

The Settlement

A screenplay by
Bruce Whitehead

FADE IN:

EXT. UNCHARTED VALLEY - DAY

SCREEN TYPE: "Unorganized US Territory, Spring 1840."

A dozen horse-drawn wagons and ox carts arrive in a column at the crest of a low, lush valley. A river meanders below as the sun casts a long evening shadow across the valley floor.

As they pass we see the weather-beaten faces of SETTLERS, TRAPPERS and TRADERS who have endured months of arduous overland travel.

A large, bearded man in a calfskin coat, JOHN STOUT, 35, stands up on the lead wagon and calls a halt.

STOUT

Hel-looo! Whooooaa! We're here!
We're here! We're here! We're home!

His message makes its way down the line to hoots and hollers, flying hats and frantic horses.

Riders leap from wagons to dance and shout in the tall grass. Men, women, children, dogs, all excited.

EXT. VALLEY FLOOR - DAY

We sweep over the valley, taking in the river, the forest, and now the ridge with its wagons, animals and people, before moving in...

EXT. LEAD WAGON - DAY

CLOSE ON Stout standing alone, a handsome face, long brown hair, full beard and moustache, his eyes scanning the virgin valley beneath him.

The wind is picking up. He shudders, then turns.

EXT. REAR WAGON - DAY

At the end of the procession of travelers is a ramshackle cart pulled by two small horses belonging to WARREN LANDON, a jack of all trades.

From every imaginable space on the wagon protrudes or dangles some object: a saw, a bucket, a rope, a hammer.

His infant son MARSHALL pokes his head out of the wagon's canvas tarpaulin.

Closely followed by his pregnant wife, EMMA.

It looks like they just woke up.

EMMA

Is this it?

Landon pulls a map from his shirt pocket and studies it. Then he pulls a compass from another pocket and holds it up.

After a few looks around and another glance at the map and compass, he is satisfied.

When he speaks we can detect a lingering British accent.

LONDON

Yes! This is it, my dear! We have arrived! Now it will be our greatest joy to settle in this glorious valley to raise our tender family and prosper under the Lord.

EMMA

I want to see...

Landon helps his enlarged spouse from the wagon. He pats her rear as she climbs down. Emma laughs.

They stand together, hand in hand, the wind tangling their hair as Marshall watches from the wagon.

EMMA (cont'd)

It's beautiful. It really is.

(turns to face him)

I'm so glad. I'm so glad we got away. This will be a clean start for us, Warren.

LONDON

Never mind the past, my dear. It is the present, and into the future towards which we must now cast our eyes and our dreams. You've heard me say it before, and I'll say it again. I am a reformed man. This I repeat with God as my witness and Jesus as my guide.

Stout walks up, a telescope in hand.

Despite his size, he's soft spoken, like an accomplished boxer, someone who knows he's in no personal danger.

He stops next to Landon's wagon at the end of the line.

STOUT

Well, we've arrived, Landon. And all present and accounted for.
(with a grin)
Down to the last.

LANDON

(gazing over the valley)
And tallied by the first, no doubt.
(beat)
Well, this appears to be truly a place of great abundance, so there should be plenty for all. Just look at those forests. And there's water stretching to the horizon.

Stout offers him the telescope.

Landon takes it with a look of surprise.

LANDON (cont'd)

There's a tremendous lake beyond those hills to the north.

Lowers the telescope and kicks up a clump of dirt.

LANDON (cont'd)

The soil is thick and rich, even this far up. It's ideal.

STOUT

Well, I'm glad we've received your blessing, Landon. But perhaps your memory evades you. It was my brother, whom I dare say you had the privilege to meet in Illinois, who secured the route to this new land. This valley. Amidst a thousand others that might have beckoned our attention.

(a beat)

Your approval is all fine and well, Landon. But after all, it was your financial contribution to the expedition, and not your geographical knowledge, for which you may take your credit.

LONDON

If you say so, John Stout.

Landon sets his jaw.

STOUT

After all, I know why a man like you would venture into such a remote, God-forsaken place as this.

He holds his hand out for the telescope.

STOUT (cont'd)

And surely it was not for the scenery.

EMMA

What is he speaking of?

LONDON

(to Stout)

I suspect the last leg of our journey may have finally rattled loose a portion of his faculties, my dear.

