

THE OCTOPUS

Written by

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(Adapted from the 1901 novel by Frank Norris)

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FADE IN:

INT. BONNEVILLE GENERAL STORE - CALIFORNIA, 1895 - DAY -
PROBABLY DURING CREDITS

PRESLEY, a thoughtful-looking, dark-haired man of about 30, browses the shelves. His clothes are informal, but refined enough that he's clearly not a laborer.

He picks up some writing supplies -- perhaps a notebook and a pen or two -- and some bicycle chain lubricant.

EXT. BONNEVILLE MAIN STREET - DAY

PRESLEY comes out onto the sidewalk. It's the business district of a small town -- clean, but with horses, farm wagons, and buggies hitched to railings and telegraph poles along the curb. There's also a fair amount of pedestrians.

A few bicycles are wedged into a rack in front of the store. One of them belongs to PRESLEY, who pulls it out.

EXT. RURAL ROAD - DAY - AS CREDITS END

A blazing sun in a clear blue sky over open land. The stubble of harvested wheat fields stretches out for miles all around.

ANGLE ON PRESLEY, riding his bicycle, all alone on the road. It's a long ride, and the road is covered in wheat dust, slowing him down. It's so thick that PRESLEY sometimes has to dismount and walk while pushing the bicycle.

Looking up, PRESLEY sees the only man-made structure in the area -- a water tower, dozens of feet high, with two men painting it on hanging platforms. They're finishing an ad in large letters: "**S. Behrman, Real Estate & Mortgages, Main Street, Bonneville, Opposite the Post Office.**"

PRESLEY rides up to the foot of the tower, stopping next to a water trough with a faucet at one end. Relieved, PRESLEY leans his bicycle against the trough and takes a long drink from the faucet.

A watering cart, pulled by two mules and two horses, comes into view. The driver is HOOVEN, a man in his early 40s. PRESLEY gives a friendly wave, but also goes back to his bicycle -- he stopped for water, not a conversation.

PRESLEY
Hello, Bismarck!

HOOVEN brings the cart to a stop by the tower. He speaks in a thick German accent (which is why he's called "Bismarck").

HOOVEN

Mister Presley! Just the man I look for. You wait one minute, hey?

PRESLEY

(sighs)

Well, be quick, I'm late as it is.

HOOVEN hooks his cart up to the water tower to refill it.

HOOVEN

Caraher told me this morning, Mister Derrick going to farm the whole ranch himself next year. No more tenants. I get the sack? I been here seven years. Seven years!

PRESLEY

You'll have to see Magnus or Harran about that. I have no say in it.

HOOVEN

No, no -- you tell Mister Derrick, Bismarck Hooven gotta sure stay by the place. You have the pull with him. Speak the good word for me!

PRESLEY

I'm just a houseguest. Harran's the man who has the pull with his father. You get Harran --

HOOVEN

Seven years I have stayed! He don't farm the whole ranch by himself. Me, I got to stay.

The water in the cart begins to overflow, distracting HOOVEN's attention.

PRESLEY takes advantage of this to get back on his bicycle.

PRESLEY

Well, talk to Harran about it.

HOOVEN

I have some conversation with Harran. I stay by the ranch to drive those cattles. Seven years!

With a brief nod, PRESLEY rides away.

EXT. ANNIXTER'S RANCH HOUSE - DAY

PRESLEY rides his bicycle up the driveway to the house. He's surprised to see a herd of sheep grazing in the hills above.

ANNIXTER -- a man with blonde-ish hair, roughly 30 years old, but with a stern chin and square shoulders that make him seem a bit older -- lies in a hammock on the porch, reading a novel and eating dried prunes.

ANNIXTER
(happily surprised)
Presley! What brings you up?

PRESLEY
Little turn through the country,
get the kinks out.
(nods toward the fields)
Are you raising sheep now?

ANNIXTER
Business deal. Sold my stubble to
the sheep ranchers over east...
they pay for the herd to eat
instead of me burning it, and they
manure the land at the same time!

ANNIXTER cackles to himself. PRESLEY smiles, too.

PRESLEY
What I'd expect from a rancher with
a finance degree.

ANNIXTER
Can't all write poetry. I inherited
the cash to buy this land, but I
only got my wits to run it.
(beat)
What's this I hear about Magnus
Derrick giving his tenants the
bounce, and working Los Muertos
himself?

PRESLEY
(shrugs)
I heard something about it earlier.
May be so.

ANNIXTER
Huh! Give Magnus my compliments and
tell him he's a fool.

PRESLEY
Why?

ANNIXTER

Sometimes Derrick thinks he's still a forty-niner running a mine -- or got elected governor like he should have been when he ran. But getting grain out of the earth's not the same as getting gold.

PRESLEY

It's the largest ranch in the county. I imagine he knows his finances a bit, too.

ANNIXTER

Well, maybe he does, but then again, in way, maybe he doesn't.
(smirks again)
Just tell him he's a fool for my sake.

PRESLEY decides to change the subject.

PRESLEY

Mind if I leave my wheel here for awhile? I'm going up to the spring to write, and the road is rough.

Knowing it's okay, PRESLEY starts to walk toward the ranch gate.

ANNIXTER

Have another look at those sheep as you go up! Biggest herd you ever saw. You might write a poem about 'em -- lamb, ram, sheep graze, sunny days. Catch on?

Smiling, PRESLEY turns away and rolls his eyes.

EXT. GUADALAJARA TRAIN DEPOT - DAY - MORNING

HARRAN DERRICK, a young, blonde man in his late 20s, sits in a horse-drawn buggy next to the depot, as a train pulls in.

Guadalajara is a minor stop, so only a few passengers get off. One is HARRAN's father, MAGNUS DERRICK, a tall, distinguished, clean-shaven man in his early 60s. MAGNUS is well-dressed in a frock coat and top hat.

HARRAN rises in his seat, waving to get his father's attention. As MAGNUS approaches, HARRAN extends his hand to help his father into the buggy. The train pulls away.

MAGNUS DERRICK

Thank you, Harran. I feared you might be too busy to come yourself.

HARRAN DERRICK

You said you had news --

MAGNUS DERRICK

(looking off)

Those look very much like our plows. Drive over there, son.

ANGLE - RAIL SIDING - DAY

In the siding area of the station are three freight cars loaded with farm equipment. The buggy approaches them.

MAGNUS steps out for a closer look at the plows.

MAGNUS DERRICK

I was right. "Magnus Derrick, Bonneville." These are ours.

HARRAN DERRICK

I'll telephone Phelps from the station to send the wagon down.

A well-dressed but overweight man, S. BEHRMAN, walks over to the buggy from the station. It's hot, so he's sweating.

S. BEHRMAN

Mr. Derrick, good to see you back!
Good morning, Harran.

He holds out his hand to MAGNUS, who doesn't take it.

MAGNUS DERRICK

Good morning, Mr. Behrman.

With his empty hand, S. BEHRMAN pulls out a handkerchief and mops the sweat from his neck.

S. BEHRMAN

Mr. Derrick, we were on opposite sides, but as one man to another, I'm sorry you didn't win the case.

HARRAN DERRICK

(to MAGNUS)

The grain rates? That was your news?

MAGNUS nods without saying anything.

S. BEHRMAN

Your side made a good fight... but the cause was mistaken.

MAGNUS DERRICK

(calmly)

The Board of Railroad Commissioners was bought.

S. BEHRMAN

It's their duty to establish rates that secure the P. and S.W. with fair interest on its investment.

HARRAN DERRICK

Interest on their investment?! Your profit last year was twenty million dollars!

S. BEHRMAN

These are your plows, I believe?

(MAGNUS nods)

It might rain soon, so I'm sure you'll want to be ready to plow. I'll route these through by fast freight without any extra charge.

HARRAN DERRICK

You don't need to route them anywhere. I'm about to call to have them picked up.

S. BEHRMAN

No, sorry, these cars are going north. They haven't been to San Francisco yet.

MAGNUS leans his head back, remembering a technicality.

S. BEHRMAN (CONT'D)

Heavy freight coming from the east must first go to one of our central depots and be reshipped from there.

HARRAN is dumbfounded... then angry.

HARRAN DERRICK

Why don't you break into our houses at night? You're not content with the long-haul rate? You have to get your thieving short-haul rate to San Francisco, and return?! Why not put a gun in our faces, say, "Hands up," and be done with it?

S. BEHRMAN

That all may show obstinacy, but it don't show common sense. I'll do what I can to hurry the plows through, but I can't change the freight regula--

HARRAN DERRICK

How much do you want? How much do we have to pay you to be allowed to use our own plows?!

S. BEHRMAN

It's no use trying to anger me, Harran. The railroad and the farmer depend on each other too much. We need to do business amicably.

(to MAGNUS)

I'll make the arrangements to route the plows to San Francisco.

ANGLE - STATION DEPOT - DAY

S. BEHRMAN heads back to the station office, passing DYKE -- a large, muscular man in his late 30s, with a thick beard -- coming the other way in an engineer's uniform. Neither acknowledges the other.

HARRAN recognizes DYKE and drives the buggy towards him.

HARRAN DERRICK

Hey... Dyke! Going home early? Is anything the matter?

DYKE

The only thing the matter is, I'm fired.

MAGNUS DERRICK

Good lord, what for?

DYKE

You tell me what for! Ten years without a complaint. And more than that -- more than that, I don't belong to the union. When the strike came, I stood by the company! Ran my train on schedule, with a gun in each hand.

HARRAN DERRICK

But that...

DYKE

Now they say times are hard, so they'll cut wages. Cut me with -- listen to this -- along with men they'd blacklisted! Strikers they took back because they were short of hands! Treated me no different from them, after I risked my life.

(beat)

Fool that I am, I said that's not fair. They said it wouldn't be fair to do me any favors.

(quieter)

I said a few more words, and now I'm fired. Like they were glad to be rid of me.

A pause.

MAGNUS DERRICK

I'm sorry, Dyke. It's shameful.

HARRAN DERRICK

But that don't shut you out entirely, does it? There must be other railroads in the state not controlled by the P. and S.W. --

DYKE slaps the side of the buggy angrily, glaring at them.

DYKE

Name one!

Awkward silence -- MAGNUS and HARRAN can't.

EXT. HILLS ABOVE ANNIXTER'S RANCH - DAY - AFTERNOON

On foot now, PRESLEY reaches his destination: a small canyon with a spring, surrounded by clusters of oak trees. It feels like an oasis compared to the dry, pale terrain behind him.

From the top of a hill, PRESLEY can see for miles in all directions. Further out from the now-bare wheat fields and ANNIXTER's ranch house, he can see a Spanish mission and the train tracks to and from the nearest small towns.

PRESLEY takes in the view for a while, then finds an oak tree to sit under. He pulls out a small book and writing materials from his coat pockets, as well as a pipe and tobacco.

Time passes, with PRESLEY alternately reading and writing, or just thinking as he smokes.

LATER - SUNSET

The daylight fading, PRESLEY gathers his belongings. He stands up, savoring the golden-hour view -- and notices the sheep grazing on ANNIXTER's ranch in the valley far below.

He jots down some more thoughts in his notebook, then puts it away and starts walking down the hill.

EXT. HARVESTED WHEAT FIELDS NEAR TRAIN TRACKS - NIGHT

It's dark, but with a lot of starlight as PRESLEY walks quickly across the barren fields. He knows the route well.

PRESLEY approaches the wire fence between ANNIXTER's ranch and the train tracks, as the bell of the Spanish mission rings in the distance. He casually climbs over the low fence.

Just as he reaches the tracks, though, PRESLEY jumps back -- he feels and hears the rumble of an approaching train.

ANGLE - TRAIN TRACKS - NIGHT

We see the bright headlight of a fast-moving locomotive (with no other cars), rapidly getting closer. PRESLEY clings to the fence and covers his ears while it roars past, giving off smoke and sparks.

After it passes, the noise subsides, and PRESLEY steps toward the tracks again -- but stops when he hears an awful cacophony of animals wailing.

PRESLEY runs along the tracks, toward the cries, until he discovers their source: a few dozen maimed sheep, bleeding or with exposed internal organs, amid the corpses of many others.

The force of the passing train has flung bodies widely, with some wedged into the wire fences on either side of the tracks. It's a gruesome sight.

Sickened, PRESLEY turns and runs back down the railway, at times holding his hands to his head. He crosses the tracks and goes over the fence on the other side -- still half-running, until he can no longer hear the wailing sheep.

EXT. HARVESTED WHEAT FIELDS NEAR TRAIN TRACKS - NIGHT

Under the now-peaceful starlight again, PRESLEY looks back tentatively, catching his breath. Only the faint whistle of the train, now miles away, breaks the silence.

EXT. ANNIXTER'S RANCH HOUSE - DAY - MORNING

ANNIXTER lies in the hammock on the porch again, reading.

A single-horse buggy comes up toward the porch, driven by S. BEHRMAN. ANNIXTER grudgingly gets up, glaring at him.

S. BEHRMAN

Good morning, Mr. Annixter. How do you do?

ANNIXTER

What the devil do you want?

S. BEHRMAN

Why, not much. But on behalf of the railroad, I'll be lodging a protest about repairing your line fence. The sheep were all over the track last night, this side of the Long Trestle, and I'm afraid they seriously disturbed our ballast.

(beat)

The railroad can't fence along its right of way, so we must rely on farmers to --

ANNIXTER

Oh, go to hell!

ANNIXTER goes back to his hammock and starts to lie down.

S. BEHRMAN

It's as much in your interest as ours that the safety of --

ANNIXTER

You heard what I said. Go to hell!

S. BEHRMAN

That all may show obstinacy, Mr. Annixter, but it don't show common sense.

ANNIXTER

I heard what happened with the sheep. You've no right to run an engine that fast in the town limits!

S. BEHRMAN

The sheep were this side of the Long Trestle. That's outside the --

ANNIXTER

It's in the town limits of
Guadalajara.

S. BEHRMAN

The Long Trestle is a good two
miles out of Guadalajara.

ANNIXTER

Two miles?! It's not a mile and a
quarter, or even a mile. Any fool
knows it's at most five-eighths of
of a mile.

S. BEHRMAN

(calmly)

From the town depot to the head of
the Long Trestle is two miles.

ANNIXTER is wrong, but won't give an inch.

ANNIXTER

That's a lie! I've walked that, and
I know how fast I can walk.

S. BEHRMAN

Any arguments you choose to make in
writing in response to our formal
protest will be duly considered.
Have a good day, sir.

With a pull on the reins, S. BEHRMAN turns his buggy around
and rides away.

ANNIXTER waves to get the attention of the nearest ranch
hand, then gives him instructions we don't hear, gesturing to
the barn and then toward the road.

The ranch hand nods and heads quickly toward the barn. Still
unhappy, ANNIXTER goes back to his hammock and his book.

INT. DERRICK'S RANCH HOUSE - KITCHEN - DAY

The ranch house is as spacious and upscale as possible for
California in the 1890s. HARRAN DERRICK sits in the kitchen,
drinking coffee as he finishes breakfast.

There's a door leading to a back porch. Coming to that door
from outside, PHELPS, a foreman, gets HARRAN'S attention.

PHELPS

I just wanted to mention, sir, the
seed from Four hasn't come in yet.

HARRAN DERRICK
I'll see about it, thanks.

HARRAN finishes his coffee and walks through a stone-paved hallway with a glass roof to the office of the ranch house.

INT. DERRICK'S RANCH HOUSE - OFFICE - DAY

The elaborate business office has a detailed geographical map of the ranch, as well as a safe, telephone, typewriter, and telegraph ticker. Behind a wire partition are accounting desks, shelves filled with files, and other office equipment.

HARRAN goes to the telephone and makes a call.

HARRAN DERRICK
(into phone)
It's Harran. How's everything on Four? I want to bluestone today.
(beat, listens)
Well, don't lose any time. Give the seed to Phelps if I'm not around when you get here.

MAGNUS DERRICK comes in as HARRAN hangs up the phone and sits at the desk to review some papers.

MAGNUS DERRICK
How are things going?

HARRAN DERRICK
Good morning, sir. Still behind without our plows, but at least we should bluestone today.
(beat, looks at papers)
A lot to manage without tenants, but less people helps in a way.

MAGNUS DERRICK
Less expense, too. That hurt us in the dry years, but one good season will make up the difference. And without tenants, the profits will be ours, and no one else's.

EXT. ANNIXTER'S RANCH HOUSE - PORCH - DAY

ANNIXTER sleeps on the hammock with his book on his chest, snoring loudly. A particularly fierce snore wakes him up.

He sits up, rubbing his face, blinking at the sunlight, and making a face at the bad taste in his mouth.

INT. ANNIXTER'S RANCH HOUSE - DAY

ANNIXTER comes in, and pours himself a whiskey and soda. Glancing at the dining table, he goes to a button in the wall near the sideboard, pressing it three times.

ANNIXTER looks at his reflection in a nearby mirror, rubbing the stubble of his unshaven face.

ANNIXTER

Good lord, what a looking mug!

ANNIXTER looks a moment longer, then shakes his head -- for better or worse, it'll do. Hearing a woman's voice outside, he goes to a window and peeps around the curtain's edge.

EXT. ANNIXTER'S RANCH HOUSE - DAY - VIEW FROM WINDOW

HILMA TREE, a tall, wholesome-looking woman in her early 20s, walks out of a small cottage near the main house. She's in a crisp white shirt, and dark blue calico skirt.

DELANEY, a ranch hand of around 30, passes by HILMA on his way to the barn. He's wearing thick gloves with a large coil of barbed wire in one hand, and wire cutters in his belt.

DELANEY takes off his hat, and says something to HILMA. She laughs. DELANEY playfully tries to pinch HILMA's arm with the wire cutters. HILMA laughs again, pushing him away.

BACK TO SCENE

ANNIXTER walks away from the window, muttering to himself.

ANNIXTER

I've got to go hungry while they
carry on?! I'm lenient, but lord
knows I don't propose to be imposed
on all the time!

He walks distractedly into the living room.

A FEW MINUTES LATER

ANNIXTER sits reading a newspaper, with his feet on a window sill and smoking a cigar. HILMA comes in the front door, carrying dishes for a meal.

Instinctively, ANNIXTER starts to bring his feet down and put out the cigar. Then he remembers himself and reads again, not acknowledging her as she goes into the dining room.

HILMA lays out a tablecloth and place setting. ANNIXTER watches her, glancing over the edge of the newspaper. Finally, he speaks, trying to act like he just saw her.

ANNIXTER
Oh, Miss Hilma! Good afternoon.

HILMA
(smoothing the tablecloth)
Good afternoon, sir.

ANNIXTER
Your mother in the dairy today?

HILMA
Yes, butter-making day. But she told me how to make your lunch.

HILMA serves his lunch -- nothing elaborate, just a simple sandwich and a modest side or two. She waits for a moment, then starts to head for the door.

ANNIXTER
Say, where's that dog?

HILMA
Wha... oh, that Irish setter, comes begging around here? Haven't seen it in days.

ANNIXTER
You don't imagine it's sick, do you?

HILMA
I...

ANNIXTER
Or crawled off to die. How old do you think it is?

HILMA
I don't know. I hope it's not sick!

ANNIXTER
Hmmm... well.

His conversational skills exhausted, ANNIXTER eats silently.

HILMA
Have a good afternoon, sir.

She leaves. Belatedly, ANNIXTER follows, opening the door.

EXT. ANNIXTER'S RANCH HOUSE - DAY

ANNIXTER
(from the open door)
Say, Miss Hilma?

