narrowly examines Shad.

LOPEZ
No.

Marone realizes that may be the only answer he's going to get. Lopez stands and busies himself putting the food in a sack hung from a tree. Marone pushes him a bit further.

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.

SHAD MARONE
Come on. What is it?

Lopez stares at him. Then ...

LOPEZ
I did not take a name.

Lopez puts down his saddle.

LOPEZ
They called me Na-kai-yeh.

SHAD MARONE
Yeah? What's that mean?

LOPEZ

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

... all he cared about was drinking.

Marone watches Lopez carefully.

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
nearby tried to protect us, but ...

My mother was among those that died.

Marone looks away.

SHAD MARONE

Jesus. 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.

They mount up and start back to the ranch.

DISSOLVE TO:

EXT. RUNNING-F YARD - DAY

Marone and Lopez ride 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.

Lopez heads for cookhouse.

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?

SHAD MARONE

Yeah.

Tom scuffs a boot toe in the dirt ...

TOM FORRESTER

Bowman's drive is leaving soon.

SHAD MARONE

Not for a week or more.

TOM FORRESTER

We have to have'em sold by then.

SHAD MARONE

That's the truth.

Behind them at the cookhouse, a ranch hand, Williams, stops to glare at Lopez as he goes 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 fake up an old contract. There's an outfit that went bust over in Tascosa a couple of years ago. Nobody know's what-all brands they had.

The two share a look ...

SHAD MARONE

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

CUT TO:

EXT. RUNNING-F COOKHOUSE - DAY

Casey and Williams lean on the wall on either side of the wash stand while Lopez rinses his face.

CASEY

You ain't been much help with the round up.

Lopez looks from one to the other of them.

WILLIAMS

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

CUT TO:

EXT. RUNNING-F YARD - DAY

Tom Forrester looks at Marone.

TOM FORRESTER

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

Over by the cookhouse, Williams and Lopez are facing off.
Marone turns and sees what's going on.

SHAD MARONE

Oh, hell ...

Marone runs towards the cookhouse.

CUT TO:

EXT. RUNNING-F COOKHOUSE - DAY

Lopez throws a punch at Williams, who neatly deflects it and
swings back, connecting with Lopez. The other HANDS crowd
around, egging them on. The men close and, grappling, slip
to the ground. Marone wades into the middle of it, yanking
the two men apart.

SHAD MARONE

Hey! Back off.

Marone moves between them, then turns and straight-arms
Williams as Williams tries to go after Lopez. 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

No.

CASEY

Yeah. Whatever you say, Shad.

Lopez looks at Marone's back, waiting for some sort of acknowledgement. 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.

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

EXT. DESERT - AMBUSH CANYON - RIM - DAY

Lopez looking off into the canyon from Shad's firing position.

TITLE: YESO CANYON.

Ben, Martin and Carter stand behind him doing the same thing. Lopez walks back toward the horses. Ben starts reloading his pistols.

SILAS CARTER

Lucky he didn't kill us.

SHERIFF GATES

It was no accident. If he didn't think he could still get away he'd have shot our horses.

SILAS CARTER

You think he's going to try this again?

LOPEZ

The Sheriff is right. He will go deeper and deeper into the desert -- if we let him. Trails that are for one man, not for many.

Sheriff Gates is near Taylor who sits on a rock. Doc Trujillo is bandaging Taylor's leg where the bullet cut through it.

SHERIFF GATES

What do you think, Doc?

TAYLOR

Reckon I been through worse, Sheriff.
Many a time.

Lopez stands back by the horses. He takes a canteen from Ben's fancy saddle, watching the others carefully.

DOC TRUJILLO

Do you mean, can he go on? Yes, if he must. If you are asking, should he? The answer is, no. This is a serious wound.

Trujillo's face is slightly bloody where it has been peppered by rock.

SHERIFF GATES

We're close but we're going to have to move fast. Ben, I want you to take Taylor back to town.

BEN

What!

TAYLOR

No, sir, you can't do that. We almost had him.

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

SILAS CARTER

He almost had *us*, you mean.

SHERIFF GATES

I appreciate your loyalty. But two Bar-B hands on this posse is at least one too many. I aim to bring that man back for a trial.

BEN

He was shootin' at us!