STOUT

(turning to Emma)

Well, that's a mighty unfriendly thing to say to a man, now isn't it? I mean, after the many miles we've beaten in the same boots.

(turning to Emma)

Wouldn't you say?

LONDON

Never mind my wife's bidding, John Stout. It is of no import to you. Any matters we have will remain with us to settle alone.

STOUT

I think perhaps the travel has finally caused you the harm, my friend. Our matters are settled, fear not.

LONDON

They say you can smell a man's bad intentions. And I reckon you stink.

STOUT

(amused)

What a thing to say! Indeed, you surprise me, Warren.

(more to Emma)

He can mend any pot, or sharpen any knife, but 'tis his tongue that's sharpest of all, and his mouth the hole that ought be sealed.

As Stout marches off towards the front of the line, laughing.

LANDON

Oh, Mother, bear witness to his tirade! My goodness, it's plain unsettling.

EXT. VALLEY FLOOR - DAY

Looking up from the valley floor, as the wagons begin their descent.

CREDITS ROLL

ON Landon, Emma, and Mitchell.

ON Stout in front, his eyes scanning ahead.

ON the scenery.

Finally, CLOSING IN ON on a rock wall above a stream, and ON a Native painting of a man with a spear.

FADE TO BLACK.

FADE IN:

EXT. SETTLEMENT - DAY

SCREEN TYPE: "Two Years Later"

An emerging settlement has made its mark on the valley.

About a dozen rough log buildings line the river front. A wooden bridge fords the water at a narrowing to the north.

In the center of the settlement is a small fort. Other buildings, sheds, stables and shacks dot the landscape.

Farms, ranches, fences, livestock. About 30 people now inhabit what has been dubbed Fort Stout.

The fort itself is small, encasing only one larger building, a stable and some storage and work areas.

INT. STOREROOM - DAY

Stout stocks provisions into shelves. His burly arms and chest bare.

Landon enters with his wife and Marshall, along with his second son, since born, NATHAN.

LANDON
Good morning, John.

STOUT
(looking up)
Ah, hello Warren... Mrs. Landon.

He smiles and waves at Marshall, 3 years old, and Nathan, 2.

LANDON
Need a hand, John?

STOUT
(standing, puffing)
Well, I dare say two could lighten the load, here.

LANDON
(to Emma)
Take the boys out for a bit, Mother. I'll be along shortly.

EMMA
(smiles)
All right, Warren. Come now, boys.
(afterthought)
Oh, congratulations on your appointment, Mr. Stout.

STOUT
I'm afraid it's not exactly official yet, my dear. But thank you all the same. Seems the government isn't ready to recognize a territorial authority just yet.

EMMA
I'm sure it's only a matter of time.

LONDON

Emma...

EMMA

Forgive me. Come along now, boys.

She shoos them out the door into the muddy street beyond.

Landon talks off his jacket and starts lifting boxes from the floor to the shelves.

STOUT

I'd wager you're not here only to offer your labors, Warren.

LONDON

That would be a wager won. You see, I've been wondering--

STOUT

Not a good habit for a tradesman, Warren. Stay clear of your head and stick with your hands. They alone are responsible for your worldly riches now.

LONDON

Mock me all you wish. Such foolish chiding is certainly of no consequence to me. However, the safety of my family, John, is an obligation from which I shall not stray.

STOUT

All right, Warren. You have my ear.

LONDON

I believe our defences may prove woefully inadequate against an Indian attack.

STOUT

Indian attack? What nonsense is this you bring to me? Our relations with the Sioux, the Lakota, are minimal and friendly.

LONDON

They say the Indians are avenging the land.

STOUT

What in the heavens do you speak of now?

LANDON

Only what Pierre told me today.

STOUT

Pierre! Half of what leaves that Frenchman's lips is blither, and the other half pure blather.

LANDON

He's certainly had his share of dealings with them.

STOUT

Listen, there's not been hide nor hair of any Indians in these parts, Landon, let alone any attack. Our destiny here is one of commerce, not conflict, let me assure you.

LANDON

Have you not heard of the skirmishes in Minnesota?

STOUT

(considers this)

And what more do you know of these matters?

LANDON

I know my family may be in peril. That's all the knowledge I require.

STOUT

Very well, let us convene the men and discuss the issue formally. Spread the word.