HILMA
(turning around)
Yes, sir?

ANNIXTER
If that dog turns up again, you let
me know.

HILMA
Um... yes, very well, sir.

They exchange nods, and HILMA continues on her way.

INT. ANNIXTER'S RANCH HOUSE - DAY

ANNIXTER closes the door and walks back to the table. He stares blankly at his lunch, then grabs the newspaper and throws it to the floor.

ANNIXTER
(to himself)
To hell with the dog!

INT. STABLES - ANNIXTER'S RANCH - DAY - HOURS LATER

A stableman in his 20s, BILLY, is greasing the axles of a buggy. ANNIXTER enters and signals to him.

ANNIXTER
Saddle up the buckskin. I'm going
to the Derricks' ranch for dinner.

BILLY glances toward the stalls.

BILLY
I don't think she's here, sir.
Delaney took her out to mend the
fence down at the Long Trestle.

ANNIXTER
Well... all right, I'll take the
buggy. Put that wheel in back.

BILLY nods, fetching PRESLEY'S bicycle.

BILLY

Look out for the rain. Expecting
some before night.

EXT. ANNIXTER'S RANCH HOUSE - DAY - LATE AFTERNOON

Wearing a raincoat and cowboy hat, ANNIXTER drives the buggy slowly away from the house. It's just starting to rain.

EXT. RURAL ROAD - DAY - LATE AFTERNOON

It's raining harder now. ANNIXTER, in the buggy, sees DELANEY coming around a bend in the road, riding a buckskin horse.

DELANEY pulls up as he gets closer. ANNIXTER is angry at him.

DELANEY

Hello, Mr. Annixter. Sorta wet,
isn't it?

ANNIXTER

Where have you been?

DELANEY

Down by the Long Trestle, mending
that break in the fence. Thought
I'd follow it toward Guadalajara to
check for any others, but it looks
all right.

ANNIXTER

Oh, you think it's all right, do
you?

DELANEY

Why... yes. I mended the break by
the Long Trestle --

ANNIXTER

Why didn't you mend it a week ago?!
And who said you could take that
buckskin?

DELANEY

Mr. Annixter --

ANNIXTER

Don't talk back to me! If I told
you once about that break in the
fence, I've done it fifty times.

DELANEY

But sir, the sheep did it
themselves just last night --

ANNIXTER

I said, don't talk to me! Look, get
off the ranch. You're fired. Taking
my best horse against my express
orders? I'm easygoing enough, but I
won't have your kind imposing on
me. Tell the foreman I said to pay
you off, then clear out.

(beat)

And if I see you on this ranch
again, I'll show you the way off
with the toe of my boot. Goodbye!

ANNIXTER begins to ride away. DELANEY, furious, spurs his
horse and rides back to the ranch at top speed in the rain.

ANNIXTER (CONT'D)

(to himself, satisfied)

Huh. Guess that takes the saleratus
out of your dough, my friend!

EXT. DERRICK'S RANCH HOUSE - NIGHT

It's still raining as ANNIXTER's buggy pulls up. ANNIXTER
gets out and carries PRESLEY's bicycle onto the covered
porch. PRESLEY comes out to meet him.

PRESLEY

Thank you! I didn't expect --

ANNIXTER shrugs, waving off PRESLEY's gratitude as he takes
off his dripping-wet hat and raincoat and hangs them on a
rack near the front door.

INT. DERRICK'S RANCH HOUSE - NIGHT

ANNIXTER and PRESLEY come in as MAGNUS DERRICK and HARRAN
DERRICK are seated in the dining room with a few other
ranchers, including OSTERMAN, a balding man in his late 30s,
with alert, darting eyes, and BRODERSON, a man in his 60s.

Standing near the table is GENSLINGER, a respectably dressed
man of around 40, holding a half-full glass of whiskey and
water. His hat and driving gloves are on the table near him.

ANNIXTER

(skeptically)

Genslinger? You own a ranch now?

GENSLINGER

Still just a humble newspaper editor. But I heard you all were meeting, and the lead in the Mercury tomorrow will interest you.

(slight pause)

There's talk the railroad will set a value for your lands this winter, making them available for purchase.

ANNIXTER, MAGNUS, and the others exchange surprised glances.

ANNIXTER

Well, it's about damned time!

OSTERMAN

If you're right, winter can't come soon enough.

MAGNUS DERRICK

It's been uncomfortable cultivating land half owned by the railroad. The sooner that ends, the better.

PRESLEY raises an eyebrow. This is news to him.

ANNIXTER

I'll talk business tomorrow about buying their half of Quien Sabe. With improvements, it's worth fifteen dollars an acre. To buy for two and a half? There's boodle in that game.

GENSLINGER

I don't expect they'll sell anywhere near that low. Two and a half dollars an acre?

HARRAN DERRICK

They don't have a choice! The circulars issued when the land was opened pledged them to that.

GENSLINGER

From what I know, the managers want to get the best price they can.

MAGNUS DERRICK

You're new to this area. You don't know what this land was like when we took it up.

BRODERSON

It was so barren, my wife didn't even want to look out of the wagon.

MAGNUS DERRICK

(nods toward ANNIXTER)

Buck and I put five thousand dollars between us into an irrigating ditch. We've built farms and orchards, and I assure you we didn't do that just to make it more valuable for the railroad.

GENSLINGER

But I'm sure the road's presence has increased the value nearly as much. Why should you get all the benefit? The fair way would be to --

ANNIXTER

To hell with fairness! The P. and S. W. agreed to two-fifty an acre, they have to stick to it. For once, they don't get everything in sight.

MAGNUS DERRICK

Even the P. and S. W. can't break a written promise.

OSTERMAN

Of course they'll sell at two-fifty. We've got the contracts!

GENSLINGER

Well, look to them, then, sir... look to them. Be sure you're protected.

MAGNUS DERRICK

(to the others)

Gentlemen, dinner will be served soon. Mr. Genslinger, we'll look forward to your words in the Mercury tomorrow.

Taking the hint, GENSLINGER nods, picking up his hat and gloves to leave.

INT. DERRICK'S RANCH HOUSE - NIGHT - LATER

Servants are clearing the last food dishes, replacing them with bottles of whiskey and soda water, as well as coffee. Some men have cigars, or are lighting them. MAGNUS stands up.

MAGNUS DERRICK

Let's get to business. I learned this morning that we lost our rate case against the railroad. With the court having ruled, rumor is rates for hauling wheat will go up again.

OSTERMAN

So, let's make a stand before they're not rumors!

ANNIXTER

How? We just saw, Shelgrim owns the courts. His men in Sacramento pull the strings every minute the legislature is in session.

BRODERSON

But there is the Railroad Commission. At least on long-haul rates --

ANNIXTER

Oh, yes, that's great, ain't it? There never was and never will be a California Railroad Commission not in the pay of the P. and S.W.

MAGNUS DERRICK

Either way, that is our only hope.

OSTERMAN

Exactly. Why not have a Railroad Commission of our own?

(beat)

If it has to be bought, let's put our men on it. If it costs a hundred thousand dollars, we'll get more than that back in cheap rates.

MAGNUS DERRICK

Mr. Osterman? You are proposing a scheme of bribery.

OSTERMAN

(echoing MAGNUS's tone)

I am proposing a scheme of bribery. Yes, precisely.

ANNIXTER

A crazy scheme! The P. and S.W. can put up millions to our thousands. How do we bid against that?

OSTERMAN

The P and S.W. don't need to know a thing till our men are seated.

ANNIXTER

And when they are, what stops the railroad from buying them over our heads?

HARRAN DERRICK

We'll name honest men.

ANNIXTER

How honest? You want to buy them to begin with!

BRODERSON

It would be the chance of them selling us out against the certainty of higher rates now.

OSTERMAN

(agreeing)

Risk is better than sure failure.

MAGNUS DERRICK

I'm surprised you'd even broach the subject of bribery in my hearing.

ANNIXTER

And it can't be done!

HARRAN DERRICK

(muttering)

I don't know... maybe a spark like this can fire the whole train.

MAGNUS looks at HARRAN, surprised.

EXT. ANNIXTER'S RANCH - NIGHT

In the steady rain, DELANEY gathers his belongings to leave the ranch -- quietly, but burning with resentment.

INT. DERRICK'S RANCH HOUSE - NIGHT - LATER

The same ranchers sit at the dinner table, after more coffee, whiskey, and cigars.

OSTERMAN

(to ANNIXTER)

Buck, we've been back and forth on this all night. I swear, if you ever drown, you'll float upstream just to be contentious about it.

ANNIXTER

Well, maybe that's so -- and then, maybe in a way it isn't.

HARRAN and BRODERSON glance at each other, amused. OSTERMAN is undeterred.

OSTERMAN

Look, Buck, I know you. You're not afraid of anything that wears skin. If you believed we could seat a commission of our own, I know you wouldn't hang back.

(to MAGNUS)

Governor, you're brave, too. Came here in the gold rush, struck gold and ran a mine. Ran for office, and we all call you "Governor" because that's what you should have been. And you were the best poker player in El Dorado County for years before moving down here. Well, now we're playing for big stakes. If we stand up like men with guts in us, we'll win. If we don't, we're lost.

ANNIXTER

But what can we do? I knew we were in a hole before I came in the door. What do you propose?

OSTERMAN

There's three commissioners, one in each district. We get two who are favorable to us, that's a majority. Election isn't the issue -- who gets nominated gets elected, and who's recommended usually gets nominated. So the first thing we do is, we see Disbrow. He's the political boss of the Denver, Pueblo, and Mojave road.

HARRAN DERRICK

That road doesn't run near here.

OSTERMAN

Precisely! They don't care about grain rates through San Joaquin. So we persuade Disbrow to recommend our commissioner to the P. and S.W., and have the P. and S.W. accept that choice.

MAGNUS DERRICK

Persuade?

OSTERMAN

By making it worth his while. That gives us one commissioner. Then we work to put our man in the second district to get a majority.

(beat)

But to get there, we have to get in with the machine some way. That's why I want you with us. You know politics better than any of us.

MAGNUS DERRICK

I only know honest politics. I won't have any part unless this can be done without bribery.

ANNIXTER

You can't get what you want without paying for it.

MAGNUS DERRICK

(surprised)

I thought you were on my side.

ANNIXTER

Maybe in a way, I am -- but then again, maybe in a way I'm not.

BRODERSON starts to speak, but OSTERMAN kicks his foot under the table, hoping ANNIXTER will keep arguing with MAGNUS.

OSTERMAN

Governor, we all respect your principles -- respect you because of them. So I won't pressure you to join us. But the primaries will be coming up soon. Let the rest of us form a committee to at least see what we can do. We can keep Harran informed. When we know our options better... you've always been our leader. We'll look to you for guidance then.

MAGNUS DERRICK
 (with a glance at HARRAN)
 Thank you... I can accept that. See
 what other choices you have. Harran
 will stay in touch with you.

INT. ANNIXTER'S RANCH HOUSE - DAY - MORNING

ANNIXTER, drinking coffee near a window, sees a cart pull up
 outside with meat and other supplies. He gets up.

Through the window, we see him go to the cart along with
 farmhands who begin unloading supplies. He comes back toward
 the house with a newspaper and some mail.

INT. DERRICK'S RANCH HOUSE - KITCHEN - DAY

HARRAN DERRICK and PRESLEY are having breakfast. HARRAN,
 reading the front page of the newspaper, hands it to PRESLEY.

HARRAN DERRICK
 There it is, just like Genslinger
 said.

PRESLEY
 (as he reads)
 How does the P. and S.W. own half
 of the ranches?

HARRAN DERRICK
 Deal they've had from the start.
 Government gave 'em alternate
 sections of land for ten miles,
 each side of the tracks, so they'd
 build the road. They got the odd-
 numbered sections. Even-numbered
 ones were sold to us ranchers for
 two-fifty an acre. But the road
 swore in writing to sell us their
 half at the same price.

INT. ANNIXTER'S RANCH HOUSE - DAY - MORNING

ANNIXTER is reading the same newspaper as HARRAN and PRESLEY.

ANNIXTER
 (reading out loud)
 "It is rumored that the current
 tenants expect the lands will be
 offered to them for two dollars and
 fifty cents per acre.
 (MORE)

ANNIXTER (CONT'D)

It needs no seventh daughter of a seventh daughter to foresee that these gentlemen will be disappointed."

(throws the paper aside)

Rot! My agreement with the P. and S. W. is from two-fifty to five dollars an acre, in black and white. Talk to me! I know better.

Shaking his head, ANNIXTER gets up. He picks up the newspaper and his hat, then goes to the door.

EXT. ANNIXTER'S RANCH HOUSE - DAY

On his way toward the stables, ANNIXTER passes by the nearby dairy house. The door is open, and along with the clinking of cans and pans, he can hear HILMA TREE singing as she works.

INT. DAIRY HOUSE - DAY

ANNIXTER looks in and sees HILMA, in a simple pink blouse and blue skirt, carrying a copper milk can in the sunlit cottage. Taking off his hat, ANNIXTER steps inside.

ANNIXTER

Good morning, Miss Hilma.

HILMA

(a bit surprised)

Oh, good morning, sir!

ANNIXTER

How are you getting along here?

HILMA

Oh, fine. Not much to do today. We're done putting the curd to press, so I've been cleaning.

(showing him)

See my pans. Wouldn't they do for mirrors, sir?

ANNIXTER nods uncertainly.

HILMA (CONT'D)

Bright sun like this makes me want to have everything shine.

(beat)

I want it to be day all the time. Even now, when I go to sleep at night, I'm a little afraid.

ANNIXTER

(unsure what to say)
You are? Afraid of what, ghosts?

HILMA

No... I don't know what. I just
want the sunlight.
(holds her hand out in it)
See, put your hand there -- here,
on top of the vat. Isn't it fine?
(beat)
Only wicked people love the dark.
And wicked things are always done
and planned in the dark, I think.

HILMA cleans and rinses various copper vessels, piling them
in the sunlight on top of the vat.

HILMA (CONT'D)

Oh, I forgot I wanted to show you
the new press! Remember I asked for
one last month? This is it.
(walks over to it)
Here's where the curds go. The
cover's screwed down like this, and
then you work the lever this way.

HILMA demonstrates, bracing one foot against the wall as she
grasps the lever and pushes with all her weight, smiling.

HILMA (CONT'D)

That takes strength... but isn't it
a fine press? Just what we needed.

ANNIXTER clears his throat, formulating a plan.

ANNIXTER

Where do you keep the cheeses and
the butter?

HILMA

In the cellar. Would you like to
see? Come down, I'll show you.

HILMA raises the flap of the cellar door and starts
downstairs. ANNIXTER follows her, smiling to himself.

INT. CELLAR - DAY

HILMA leads ANNIXTER down. The cellar is dark but for a shaft
of sunlight coming down from the main dairy house. HILMA
picks one of the cheeses and cuts a sample to give ANNIXTER.

As she does, ANNIXTER steps in closer, putting an arm around her and leaning forward, trying to kiss her.

HILMA instinctively recoils, causing ANNIXTER to grab her arm and step on her foot as he tries not to lose his balance.

HILMA

Oh!

ANNIXTER

(embarrassed)

I wasn't going to hurt you. Don't be afraid... it's all right.

(waves awkwardly)

Goodbye. I... I'm sorry.

ANNIXTER hurries back up the stairs.

INT. DAIRY HOUSE - DAY

ANNIXTER walks even faster as he nears the open doorway, putting his hat back on as he goes out.

ANNIXTER

(to himself)

Good lord, what an ass you've made of yourself now!

EXT. BONNEVILLE MAIN STREET - DAY

ANNIXTER hitches his horse to a post in front of an upscale building in the heart of the business district. The window reads, "**Pacific and Southwestern Railroad, Freight and Passenger Office,**" with "**P. and S. W. Land Office**" in smaller letters underneath.

INT. RUGGLES' OFFICE - DAY

ANNIXTER enters an office with "**Cyrus Blakelee Ruggles**" on the door. Inside, RUGGLES, a well-dressed man in his early 40s, sits writing at a desk. On the wall behind the desk is a large map of the region, showing the various ranches, with the sections of railroad-owned land clearly marked.

ANNIXTER

I want to see about buying my land.

RUGGLES

(calmly)

I assume you mean the parts the railroad owns.

ANNIXTER

Yes, yes -- just tell me I can buy.
I'm sick of fooling around.

RUGGLES

Those sections are practically
yours. You have an option on them
indefinitely, and you don't have --

ANNIXTER

Rot your option! I want to own
them. When I settled here, I was
told the railroad sections would be
conveyed in a few months. This has
dragged along for years now.

RUGGLES

I'm only --

ANNIXTER pulls the newspaper from his pocket, waving it at
RUGGLES.

ANNIXTER

What's this talk about grading this
winter -- and hiking the price?!

RUGGLES

(shrugs)
I don't own the Mercury.

ANNIXTER

Well, your company does.

RUGGLES

I don't know anything about it.

ANNIXTER

Oh, rot... let me have that pen!

ANNIXTER takes a fountain pen from RUGGLES's desk and pulls
out a checkbook. He begins writing a check.

RUGGLES

What's this?

ANNIXTER

Payment for the sections of
railroad land on my ranch, at two
and a half dollars per acre.

RUGGLES

(holds his hands up)
I've no authority to sell to you.

ANNIXTER

I don't understand you people! I want to own my own land. The house I live in is on railroad ground.

RUGGLES

But you've got an op--

ANNIXTER

I don't want your damned option! Suppose I want to sell? I can't give anyone clear title until I've bought from you. It's easily worth twenty dollars an acre now.

RUGGLES

So you can sell for twenty dollars an acre, but we can only get two and a half?

ANNIXTER

My improvements made it worth twenty! You're pledged to sell for two and a half, to us before anyone else. You can't wait until it goes up to thirty dollars and sell over our heads.

(finishes writing)

Here... cash payment, the whole of it, payable to Cyrus Ruggles for the P. and S. W. railroad.

RUGGLES

No. We're not selling now. That's all I know.

ANNIXTER angrily takes the check back and stands up to leave.

ANNIXTER

Go to hell! You and S. Behrman and Shelgrim and your whole gang of thieves. One of these days there'll be a railroad commission elected of, by, and for the people, and that will get a twist of you.

ANNIXTER storms out of the office.

INT. RAILROAD OFFICE - DAY

An angry ANNIXTER walks through the the main office, past clerks and bookkeepers working behind a wire partition.

Entering the lobby, he sees DYKE talking to a RAIL CLERK through the wire screen. Calming down, ANNIXTER gets DYKE's attention, coming over to shake hands.

ANNIXTER

Dyke! What brings you here?

DYKE

I'm a hop rancher now. Had an option on five hundred acres just back of town, and a tip there'll be money in hops. So I, ah, scraped together some savings, and I'm giving it a go.

ANNIXTER

How's it coming on?

DYKE

Prime! I've about got the land in shape, and hired a foreman who knows hops. I'm lucky -- everybody will get in next year when hops go to a dollar, and they'll overstock the market and bust the price.

(slight pause)

It's cost more than I figured to start things, so I may have to borrow somewheres. But on a sure game like this, I'll get the cream of it now.

ANNIXTER

I'm going down to the post office and then pull out for home. I'll meet you if you're going my way.

DYKE

No, no. I've... got things to do up the street. I'll say goodbye here.

As ANNIXTER leaves, DYKE turns back to the clerk.