TAYLOR

He surely was. And, by God, there's gonna be *one* of us there when he's arrested! I'll go by myself.

BEN

Yeah. You might need me. Is that okay?

DOC TRUJILLO

I'll ride with him, Sheriff. There are men hurt all the time during round up ... I will need to get back.

SHERIFF GATES

Oh Hell. Well, we've got to get going.

Gates turns towards his horse.

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

SILAS CARTER

I'm ... I'll go too. I've got things to do.

Sheriff Gates looks at him and knows he's useless.

SHERIFF GATES

Fine. The rest of you, mount up.

CUT TO:

EXT. DESERT - FLAT ROCKS - DAY

Marone has walked his horse out onto an area of flat sandstone and is tying the remains of his burlap sacks around his horse's hooves. He starts forward.

DISSOLVE TO:

EXT. DESERT - FLAT ROCKS - LATER DAY

The posse follows as Lopez walks across the sandstone, carefully 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 - BASE OF PLATEAU - 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. DESERT - DRIPPING SPRING - DAY

A small pool of water fed by a spring dripping from a vegetation rimmed gap in the strata 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.

* * * * * 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.

TITLE: PUERTO DE LUNA. 5 DAYS EARLIER.

SHAD MARONE
The sun's coming up.

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

She wraps herself in a blanket, shivering a little.

REBECCA
What's wrong?

SHAD MARONE
There's something ... something I don't want to do.

REBECCA

I won't ask. Why do it?

SHAD MARONE

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

Not if we're careful.

She carefully crosses to the window and, standing behind him, 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.

REBECCA

Don't get caught.

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 dry goods bills marked "Past Due." Laying on them is a carefully posed old photograph of a younger Tom with an attractive young woman.

SHAD MARONE

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

Tom holds his head in his hands.

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

The sooner we move them out, the better,
Tom.

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

TOM FORRESTER

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

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!

Marone makes a 'wait' gesture and 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.

SHERIFF GATES

Jud says 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

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

TOM FORRESTER

We don't know anything about this.

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

SHERIFF GATES

Tom, 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

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

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.

SHERIFF GATES

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

SHAD MARONE

(Shooting Tom a look)
Of course not. 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. CAP ROCK CANYON - CAMP - DAY

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

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.

CUT TO:

EXT. CAP ROCK 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 stares 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 for Lopez. After a moment, Marone spots Lopez hiding in the rocks near 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 a few 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!

(to Tom)

What were you saying?

Marone looks between Gates and Tom, who is now sweating profusely.

Marone points towards Lopez.

SHAD MARONE

Look! Over there -- !

He points towards where Lopez is hiding.

Lopez sees him pointing and reacts.

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, trying to reach some better cover, his camp, a horse, or a gun. 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 between Tom and Shad, but says nothing.

SHERIFF GATES
Tom, do you know this man?

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 glares at Marone and spits on the ground.

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

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 those cattle alone.

Gates looks up at him.

SHERIFF GATES

You're probably right -- but it takes time to build a case--

Gates 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

I'm going to do my job, Sir. Not go off half cocked.

Jud turns his horse and rides away in disgust.

SHERIFF GATES

I am not going to let this rest, gentlemen. You can count on that.

Marone and Tom share a look. Lopez glowers at them, trapped.

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

EXT. DESERT - DRIPPING SPRING - AFTERNOON

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

TITLE: TRINCHERA MESA.

Marone 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. DESERT - DRIPPING SPRING - AFTERNOON

A drop of water, then another, drips into the mouth of a canteen, filling with agonizing slowness.

The horses drink the small amount of water left in the pool. Martin walks from horse to horse. He pinches one on the neck near the mane, checking the elasticity of its skin. He goes to another and crouches, feeling the warmth of its lower legs.

The other men of the posse sit or recline wearily on the rocks around the spring, 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. Martin doesn't even move.

BEN

We've moved on plenty today.

MARTÍN

By the time we get enough water, 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?

MARTÍN

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 near the gap in the Oscura mountains.

MARTIN

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

LOPEZ

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

Ben stands and walks over to Lopez.

BEN

That ain't a *short cut* -- it's miles outta the 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 Martin look at each other.

BEN

What do you mean by that?