LANDON

(picking up last box)

Thank you, John. You appear to have become a wiser man than perhaps I previously granted myself liberty to consider.

STOUT

(sour)

I'll choose to take that as a gesture of confidence. Thank you.

As Landon is leaving, stooping out the door.

LANDON

Oh... I almost forgot. I would like to hold a small Christian ceremony on Sunday for anyone who would like to attend.

STOUT

So you're going to impersonate a chaplain, now, are you? After all your prior travails, Landon?

LANDON

As you know, I was unconditionally pardoned by the Governor of Illinois. And I have led a clean life on a clear break ever since. My good wife can attest to that, for she, alongside the Good Lord, has been the great catalyst to my salvation.

STOUT

All right, all right, don't get your britches in a bind. Have your service, what have I to say about it?

LANDON

I thought you might like to attend. You know, redeem yourself, save your soul.

EXT. STREET - DAY

Emma is talking with a small man, PIERRE LAFONTAINE, a fur trapper, trader and Indian liaison. He's about 40, grizzled, sinewy, dirty.

The boys are feeding an ox attached to Pierre's cart with clutches of long grass plucked from the roadside.

EMMA

Your ox is hungry today, Pierre.

PIERRE

Why, of course. Look at the load he pull!

Emma looks: pelts, skins and hides of a number of animals, and at the rear, the hulking carcass of a black bear.

As Landon approaches.

LANDON
 (with horrible accent)
*Bonjour Monsieur Lafontaine. C'est
 un beau matin, n'est-ce pas?*

PIERRE
 (laughs, to Emma)
 Your husband, *Madame*, would not
 survive one day on the street of
 Paris.

LANDON
 It always comes down to survival,
 eh, Pierre?

PIERRE
Mais non, monsieur, au contraire.
 It always come down to death.

Pierre laughs. Landon smiles.

LANDON
 Well, in that case, why don't you
 attend our Christian service this
 Sunday, Pierre? Right here--
 (casting his hand about)
 --in our magnificent town square.
 It will be an open air spiritual
 extravaganza.

The men look around: manure, piles of wood, a mangy dog.

PIERRE
 (to Emma)
 He feel all right, *madame*?

EMMA
 Don't worry, he's fine.
 (smiles, then to Landon)
 What did John say?

LANDON
 We're calling a meeting.

EMMA
 I think that's a good idea, Warren.

PIERRE
 About what this meeting?

LANDON
About the Indians. About the
troubles in the east.

PIERRE
Listen, *mon ami*, let me explain you
about this. The Indian, they not
bad, they share, but they not going
to give it all away.

LANDON
What do you mean?

PIERRE
In Minnesota the settlers take too
much, huge nets in the lakes and
rivers, too many traps in the
forest. They take too much, too
fast. They make trouble for
themselves. This is why the Indian
attack.

EMMA
You don't think that will happen
here?

PIERRE
(a hand on her shoulder)
Do not worry. We are safe here.
(to Landon)
Trouble only follow trouble-
makers, *mon ami*.

LANDON
(unsure)
I see...
(beat)
Well, may I expect to see you on
Sunday, then?

PIERRE
Mais oui, monsieur.

EXT. NAPATANKA SIOUX CAMP, 75 MILES NORTHWEST - DAY

In a lush low valley, similar to that of the white settlers.

Wigwams dot a wide pasture land within the forest. Horses
are corralled in a pen at one side. Men, women and children
dot the areas between their shelters.

The Napatanka ("Big Hand") tribe counts about 300 people, nomadic hunters, fishers and gatherers, descendants of the great Sioux warrior race from the Great Lakes region and Canada.

Tribe members are busy mending elk skins, drying fish on racks, mashing roots into paste.

Children play games with sticks. Old women weave baskets. Men prepare fish for smoking. There is laughter, babies crying, the crackle of fire.

It's serene, austere, but there's a hint of expectancy.

EXT. WIGWAM - DAY

CHIEF MAHTOWASHTAY ("Good Bear"), leader of the Napatanka Sioux Nation, sits in the padded grassland outside his home, a patched buffalo skin wigwam.

Next to him sits his wife Dyami ("Eagle").

Mahtowashtay has a commanding presence, a full face, high cheekbones, dark penetrating eyes. He's about 30 years old.