DYKE (CONT'D)

I'll want some empty cars from you this fall, and I want to check your rates on hops again. I've been told, but just to make sure. Savvy?

The clerk studies the schedules as DYKE watches impatiently.

RAIL CLERK

Two cents.

DYKE

Two cents a pound?

RAIL CLERK

Yes, in carload lots. Smaller consignments won't get that rate.

DYKE

Carload lots, of course... but two cents is fair, all right.

DYKE turns to leave, nodding to himself, satisfied.

EXT. BONNEVILLE MAIN STREET - OUTSIDE POST OFFICE - DAY

ANNIXTER comes out of the building onto the sidewalk, dodging passersby as he sorts through a bundle of letters.

One of the letters is addressed to "**Hilma Tree**" in what looks like a man's handwriting. ANNIXTER grunts in disgust.

ANNIXTER

That pip Delaney! I'm the go-between for them? Well, maybe she gets this letter, and then again, maybe she don't.

Looking up again, ANNIXTER stops walking.

On the other side of the street, some distance away, DYKE is standing at the doorway of an obviously expensive building. The window reads, "**Loan and Savings Bank of Tulare County.**" A brass sign adds, "**S. Behrman - Real Estate, Mortgages.**"

DYKE takes a deep breath and enters as ANNIXTER watches.

ANNIXTER (CONT'D)

Borrowing from S. Behrman? That's a mortgage to the railroad. Lord, your hops better pay you big now.

INT. DERRICK'S RANCH HOUSE - OFFICE - DAY

MAGNUS DERRICK is studying papers at the desk. ANNIE DERRICK, his wife -- in her early 50s, with dark hair and large brown eyes -- comes in, then closes the door behind her.

ANNIE DERRICK

What were Mr. Osterman and Mr. Annixter saying to you last night? Were they were trying to persuade you to be dishonest? Was that it?

MAGNUS nods. ANNIE puts a hand on his shoulder.

ANNIE DERRICK (CONT'D)

But you won't, will you? It'd break my heart if you lowered yourself to a selfish adventure after all these years. What would Lyman and Harran, and everyone who knows and respects you, say? You couldn't be the same man.

MAGNUS tries to avoid looking at her. He takes a long breath.

MAGNUS DERRICK

I'm troubled, Annie. These are evil days.

ANNIE DERRICK

Evil days or not, promise me you won't join their scheme. I want to always be proud of you.

(takes his hand)

I know deep down, you don't want to do it, and you won't. But just to relieve my mind, give me your word.

MAGNUS DERRICK

(thinks for a moment)

You're right. It's just that they want me to lead them, and I always hoped... but you're right, I can't let my ambition go that far. I just have to find a way to disappoint them. And myself, I suppose.

ANNIE is worried, but doesn't say anything. She just kisses MAGNUS's forehead and leaves the office.

MAGNUS sits at his desk, unhappy and deep in thought. He puts his hands to his head to help him focus.

INT. ANNIXTER'S RANCH HOUSE - DAY - LATE AFTERNOON

It's almost sunset. As ANNIXTER enters, he sees HILMA setting the table for his dinner.

ANNIXTER

Excuse me...

(no answer from HILMA)

I see that dog has turned up. That Irish setter I was asking about.

HILMA nods without looking at him.

HILMA

I was hoping to have this laid out
before you got back.

She spreads out a tablecloth, smoothing it with her hands.

ANNIXTER

Miss Hilma... about this morning,
if it's any good to apologize, I
will. I don't know much about
women, and I made a bad mistake.

HILMA sets down a plate and coffee cup.

HILMA

It was... it was wrong. Not so much
what you tried to -- but thinking
you could! That anybody could who
wanted to.

ANNIXTER

Well, like I said, I made a
mistake. I'd like it if you could
forget about it, and let us be
friends. Will you?

HILMA

(shakes head weakly)
No. I can't forget that.

ANNIXTER

So you don't like me at all, hey?

HILMA

(almost a whisper)
No... I don't like you at all.

Feeling uncomfortable, HILMA suddenly turns and leaves the
room -- and the house, leaving the door open behind her.

ANNIXTER is uncertain how to react. An Irish setter -- the
dog he was talking about -- comes to the open doorway and
sits, apparently hoping to be fed.

ANNIXTER

Get out, you!

Instead of leaving, the dog rolls over in submission, showing
its belly. Angrily, ANNIXTER chases it away, then comes back
and shuts the door.

ANNIXTER (CONT'D)

Damn the dog and the girl and the
whole rotten business!

EXT. DERRICK'S RANCH - DAY - MORNING

HARRAN DERRICK, along with PHELPS and a couple of other men, supervises the beginning of plowing on the large ranch -- dozens of plows, each pulled by a team of horses. These are the new plows HARRAN and MAGNUS were waiting for earlier, which have finally arrived.

It's a large-scale operation across the broad stretch of land, with HARRAN signaling the foremen as the plowing gets under way, and the machines slowly lurch forward.

INT. ANNIXTER'S RANCH HOUSE - DAY - MORNING

ANNIXTER comes from the bedroom into the main room of the house, dressed but drying his hair with a towel. Through the window, he sees the supply cart pull up in the driveway.

ANNIXTER goes outside. A few moments later, he returns, carrying a newspaper and some mail.

He sits down and sorts through the mail, opening a telegram sent by OSTERMAN from Los Angeles. It reads: "***Flotation of company in this district assured. Have secured services of desirable party. Am now in position to sell you your share stock, as per original plan. Returning today.***"

ANNIXTER grunts and gets up, tearing the telegram into strips as he walks over to the stove.

ANNIXTER

"Desirable party." Well, that part is settled, then.

He makes a small pile of the torn strips on the stove top, then burns them carefully, scowling and deep in thought.

EXT. ANNIXTER'S RANCH HOUSE - DAY - A COUPLE HOURS LATER

ANNIXTER walks past a massive barn in the final stages of construction. Men are hammering shingles on the roof, planing wood for stalls, and spray painting the outside walls.

ANNIXTER signals to the nearest foreman.

ANNIXTER

How long 'til she's all the way done?

FOREMAN

Should be ready to install the hay and stock by the end of the week.

ANNIXTER
 (nods, grudgingly)
 And a precious long time you've
 been at it, too.

FOREMAN
 Well, you know, the rain...

ANNIXTER
 Oh, rot the rain! I work in the
 rain.

FOREMAN
 But if we'd begun painting in the
 rain, the job would have been
 spoiled.

ANNIXTER
 (unwilling to give in)
 Oh, yes, spoiled. Maybe it would,
 and then again, maybe it wouldn't!

ANNIXTER turns away and continues toward the stables, smiling
 to himself in private satisfaction at the barn's progress.

EXT. BONNEVILLE TRAIN STATION - DAY

ANNIXTER and HARRAN DERRICK wait as a train pulls in to the
 moderately busy station. They greet OSTERMAN as he gets off,
 among several other passengers.

INT. SALOON - DAY

ANNIXTER, OSTERMAN, and HARRAN DERRICK sit at a quiet table.

ANNIXTER
 Harran, you've got to make up your
 mind one way or another pretty
 soon. Are you going to stand by in
 this thing, while the committee
 spends bucketfuls of money, and
 keep your hands in your pockets?

OSTERMAN
 If we win, you'll benefit just as
 much as the rest of us. We know the
 position your father is in, but
 you've got some money of your own,
 haven't you? You manage his ranch.

Disconcerted at their directness, HARRAN nods awkwardly.

HARRAN DERRICK

It's just a mean position for me. I want to help, but the Governor's always played fair.

(beat)

I wish I had a line from him how to act, but there's no getting a word out of him these days. I guess he wants me to decide for myself.

OSTERMAN

Well, look here. Suppose you keep out of the thing until it's all over, then share and share alike with the committee on expenses?

HARRAN DERRICK

(frowns)

I don't like to go it blind. I'm sort of sharing the responsibility then. And I don't want to have any difficulties with the Governor. He wouldn't like it.

ANNIXTER

If Magnus says he will keep his hands off, and you can do as you please, will you come in? For god's sake, let us ranchers act together for once. Let's stand in with each other in one fight.

This argument strikes a chord with HARRAN. He thinks it over.

HARRAN DERRICK

I don't know, but you're right. It's the only way to get anywhere. If the Governor's willing, I'll come in personally for my share.

ANNIXTER

(excited, shakes HARRAN's hand)

That's some sense!

OSTERMAN

Half the fight is over already. We've got Disbrow, you know, and the next thing is to get hold of some of those rotten San Francisco bosses. I'll --

HARRAN holds up a hand to cut him off.

HARRAN DERRICK

Don't tell me. I don't want to know what you two are going to do. If I did, I wouldn't come in.

ANNIXTER and OSTERMAN look at each other, considering this.

OSTERMAN

When I come back from San Fran, I'll report in the next meeting of the committee. Be there if you can.

HARRAN

Fair enough.

INT. ANNIXTER'S BARN - DAY

The barn seen earlier is almost finished. The still-unpainted interior is being prepared for an opening celebration.

Evergreen trees and bundles of palm leaves have been arranged around the barn, and workers are hanging Japanese lanterns from the tree branches. HILMA TREE, her mother, and another woman are cutting bolts of red, white, and blue fabric into strips, instructing workers on how to arrange them along the walls and ceiling.

Dozens of chairs are piled up on the ground, waiting to be set up. Carpenters at the far end of the barn are finishing an impromptu stage for a band to play.

PRESLEY enters the barn. He sees ANNIXTER, in work clothes and hair askew, carrying a basket of lemons and pineapples.

ANNIXTER

Hello, Pres! Come in and see how she looks. We're getting ready, but how we get it straightened out by eight o'clock, I don't know.

PRESLEY follows ANNIXTER toward a door into a side room.

ANNIXTER (CONT'D)

Would you believe that pip Caraher is short of lemons? I told him I'd want three cases a month ago! And somebody hiked the buckskin, my best horse, out of the corral -- and a sixty-dollar saddle gone, too. Just stole her. And my hat's gone missing!

INT. HARNESS ROOM - DAY

The room is set up for a private party, with bottles of whiskey and other spirits, and china punch bowls. ANNIXTER sets the basket down on a table. PRESLEY follows him in.

PRESLEY

Well, I just came from Bonneville. Delaney was drinking there, and he's got your buckskin. Said he wasn't invited to the dance, but he's coming to shoot up the place.

ANNIXTER

Ah, he is, is he?
(beat)
All right. Don't tell anyone... I don't want to scare them off.

INT. ANNIXTER'S BARN - NIGHT - TWILIGHT

Now fully prepared and decorated for the dance, the barn is empty, dimly lit by a handful of kerosene lamps.

ANNIXTER, dressed better but still hatless, roams the barn examining each stall and side room, looking for something. He's wearing a gun holster with a pistol.

ANNIXTER comes back into the main barn and surveys the decorations. Out of the corner of his eye, he sees someone in the shadows, darting quickly out of view as he turns to look.

He pulls his gun out of the holster.

ANNIXTER

Who's there? Speak up or I'll shoot.

HILMA (O.S.)

No, don't shoot! Be careful. It's just me, Hilma.

ANNIXTER puts his gun away as HILMA TREE comes back in view.

ANNIXTER

Good lord. If I had shot...

HILMA

I came back to look for my hat. I thought I may have left it here.

ANNIXTER

And I was looking for my hat! Funny enough, hey?

(HILMA laughs a little)

So, do you hate me as much as ever?

HILMA

Oh, no! I never said I hated you.

ANNIXTER

Well, dislike me. I know you said that.

HILMA

I... I disliked what you did, or tried to do.

ANNIXTER

So you don't dislike me?

HILMA

I don't dislike anybody.

ANNIXTER

I asked you to like me, the other day. I'm asking again now.

HILMA

(disarmingly sincere)

Why?

ANNIXTER

(caught off guard)

Well... I don't know. I don't care about most people's opinions. I've got enemies, I know that. But what a few folks think means more to me than others. I'd like to sort of feel that you and I are friends, and you like me.

HILMA takes a moment before answering.

HILMA

I guess I'm different from you, because I like to like everybody.

(beat)

You ought to try it, sir, just to see. It's so good, and everybody has always been so good to me. Mama and papa, of course, and Billy the stableman, the Portugese foreman, Mr. Delaney before he went away...

ANNIXTER

You and Delaney were friends, hey?

HILMA

Oh, yes! In the summer he used to ride over to the Seed ranch and bring me an armful of flowers, the prettiest things, and I'd pretend to pay him with dollars made of cheese that I'd cut. It was fun. We were the best of friends.

This sours ANNIXTER's mood. He looks around the barn.

ANNIXTER

There's a lamp smoking over there. Could you turn it down? And maybe get someone to sweep the floor? It's littered with pine needles.

(short pause)

I've got a lot to do. Goodbye.

HILMA

Goodbye, sir.

INT. ANNIXTER'S BARN - NIGHT

The celebration has begun. The barn steadily fills up with guests: ranchers with their families, plus foremen and farm workers (some of Portuguese or Mexican descent), and store owners, employees, and others from the nearby towns.

ANNIXTER stands near the entrance, a bit more extroverted than usual, welcoming new arrivals. To men he knows well (such as other ranchers), he whispers, gesturing toward the harness room in one corner of the barn.

On a platform deep inside the barn, musicians begin to play -- a moderately-sized group of strings, horns, and drums. The excitement and noise level increase as people fill chairs along the walls of the barn, and mill around in the center.

MAGNUS DERRICK, HARRAN DERRICK, and ANNIE DERRICK enter, elegantly dressed. Then ANNIXTER is distracted by seeing HILMA TREE and her parents finding seats in a far-off corner.

HILMA is far more dressed up than we've seen before, with her hair styled high on her head. ANNIXTER is struck by her beauty... as are other young men, who gather around her.

ANNIXTER, not willing to compete for her attention, scans the crowd. He sees OSTERMAN with a small circle of other ranchers, telling them about his recent political activity.

OSTERMAN

I didn't want to draw attention, so
I laid low. I had to scheme --

ANNIXTER

(interrupting)

Oh, rot your schemes. There's punch
in the harness room that will make
more of your hair grow where it
should. Come on, we'll round up
some of the boys and walk into it.

OSTERMAN follows ANNIXTER toward the harness room. On their way, they get the attention of several other men and bring them along, including BRODERSON, HOOVEN, and CARAHER, a burly saloon-keeper in his 40s.

INT. HARNESS ROOM - NIGHT

ANNIXTER closes the door as the men gather around the table with the punch bowls.

ANNIXTER

That affair outside will take care
of itself, but this orphan child
here gets lonesome without company.

Glasses are filled. OSTERMAN raises his in a toast.

OSTERMAN

To Buck Annixter, the Quien Sabe
ranch, and the biggest barn in the
county!

They drink. Most nod in approval, but CARAHER makes a face.

CARAHER

The chartreuse is lacking, if you
want my professional opinion.

The others begin to hoot and shout in disagreement.

ANNIXTER

Oh, rot! In some punches it goes,
and then again, in others it don't.

HOOVEN

(draining his glass)

Ach, god! I think this punch would
make some good fertilizer, hey?

The group laughs and cheers, many raising their glasses.

OSTERMAN
To the fertilizer!

Amid the general merriment, ANNIXTER steps out of the room.

INT. ANNIXTER'S BARN - NIGHT

The celebration in the main barn is now in full swing, with music, dancing, and numerous high-spirited conversations.

In a relatively quiet corner, MAGNUS DERRICK is talking to a few other ranchers, including KEAST, GARNETT, and GETHINGS.

ANNIXTER makes his way around the floor, frequently being greeted and congratulated by guests, but doing his best to cut the conversations short.

At last he sees HILMA, next to her mother but once again, surrounded by several young men seeking her attention. Unsure what to do, ANNIXTER passes by them, pretending to worry about whether a nearby Japanese lantern is about to catch fire, and other details about the surroundings.

INT. HARNESS ROOM - NIGHT - SEVERAL MINUTES LATER

The private gathering is larger now, with HARRAN DERRICK as well as MAGNUS DERRICK, KEAST, GARNETT, GETHINGS, and others. Several men are smoking cigars, creating a haze in the room.

As OSTERMAN is pouring various liquors into a punch bowl (with CARAHER kibitzing), ANNIXTER slips back out again.

INT. ANNIXTER'S BARN - NIGHT

A dance has just ended. Amid the talking and laughter, several men use the break to visit a stall serving lemonade, for themselves or to get a glass for a female partner.

The band begins to play a waltz. ANNIXTER, surveying the floor, sees HILMA alone, looking around anxiously.

ANNIXTER
Having a good time, Miss Hilma?

HILMA
Oh, the best! But I don't know what's become of my partner. I only met him tonight, and there's been so many, I don't remember his name. So I'm left alone for the first time all night.

ANNIXTER

Well, I don't mean to dance and give anyone a chance to laugh at me, but so you're not alone, let's just walk around. What do you say?

HILMA nods, shyly taking his arm as they walk. After several dances in the festive atmosphere, she's chatty, excited, and less defensive.

HILMA

I was so afraid I'd be a wallflower and sit by mama and papa the whole evening! As it is, I've had every dance, and some I had to split.
(looks at the decorations)
It's all so lovely, like a fairy story. All for one little evening!

ANNIXTER

(with grudging humility)
Well, I did my best, and my best is as good as another man's, I guess.

HILMA

Oh, yes, thank you for arranging all this!

ANNIXTER

(more false humility)
It's all right. It didn't cost that much, and folks do seem to be enjoying themselves.

HILMA

It's sad that we have to wake up tomorrow to everyday things again. I didn't know myself how much I loved dancing!

ANGLE - BARN DOORWAY

Suddenly, DELANEY rides in through the open barn door at full gallop on ANNIXTER's buckskin horse, causing dancers and guests to scramble toward the walls on either side.

He pulls up in the middle of the floor of the barn, with the horse rearing up onto its hind legs, but under control.

BACK TO SCENE

The musicians stop playing and abandon their platform, joining the rest of the crowd along the walls, getting as far away from DELANEY and his horse as possible.

ANNIXTER and HILMA stand alone, next to each other, in front of the platform. ANNIXTER has his hands in his coat pockets.

ANNIXTER

(to HILMA)

Get away, to the side. The fool
might shoot.

HILMA hesitates for a moment, then edges away.

HILMA

You, too!

Their eyes meet briefly. Then ANNIXTER shakes his head, and stares impassively at DELANEY as HILMA moves further away.

DELANEY

Well, strike me blind if it ain't
old Buck Annixter! Going to show me
off with the toe of your boot, were
you? Well, here's your chance.

(beat, quieter)

Buck gives a hoedown in his new
barn and forgets to invite his old
bronco-busting friend. But his
friend don't forget him, no. He
comes anyhow, just to see Buck
Annixter dance, to show his friends
how Buck can dance, all by himself.

(louder)

A little dance for the ladies,
Buck! I'll give you the key.

DELANEY spins his gun on his index finger, then in one motion fires close to ANNIXTER's feet, splintering the wooden floor.

ANNIXTER barely flinches.

DELANEY (CONT'D)

I'm watching you, don't make a
mistake. I see your holster, so
keep your hands where they are, if
you'd like to live a little longer.
You make a move toward your hip,
your friends will have to identify
you at the morgue tomorrow morning.

ANNIXTER

(calmly)

Hand over that horse, Delaney, and clear out.

DELANEY

What!? What did you say? I guess you must be looking for trouble, that's what I guess.

ANNIXTER

You're wrong there. If I was looking for trouble, there'd be no guesswork.