LOPEZ

(still alking to Gates)

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

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

BEN
Thirty miles?

MARTÍN
Lopez, the horses can not make it without water.

LOPEZ
Yes they will. There will be a dew tonight and if we let them 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. Martin is still sitting. Lopez moves closer to BEN.

LOPEZ
You are right to want to go home.

MARTÍN
No one is talking about turning back.

LOPEZ
(to BEN)
Marone killed your boss. You are here to catch him. But you are too tired. There is not enough water. *Pobrecito.*

Ben lunges at Lopez and they start to struggle. Martin 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. Martin gets control of the horses. He turns back to the others.

MARTÍN

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 - TOP OF PLATEAU - LATE AFTERNOON

The posse comes up the draw from the dripping spring and heads off across the plateau around to the north of a small set of mountains. Long shadows stretch out behind them.

DISSOLVE TO:

EXT. DESERT - BASE OF MOUNTAINS - TWILIGHT

The posse moves across the dimming landscape. They keep the small range of mountains to their left as they turn south around them and head for the more distant Oscuro Mountains in the distance.

DISSOLVE TO:

EXT. DESERT - 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. DESERT - CANYON - NIGHT

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

DISSOLVE TO:

EXT. DESERT - MEADOW - NIGHT

The horses crop grass as the posse rests around a hastily built campfire. Ben lays on a rock snoring. The last of the water is shared into coffee cups. Gates sips from a enamel cup and looks at Lopez, watching him closely, remembering ...

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

INT/EXT. PUERTO DE LUNA - JAIL - NIGHT

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

TITLE: PUERTO DE LUNA. 5 DAYS EARLIER.

SHERIFF GATES

Here.

Lopez is finishing his dinner.

LOPEZ

Gracias.

Gates leans against the bars, 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

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.

SHERIFF GATES

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

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.

Gates joins him outside the door.

JUD BOWMAN

Why haven't you arrested them yet?

SHERIFF GATES

Jud, 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

Didn't tell me much. There's been quite a few head moved through that gap recently. You did most of it 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. I can't just charge him. Not without better evidence.

JUD BOWMAN

So you're going to arrest that greaser 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 stalks off.

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 Tom, who is 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 buy us time. 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.

JUD BOWMAN

Hey. Marone.

Marone turns around, right into Jud's fist. 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 to 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 to clear it. Tom is backed against the bar beside him.

SHAD MARONE

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 ... Now, that's the way your father would have done 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)
So come on! 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. 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 - TOWN SQUARE - 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 30 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 --

SHAD MARONE

-- 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 and 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 grabs at 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 area in front of the saloon, smashing
into one and pitching over on its 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. The vigil has been going on for some time.

Doc Trujillo takes his pulse then goes to confer with Sheriff Gates who is standing in the doorway.

DOC TRUJILLO

I gave him more opium. There is nothing more I can do.

They look over at Tom.

DOC TRUJILLO

If you need me I'll be down the hall.

The doctor leaves.

Tom stirs. Marone sits up, watching him intently. 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.

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.

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 looks around, focusing on Gates.

TOM FORRESTER
Bowman's cattle ...

Gates moves closer.

SHERIFF GATES
What about them?

TOM FORRESTER
That was a mistake.

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

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

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

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 Gates's arm.

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. For a moment it seems as though he could hit Gates as well.

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.

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.

The flash from Marone's pistol lights their faces.

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, the floor caked with a small pool of dried blood. Gates kneels down and closes Jud's eyes.

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

EXT. DESERT - ARROYO 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.

TITLE: OSCURA MOUNTAINS.

The sky is growing light. As the posse nears the mouth of a canyon Lopez sits up, pointing ahead.

LOPEZ

There it is.

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

SHERIFF GATES

Use the slope, he'll see tracks there in the bottom.

They ride along the slope of the arroyo cautiously, holding their horses back. Gates goes first, his gun ready.

CUT TO:

EXT. DESERT - ARROYO SPRING - EARLY MORNING

A fair distance into the canyon they come upon an area that widens out slightly, a depression in the rocks which holds water from the rocky hills above.

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. Martin begins filling their canteens. Lopez drops his canteen 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 and then the plains. 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 looking around carefully.

SHERIFF GATES

If he comes here.