His wife is younger, beautiful, temperamental.

MAHTOWASHTAY

The time has come to return to the sacred place, the Valley of the Red Thunder.

DYAMI

It is far to travel.

MAHTOWASHTAY

It is not too far.

DYAMI

When will we leave?

MAHTOWASHTAY

We will leave when the moon has waned. We will not stay long ... this has been revealed to me.

DYAMI

Is that *all* that has been revealed to you?

MAHTOWASHTAY

Quiet, now. What is to come cannot change or be changed. Let us walk with pride. Let us receive our destiny with bravery and dignity.

He rises, she follows. He takes her hand.

MAHTOWASHTAY (cont'd)

We will gather the people now.

As they walk toward the camp's center.

INT. OFFICE OF INDIAN AFFAIRS, WAR DEPT., WASHINGTON - DAY

A large, sombre office, paneled in oak with tables, chairs, and a large desk backed onto a draped window.

HORACE STEVENSON, 25, a departmental envoy, is seated in front of the desk. He's reporting to Army Col. JAMES FRANKLIN, a middle-aged officer with a gangly manner and a scar on one cheek.

Franklin is spinning a pistol on the desk as Stevenson talks.

STEVENSON

We've been pushing them West for a dozen years now, sir. If this continues, they'll all end up in the Pacific ocean.

FRANKLIN

I doubt they'll make it that far, Mr. Stevenson. I'm sure you are aware of the successes of the Cavalry throughout the North this past year.

STEVENSON

Yes, sir.

FRANKLIN

Now that we've established a foothold on this side of the Mississippi, we need to know what's going on in the other half of the country. Region by region. Your region will be the Dakota Territory.

STEVENSON

Dakota?

FRANKLIN

(stands up, fills a pipe)
About six months ago we flushed out the Cheyenne west of Minnesota by pushing them in tight with the Dakota Sioux. There was some awful fighting, I can tell you. They tore each another apart, Indian against Indian. I tell you, Stevenson, if we can achieve their annihilation through this means, by having them kill each other, all the better.

(beat)

Otherwise, we're going to need some of the people out there to back us up.

STEVENSON

You've stationed the military... in the Dakotas?

Franklin lights his pipe, takes a puff and walks around behind Stevenson's chair.

FRANKLIN

(hands on his shoulders)
Listen to me. The War Department won't have control of Indian Affairs forever. It's just a matter of time before the politicians get their hands into everything. That's why we need to act now.

STEVENSON

Act, sir?

FRANKLIN

(hands off, moving again)
Yes, damn it. The more of these savages we can fill with lead in the meantime the better.

STEVENSON

I'm not sure if that's our official policy these days, sir.

FRANKLIN

(sitting down again)
I'm well aware of our official policy, Stevenson.

FRANKLIN(cont'd)

But I still run this department on a day to day basis. And today we're going to plan for a little war against the Sioux.

EXT. LANDON'S HOUSE - DAY

Landon's house is a disaster. Metal, wood, rocks in all areas, a ramshackle place at the edge of the settlement.

His two young sons are playing outside in the yard, batting rocks with sticks.

Landon is at a covered workbench, grinding an axe.

A rock sails past his head and crashes into a metal container.

LANDON

(spins around)

Boys! Show some restraint. You nearly took my head off.

MARSHALL

Sorry, Dad.

NATHAN

(parrots his brother)

Soldy, Dada.

Landon turns as a horse and rider appear in the street in front of his house.

The horse carries CAPT. HARRISON DOUGLAS, US 5th Cavalry, a young blond man with a hardened, chiseled face.

Douglas dismounts, a clump of mud splashing across a fresh pant leg.

DOUGLAS

Hello, there.

LANDON

(faces children)

Into the house, now, boys.

His tone needs no repetition as the boys vanish inside.

LANDON (cont'd)

What can I do for you, ah, *Lieutenant?*

He pronounces the word in the English style, with an "f"

DOUGLAS
(approaches Landon)
Captain.
(handshake)
Harrison Douglas, 5th Infantry,
United States Army. We have a
small contingent based at Fort
Pierre.

A beat as they look each other over.

LANDON
Ft. Pierre? You don't say?

DOUGLAS
You're not English, are you?

LANDON
No.

DOUGLAS
(unsure)
Oh.