ANNIXTER fires his gun through the pocket of his coat, where it's been all this time.

He pulls it out, and fires again while moving to the side. DELANEY's horse rears again, but he tries to shoot back.

Several more gunshots occur, amid increasing chaos and smoke. ANNIXTER fires almost blindly, then glances at his revolver, wondering how many bullets he has left.

As ANNIXTER aims to place one last shot, DELANEY tumbles from his horse. He runs out of the barn, unarmed and holding his bloody wrist. Other partygoers gather to control his distraught horse as ANNIXTER wonders what happened.

INT. ANNIXTER'S BARN - NIGHT - SOME TIME LATER

The celebration has resumed, with the musicians playing again, though the crowd is smaller.

HILMA TREE and her parents leave quietly -- and unseen by ANNIXTER, who is surrounded by a mostly male crowd trying to shake his hand and pat him on the back in congratulations.

ANNIXTER tries to deflect the praise, as if he had matters under control all along.

ADMIRER #1

There was nerve for you!

ADMIRER #2

A steady eye and a sure hand, no doubt about it.

ADMIRER #3

Where'd you learn to shoot that way?!

ANNIXTER
 (casually confident)
 Oh, it's not my shooting that ever
 worried me, son.

Several of the people around ANNIXTER laugh or nod.

ADMIRER #2
 Well, I guess not!

ADMIRER #1
 No, sir, not much!

OLDER FEMALE GUEST
 (taking ANNIXTER's hand)
 Thank you for protecting us. My
 daughter and I were so scared!

ANNIXTER
 Don't say anything about it. I did
 what any man would do in my place.

Ranch hands and servants begin bringing in tables for a
 lavish buffet of sandwiches, plus additional cold meats,
 cheese, fruits, nuts, and pitchers of milk and lemonade. The
 arrival of the food is received with cheers and applause.

INT. HARNESS ROOM - NIGHT

The group of men is even larger now. Some, including MAGNUS
 DERRICK, stand off to the side and sip their drinks in
 reserved fashion. Others sit near the punch bowl, enjoying
 themselves more vigorously, with their waistcoats unbuttoned.

The sound of music outside occasionally filters in over the
 talking and laughter. The punch bowl is close to empty. As
 ANNIXTER pours a ladleful into someone's glass, there is a
 persistent knocking at the door.

Annoyed, ANNIXTER goes to answer it. On the other side of the
 door is a uniformed MESSENGER BOY, exhausted and trying to
 catch his breath. His bicycle is visible just behind him.

ANNIXTER
 Where did you come from?

MESSENGER BOY
 Message for you, sir. Will you
 sign?

ANNIXTER signs a receipt. The boy hands him a thick yellow
 envelope, with "**Urgent**" written in blue pencil in one corner.

Opening it, ANNIXTER finds several sealed envelopes, each addressed to one of the ranchers. He hands them out, puzzled.

MAGNUS is the first to open his envelope. He looks at the letter inside with dismay.

HARRAN DERRICK

What does it say?

MAGNUS DERRICK

(beat, reads aloud)

"Dear sir, by regrade of October 1st, the value of the railroad land you occupy, included in your ranch of Los Muertos, has been fixed at twenty-seven dollars per acre. The land is now for sale at that price to anyone. Signed, Cyrus Ruggles, land agent, P. and S.W. railroad."

OSTERMAN

(beat, then grimly)

That's a good one. Tell us another.

Some silence, as the other ranchers open envelopes and read similar letters. A few curse, while others shake their heads.

BRODERSON

And they'd promised to sell to us at two and a half dollars an acre!

HARRAN DERRICK

Just when we're all rounded up having a good time.

GETHINGS

What do we do now?

KEAST

Fight, by god!

OSTERMAN

For sale to anyone, after all I've spent improving my land? I'm not getting off it, law or no law, railroad or no railroad.

KEAST

Nor I!

GARNETT

Nor I.

Seeing the high level of emotion, ANNIXTER begins steering some of the men toward the door.

ANNIXTER

All out of the room but the ranch owners. This is a family affair.

He gestures to PRESLEY that he can stay. PRESLEY steps back toward a corner of the room.

INT. ANNIXTER'S BARN - NIGHT

Men filter out of the harness room and begin telling others the news. The mood of celebration steadily falls away. As people stop dancing, eventually the musicians stop playing, leaving only the murmur of subdued conversations.

INT. HARNESS ROOM - NIGHT

As cross-talk continues, OSTERMAN gestures for attention.

OSTERMAN

We ranchers always fritter away our strength. It's a crisis now -- let's stand together!

(beat)

We've talked about a league of ranchers. Let's form it tonight, now, before we go out the door!

OSTERMAN's call is met with shouts of support.

OSTERMAN (CONT'D)

We have a committee at work already, with me, Mr. Broderson, Mr. Annixter, and Harran Derrick. This committee can be the nucleus of the League -- temporarily, at least. But we'll need a leader, a president -- and there is but one man we all look to. Magnus Derrick!

More cheers, and shouts of "*Magnus for president!*" "*Our leader!*" Embarrassed, MAGNUS gestures to quiet them.

MAGNUS DERRICK

This moment is too serious to act in haste. The League is just a name right now. Let's go home and sleep, then meet tomorrow. I can't agree to lead an organization whose principles haven't yet --

OSTERMAN is unwilling to let the moment pass.

OSTERMAN

We're here now! Many of us have business that won't let us meet tomorrow. Let's declare the League now -- a resolution to stand together to defend our homes, to death if need be. Those are the principles. Each man here can add his signature.

OSTERMAN hastily writes a few sentences on the back of the large envelope that ANNIXTER was given. He draws a line and signs underneath.

OSTERMAN (CONT'D)

I've signed. Who's next?

ANNIXTER steps up and signs his name. He's followed by BRODERSON and a few others. When HARRAN DERRICK signs, there is applause, and some men shake hands with him.

The envelope is put in front of a reluctant MAGNUS DERRICK.

MAGNUS DERRICK

Gentlemen, I beg you, let me consider this further...

Various voices call out: *"No, tonight!" "Derrick for president!" "Sign, and lead us!"*

This last shout resonates with MAGNUS. He takes a deep breath and signs, amid a roar of celebration. His eyes happen to meet those of PRESLEY, who sees the severe doubt in his face.

INT. RUGGLES' OFFICE - DAY

RUGGLES and S. BEHRMAN watch as DELANEY, in work clothes with a bandaged wrist, studies the map behind RUGGLES' desk.

Finding ANNIXTER's ranch, DELANEY points to indicate it. He looks at RUGGLES and S. BEHRMAN, who nod and shake his hand.

SERIES OF SHOTS - RUGGLES' OFFICE

- RUGGLES and S. BEHRMAN walking toward the wall map with CHRISTIAN, a man in his 40s, dressed in business attire.

- Then doing the same with a third man, somewhat scruffily dressed, like DELANEY was.

- Then, on a different day, doing the same with a fourth man.
- DELANEY and RUGGLES signing a deed, as S. BEHRMAN watches.
- Each of the other men, individually, also signing deeds.

INT. LAWYER'S OFFICE - BONNEVILLE - DAY

In a modest but well-furnished office, ANNIXTER, OSTERMAN, BRODERSON, and MAGNUS DERRICK watch as a LAWYER reads a document with the heading, "**Writ of Ejectment.**"

LAWYER

All of the members of your League
have received these writs?

MAGNUS DERRICK

Yes.

LAWYER

We'll research the documents and
file some test cases. That will
prevent any action by the railroad
until the courts decide the issue.

INT. CONVENTION HALL - SACRAMENTO - DAY

It's the Democratic state party nominating convention. ANNIXTER and MAGNUS DERRICK stand near a back wall, watching OSTERMAN weave his way through the crowd, looking for specific men and striking up conversations.

ANNIXTER

So, Harran's brother is our man in
the second district?

MAGNUS DERRICK

Yes. Even though he's my son, he's
not involved with the ranch. He's
assistant district attorney in the
City, and has been in politics
there long enough that we think the
railroad's willing to accept he'll
be even-handed with them.

SERIES OF SHOTS - CONVENTION HALLWAYS - NIGHT

A handful of quiet conversations involving OSTERMAN, ANNIXTER, and MAGNUS DERRICK -- some by themselves, some with specific other individuals OSTERMAN has sought out -- in the most secluded and confidential spaces they can find.

INT. CONVENTION HALL - SACRAMENTO - NIGHT

It's late. Over the conversations of tired and distracted attendees, a CONVENTION SPEAKER is summarizing the results.

CONVENTION SPEAKER
 ... for Railroad Commissioner, the
 official nominees are Jones McNish
 in the first district, James
 Darrell for the second, and
 assistant district attorney Lyman
 Derrick for the third.

Toward the back of the hall, MAGNUS DERRICK, OSTERMAN and ANNIXTER shake hands with LYMAN DERRICK -- the dark-haired older son of MAGNUS, in his 30s and impeccably dressed.

MAGNUS DERRICK
 Congratulations, my son!

INT. DERRICK'S RANCH HOUSE - OFFICE - NOVEMBER - NIGHT

HARRAN DERRICK watches the telegraph ticker as MAGNUS DERRICK, ANNIXTER, OSTERMAN, and other ranchers look on.

HARRAN DERRICK
 It's official. Darrell and Lyman
 have been elected. We have our
 rancher's commission at last!

Some of the men cheer, and there are handshakes all around.

INT. LYMAN DERRICK'S OFFICE - THREE MONTHS LATER - DAY

LYMAN DERRICK sits at a polished redwood desk in a well-appointed executive office, with lush carpeting, artworks, etc. He's studying an official railway map of California.

A knock on the door causes LYMAN to look up. MAGNUS, PRESLEY, and HARRAN come in, and LYMAN quickly gets up to greet them.

LYMAN DERRICK
 Hello! I didn't expect to see you
 until tonight. Please, sit down.

MAGNUS DERRICK
 We came up last night. The league's
 lawyers told us a decision might
 come today in our test cases
 against the railroad.

LYMAN DERRICK

So soon? That's a surprise.

HARRAN DERRICK

I expect we're going to win. Our case is too good, and was looked at closely. The railroad's agreement with us is in black and white. How can the court get around that?

MAGNUS DERRICK

We will know soon enough.

LYMAN DERRICK

Are any of the ranchers taking up the railroad's offer to lease the lands, or buy at the new price?

MAGNUS DERRICK

(reserved, but annoyed)

Buy, at twenty or thirty dollars an acre?!

HARRAN DERRICK

There's not one in ten that could! As for leasing land they already live on, no, precious few are doing that. They'd forfeit their rights for good, admitting the railroad had title. Once the road started trying to deed the ranches to other buyers they'd recruited, the only choice we had was to go to court.

(beat)

It's make or break for us wheat growers now, no mistake. But if we win the land cases and get a new grain tariff... the San Joaquin will go wild if we pull that off!

MAGNUS DERRICK

(a knowing look at LYMAN)

Well, at least we can depend on getting a cut in the grain rate.

LYMAN DERRICK

I wanted to talk about that. We're pledged to a statewide ten percent cut... but re-regulating a whole industry in six months would challenge anyone, between switching charges, differential rates, and main versus leased lines, let alone all the laws and rulings.

(MORE)

LYMAN DERRICK (CONT'D)

(beat)

Any fool can write one dollar and not two, but if you cut too low, and the railroad blocks it in court, are you any better off? And after all, I did run on a promise that despite my last name, I would be fair to both sides.

MAGNUS and HARRAN exchange slightly worried looks.

MAGNUS DERRICK

Your conscientiousness does you credit. I respect you for it. Fairness to both the corporation and the farmer is all we want.

LYMAN DERRICK

Let's have lunch at my club. You can wait for your news there as well as anywhere else.

INT. PRIVATE CLUB - DAY

Talking and laughing, LYMAN DERRICK, PRESLEY, MAGNUS DERRICK, and HARRAN DERRICK come out of the dining room of the club into a separate, elegantly decorated social room with smaller tables. Some have cigars or small drink glasses.

PRESLEY recognizes CEDARQUIST -- a well-dressed and confident-looking middle-aged man, sitting in a prime spot by a window.

PRESLEY

Isn't that Mr. Cedarquist?

LYMAN DERRICK

Your relative? Yes, it is.

(to MAGNUS)

You may know him. He owned the Atlas Iron Works, which shut down recently. But he's rich and has other interests.

LYMAN leads the group over to CEDARQUIST to introduce them. Handshakes are exchanged, and they sit down together.

CEDARQUIST

Magnus Derrick, of course. I've known you by reputation for some time. A great pleasure.

(to PRESLEY)

Pres, my boy, hello. How is the great epic poem getting on?

PRESLEY

It's not getting on at all, sir. There's so much interest in what you might call "living issues" down at Los Muertos now, I feel further from it every day.

CEDARQUIST

I should say so!

(to MAGNUS)

I'm watching your fight with Shelgrim with full interest. You and your League are trying to say "no" to the railroad trust; I've had unpleasant business with them as well. The trust is like an octopus -- its tentacles reach everywhere, strangling everything and everyone! So I pray people will rally to your cause.

(shrugs)

But California likes to be fooled, it seems. How else could Shelgrim convert the whole San Joaquin Valley into his back yard? To me, the great, crying evil of American life that allows these trusts to win is people's indifference to public affairs!

(raises his glass)

Anyway, here's success to you.

LYMAN DERRICK

(a bit uncomfortable with
CEDARQUIST's opinions)

I have other business in the office before my day is done. Please stay as long as you would like, though.

INT. PRIVATE CLUB - DAY - LATE AFTERNOON

Some time has passed. MAGNUS DERRICK, CEDARQUIST, HARRAN DERRICK, and PRESLEY sit at the table, with a few more empty or half-full drink glasses, and half-filled ashtrays.

CEDARQUIST

But what about markets? Right now, all of your wheat goes to Europe, through Liverpool. But the enormous crop you expect -- won't prices just go down if you supply more than Europe can eat?

MAGNUS and HARRAN glance at each other, considering this.

CEDARQUIST (CONT'D)

My wife, in addition to being young Presley's aunt, is involved in many charities. There is a famine in India, and other parts of the East.

(leans forward)

I've been investing in steel ships that would be ideal for carrying American wheat to Asia. Send it to India and China! Do it yourselves, without the middlemen in Chicago wheat pits and the mixing houses.

(beat)

And not only do you feed the starving in Asia, as you decrease shipments to Europe, your price there goes up instead of down.

CEDARQUIST leans back. HARRAN and MAGNUS are intrigued.

MAGNUS DERRICK

(to HARRAN)

There may be a deal in what he says. Our wheat to China, hey?

HARRAN DERRICK

Certainly worth thinking about.

MAGNUS DERRICK

Big chances mean big returns. And just at the moment when Lyman will bring down rates, so we can haul to tidewater at little cost.

A COURIER arrives with an envelope for MAGNUS. His face falls as he reads the note inside.

MAGNUS DERRICK (CONT'D)

It's from the court. We've lost our case.

(reading)

"It follows that the title to the lands in question is in the plaintiff -- the Pacific and Southwestern Railroad, and the defendants have no title, and their possession is wrongful. There must be findings and judgment for the plaintiff, and it is so ordered."

HARRAN grits his teeth, swearing under his breath. No one knows what to say.

MONTAGE - THE NEXT SEVERAL WEEKS

Some quick shots showing a "winter of discontent" among the ranchers:

- ANNIXTER, OSTERMAN, and MAGNUS DERRICK (sometimes HARRAN DERRICK as well), along with other ranchers, sitting uncomfortably in long meetings with lawyers.
- PRESLEY, alone at a small table in a Spanish-Mexican restaurant, trying to write but not getting anything done. At one point, he pushes other papers aside and opens his notebook to a blank page. Some time later, he's still looking at the blank page.
- MAGNUS DERRICK, ANNIXTER, and OSTERMAN, dressed for business, getting off a train in San Francisco, then attending another meeting with lawyers.
- Individual shots of OSTERMAN and HARRAN DERRICK reading legal papers and shaking their heads, trying to absorb them.
- ANNIXTER and MAGNUS DERRICK, getting off a train in Bonneville.
- ANNIXTER having a meal at his ranch house served to him by a Chinese cook, looking a bit displeased.
- ANNIXTER leaving his ranch house on a cloudy, cool day, seeing HILMA come out of the dairy house. Catching sight of ANNIXTER, HILMA goes back inside. ANNIXTER shrugs to himself and continues on toward the stables.
- PRESLEY, on a different day, in the same restaurant with a glass of wine and smoking, again staring at a blank page.
- ANNIXTER, MAGNUS DERRICK, and other ranchers in a private meeting, arguing over something.
- ANNIXTER, MAGNUS DERRICK, and OSTERMAN sitting restlessly in yet another meeting with lawyers.

EXT. TRAIL/CREEK NEAR ANNIXTER'S RANCH - DAY - WEEKS LATER

Under a clear blue sky, HILMA TREE walks along a trail near a creek, with a railroad trestle overhead. She leaves the trail to pick some watercress, washing it in the creek and collecting it in a handkerchief.

Squeezing out the excess water, HILMA presses the damp, balled-up bundle against her neck and face to cool off.

Looking at the creek, HILMA starts to slip off her shoes, but reconsiders as she hears a train approaching. Seconds later, it passes loudly overhead, with many cars and belching smoke.

As HILMA watches it, she doesn't see or hear ANNIXTER riding down from the trail toward the creek. ANNIXTER gets off his horse, leading it to drink at the creek. HILMA turns, surprised, then nervously picks some more watercress.

ANNIXTER

Hello, Miss Hilma. Guess we're all drawn to cool water on a warm day.

ANNIXTER sits on a rock several feet away from HILMA.

ANNIXTER (CONT'D)

Never marry a ranchman, Miss Hilma. He's never out of trouble.

HILMA

It kind of seems that way, from how much you've had to be away from the ranch.

ANNIXTER

Haven't seen you around much even when I am there. Or your mother.

HILMA

My parents have been concerned, ever since what happened at the barn dance, and things up in the air with the railroad trying to give the ranch to Mr. Delaney. They felt we, I, should just... give you some room until things settle down.

For once, ANNIXTER doesn't try to argue.

ANNIXTER

Hmmm. Can't say I blame them.

(beat)

Our league met again to discuss the cases -- we've appealed to the Supreme Court in Washington, D.C.

HILMA

Yes, I... I'd heard that.

ANNIXTER

Anyhow, we agreed that if we lost there, and the railroad tried to claim our ranches... we'd fight.

HILMA
Fight? With guns??

ANNIXTER
I don't see what choice there is.
You don't want to be turned out of
your home, do you?

HILMA
No... no, I wouldn't like that.

ANNIXTER
Well, I don't intend to let them.

They're both silent for a moment. ANNIXTER's horse begins nosing the ground for some grass to eat.

ANNIXTER (CONT'D)
Miss Hilma, I don't know how to say
some things, and I may get all
balled up as I go. But even if I
haven't seen you much, I've been
thinking a lot about you.

(beat)

I've come to know that if anything
should happen to you, I wouldn't
care to go on. S. Behrman could
jump Quien Sabe, and welcome to it.
Delaney could shoot me full of
holes whenever he got good and
ready. I wouldn't care.

HILMA fiddles with the knot on her handkerchief, between glances at ANNIXTER. She's starting to fight back tears.

ANNIXTER (CONT'D)
All this winter when I was in San
Francisco or Sacramento or even
Bonneville for more than a day, I'd
think about how you weren't there.

(beat)

I want you to have a home that's my
home, too, so I can take care of
you. Do you understand?