LOPEZ

He will come.

The early morning sun slowly rises.

DISSOLVE TO:

EXT. DESERT - ARROYO SPRING - DAY

The sun has reached a mid-morning height.

Ben sleeps against a tree. Martin sits by the horses, gazing off into space.

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

LOPEZ

There.

Lopez points, and Gates raises his field glasses, shielding their lenses from the light.

CUT TO:

EXT. DESERT - ARROYO SPRING - MOUTH - DAY

In the distance Marone approaches, riding easily.

CUT TO:

EXT. DESERT - ARROYO SPRING - DAY

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

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

SHERIFF GATES

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

Gates and Ben move into their positions. Martin takes cover, glancing over at Lopez. Lopez scrambles for a slightly higher position where he'll have a view of Marone's approach. Lopez settles in, looking down the canyon.

The canyon is still empty.

Lopez edges forward and looks towards Gates's hiding place. He stands up.

LOPEZ

(in a loud whisper)
Sheriff!

SHERIFF GATES

Get down!

Gates gestures angrily. Lopez doesn't move.

LOPEZ

My handcuffs! I am useless with them on.

Lopez starts down toward Gates.

SHERIFF GATES

Lopez! Get back over there!

Lopez holds out his cuffed wrists.

LOPEZ

Take them off. *Por favor!*

Gates looks up at him, exasperated. Then he glances back at the trail towards the spring. He hesitates.

LOPEZ

If you want to capture him you may need my help.

Gates pulls his keys from his pocket and waves to Martin.

SHERIFF GATES

Psst!

Gates throws the keys up to Martin.

Martin catches the keys. Lopez scrambles to where Martin is hidden. Martin opens Lopez' handcuffs.

LOPEZ

Gracias.

Lopez starts back then stops.

LOPEZ

Sheriff?

Gates looks over at Lopez, irritated.

LOPEZ

(in a loud whisper)
Sheriff -- I need a gun.

Gates glances at the trail ...

The canyon is still empty.

CUT TO:

EXT. DESERT - ARROYO SPRING - APPROACH - DAY

Marone is getting closer.

CUT TO:

EXT. DESERT - ARROYO SPRING - DAY

Gates turns back to Lopez.

SHERIFF GATES

There's plenty of us with guns, Lopez.

LOPEZ

He is dangerous -- he may kill me.

SHERIFF GATES

Just shut up and stay out of sight.

LOPEZ

You will have to drag my body back.

BEN

(in a loud whisper)

Don't worry about it, Lopez -- we'll just leave you here.

LOPEZ

He's getting closer!

Gates glances over at the trail where Marone will appear; he should be getting quite close.

LOPEZ

Sheriff -- 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.

Martin eases his position, rifle ready. Ben has one pistol out. After a moment he pulls out the other one too, weighing the logistics of using two guns. He returns the second gun to its holster.

Marone rides into sight ...

Slowly Lopez raises the rifle 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.

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. Lopez adjusts his aim, then 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. Martin stands, firing his 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 his horse 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, then falls to a sitting position.

BEN
I've been hit. That bastard shot me.

Gates helps Ben up then turns, pointing at Lopez. Lopez is rushing 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!

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

BEN
What the hell's he doing?

MARTIN
He can't catch Marone all by himself.

BEN
He's a *fool* --

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

Gates turns, staring after Lopez.

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

CUT TO:

EXT. DESERT - ARROYO SPRING - APPROACH - DAY

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

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

CUT TO:

EXT. DESERT - DESERT FLOOR - DAY

Lopez chases behind Marone.

Marone turns and shoots back at Lopez.

LOPEZ
Maldido -- !

Lopez swerves his horse ...

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

Lopez hears another shot. He looks around.

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?

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

MARTÍN
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* --

MARTIN
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. Lopez sits on his horse. 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. Martin 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 shootin' 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)

Alright. You'll be okay until you get to the 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*.

MARTÍN

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.

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.

Gates hands Ben 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.

MARTIN

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

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.

MARTIN

Mescalero! Sheriff, this man is 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

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

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

LOPEZ

Marone can 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.

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.

Martin 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.

Martin 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. DESERT - MESA ROCKS - DAY

Marone lays behind some rocks on the rim of a small mesa.