HILMA carefully reties the knot. She's crying now.

HILMA
I... I don't know.

ANNIXTER
Don't know what? Don't you think we
could hit it off?

HILMA

I don't know.

ANNIXTER comes close to her, but HILMA tries not to look up.

ANNIXTER

I'm sure we could. I'm fighting for my home now. But if I win out, I want someone to be glad with me. I'm dog tired of going it alone.

(touches HILMA's shoulder)

I want to fight for someone -- some person besides myself. And I want it to be you. Do you understand?

Slowly, HILMA turns and wraps her arms around ANNIXTER, still crying. He kisses her neck gently.

HILMA

I tried all this time not to like you.

ANNIXTER

It's all right... it's all right.

EXT. TRAIL/CREEK NEAR ANNIXTER'S RANCH - DAY - AN HOUR LATER

ANNIXTER and HILMA sit quietly, with their arms still around each other.

ANNIXTER's horse, left to itself, wanders back to the trail leading to the ranch. ANNIXTER watches it go, not moving.

ANNIXTER

Well, Hilma, what are we going to do now?

HILMA

Hmm?

ANNIXTER

I want to fix us up somewhere where folks who know us won't talk. How about San Francisco? We might go up next week and look around, find a place and fix it up.

HILMA

Why take a long wedding trip so soon, when you're busy? We could just go to Monterey or somewhere for a week, or less, and come right back here and settle down.

ANNIXTER

(taken aback)

Hum... I see. I hadn't thought of it quite that way.

HILMA

What way?

ANNIXTER

Can't we... wait about this marrying business?

HILMA

That's what I mean! There would be so much to do in between. We can get married at the end of summer.

ANNIXTER

Well, but what good is the fuss of getting married? We understand each other, isn't that enough? I'm no marrying man, Hilma.

HILMA, stunned, gets up and takes a step back.

HILMA

Oh!

(as it sinks in)

OH!

She runs from the creek and back to the trail, and then toward the ranch, as fast as she can.

ANNIXTER watches her go, then picks up his hat. Seeing his horse is long gone as well, ANNIXTER stares out at the creek, then slowly gets up to walk back to the trail.

EXT. ANNIXTER'S RANCH - DAY

It's the next morning. The sun is barely up.

Dressed for a business meeting in town, ANNIXTER rides from the stable area toward the road, with a quick glance toward the dairy house. There is no visible activity there.

INT. HOTEL LOBBY - DOWNTOWN BONNEVILLE - DAY

OSTERMAN and MAGNUS DERRICK, also dressed for business, are waiting in the lobby as they see ANNIXTER tying his horse outside. They greet him as he comes inside, and they head toward a conference room.

INT. CARAHER'S SALOON - DAY

A modest saloon in downtown Bonneville. DYKE enters, waving to CARAHER, the owner/bartender.

CARAHER
Dyke! Hello... ginger ale?

DYKE
Yes, thank you.

CARAHER
(as he pours)
What brings you into town?

DYKE
Got a shipment at the freight office. Poles for growing hops.

CARAHER
How's that going?

DYKE
Bully. The rain came just right -- I'm dead sure of a large crop. Maybe more than I can fit in the barns! And it's contracted for already. Foreman arranged a deal with a chap in San Francisco.
(sips his drink)
So the price is set, and it's enough to pay off the mortgage, with interest, and still clear big money. I'm planning ahead for next year already.

He raises his glass to CARAHER as a humorous toast.

INT. RAILROAD OFFICE - DAY

DYKE is at the wire partition with the same RAIL CLERK as earlier, signing the paperwork for his shipment. In the background, S. BEHRMAN is talking to RUGGLES near a door.

DYKE
I'll be wanting some cars from you before the summer is out. There'll be a big wheat crop, too -- I don't want you to be caught short.

RAIL CLERK
(uninterested)
You'll get your cars.

DYKE

Maybe I'll bring more business your way. I expect others will see me doing well with hops and join in. If we formed a sort of pool, could you give us cheaper rates -- say, a cent and a half a pound?

RAIL CLERK

A cent and a half! Say four cents and a half and maybe we can talk.

DYKE

Four and a half? I don't see why. The regular rate is two cents.

RAIL CLERK

No, it isn't. It's five cents.

DYKE

You're wrong there, son. Look it up, you told me yourself last fall. Carload freight to San Francisco for hops is two cents a pound.

RAIL CLERK

That was last fall.

DYKE is silent for a moment.

DYKE

(starting to doubt)

Look it up. You'll see I'm right.

The RAIL CLERK pulls out a folder and shows DYKE a sheet of paper labeled, "**Tariff Schedule No. 8**" with the words "**SUPERSEDES NO. 7 OF AUG. 1**" underneath.

RAIL CLERK

See for yourself. Our regular rate on hops is five cents.

DYKE reads, and sees the revised rate.

DYKE

What do you mean? You promised me a rate of two cents, and I did my business with that understanding!

RAIL CLERK

The rate is five cents.

DYKE

Well, that ruins me. I won't make a dollar. I'll owe... that ruins me!

RAIL CLERK

We don't force you to ship. But if you do, the rate is five cents.

DYKE

Damn you, I'm under contract to deliver. You promised two cents!

RAIL CLERK

I don't remember it. But I know the German crop was a failure, and the crop in New York wasn't worth hauling. The price of hops has gone up. You don't suppose we don't know that, do you?

DYKE

What's the price of hops got to do with your --

S. BEHRMAN, overhearing the conversation, comes over.

S. BEHRMAN

The freight rate has gone up to meet the price. We're not in business for our health.

DYKE

Good lord... what next? What's your basis for deciding freight rates?

S. BEHRMAN

(slowly, to make it clear)
All the traffic will bear.

INT. CARAHER'S SALOON - DAY

DYKE enters again, visibly distraught, holding a large envelope and a pencil.

CARAHER

Dyke! Back again?

DYKE ignores him and sits at a table, jotting notes on the back of the envelope. ANGLE ON PRESLEY, on the far side of the room, drinking coffee and writing, noticing DYKE.

CARAHER pours a ginger ale and sets it down next to DYKE.

DYKE
 (to himself)
 I don't see what I'm going to do. I
 don't see what to do at all.

CARAHER
 What's the matter?

DYKE tells him. We don't hear the details, but his gestures and facial expressions convey his frustration and anger.

When DYKE points toward the bar, CARAHER gets up and -- after hesitating for a moment -- brings back a bottle of whiskey and two glasses. He pours, and the two begin to drink.

CARAHER (CONT'D)
 So now it's your turn. They won't just choke the big wheat growers, the rich men. They'll even pick the poor man's pocket.
 (sips his drink)
 They call me a red, an anarchist, but you see now -- it's all well to preach moderation when your belly is full and your property is safe. That talk is just what the Trust wants to hear. But they'll wake up the wrong kind of man some day... a man who will hit back when he's kicked, and talk to them with a torch in one hand and a stick of dynamite in the other! Six inches of plugged gas pipe, that talks!

CARAHER takes his drink back to the bar, leaving the bottle. DYKE drains his glass and pours himself another.

ANGLE ON PRESLEY, concerned but not knowing what to do. He pushes his writing materials aside, staring blankly at them.

INT. HOTEL CONFERENCE ROOM - DAY

ANNIXTER, MAGNUS DERRICK, and OSTERMAN sit in yet another meeting with lawyers. ANNIXTER is visibly uncomfortable.

INT. ANNIXTER'S RANCH HOUSE - NIGHT

Still in the same clothes, ANNIXTER has a simple dinner served to him by the Chinese cook.

EXT. ANNIXTER'S RANCH HOUSE - NIGHT

ANNIXTER steps out on the porch and lights a cigar, taking in the night sky. Inside the house behind him, the Chinese cook is clearing away the dishes from his dinner.

Restless and curious, ANNIXTER wanders off the porch, walking toward the dairy house. The house is completely dark, but ANNIXTER notices the door is ajar.

As ANNIXTER stands wondering about this, the stableman, BILLY, comes by.

BILLY

Oh, good evening, Mr. Annixter. I didn't know you were back! I see old man Tree and his family have left us.

ANNIXTER

When?! Did all of them go?

BILLY

I thought you knew. They all left on the afternoon train to San Francisco. Gave me notice this morning. I don't know who I'm going to get to run the dairy --

ANNIXTER

Why in hell did you let 'em go?! You should have kept them here 'til I got back! What do I feed you for if it ain't to look after things I can't attend to?!

Furious, ANNIXTER turns and walks away, past all of the buildings onto the open ranch. He keeps walking for awhile.

ANNIXTER (CONT'D)

(muttering to himself)

Gone, by the lord. By the lord Harry, she's cleared out.

Eventually, ANNIXTER passes a large white rock sticking up from the ground. Noticing it, he sits and thinks, resting his elbows on his knees as he looks out into the dark night.

INT. DERRICK'S RANCH HOUSE - PRESLEY'S BEDROOM - NIGHT

It's a corner room upstairs from the main house, with windows on two of the walls.

The furniture is sparse: a small bed, a simple wood table with a single chair by one window, a bookshelf, and a more comfortable, reclining wicker steamer chair (like those on a boat deck) by the other window.

PRESLEY sits at the table, which is covered with stacks of loose papers, notebooks, pens, and half-smoked cigarettes. He's smoking and drinking coffee -- and, like ANNIXTER, looking out at the night sky, deep in thought and unhappy.

PRESLEY writes briefly in a notebook, then gets up, clenching his fists, and paces around the room in frustration.

Time passes, and the cycle repeats itself. Sometimes PRESLEY sits in the reclining chair, looking out the other window as he writes and thinks, holding his cigarette inattentively.

At one point, the cigarette burns down enough to scorch PRESLEY's fingers, jolting him out of his brooding.

INT. DERRICK'S RANCH HOUSE - PRESLEY'S BEDROOM - DAY

The sun is just coming up. PRESLEY, still working, sits back and re-reads several freshly written pages, eventually nodding to himself. He closes the notebook and gets up.

EXT. ANNIXTER'S RANCH HOUSE - DAY - MORNING

ANNIXTER is sitting on the same rock as before. Seeing the sky get lighter, he gets up and slowly walks back to the ranch house, still deep in thought.

As he walks, he looks at the surrounding fields and sees the first green shoots of wheat coming out of the ground, gradually lit by the rising sun.

INT. DERRICK'S RANCH HOUSE - OFFICE - DAY - MORNING

PRESLEY comes in with his notebook -- no one else is up yet. He sits at the typewriter and inserts a blank sheet of paper, then opens the notebook. The first words he types, all in capital letters, are a title: "**The Toilers.**"

EXT. BONNEVILLE TRAIN STATION - DAY

It's a day or two later. PRESLEY waits as a train pulls in, then boards it.

ANNIXTER is some distance away, watching PRESLEY but making sure not to be seen by him. He boards a separate car.

INT. CEDARQUIST'S OFFICE - DAY

CEDARQUIST reads some typewritten pages at the desk in his luxurious San Francisco office, as PRESLEY waits anxiously.

CEDARQUIST

And this is based on the painting you saw in my art gallery?

PRESLEY

Partly, yes. And what I've seen at home.

CEDARQUIST

I'm flattered to have helped, even if I didn't know it.

(beat)

I don't know what anyone else will say, but this seems very powerful. And very different from anything else you've shown me. What the railroad is doing to Magnus and your friends... I see it's hit you quite hard.

PRESLEY

I guess it has.

CEDARQUIST

I've never seen a poem that I would call angry -- but this is angry. Your other poems read like literature. This feels more like... a telegram, reporting a disaster. That kind, sense of urgency.

PRESLEY

That's why I've come, in a way. Do you think you could help me get this published?

CEDARQUIST

Ah. Of course I will. I know some publishers and editors with literary magazines --

PRESLEY

No, no! That's... like you said, this isn't literature. I want it to reach more people. Could you persuade some daily newspaper here to print it?

CEDARQUIST
(uncertain)
I think so. I'll do my best.

EXT. SAN FRANCISCO - NEAR GOLDEN GATE PARK - DAY

A typically foggy, cool day in San Francisco. On a street facing the park, ANNIXTER, dressed respectably, approaches a modest two-story house. He knocks on the door.

After a moment, the door opens. It closes a few seconds later. Disappointed, ANNIXTER crosses the street and finds a partially obscured spot in the park to rest while still being able to see the front door of the house.

SERIES OF SHOTS - SAME LOCATION - THE NEXT FEW DAYS

- The next day, ANNIXTER comes up to the same house and knocks on the door again. It opens, and we see ANNIXTER's side of an extended conversation, with ANNIXTER appearing unusually humble. There is a long pause... and then the door shuts again. ANNIXTER stares at it for a few seconds, then grudgingly goes back to his vantage point in the park.

- Once again the next day, ANNIXTER comes up to the house and knocks on the door. It opens, then shuts again almost immediately. Dejected, ANNIXTER walks across the street.

- The cycle repeats the next morning -- ANNIXTER knocking on the door and being turned away, then crossing the street.

INT. HOUSE FACING GOLDEN GATE PARK - BEDROOM - DAY

From a second-floor window, HILMA TREE sees ANNIXTER crossing the street toward the park. Sighing, she picks out some nicer-than-usual clothes and begins to put them on.

EXT. SAN FRANCISCO - NEAR GOLDEN GATE PARK - DAY

HILMA comes out of the house in the clothes she picked out. Intentionally turning in the opposite direction from ANNIXTER's vantage point, she goes up the sidewalk, then crosses the street to enter the park. ANNIXTER sees her.

EXT. GOLDEN GATE PARK - JAPANESE TEA GARDEN - DAY

Built for a World's Fair just a year or two earlier, the tea garden is lavish, delicate, and beautiful. HILMA walks along a path to a small pond.

She sits and waits, watching the goldfish in the pond.
ANNIXTER approaches and sits beside her.

HILMA
(acting surprised)
Oh... I didn't know.

ANNIXTER
Finally! I've been watching that
damned house so long, I was afraid
the police would move me on.
(beat)
You're pale. Are you all right?

HILMA
I'm... fine. Though I miss the
bright sun at home.

ANNIXTER
This place don't agree with you.
Let's fix that.
(beat)
Have your parents told you how
sorry I am? I ate crow in front of
them -- and I owe it to you, too. I
made the mistake of my life by the
creek, under the Long Trestle that
day. I know that now.

HILMA looks at him skeptically.

HILMA
Do you?

ANNIXTER
The night after you went away, I
spent all night sitting on a stone
outside the ranch, thinking about
what I did wrong. And it changed
me. Even if you never want anything
to do with me again, I'll be glad
for that night. I didn't sleep at
all, but I woke up.

HILMA
(still skeptical)
How?

ANNIXTER
I've been selfish all my life. Even
wanting to be with you was for my
sake. I've got to live different
now, if I marry you or not. But I
want to marry you.
(MORE)

ANNIXTER (CONT'D)

(beat; this gets HILMA's attention)

I'm ashamed of who I've been, proud if people hated me. You were better and smarter than I was. If you can figure out how to forgive me... I love you, and I want to be your husband, be the best a man can be to a woman.

HILMA

(trying to stay calm, but feeling her eyes well up)

I don't know what you want me to say.

ANNIXTER

Yes, you do. I've waited all week in this cold, miserable, drafty city to hear it.

HILMA

Well... I forgive you.

ANNIXTER

That'll do for a start. But that's not it.

(beat)

Should I say it?

HILMA

No. I... I can say it. Do you mean every word? You are sorry, and you will be good to me? And you do love me? Completely?

Now, tears are welling up in ANNIXTER's eyes, too.

ANNIXTER

Yes. Please, will you marry me?

HILMA embraces him, and now they're both crying freely. Unsure what to do at first, HILMA sees ANNIXTER's handkerchief in his coat pocket. She takes it and wipes her eyes, and then his as they both smile, embarrassed.

SERIES OF SHOTS - PRESLEY'S POEM IN NEWSPAPERS

- Near a San Francisco newsstand, a man turns the pages of the Sunday supplement of a local paper. An entire page has "**The Toilers**" in large, stylized print at the top and a detailed illustration accompanying PRESLEY's poem.

- Shots of other newspapers, in cities like New York, Chicago, and Boston, with the poem appearing in print there.

INT. DERRICK'S RANCH HOUSE - KITCHEN - DAY - MORNING

PRESLEY sits, drinking coffee and reading a telegram from CEDARQUIST. It reads, "***The Toilers a large success. Editor friend at Overland Monthly says, maybe the greatest American poet since Bryant.***"

Blinking in disbelief, PRESLEY puts the telegram down.

EXT. DYKE'S HOP RANCH - DAY

PRESLEY rides along the road near DYKE's small ranch. It's clearly fallen into disrepair, with weeds around the poles for hop vines, several of which are tilted or have fallen.

Further away, he sees DYKE sitting on his porch, looking out empty at the now-abandoned fields. PRESLEY grimaces.

SERIES OF SHOTS - SAN FRANCISCO - ANNIXTER & HILMA MARRY

- Inside a small Protestant church, ANNIXTER and HILMA TREE get married in front of her parents and a few other people.

- ANNIXTER and HILMA spend a few days seeing the sights in the city -- the Cliff House, the Presidio, the Golden Gate bridge, a museum, Chinatown, etc.

- ANNIXTER and HILMA in upscale stores, with HILMA taking the lead in selecting furniture, carpets, lamps, and other items that are promptly prepared for shipping.

- ANNIXTER watching as HILMA shops for attractive dresses.

EXT. SAN FRANCISCO TRAIN STATION - DAY - AFTERNOON

ANNIXTER and HILMA approach a Pullman luxury car at the end of a train. ANNIXTER hands their suitcases to a porter.

HILMA

We'll reach Bonneville at such an hour -- five in the morning!

ANNIXTER

(as they board)

This is the only run with Pullman cars. Vacca knows to meet us.

INT. LUXURY PASSENGER TRAIN CAR - DAY

ANNIXTER and HILMA head down the train's main aisle.

ANNIXTER

When it comes to buying furniture,
I may not shine, but I know what's
due my wife, and a Pullman's what
you deserve. I won't have any slobs
in Bonneville saying I didn't know
how to bring you home in style.

They enter a luxuriously appointed private sleeping room.

INT. LUXURY PASSENGER TRAIN CAR - NIGHT

ANNIXTER doesn't sleep well, waking up often. When he does,
he checks his watch and the train schedule, sometimes getting
up for water or just sitting up, stretching and yawning.

At one point he looks out the window, but it's so dark and
rainy he can't see much.

ANNIXTER gets dressed enough to step into the aisle. He sees
the train's CONDUCTOR checking on berths.

ANNIXTER

What's the next stop? Have we
reached Fresno yet?

CONDUCTOR

Just passed it. We'll be in Goshen
in about forty-five minutes.

Suddenly, the train brakes. The lights blink, and the
CONDUCTOR's cash box clanks to the floor. ANNIXTER has to
catch the back of a seat to keep from falling down.

CONDUCTOR (CONT'D)

Probably a cow on the track.

He leaves the car as the train comes to a full stop. ANNIXTER
hurries back to the compartment; HILMA is just waking up.

HILMA

What is it? Is something wrong?

Outside the train, a few gunshots ring out.

ANNIXTER

By god, it's a holdup.
(finding his gun)
Steady, girl, I won't leave you.

The commotion dies down... until an explosion is heard some distance up the track. ANNIXTER and HILMA look at each other. A long silence as ANNIXTER sits on the bed, gun in hand.

AN HOUR LATER

The first hints of morning can be seen outside the window. With a jolt, the train begins to move again. ANNIXTER hears several voices speaking at once in the aisle, and he steps out to see what is going on.

ANGLE - INTERIOR OF PULLMAN CAR - NIGHT - NEARING DAWN

A DOCTOR, pale and wet with rain, sits down in a common area as several OTHER PASSENGERS gather around to hear his explanation. ANNIXTER joins them, staying toward the back.

DOCTOR

The brakeman is dead -- shot twice through the lungs. The robber got away with five thousand in gold coin.

OTHER PASSENGER

Just one man? Not a gang?

DOCTOR

One man, with some nerve. Engineer says he was on the roof of the express car all along, at full speed, then jumped down into the cab. Took their guns and made them stop the train... even told them how to use the emergency gear.

The OTHER PASSENGERS exchange surprised looks.

DOCTOR (CONT'D)

Then he uncoupled the express car himself. The brakeman surprised him, and he fired without taking his hand off the coupling pin.

(beat)

Made the engineer run the car up to a crossing... where he had a horse tied! He had it all planned out. Dynamited the safe and took the money in the Wells Fargo box.

ANNIXTER thinks to himself, analyzing the details.

DOCTOR (CONT'D)

Never touched the registered mail or other cash. Just the gold coin the railroad was sending down to Bakersfield. Engineer said he was a fired employee with a grudge, lives near Bonneville.

ANNIXTER

(gasps, to himself)
My god, Dyke!

DOCTOR

Yes, that was the name.

EXT. BONNEVILLE TRAIN STATION - DAY - MORNING

A large crowd presses up to the doors of a train as it comes to a stop. GENSLINGER is among them, notebook in hand.

ANNIXTER, trying to shield HILMA from the crush of bodies, has to squirm and push their way out onto the platform. GENSLINGER taps his elbow to get his attention.

GENSLINGER

Mr. Annixter... can I have your version of the affair?

ANNIXTER turns, glaring at GENSLINGER scornfully.

ANNIXTER

Yes! Your railroad friends drove Dyke from his job because he wouldn't work for starvation wages. Then they raised freight rates on him and robbed him of all he had. He's only taken some of it back, and now they're going to hound him all over the state, and bring him to the gallows at San Quentin.

(beat)

That's my version of the affair, Mr. Genslinger, but you'll lose your subsidy from the P. and S. W. if you print it.

A murmur of approval from the bystanders. GENSLINGER, annoyed, shrugs and turns away.

EXT. ANNIXTER'S RANCH HOUSE - DAY

ANNIXTER and HILMA ride into the driveway in a buggy driven by VACCA, a boy in his late teens.

HILMA sees the ranch house and gasps with joy -- on ANNIXTER's instructions, it's been freshly repainted, with newly planted flower beds alongside the driveway and house.

They're met on the porch by MRS. VACCA, a woman in her early 40s. A large wooden crate, 3 by 5 feet, is also on the porch.

ANNIXTER

What's this?

MRS. VACCA

It came last night, addressed to you. Your furniture was accounted for, so we didn't open it.

HILMA

Oh, maybe it's a wedding present!

ANNIXTER

(pessimistic)

Well, maybe it is.

(to VACCA)

Here, son, help me in with this.

INT. ANNIXTER'S RANCH HOUSE - DAY

VACCA and ANNIXTER strain to carry the crate inside, followed by HILMA. The interior of the house has been fully repainted and redecorated with the furniture, etc., that HILMA and ANNIXTER just bought in San Francisco.

ANNIXTER finds a hammer and works to pry the top open with its claw as VACCA and MRS. VACCA leave the room.

HILMA

So heavy! Who sent it to us? What do you think it might be?

ANNIXTER succeeds in opening the crate, revealing a typewritten letter on top of shaved-wood packing material.

Seeing the letter, ANNIXTER tries to close the crate.

ANNIXTER

Oh, never mind, I know what this is... just some machinery.

But it's too late -- curious, HILMA pulls aside some packing material, revealing two dozen Winchester rifles.

HILMA gasps, stepping back from the crate. ANNIXTER tries to lead her out of the room.

ANNIXTER (CONT'D)

I told you not to mind. They've redone the whole house -- let's look through the rooms.

HILMA

But you said you knew it was just machinery!

(beat, intently)

What are you keeping from me? Why did you get these?

ANNIXTER

Well, you may have guessed already. Our league decided if the railroad tries to jump this ranch, or any others... we won't let them. We'll fight. That's all.

HILMA

(realizing the irony)

And I thought it was a wedding present.

INT. DERRICK'S RANCH HOUSE - DINING ROOM - NIGHT

ANNIXTER, OSTERMAN, MAGNUS DERRICK, HARRAN DERRICK and other ranchers are seated at the table, with some half-full bottles of whiskey and soda water nearby. PRESLEY sits unobtrusively on a sofa several feet away, smoking and reading.

LYMAN DERRICK comes in the front door, well dressed but looking a bit nervous. MAGNUS gets up to welcome him.

MAGNUS DERRICK

Gentlemen, my eldest son, Lyman.

LYMAN shakes some hands, smiling and making small talk, before sitting at the table next to MAGNUS and HARRAN.

LYMAN DERRICK

I don't want to disrupt your regular proceedings.

ANNIXTER

(grumbling, to no one)

Oh, play ball...

OSTERMAN

There is no regular business. This meeting was called to hear about the new schedule of grain rates.

The other ranchers nod in agreement.

LYMAN DERRICK

Well... permanent benefits must be accrued gradually. A single commission can't settle every issue you have with the railroad. But the good work has been started.

(passes papers around)

We've made an average ten percent reduction across the state. Here are copies of the new schedule.

ANNIXTER

Hold on... what average?

(reads)

The San Joaquin rate is the same. Is this the right schedule?

LYMAN DERRICK

The rate between Mayfield and Oakland has been reduced. And you'll see in the Sacramento Valley, here, and Salinas, rates have been reduced --

HARRAN DERRICK

No one ever ships wheat that way!

LYMAN DERRICK

We felt a low rate would stimulate wheat production in that district.

This draws skeptical looks and murmuring between ANNIXTER, OSTERMAN, and the others. MAGNUS looks at LYMAN sternly.

MAGNUS DERRICK

How much did you cut the San Joaquin rates?

LYMAN DERRICK

The whole state couldn't be covered at once, sir. We pledged to make an average ten percent cut --

OSTERMAN

Yes, and you cut rates between points where no grain is shipped! The railroad won't lose a nickel.

MAGNUS DERRICK

Is this correct? Are we no better off than before you were elected as commissioner?!

LYMAN DERRICK

Next year, I believe we can address new rates for the San Joaquin. We have to study --

ANNIXTER

You didn't do it and you don't intend to do it, and by the lord Harry, I want to know why.

OSTERMAN

I'll say why. We're a bunch of fool farmers, and we've been sold out!

An outburst as OSTERMAN and others get up, yelling and gesturing at LYMAN, who is visibly unnerved.

LYMAN DERRICK

You've all misunderstood. The Commission worked for two months on this schedule. We've done our best!

More cross-talk and shouting. MAGNUS DERRICK pulls OSTERMAN aside to quiet him, but eyes LYMAN coldly.

MAGNUS DERRICK

Have you? Have you done your best?

LYMAN DERRICK

It could not be done so soon. We --

MAGNUS DERRICK

By god, don't equivocate with me! Yes or no, did you do your best to reduce the Bonneville rate?

HARRAN DERRICK

(leaning in close)

Or was this schedule drawn up in the offices of the Pacific and Southwestern, who paid you to leave the San Joaquin rate untouched?

LYMAN pushes HARRAN away, furious with anger and guilt.

LYMAN DERRICK

Don't you dare ask me that again!

HARRAN DERRICK

I won't... because I'll say to your
lying face you were paid to do it!

With that, HARRAN throws a punch at LYMAN's jaw, making him stagger backwards. GETHINGS and others pull HARRAN back.

GETHINGS

This won't do -- not in front of
your father, and his!

MAGNUS looks at HARRAN and LYMAN, both breathing heavily, with LYMAN holding a handkerchief to his bloody lip.

MAGNUS DERRICK

I am no father to this man. From
now on, I have but one son.
(to LYMAN)
You, sir... leave my house.

LYMAN goes to the front door, still seething.

LYMAN DERRICK

I'm done with all of you!
(to MAGNUS, bitterly)
Were you so clean and straight at
Sacramento before the nominations?
How was the board elected?!

LYMAN goes out, slamming the door behind him.

EXT. NEAR GUADALAJARA TRAIN DEPOT - DAY

On horseback, DYKE pulls up on a small rise overlooking the depot. After being on the run for weeks, DYKE looks it -- gaunt, with a disheveled beard and dirty, ragged clothes.

Looking down the road in both directions, he can make out groups of men riding quickly toward him -- still some distance away, but blocking any possible escape routes.

Seeing a detached locomotive on one of the tracks, though, DYKE has an idea. He rides at full speed down the hill.

EXT. GUADALARA TRAIN DEPOT - DAY

Reaching the tracks, DYKE jumps from his horse, pistol in hand, and runs toward the locomotive engine. A couple of crew members of a freight train on the opposite track scatter.

DYKE sees the engineer and fireman inside the locomotive.

DYKE

Out of the cab, both of you! Quick,
or I'll kill you.

They leap out as DYKE swings himself into the cab, and quickly moves levers to start the engine. With the hiss of steam being released, the locomotive begins to move.

ANGLE - ROAD NEAR DEPOT

The posses chasing DYKE from opposite sides, one of which includes DELANEY, arrive at roughly the same time.

Seeing DYKE in the locomotive, they fire briefly in vain as it picks up speed and leaves the depot, belching smoke.

DELANEY

Damn him! I've seen everything now.

SHERIFF

There's a derailing switch between
here and Pixley, isn't there?
(gestures to someone)
Wire ahead to open it. We'll derail
him there.

A member of the posse runs to the depot's telegraph office. The SHERIFF dismounts as well, pointing at the freight train and gesturing for others to follow him.

SHERIFF (CONT'D)

Come on!
(as he reaches the engine)
Name of the state of California --
Cut off from your train!

ANGLE - FREIGHT ENGINE CAB

The crew obeys, and soon the freight engine is moving to pursue DYKE on the adjacent track with the SHERIFF, DELANEY, and other posse members.

FREIGHT ENGINEER

If we should meet another train
coming up on this track...

SHERIFF

Then we'll jump or be smashed.
Look! There he is.

The freight engine rounds a curve and DYKE's locomotive comes into view, giving off smoke, about a quarter of a mile ahead.

FREIGHT ENGINEER

The switch ain't much further. I
can see Pixley.

ANGLE - DYKE

Is in the seat of the locomotive engine cab, with one hand on the valve that controls the steam output, and his head out the window. Glancing back, DYKE sees the freight engine on the other track, coming around the curve behind him.

DYKE opens the firebox and shovels some coal in for a few seconds. Satisfied, he sees the steam gauge indicator rise and feels the car picking up speed.

DYKE

Keep up with that, boys!

Suddenly he sees a semaphore warning signal up ahead. The arm of the semaphore is pointing horizontally over the track to indicate a closure. DYKE immediately guesses the meaning.

DYKE (CONT'D)

Threw the damned derail switch...

DYKE shuts off the steam valve and throws back the brake. As soon as his locomotive stops, he throws a switch to reverse the direction of the engine. As it starts to move again, DYKE reaches for his pistol.

ANGLE - FREIGHT ENGINE CAB

DELANEY, the SHERIFF, and the others see DYKE's engine shudder to a halt.

DELANEY

He's stopped. He's broke down.

SHERIFF

Watch and see if he jumps off.

They see DYKE's engine lurch back into motion, toward them.

FREIGHT ENGINEER

Broke, nothing -- he's coming back!

SHERIFF

Stop the car! He's got to pass us.
Be ready.

The ENGINEER applies the brakes. As DYKE's engine gets within a couple hundred yards, a gunshot grazes the window.

SHERIFF (CONT'D)

He's shooting already. Fire on him!

A volley of gunshots both ways as the two engines get closer and pass each other, amid the noise of the trains themselves. The shooting dies down after they've passed each other.

DELANEY

I hit him! He won't go far now.

BACK TO DYKE

DELANEY is right -- DYKE has been grazed in the hip by a bullet. But even though he's bleeding, the wound isn't bad.

The train depot in Guadalajara is back in DYKE's view. His eyes widen as he sees S. BEHRMAN riding up to the tracks with a few additional deputies. He slows the engine down.

The deputies dismount, watching the approaching locomotive uncertainly. DYKE ducks down, reloading his revolver.

EXT. GUADALAJARA TRAIN DEPOT - DAY

As the locomotive passes by again, DYKE leaps out and rushes toward S. BEHRMAN.

DYKE

I've got you, at least!

He aims his gun and pulls the trigger -- but it misfires. The nearby deputies tackle DYKE before he can fire again.

DYKE struggles furiously, but eventually the deputies are able to put handcuffs on him, as S. BEHRMAN watches.

EXT. DERRICK'S RANCH - OPEN WHEAT FIELDS - DAY

PRESLEY and HARRAN DERRICK ride casually, carrying rifles and accompanied by a pack of several greyhounds in a remote part of the ranch. They're hunting jackrabbits for amusement.

PRESLEY is surprised to see, in the distance, a few dozen men with rifles being trained by a military instructor, gradually advancing and then kneeling to fire at imaginary enemies.

HARRAN sees what PRESLEY is looking at.

HARRAN DERRICK

The League is serious, and we've let the railroad know that.

(MORE)

HARRAN DERRICK (CONT'D)

They didn't leave us any other choice.

(beat, as they ride)

They may try to jump the ranch, Pres, but they'll never do it while I'm alive.

INT. MAGNUS DERRICK'S RANCH - OFFICE - DAY

MAGNUS DERRICK and GENSLINGER come in. MAGNUS closes the door behind them and locks it. GENSLINGER looks over the office.

GENSLINGER

Very complete you are here. Telephone, safe, ticker...

(beat)

This is an unfortunate business, this misunderstanding between the ranchers and the railroad.

MAGNUS DERRICK

I'd prefer not to be interviewed on the subject.

GENSLINGER

Oh, I don't want to interview you. But about the current Railroad Commission... you conducted an interesting campaign in Sacramento and San Francisco. I mean, how you personally secured the votes of some delegation chairmen.

(beat)

Should I go further?

MAGNUS doesn't answer. He doesn't want to concede anything.

GENSLINGER (CONT'D)

You deposited two one-thousand dollar bills and four five-hundred dollar bills in a box -- three-oh-eight was the number -- in a safety deposit vault in San Francisco, and then you gave a key to this box to each of the chairmen. After the election, the box was empty. That seems ingenious. How did you think of it, Governor?

MAGNUS DERRICK

Do you know what you're insinuating? Here in my own house?

GENSLINGER

I'm not insinuating. I'm talking about what I know.

(hands MAGNUS a long slip of paper)

Here's a galley proof of the story. I've had the depositions of the chairmen in my desk for weeks.

(as MAGNUS reads)

I thought it would be fair to let you see before publishing it.

MAGNUS thinks for a while as he reads, then finally responds.

MAGNUS DERRICK

Congratulations. Your paper will sell tomorrow.

GENSLINGER

Oh, I don't know if I want to publish this. Once I run a good story to earth, sometimes I lose interest. And it may be worth more to you to keep it out of print.

(beat)

I've been thinking of enlarging the scope of the Mercury. We're in the middle of the state, and I see a chance to extend our influence. Perhaps by illustrating the paper. Between a photo-engraving plant and higher-grade paper, though, it would cost about ten thousand dollars. Could you... see your way clear to help with that?

MAGNUS DERRICK

(getting the point)

Ten thousand?

GENSLINGER

Yes.

MAGNUS DERRICK

What security could you give me for that amount?

GENSLINGER

Hadn't thought much about that. I think it's just to your advantage to talk business with me. If I'm not going to print this article, it seems like one good turn deserves another. Do you understand?

MAGNUS is uncertain at first, then angry. He starts to get up, but then feels doubt again and sits down, only glancing occasionally at GENSLINGER, who senses his discomfort.

GENSLINGER (CONT'D)

You may need time to think it over.
And I guess you can't raise money
like that on short notice.

(gets up)

We start setting type for
Saturday's paper at about four,
Friday afternoon. I'll wait till
Friday noon to hear from you.

(at the door, looks back)

I hope you won't find anything
disagreeable in your Saturday
morning Mercury, Mr. Derrick.

GENSLINGER leaves. MAGNUS stares grimly at the door.

INT. DERRICK'S RANCH HOUSE - DINING ROOM - MORNING

It's early. PRESLEY, in riding clothes, is finishing a quick breakfast of coffee and eggs. HARRAN DERRICK, in farm work clothes, is also eating.

PRESLEY gets up and picks up a satchel.

PRESLEY

Got any mail? I'm going into town
to send off my manuscript.

HARRAN shakes his head as he eats. PRESLEY heads out.

EXT. DERRICK'S RANCH HOUSE - DAY

PRESLEY leads a horse out of the stable. As he mounts it, MAGNUS DERRICK comes to meet him, holding an envelope.

PRESLEY

Morning, Governor. You're up early.

MAGNUS DERRICK

I heard you were headed into town.
Please stop by the Mercury for me,
and see Mr. Genslinger personally --
and give him this envelope. It's
just papers, but they involve some
money, so be careful with them.

PRESLEY takes the envelope and puts it in his satchel.

PRESLEY

I understand.

MAGNUS DERRICK

A few years ago, Genslinger and I had some shared business. Now that we're on opposite sides, I felt we should terminate matters. This is the final settlement, so be sure to give it to him in person.

PRESLEY

Yes, I will.

PRESLEY rides off. MAGNUS watches him go.

EXT. DERRICK'S RANCH - STABLES - MORNING

It's a couple of days later. PRESLEY and HARRAN DERRICK are saddling their horses.

PRESLEY

Osterman always cut his wheat before any other ranchers?

HARRAN DERRICK

No, but I guess he had a big crop and wanted to throw a big barbecue to celebrate. Just like him to spend his money before he's got it.

PRESLEY smiles. PHELPS, the ranch foreman, passes by.

PHELPS

I was in town last night. Heard S. Behrman's cousin is asking to be put in possession of Los Muertos. Says it was promised when he bought it from the railroad, and he wants it in time for the harvest!

HARRAN DERRICK

His cousin Christian?

(PHELPS nods)

Where'd he find the money to buy Los Muertos? There's no one man in Bonneville rich enough to do it.

PHELPS

Delaney's saying the same about Annixter's ranch.

HARRAN DERRICK

They don't even try to preserve appearances! That slice of Quien Sabe is worth ten, fifteen thousand dollars or more. And Delaney's not worth the price of a good horse.

PHELPS moves on as PRESLEY and HARRAN mount their horses and begin to ride out of the stable yard.

HARRAN DERRICK (CONT'D)

As if we can't see that Christian and Delaney are S. Behrman's right and left hands. Well, he'll get 'em cut off if he comes too close!

EXT. RURAL ROAD - DAY

PRESLEY and HARRAN DERRICK leave the ranch for the main road.

PRESLEY

How can the railroad gang claim anything before the courts decide?

HARRAN DERRICK

You know how they talk. They say the Supreme Court cases aren't test cases -- which we made clear they are! -- and since neither Buck or the Governor appealed directly, they've lost by default.

PRESLEY shakes his head.