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 and examines 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 - ROCKY AREA - 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 -- Martin still has your handcuffs.

LOPEZ

I had forgotten.

SHERIFF GATES

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

CUT TO:

EXT. DESERT - LANDSCAPE - DAY

Gates and Lopez follow Marone's trail across a broad and empty area 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.

Gates squints, in the distance he sees vultures circling. And 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. He is carrying his rifle and has his canteen and rope hung over a shoulder.

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 BLUFFS - DAY

Gates and Lopez ride toward the low end of a long sandstone bluff. Lopez points.

In the distance, Marone is on top of the bluff looking for a way down to the lava field.

Gates and Lopez urge their horses faster.

Marone sees them and runs along the top of the ridge, frantically looking for cover. He comes to the edge of the cliff and stops abruptly. A rock breaks off under his feet and he stumbles back just in time. The sandstone edge falls away revealing the black lava below. Trapped, he whirls and fires his rifle towards his pursuers.

Gates reins in his horse as the bullet whizzes by him. He and Lopez bail out of their saddles and scramble for cover.

Marone vaults into a notch that bisects the ridge about a third of the way from the end. He looks around. To one side is a sheer drop of forty feet, on the other is a series of slopes leading down to the lava more than a hundred feet below.

SHERIFF GATES
(O.S. echoing)
Marone!

Gates and Lopez have climbed the lower end of the ridge and are peering down the ridge trying to figure out where Marone went.

SHERIFF GATES
It's over. Give yourself up!

Marone leaps to the top of the ridge and fires toward Gates and Lopez.

Gates fires back and he and Lopez run back to where the bluff is lower with rock chips flying around them. They scramble off the ridge and out of Marone's line of fire. 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.

Gates motions for Lopez to follow and they start along the base of the ridge toward far end trying to get between Marone and the lava field. The top of the ridge is high and higher above them but somewhere above them is Marone.

Carefully, silently they make their way to the end of the ridge, cautiously circling around Marone's position. Lopez glances up. Forty feet above is the crack where Marone has taken cover. Marone isn't visible but the crack can be seen against the sky.

They climb over a pile of boulders to start back along the other side. As Gates makes his way over the pile of loose rock his foot slips, sending a softball sized rock over the edge. Lopez makes a grab for it but misses. The rock goes over the edge. It falls and shatters on another sandstone ledge.

Back in the notch, Marone hears the noise, faintly, and stiffens. He pulls his lariat off his shoulder and drops it on the rock at his feet ...

Gates and Lopez emerge under the other side. Marone can not be seen on the slopes down to the lava but there is a slight noise, a boot grating on rock, from the ridge. Marone is still hiding in the notch.

Gates and Lopez can just see the notch and through the rocks and brush they see is a momentary movement. 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 ... he's going to try to get up to where Marone is.

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

Gates motions with his pistol.

SHERIFF GATES
That's why you're going first, amigo.

They slip up 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 steps around him cautiously. Gates jumps quickly around to a spot where the notch Marone has taken cover in is revealed.

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 just above his head.

Marone is hanging off the side of the cliff from his lariat, the loop fastened to a stunted tree on top. 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 sets the gun at 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.

Marone indicates the path Gates came up.

SHAD MARONE

You go on 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 it will be justice.

Marone puts a foot in his back and kicks Lopez off the rock. Lopez slams into the slope and slides to a stop just above Gates. He turns and they both look back but Marone is no longer in sight.

Lopez jumps up and climbs furiously. Startled, Gates follows, grabbing up his pistol as he enters the gap. Marone is gone.

Leaning out of the far edge of the notch, they see Marone's rope hanging from the low cliff. It is still swinging from his slide to the bottom.

They hear a 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.

Gates shoots back. Lopez ducks.

The Sheriff's bullet smashes into the action of Marone's rifle with incredible impact, shattering the stock. 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 to the distant landscape of black lava.

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 volcanic rock.

Lopez runs to the end of the ridge, like the bow of a ship it looms over the Malpais.

LOPEZ
I'LL GET YOU! CABRON! I'LL GET YOU!

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, then stop.

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

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?

In some strange way the power has just shifted to Lopez, it's almost like the Sheriff is asking him permission.

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.

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, rippling dunes of white gypsum sand.

Gates stares. Lopez starts to make the sign of the cross.

The dunes shimmer in the twilight. In the sand, Marone's 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 takes a swallow from the canteen. Gates pulls out some jerked beef and hands it to Lopez. They share the canteen. The Sheriff looks exhausted.

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 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 examines Lopez before he speaks.

SHERIFF GATES

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

Lopez glances up quickly.

SHERIFF GATES

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

Lopez digests this information.

LOPEZ

Marone was free when he killed Señor Bowman?

Gates nods.

SHERIFF GATES

He might've salvaged the ranch and carried on just fine.

LOPEZ

So ... 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. I wanted
... a place to rest.

Gates sits back, thinking this over.

SHERIFF GATES

Is it you the army is after?

Lopez looks away, into the night.

LOPEZ

Yes.

I was a scout when the army was
ordered to help relocate the Chihenne
and Chiricahua Apaches.

We went with the soldiers to force our
people to move but also to guard
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.

Then the soldiers turned on the Apache
scouts. 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 turns away, assessing the desert. He thinks a long
moment, then chooses his words carefully.

SHERIFF GATES

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

Gates sighs.

SHERIFF GATES

But 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.

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 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 forces Gates back,
getting on top. Lopez points the pistol in Gates's face and
cocks the hammer.

Gates relaxes, giving in to whatever comes next.

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 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 now 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 to start the long road 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 at Lopez in his 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. Lopez turns and turns. No tracks, no landmarks, no sun shadows.

DISSOLVE TO:

EXT. SAND DUNES - LATE AFTERNOON

Lopez stumbles through a white-out of dust. His face is white and raw 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

A different perspective ... Marone steps into the middle of the fight between Lopez and Williams. Marone punches Williams, knocking him to the ground.

SHAD MARONE

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

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

CUT TO:

EXT. CAP ROCK CANYON - DIFFERENT DAY

Lopez's point of view. Four horses beat down on Lopez as he scrambles to get away. TILTING UP - Marone 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 moves until on the right he can see his shadow. He painfully walks a few feet, stumbles, then starts southward again.

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

EXT. CAP ROCK 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 in places those ranchers never dreamed of.

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 low brush coming in ... the dune area can be seen behind him, stretching off into the distance. He pushes on.

CUT TO:

EXT. FOOTHILLS & ARCH - APPROACH - LATE AFTERNOON

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

LOPEZ

Water ...

Lopez starts in that direction. Behind the trees, a sandstone arch can be seen in a fold of the hills.

CUT TO:

EXT. 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 crawls 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. 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. 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 blur of motion, Marone twists, bringing the gun up. A figure looms out of the sun, a branch blocks Marone's aim and he has to lean 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. They both fall, Marone drops his Colt. Marone reaches for it but Lopez pins Marone's arm to the ground with his calf, he gets to one knee. Lopez points Gates's pistol at Marone.

LOPEZ

Where ...

Lopez can barely catch his breath, barely swallow, barely speak.

LOPEZ

Where's the water?

Marone says nothing, he's still recovering. 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 dried up water hole blankly, the implications slowly dawning on him.

LOPEZ

No --

Marone tries to swallow and speak but his mouth is dead dry, his tongue swollen, 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

I walked thirty miles across the malpais for -- for *this*? It is *impossible*! You said you knew where the water was! *Tu estas LOCO!*

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 *animal*!

Lopez jabs the pistol into Marone's chest.

LOPEZ

I went without food or water or sleep. I escaped their 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

IT'S UP THERE, DAMN IT!

Marone points, indicating the 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. FOOTHILLS & 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. After that Lopez is more helpful.

Marone scrambles up the trail, finally coming to a cistern, a hollow at the base of the huge sandstone arch. It is filled with water.

Marone groans as he passes out in front of it.

FADE TO BLACK:

EXT. FOOTHILLS & ARCH - MARONE'S POV - AFTERNOON

Looking up through the rounded opening inside 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.

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 from 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! Come on ... Admit it!

Lopez approaches angrily.

LOPEZ

I despise you. You used me to save your
own skin!

SHAD MARONE

So did *you*!

They glare at each other, poised and angry.

SHAD MARONE

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
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 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 smiles slightly.

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 and his wounding, 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 ...