HARRAN DERRICK (CONT'D)

But they won't dare move on us yet; the League is too strong, and they know we mean business. They try to jump a ranch, they'll face six hundred rifles before you blink. They'd need a regiment of the U.S. army to put any of us off our land.

As they ride, PRESLEY and HARRAN pass other people on horses, in buggies of different types, and even a farm wagon or two. Like ANNIXTER's barn dance, this barbecue is an event drawing in a broad range of people from the local area. Men and women alike are dressed nicely for the occasion, with minor adjustments for riding the dusty road in warm weather.

PRESLEY and HARRAN pass a farm wagon driven by HOOVEN, with his wife and two daughters on board.

The older daughter, MINNA, is in her late teens, curvy and attractive, and dressed as nicely as HOOVEN's meager income will permit.

PRESLEY and HARRAN catch each other taking a slightly long look at MINNA. Embarrassed but amused, they ride silently for a couple of seconds.

PRESLEY

I hope that Hooven girl won't go to the bad.

HARRAN DERRICK

I'm sure she's all right. There's nothing vicious about her. She'll marry some ranch foreman and be fine.

PRESLEY

She's a good girl, sure. But she's pretty for a poor girl, and she knows it. Some find trouble that way.

The lush, tall wheat fields stretching out on either side of the road suddenly change to freshly-cut stubble, showing they've reached the outskirts of OSTERMAN's ranch.

EXT. OSTERMAN'S RANCH - DAY

The crowd of horses, buggies, etc., is gathering near the ranch house. A vast open-air barbecue and picnic is being set up under the shade of oak trees a short distance away, with food and space being prepared for several hundred people.

PRESLEY and HARRAN DERRICK catch sight of ANNIXTER, riding his buckskin horse alongside a buggy driven by VACCA, with HILMA TREE and MRS. VACCA riding in the back seat.

ANNIXTER shouts to them over the throng of people and horses.

ANNIXTER

Hello, Pres! What a mob, hey?
(to HARRAN)
Harran, where's the Governor?

HARRAN DERRICK

Not coming today. We left him and old Broderson at Los Muertos.

EXT. OSTERMAN'S RANCH - DAY - AN HOUR OR TWO LATER

The massive feast is fully under way. As beef is being roasted and served along with other dishes, people are eating and drinking on oilcloths spread out on the ground. Everyone is having a good time, with much conversation and laughter.

HARRAN DERRICK, ANNIXTER, and PRESLEY stand off to one side, talking as they look out at the hills.

PHELPS, the foreman from the Derricks' ranch, rides toward them urgently from the road, bypassing the ranch house and the main picnic area.

PHELPS

Mr. Annixter... Mr. Annixter!
 (as ANNIXTER comes over)
 Important message from Los Muertos.
 It's not good news.

He hands ANNIXTER a folded sheet of paper. ANNIXTER reads it, glancing at the others.

ANNIXTER

Damn it, there's hell to pay.
 They've stolen a march on us.

PHELPS

They've been to your place already.
 I passed it on my way up. They've
 put Delaney in possession, and set
 your furniture out in the road.

ANNIXTER, PRESLEY, and HARRAN hurry toward the ranch house. They come upon OSTERMAN, who is already saddling his horse.

ANNIXTER

(to OSTERMAN)
 How many of the League are here?
 Get them together at this spot.
 I'll be back in a minute.

ANNIXTER runs off toward the picnic crowd.

ANGLE - PICNIC GROUNDS - DAY

ANNIXTER, racing through the various groups of picnickers, finds HILMA with VACCA and MRS. VACCA.

ANNIXTER

Vacca! Put the saddle on the
 buckskin, quick!

He pulls HILMA away, putting his arm around her.

ANNIXTER (CONT'D)

They've jumped the ranch, my girl.
They're in our house now. Go to
Derrick's and wait for me there.

HILMA

Where are you going?

ANNIXTER

Don't be scared, it'll be all
right. Go to Derrick's. Goodbye.

As they look in each other's eyes uncertainly, HILMA wraps her arms around ANNIXTER, and they kiss, more than once.

ELSEWHERE IN PICNIC GROUNDS - DAY

HARRAN and OSTERMAN each hurriedly wander through the crowd, looking for volunteers to help them. INTERCUT multiple conversations with reluctant ranchers and others.

RANCHER AT PICNIC #1

We're not armed.

RANCHER AT PICNIC #2

You want us to just stand up and be
shot at? No, sir.

RANCHER AT PICNIC #3

Is this just to save Magnus
Derrick's land? How'd we get taken
by surprise after all his talk?

RANCHER AT PICNIC #4

I'm not going anywhere with no
weapons in my hands. That's asking
too much.

RANCHER AT PICNIC #5

The thing to do is to call a
meeting of the Executive Committee!

HARRAN and OSTERMAN are frustrated and anxious, but don't know how to answer the ranchers' skepticism.

EXT. OSTERMAN'S RANCH HOUSE - DAY

ANNIXTER arrives back to find OSTERMAN, HARRAN DERRICK, PRESLEY, and PHELPS along with HOOVEN, GARNETT, GETTINGS, and two other men all on horseback, with ANNIXTER's horse.

GETHINGS

Are we ready now?

HARRAN DERRICK

(to ANNIXTER)

Mount up, we're all here.

ANNIXTER

All?! Is this all of us?! Where are the six hundred men who were going to rise up when this happened?

HARRAN and OSTERMAN look at each other, too embarrassed to explain. OSTERMAN looks at ANNIXTER and just shakes his head.

HARRAN DERRICK

We're all here. As many as we could get.

OSTERMAN

Come on -- the Governor said to meet him at Hooven's. We'll make for the Long Trestle and strike the trail from there.

The group of riders sets off, led by OSTERMAN and ANNIXTER.

EXT. ROAD NEAR DERRICK'S RANCH - DAY

Near where two roads meet is HOOVEN's home -- a small, unpainted house with a couple of similarly run-down buildings and yard, as well as a large oak tree.

MAGNUS DERRICK and BRODERSON wait next to a dry irrigation ditch as ANNIXTER, OSTERMAN, and the others arrive.

ANNIXTER

Where's all the men?

MAGNUS DERRICK

Broderson is here, and Cutter's keeping watch on the Upper Road. I thought you would bring more men.

GARNETT

So much for a League of six hundred who --

ANNIXTER

Forget the League! It's gone to pieces at the first touch.

MAGNUS DERRICK

Well, they did catch us completely off guard. But this many is enough.

HARRAN DERRICK

To face the U.S. marshal? How many men does he have?

MAGNUS DERRICK

The word we got from Bonneville is, a dozen armed deputies. S. Behrman and Ruggles are with them.

ANNIXTER

Where are they now?

MAGNUS DERRICK

They went back to Guadalajara after putting Delaney in possession on your ranch house.

GETHINGS

Well, from Guadalajara they can only go two ways -- the Upper Road to Osterman's ranch, or the Lower Road to Derrick's.

MAGNUS DERRICK

Yes, that's why I wanted you to come here. We can watch both roads here at the same time.

HOOVEN gestures toward the nearby irrigation ditch, and speaks in his thick German accent.

HOOVEN

Say, that irrigating ditch runs right across both roads, hey? That's a fine entrenchment, I bet. We fight them from that ditch!

MAGNUS DERRICK

(raises a calming hand)

I think we can get through this without bloodshed. When the marshal realizes we are determined, thoroughly determined to resist, I'm sure he will withdraw.

HARRAN

To make that case, though, we need to look ready to fight. Bismarck was a soldier back at home -- he's got a point.

CUTTER, a man in his 30s, rides into view. The others gather around him.

CUTTER

They're coming this way. Eleven men total. S. Behrman and Ruggles are in a two-horse buggy, with the others on horseback. Some have them have rifles, including Christian and Delaney.

The mention of DELANEY causes some of the men to glance at ANNIXTER.

ANNIXTER

Let's see if we can talk to the marshal himself. If this thing can by any means be settled peaceably, I say let's do it, so long as we don't give in.

MAGNUS nods. He looks at PRESLEY.

MAGNUS DERRICK

Pres, you shouldn't be any part of this. Go back and look after the horses, and make sure the road behind us is clear.

PRESLEY reluctantly does as he's asked, leading CUTTER's horse to the oak tree and tying it there.

ANGLE - IRRIGATION DITCH - DAY - SEVERAL MINUTES LATER

MAGNUS DERRICK and HARRAN DERRICK, ANNIXTER, and the others are all lined up in the irrigation ditch, a few feet apart, with only their heads and shoulders visible over the ditch.

All of the men have revolvers in their hands except for HOOVEN, who holds an old but well-maintained rifle. They wait for the marshal's group, watching the road closely.

HARRAN DERRICK

The marshal and S. Behrman don't seem to be in any hurry.

ANNIXTER

(to HOOVEN)

So you were a soldier, hey?

HOOVEN

I was at Gravelotte when we licked the stuffing out of the French.

HOOVEN continues, pleased for a chance to tell the story.

HOOVEN (CONT'D)

I belonged to the Wurtemberg regiment. All day we lay down in the field behind the battery, hearing cannon shells explode. Like a clock -- eins, zwei, boom! Eins, zwei, boom! What do we see of the battle? Nothing. But when night comes, they say we had a great victory. I don't know. But we march all night, and in the morning, the cannons are far off. And soon, there's the Kaiser, close by!

(shakes head in disbelief)

I go crazy and yell, with the whole regiment: "*Hoch, der Kaiser! Hoch, der Vaterland!*" And tears come to my eyes, I don't know why. But the regiment marches off very proud, by god, heads up high, and singing.

(beat, deeply serious)

That was Gravelotte.

Suddenly, several of the men shout at nearly the same time.

CUTTER

Here they are!

Still a few minutes' ride away, but visible coming around a curve in the road, is the posse CUTTER mentioned: a buggy with S. BEHRMAN and RUGGLES inside, with DELANEY and the U.S. MARSHAL next to it on individual horses along with CHRISTIAN, followed by another six armed men on horses just behind them.

The men in the ditch watch nervously. OSTERMAN cocks his revolver, and in the silence, everyone hears it click.

MAGNUS DERRICK

Remember our agreement. Mr. Osterman, let down the hammer.

OSTERMAN complies. The men wait as the posse draws nearer.

HARRAN DERRICK

(whispers to MAGNUS)

Don't let them get too close, Governor.

ANGLE - ROAD NEAR IRRIGATION DITCH - DAY

When the posse is a hundred yards away, MAGNUS calls loudly.

MAGNUS DERRICK
Halt where you are!

The MARSHAL hears him, and signals for the posse to stop.

Putting his two revolvers on the ground in front of him, MAGNUS climbs out of the ditch and gestures for GARNETT and GETTINGS to lay down their weapons and come with him.

The unarmed trio walks toward the MARSHAL and his posse as the remaining armed men in the ditch watch anxiously.

MAGNUS and the MARSHAL begin to talk quietly. They shake hands, but the men in the ditch cannot hear the conversation.

In the posse, DELANEY inches closer on his horse to listen in, and S. BEHRMAN and RUGGLES seem to comment. Eventually, the MARSHAL shakes his head and speaks more loudly.

MARSHAL
I only know my duty, Mr. Derrick.

The men in the ditch don't hear the reply, but see GETTINGS gesture toward them, and the entire posse looking at them.

Like DELANEY, others in the posse moves up to hear more of the conversation between the MARSHAL and MAGNUS.

HARRAN DERRICK
I don't like the looks of this.
They could take the Governor and
the others as prisoners.

ANNIXTER
You're right, they should come
back.

HARRAN climbs out of the ditch, still holding his revolver. A DEPUTY in the posse notices him.

HARRAN DERRICK
Governor, come on back! You can't
do anything.

DEPUTY
Keep back there, you!

HARRAN DERRICK
(instinctively)
Go to hell! You're on my land!

OSTERMAN comes out of the ditch, trying to pull HARRAN back.

OSTERMAN

Get back in the ditch! They can't
drive us out if we stay there.

But seeing OSTERMAN come out, ANNIXTER and HOOVEN leave the ditch as well, followed by the other men, all holding their weapons but uncertain what to do.

DEPUTY

I said, keep back!!

CHRISTIAN guides his horse closer to the conversation, but accidentally brushes the buggy's side. This causes the horse to rear, accidentally kicking GARNETT and knocking him down.

It's not clear to the ranchers' group what has happened. But HOOVEN doesn't wait -- he kneels and aims his rifle.

HOOVEN

Hoch, der Kaiser! Hoch, der
Vaterland!

HOOVEN fires toward CHRISTIAN and the others in the posse.

Instantly, gunfire erupts on both sides -- dozens of shots almost at the same time, then a few more at erratic intervals. It's not clear exactly who is aiming at who.

But when the shooting subsides, ANNIXTER, HARRAN, OSTERMAN, and HOOVEN, along with CHRISTIAN and DELANEY in the posse and a couple of other men, all lie dead or dying in the road.

Horrified, PRESLEY runs to the road to see who can be helped.

EXT. RURAL ROAD - DAY

The gunfire from the battle is heard in the distance by HILMA and MRS. VACCA riding in the buggy driven by VACCA.

VACCA

That's near Hooven's. They must be
fighting over there.

HILMA

Stop... drive to Hooven's, quick!

VACCA

We'd better not if there's trouble.
Mr. Annixter said, go to Derrick's.
We wouldn't get there 'til it's
over, anyway.

HILMA
 (quiet, but fierce)
 Drive to Hooven's, or I'll walk
 there!

VACCA complies, cutting across open fields until they reach a road that passes ANNIXTER's ranch house.

From the road, they can see that the path to the house has been blocked, with all of the furniture and other household items piled up outside. Two armed men patrol the porch.

HILMA (CONT'D)
 Oh... how could they?!
 (suddenly, to VACCA)
 Go on, quickly!

EXT. HOOVEN'S HOUSE - DAY

A crowd of people, horses, and buggies is building around the house. HILMA weaves through them toward the front door, where she sees PRESLEY coming out with an empty water pail.

HILMA
 Where is my husband?!

PRESLEY can't bring himself to answer right away. HILMA passes by him into the house without waiting.

INT. HOOVEN'S HOUSE - DAY

Survivors from both the marshal's posse and the ranchers' group are helping a couple of doctors to tend the wounded from both sides equally, without any hint of hostility.

Some injured men are lying on the floor for lack of space. HILMA sees them and surgical instruments, bandages, and a box filled with cotton on a table next to a mostly-empty satchel.

HILMA
 (to no one in particular)
 Where is my husband?!

No one answers her. HILMA looks into a side room and sees ANNIXTER's body on a bed. She goes in, silently.

ANGLE ON PRESLEY, coming back in with a full water pail, and bringing it to a doctor tending one of the wounded men.

He looks into the side room and sees HILMA sitting next to the bed with ANNIXTER's body, holding his head in her lap, crying quietly. Their eyes meet, but neither says anything.

EXT. BONNEVILLE MAIN STREET - DAY - LATE MORNING

It's the next day. PRESLEY walks past the city opera house, where a large crowd (almost entirely men) is gathering -- ordinary local residents, not refined theatergoers. Some civic event of great interest is apparently happening there.

PRESLEY walks down a few doors to CARAHER's saloon, where CARAHER is at the door smoking a pipe. They go in together, and through a window we see them sit a table and talk intently, not bothering with ordering or serving any drinks.

Some time later, PRESLEY leaves, passing a even larger crowd outside the opera house.

INT. BONNEVILLE OPERA HOUSE - DAY

The seats are all filled, with a substantial number of men standing in the aisles and along the edge of the stage.

The stage itself has a row of chairs, on either side of a small table with a pitcher of water and a speaker's gavel. The onstage chairs are mostly filled by middle-aged or older ranchers, including KEAST, GETHINGS, and GARNETT (who sits next to the table). One of the men stands up to speak.

SPEAKER #1

Like the rest of you, I deplore what happened yesterday. Armed guards of the League are patrolling the ranches known to be at risk, and the U.S. marshal has confessed he's powerless to serve any more writs. We've had enough bloodshed.

(beat)

I want to add, I'm not sure, but yesterday's terrible affair might have been avoided. If the enemy appeared, the plan was to meet them with six hundred armed and drilled men. If that had happened, no fight would have ensued. A mistake was made, and we of the League must not be held responsible.

He sits down, to some applause. Another man steps forward.

SPEAKER #2

I want to second what my colleague said. This matter was talked over in meetings. No authority to fire a shot was delegated to anyone!

(MORE)

SPEAKER #2 (CONT'D)

We thought watch was being kept so we wouldn't be taken by surprise. And it seems no watch was kept, or if it was, it was mighty ineffective.

(beat)

Our leader is mourning the loss of his son, and god knows we're all sorry for him. But if he'd managed right, there wouldn't have been any gunfight or killing. He didn't manage right and there was killing, but I don't see as how the League ought to be held responsible.

ANGLE - CENTER AISLE ENTRANCE

A mix of shouting and applause rises as MAGNUS DERRICK enters, walking toward the stage.

ANGLE - OPERA HOUSE STAGE

MAGNUS walks past the speaker's place at center stage, heading to a back corner instead. KEAST comes over to him.

KEAST

I'm ashamed, Governor! They've lost their nerve. They say a meeting of the Executive Committee should've been called -- as if there was time! If all had gone well, they wouldn't be like this... get up and show them you're the boss. Bring 'em up standing!

MAGNUS considers this for a moment, then goes to the front of the stage. His tone is stern and dignified.

MAGNUS DERRICK

Gentlemen of the League... citizens of Bonneville.

A HECKLER interrupts, shouting from the crowd.

HECKLER

How about the bribery of the delegates at Sacramento? That's what we want to hear about!

A general uproar erupts, with people near the HECKLER yelling to support him, less sympathetic others trying to shout them down, and confused talk among the rest of the audience.

GARNETT grabs the gavel and pounds it on the table.

GARNETT
Order, order!

KEAST
(coming downstage, shouts)
You were paid to break up this meeting! Let the president speak, and then you can have your say.

HECKLER
I'll have it now!
(waves a newspaper)
Here, read how the Sacramento convention was bought by Magnus Derrick, president of the San Joaquin League of Ranchers! Here's the facts, printed and proved!

He pulls a bundle of newspapers from under his seat. So do others around him, cutting package strings and throwing copies all around. The newspaper is the Bonneville Mercury -- GENSLINGER's paper, which he said wouldn't publish the story.

KEAST
Liars! Your paper's the paid organ of the railroad. You have no proof to back you up! This man's son --

HECKLER
Let Derrick deny it, then. Where is he hiding?!

KEAST turns and sees MAGNUS has disappeared from the stage. Meanwhile, audience members pass around and begin reading the newspapers.

INT. BONNEVILLE OPERA HOUSE - BACKSTAGE - DAY

Leaving the shouting crowd behind, KEAST winds through hallways until he finds MAGNUS DERRICK in a small, run-down dressing room with GARNETT, GETTINGS, and a few other men.

KEAST
Governor! I've been looking for you. The crowd has gone wild out there. Come out and talk them down, give them an answer.

GARNETT
That's what we want him to do, but he won't.

KEAST
 (to MAGNUS)
 Why not? They're saying you're
 hiding.

MAGNUS
 (uncertainly)
 I... I will not stoop... it would
 be beneath me.

GARNETT
 It is a lie, isn't it? The railroad
 commission was elected honestly...
 wasn't it?

MAGNUS tries to be outraged, but his heart isn't in it.

MAGNUS
 How dare you! Do not question --

KEAST
 (cutting him off)
 People are already questioning,
 whether you like --

GARNETT
 Yes or no, was the commission
 honestly elected? Did you bribe the
 delegates?

MAGNUS realizes he can't hide it anymore.

MAGNUS
 We were obliged to shut our eyes to
 means. There was no other way to...
 (beat, giving in)
 Yes, I gave them two thousand
 dollars each.

KEAST
 (under his breath)
 Oh, hell. My god...

He sits down on a ragged sofa to collect his thoughts. The
 others hang their heads in embarrassed silence.

GARNETT
 Well... yes, that's what I was
 trying to get at. I see.

More silence.

GETHINGS
 I guess I'll go home now.

He leaves. One by one, the others follow, with at most a slight nod toward MAGNUS. The last to go is KEAST, who shakes MAGNUS's hand half-heartedly.

KEAST

Goodbye, Governor. Don't let this discourage you too much. We just... need some time. So long.

KEAST goes out, shutting the door behind him.

MAGNUS sits silently in the dressing room's lone chair, looking at his reflection in a cracked makeup mirror.

EXT. S. BEHRMAN'S HOUSE - NIGHT

A clearly upper-class house far from any others in the town of Bonneville, surrounded by trees and bushes.

Lying as flat as he can, PRESLEY crawls slowly toward the house from several yards away, trying to stay invisible. He's holding a six-inch pipe bomb in one hand.

Through the windows of the house, he can see a luxurious, well-lit dining room, and S. BEHRMAN sitting down for dinner.

PRESLEY rises up and throws the pipe bomb at the window. It breaks through the glass, and there is a large explosion.

After a few seconds of watching the smoke and some flames, PRESLEY gets anxious and runs away, staying as low as he can.

As he runs off, the smoke clears a bit. We see S. BEHRMAN stand up unscathed inside, trying to assess what's happened.

INT. CEDARQUIST'S OFFICE - DAY - SEVERAL DAYS LATER

CEDARQUIST sits at his desk, opening mail. PRESLEY comes in, looking emotionally exhausted.

CEDARQUIST

Pres, by god... have you been sick?
Sit down, I'll get you some sherry.

PRESLEY sinks into a chair as CEDARQUIST pours him a drink.

PRESLEY

Yes. Afraid I've gone to pieces.
Nerves, headaches, insomnia... a
general collapse all down the line.
Overexcitement, the doctor says.

CEDARQUIST

After all you've been through, I'd suppose so.

PRESLEY closes his eyes, pressing his fingers to his head.

PRESLEY

It's a nightmare, and not over yet.

CEDARQUIST

So, the railroad is in possession on most of the ranches?

PRESLEY

All of them. The League went to pieces as soon as Magnus resigned. The railroad leased some lands to the ranchers who live there, but signing the lease admitted the railroad held title.

(beat)

And they refused to lease to Magnus. S. Behrman takes over Los Muertos in a few weeks now.

CEDARQUIST

So Derrick will have to leave? And you as well?

PRESLEY

Yes, but that's not the only reason I came up. I was told the family of Hooven, a tenant of Magnus who was killed, came here to find work. I'm trying to find them to look after them.

CEDARQUIST

You need looking after yourself.

PRESLEY

That's also why I came -- to ask for passage on one of your wheat ships. I need to go away, one way or another, and the doctor says an ocean voyage would set me up well.

CEDARQUIST

Certainly, but our first ship won't clear until the end of the month.

PRESLEY

That will do fine. Thank you.

EXT. CASTRO STREET, SAN FRANCISCO - DAY - LATE AFTERNOON

PRESLEY steps off a streetcar and looks for an address he has written in a small notebook.

He approaches a house and knocks. The LANDLADY answers, but we don't hear the first part of their conversation.

LANDLADY

German woman, with a girl baby and older daughter? I know them, sure. The older daughter was main pretty. But they left a week ago.

PRESLEY

Why?

LANDLADY

I had to ask for their room. They owed a week's rent. I can't afford--

PRESLEY

Do you know where they went? Where did they have their trunk shipped?

LANDLADY

Oh, I've got their trunk -- I'm holding it until I get my money. If you've got anything to say about that, I don't want to hear it. But they're not here.

She closes the door. PRESLEY steps down and goes to the street corner, frustrated and unsure what to do.

EXT. DOWNTOWN SAN FRANCISCO - NIGHT - EARLY EVENING

Back in the business district, PRESLEY walks around a corner, still preoccupied.

A sign on a huge office building catches his eye. It reads, "**General Office, Pacific and Southwestern Railroad.**" Thinking and taking a deep breath, PRESLEY goes inside.

INT. P. & S.W. CORPORATE HEADQUARTERS - NIGHT

PRESLEY sits in a waiting area outside an office. The frosted pane on the office door reads "**PRESIDENT**" in gold letters. An OFFICE CLERK sits at a desk nearby, working on forms.

A small electric bell next to the office door rings. The OFFICE CLERK gets up, opening the door and sticking his head inside. He turns to PRESLEY.

OFFICE CLERK
Mr. Shelgrim will see you, sir.

INT. SHELGRIM'S OFFICE - NIGHT

It's spacious and well-lit, but sparsely furnished. Windows off to one side give a view of the sidewalk and street below.

SHELGRIM sits at a large table, cluttered with papers and other items. He is nearly 70, heavy-set with broad shoulders, and a thick gray beard and mustache.

He writes some notes on a calendar pad, and signs a couple of letters. He then picks up a business card, studies it, and looks at PRESLEY, who sits in a chair a few feet away.

SHELGRIM
You... are the young man who wrote
the poem called "The Toilers."

PRESLEY
Yes, sir.

SHELGRIM
It's inspired a great deal of talk.
I've read it. And I know the
painting you took the idea from. Of
the two, I like the painting
better.

PRESLEY
(a bit apologetic)
The painting is by a master.

SHELGRIM
And for that reason, it leaves
nothing more to be said. You might
as well have kept quiet.

PRESLEY
(awkwardly)
I... never looked at it that way. I
wrote it when I was terribly upset.
(beat)
I live, or did live, on the Los
Muertos ranch in Tulare County --
Magnus Derrick's ranch.

SHELGRIM

(calmly correcting him)
The railroad's ranch, leased to Mr.
Derrick.

PRESLEY spreads his hands out, helpless and resigned.

SHELGRIM (CONT'D)

And I suppose you believe that I am
a great, cruel villain.

PRESLEY

(surprised he's so blunt)
I... I believe...

SHELGRIM

Believe this, young man, or try to.
Railroads build themselves! Just as
Mr. Derrick's wheat grows itself.
What does he count for?

(beat)

The wheat and the railroad are
forces, not men. And the law that
governs them is supply and demand.

(beat)

Complications may arise, conditions
that bear hard on some individuals.
Crush them, maybe. But the wheat
must be carried to feed the people,
just as inevitably as it grows.

PRESLEY

But, you control the road!

SHELGRIM

Control the road?! I can't stop it.
I can go into bankruptcy if you
like. But if I run the P. and S.W.
as a business proposition, I can't
do anything.

(leans forward)

Can your Mr. Derrick stop the wheat
from growing? He can burn his crop,
or give it away, or sell it for a
cent a bushel... but otherwise his
wheat must grow. He can't stop it,
any more can I stop the railroad.

PRESLEY

But for all you say about forces,
the people who grow the wheat are
the only ones who've suffered. The
men of the rail --

PRESLEY stops abruptly, seeing something out of the corner of his eye -- someone he thinks he knows, outside the windows, passing by on the sidewalk below.

He gets up and races out with no explanation. SHELGRIM is perplexed for a moment, then shrugs and goes back to work.

EXT. DOWNTOWN SAN FRANCISCO - NIGHT

PRESLEY hurries out of the office building, and sees MINNA HOOVEN from behind, wearing a silk dress and large hat, a short block or two ahead, nearing Market Street. Half-running to catch up, he's not sure it's her until he gets closer.

PRESLEY

Minna!

MINNA turns around. She's surprisingly well dressed -- maybe too well dressed, with a bit too much makeup.

PRESLEY (CONT'D)

I'd almost given up... I've been looking everywhere for you. How are your mother and Hilda? Have you got a good place?

MINNA

(embarrassed)

I... don't know where mamma is. We got separated while I was looking for work. I haven't been able to find them again.

As she talks, PRESLEY glances at MINNA's dress and well-styled hair. He's momentarily at a loss for words.

PRESLEY

But... how are you getting on?

MINNA

(a short, scornful laugh)

Me?? Oh, I've gone to hell. It was either that or starvation.

Barely raising her hand to wave goodbye, MINNA turns away and quickly crosses the street, walking as fast as she can.

PRESLEY watches her leave, then looks back toward SHELGRIM's office. Not seeing the point in going in either direction, he just stands on the corner, helpless and confused.

EXT. DERRICK'S RANCH HOUSE - DAY - SOME DAYS LATER

PRESLEY rides up the driveway to the ranch house. As he dismounts and ties his horse, he sees the lawn and driveway beginning to become overgrown, with weeds and dying grass.

INT. DERRICK'S RANCH HOUSE - DAY

PRESLEY enters the house, which is in disarray with half-full trunks, crates, and cases everywhere. Servants busily pack them with books, clothes, etc., as ANNIE DERRICK comes to meet PRESLEY. She is quiet and calm, almost apathetic.

ANNIE DERRICK

We're going away, too. Just Magnus and I, to Marysville. I used to teach in the seminary there, and the place happens to be vacant.

(small smile)

We're beginning all over again, I guess -- only there's nothing to look forward to. We don't have much money left, and Magnus is an old man. I have to look after him now.

PRESLEY

He isn't any better?

ANNIE DERRICK

He's in his office, if you'd like to see him. You can go right in.

PRESLEY gets up, a bit hesitantly.

PRESLEY

Is Hilma still with you? I'd like to see her before I go.

ANNIE DERRICK

Yes, I'll tell her you're here.

INT. DERRICK'S RANCH HOUSE - DAY

PRESLEY goes down a hallway and looks into the office, but sees that S. BEHRMAN is already there, talking to MAGNUS.

MAGNUS looks more disheveled than we've seen him before, with none of his former erectness and air of authority.

S. BEHRMAN

I want my carpenters to begin work in here day after tomorrow, to take down that partition and throw this room and the next into one. That will be okay, won't it? You'll be out of here by then, right?

MAGNUS DERRICK

(docile, obedient)

Yes, you can send your men here. I'll be gone.

PRESLEY turns away without going in, heading for the stairs.

INT. DERRICK'S RANCH HOUSE - PRESLEY'S BEDROOM - DAY

PRESLEY enters his former bedroom, which is now almost empty except for the furniture. He puts the few remaining papers, books, and other personal items in a small, already half-full suitcase lying on the bed.

Closing the suitcase and picking it up to leave, PRESLEY takes a long look back at the room before closing the door.

INT. DERRICK'S RANCH HOUSE - DAY

When PRESLEY comes back downstairs, HILMA is waiting for him, dressed in black. Her manner is very somber and serious -- what she's been through has matured her beyond her young age.

HILMA

Thank you for asking to see me. I hear you're going away.

PRESLEY

Yes... I felt I couldn't stay here. My ship to India sails in a few days. What are you going to do? Can I help in some way?

HILMA

No.

PRESLEY

Are you well?

HILMA

(a helpless non-answer)

I'm as you see. My father has family in San Francisco. I suppose I'll go there.

PRESLEY

I know everything is terrible. But I hope someday you can be happy again.

HILMA

How can I be happy, unless... I forget my husband? I'd rather be unhappy remembering him.

PRESLEY

Maybe years from now? We can't help being unhappy now, but you have so much longer to live. So I hope you'll find a way.

(trying to be supportive)

I know seeing how you changed Buck helps me, encourages me to be the kind of man you helped him become. So I hope you can be loyal, and keep the part of you that belonged to him sacred, but still be happy again. I don't know if there's any other way for us to go on.

HILMA

(smiles a bit)

I'm not sure I see... but I know you mean to be kind. And my husband always did respect your ideas.

PRESLEY

I want to help you. I know you've suffered more than I have, and I don't want to see your life wasted. Even if I don't see you again, I'll always want to be your friend.

HILMA

Thank you... and I know you were my husband's dearest friend. So yes, if you ever come back, I want to be your friend, too.

A pause. PRESLEY holds out his hand, and HILMA takes it.

PRESLEY

Goodbye. And may god bless you.

HILMA

(quietly)

Both of us.

PRESLEY turns and leaves the house.

EXT. ANNIXTER'S RANCH - DAY

PRESLEY rides past what had been ANNIXTER's home. The ranch house, barn, and other buildings are all boarded up.

A sign nailed to a tree reads, "**Warning: All persons found trespassing on these premises will be prosecuted.**"

EXT. PORT - DAY

A busy commercial port. Warehouses border the docks, as workers load cargo onto ships amid crates and large bags.

S. BEHRMAN passes by the warehouses on his way to a massive grain elevator next to where a particularly large ship is docked. The name "**Swanhilda**" is visible on the stern.

S. BEHRMAN walks up a steep gangway to board the ship, and looks around to find the deck officer in charge.

S. BEHRMAN

How's it getting on here? Is my wheat being loaded all right?

DECK OFFICER

Quite well, sir. We'll have her snugged down before you know it.

S. BEHRMAN

I'll have a look 'round, I believe.

DECK OFFICER

Right—oh.

ANGLE - DOCKSIDE - DAY - MINUTES LATER

Near the same ship, PRESLEY leaves a pair of trunks with an attendant for loading. CEDARQUIST meets him.

Not far away, a small political rally is going on, and a man is pounding a large bass drum, on which is written, "**Derrick for Governor.**" A sign on the side of a wagon reads, "**Vote for Lyman Derrick, Republican for Governor of California.**"

PRESLEY

Thanks for coming to say goodbye.

CEDARQUIST

Lyman Derrick is in the new politics with a vengeance, isn't he, Pres? The railroad openly admits he's their candidate.

PRESLEY
 (resigned)
 Well, he knows his business best.

CEDARQUIST
 Enjoy the Swanhilda. Write to me
 from Honolulu, and give my respects
 to the Hindus when its wheat gets
 to India. Tell the men of the east
 to look out for the men of the
 west!

PRESLEY
 I don't know if they would
 understand --

CEDARQUIST
 And take care of yourself. You
 still look thin.

PRESLEY
 I... well, there shouldn't be any
 lack of food on a wheat ship.

CEDARQUIST
 I hope not.
 (shakes his hand)
 Goodbye!

PRESLEY
 Goodbye, sir.

PRESLEY boards the ship via the steep gangway.

EXT. SHIP DECK - DAY

Looking around as he steps onto the main deck of the ship,
 PRESLEY is surprised to see S. BEHRMAN walking by.

S. BEHRMAN
 Mr. Presley! I thought I'd seen the
 last of you. What brings you here?

PRESLEY
 I'm going away, to India.

S. BEHRMAN
 For your health, hey? You look
 knocked up. By the way, I suppose
 you've heard the news?

PRESLEY
 What news?

S. BEHRMAN

About Dyke. He's been convicted.
The judge sentenced him for life.

PRESLEY tenses up at the realization. He can't stop himself from answering, recklessly and frustrated.

PRESLEY

You can't be brought to book by anybody, can you? The law can't get you, Dyke's pistol missed fire for your benefit, and you even escaped six inches of plugged gas pipe.

S. BEHRMAN

Gas pipe... was it you who threw that bomb into my house?

PRESLEY

It was.

S. BEHRMAN

(unexpectedly calm)

Well, that don't show any common sense. What could you have gained by killing me?

PRESLEY

Not as much as you gained by killing Harran Derrick, and Buck Annixter. But that's passed now. You're safe from me.

(laughs at the absurdity
of discussing it)

What are we going to do with you?

S. BEHRMAN

(in the same spirit)

Best give it up, Pres. I guess there ain't anything can touch me.

He walks away, contented, as PRESLEY stares grimly at him.

EXT. REMOTE PART OF SHIP DECK - DAY

Exploring the deck away from any crew members, S. BEHRMAN wanders toward an open hatch where wheat -- *his* wheat, from the Derricks' ranch he's just taken over -- is pouring through a large iron chute from the grain elevator, into the ship's hold.

Curious, he looks in closer -- and is fascinated to see the roaring river of grain beginning to fill the cavernous space.

Some of the flying wheat is close enough to touch. S. BEHRMAN reaches in, but quickly pulls his hand back as the force of it not only stings, but jerks his arm toward the hatch.

Still intrigued, S. BEHRMAN cautiously leans forward a bit to look further inside the hold.

INT. SHIP'S HOLD - DAY

Only a bit of outside light slips into the hold, and the dust from the flood of wheat obscures the view as well.

S. BEHRMAN blinks, adjusting his eyes to the darkness, then is able to see the gradually rising level of grain inside. Suddenly, the volume of wheat pouring in increases sharply, echoing like thunder.

Surprised, S. BEHRMAN instinctively looks up toward the chute opening -- and loses his balance, falling into the hold.

ANGLE - INSIDE THE HOLD

Stunned after falling several feet into the pool of wheat, S. BEHRMAN struggles to stand up... and immediately finds himself ankle-deep in grain, no matter what he does. He can only see for a short distance in any direction.

S. BEHRMAN
Hell, here's a fix.

The grain rising to his knees, S. BEHRMAN steps back from the path of the chute, toward the closest wall. He gropes along the steel wall, hoping to find a ladder or some other escape.

No luck -- and the dust is making it hard to breathe. Choking and gasping, S. BEHRMAN lurches back toward the hatch.

S. BEHRMAN (CONT'D)
Hello, on deck there! Somebody, for
god's sake!

There is no response; his voice is drowned out by the roar of the wheat rushing out from the chute. Even worse, the flying grains pelt his face, beginning to draw blood.

Horrified, S. BEHRMAN gropes along the wall away from the hatch again, hoping to find a corner where the level of grain is lower. He feels it continuing to rise wherever he goes.

Desperately, he tries to crawl on top of the wheat toward the hatch to shout for help once more -- but he's so choked from the grain dust that he can barely make any sound.

The wheat keeps rising around S. BEHRMAN as he flails in the midst of it, gradually moving less as he loses consciousness, exhausted and unable to breathe. Soon, he's buried.

ANGLE ON the hatch above, on the ship's deck. All we see and hear is the rush of wheat as it continues to fill the hold -- nothing but wheat and more wheat, overwhelming everything else.

EXT. SHIP DECK - DAY - HOURS LATER

The Swanhilda has left the port and is now in the Pacific Ocean, headed south. The California coast is still visible.

PRESLEY, smoking, gazes at the coast from the railing of the deck. The DECK OFFICER passes by.

DECK OFFICER

If you were to draw a line from our position now, about a hundred miles east is Tulare County, not far from where you used to live.

PRESLEY

(with mixed feelings)

Thanks. I'm glad to know that.

PRESLEY keeps looking at the coast, brooding as he smokes.

HILMA TREE walks slowly along the deck toward PRESLEY, again dressed in black. Seeing PRESLEY, she stops at the railing a few feet away from him, looking out as well.

PRESLEY doesn't notice HILMA right away. When he does, he just stares in stunned silence. She glances back at him.

HILMA

I thought, if I have to survive, and be unhappy, at least I might do it with someone else nearby. Someone who knew my husband, and knows what happened... knows why I'm unhappy.

(beat)

It might not help much. But at least I'll have less to explain.

PRESLEY thinks about saying something, then just nods. They both look out at the water and coast as PRESLEY smokes.

FADE OUT.