LANDON
(looking down)
I'm sorry about your trousers.

DOUGLAS
(hesitates)
That's quite all right. Well, now,
I've been talking to some of the
other men in your settlement here
and I think I can count on each one
to a man.

LANDON
Count on them for what?

DOUGLAS
Why, to help us fight the Indians,
of course.

LANDON
Fight the Indians? But there
aren't any Indians around here.

DOUGLAS
(laughs)
Tell that to my scouts. Maybe it
was ghosts they positioned in the
next valley, then. Apparitions,
perhaps.

Both men seem to notice Marshall at the same time, tugging at Landon's pant leg.

LONDON

I told you to get into the house,
son.

Marshall's face is engrossed as he points a finger towards the forest wall some 30 feet away.

MARSHALL

Dad ... who's that?

Landon and Douglas follow the boy's gaze. Momentarily, there is movement, a figure retreating.

DOUGLAS

Did you recognize that man?

LONDON

(stunned)

No.

Douglas is on his horse in an instant, throwing Landon a shotgun as he pulls out a pistol.

DOUGLAS

Come on! You stay to the north.

The horse kicks up clods of mud as it bursts towards the forest.

Landon is frozen. He notices his wife and children looking at him, the horse and Capt. Douglas disappearing.

Suddenly, Landon feels his legs moving, taking him into the forest.

EXT. FOREST - DAY

Landon is pounding forward through thick underbrush, the shotgun at his chest.

He hears a shot sail over his head. He stumbles, falls. His shotgun discharges with a crack and a skyward flash.

He gets up. Looks around. Sees a face in the forest.

It's an Indian, 20 feet away through the trees, in a loincloth. At his feet lies a body.

The Indian looks at Landon for a moment, then down at the dead body, then back up to Landon.

Then he dashes away, instantly lost from sight.

Douglas crashes in on his horse.

He halts, braces the pistol on his forearm and fires. And fires again.

He leaps off his horse to tend to Landon.

DOUGLAS
Are you all right?

LANDON
Yes ... I fell. I'm fine.

DOUGLAS
I heard your shot. Now, that's the spirit! I dare say no need to ask for your support.

LANDON
I can't believe I hit him.

DOUGLAS
(laughing)
I reckon that's because you didn't... I think I potted him, friend.

LANDON
Oh ... I thought ... oh, I see.

DOUGLAS
Listen, it's all the same to me. I've lost count myself.
(with a wink)
Besides, maybe it really was your shot that dropped that damned savage.
(slap on the back)
I know what a kill like that can mean in civilian society, friend. So go ahead, enjoy your glory.

LANDON
What? No, I really--

DOUGLAS
I won't have any more discussion on it. Mums the word, eh, Govna?

DOUGLAS(cont'd)

(laughing again)

Say, I don't even know your name.

LONDON

(still shocked)

It's Landon, Warren Landon.

DOUGLAS

Landon ... Landon the Sioux Slayer!
You'll go down in history, my
friend. The first white man to
kill an Indian north of Fort
Pierre. Now, let's go see who
Landon's slain today!

EXT. NAPATANKA SIOUX CAMP, 4 MILES NORTHWEST - NIGHT

Chief Mahtowashtay and a group of OTHER TRIBESMAN sit on mats
within a cavernous wigwam. A fire blazes at its center.

The men sit in a circle.

MAHTOWASHTAY

One of our bravest young warriors
has been killed by the white men
across the hills.

A murmur from the other men.

MAHTOWASHTAY (cont'd)

Kohana was my only son, my heir, my
dreams, my legacy to this tribe. I
am in mourning and my wife is
wishing death upon herself.

Another murmur.

MAHTOWASHTAY (cont'd)

We named him Kohana, The Swift
One. And it has so passed that his
very life has been all too swift.

A beat as he wipes a tear from his stoic face.

MAHTOWASHTAY (cont'd)

I have meditated. I have asked. I
have listened. And I have been
answered. Akecheta... you have
been chosen.

AKECHETA ("Warrior"), a lithe young man, the one we saw in the forest over his slain tribe member, stands, bows to the men, then to the chief.

AKECHETA

Mahtowashtay, my heart is heavy over your loss. Kohana was my friend, and a great warrior. His passing through the land was indeed swift, but it was also beautiful.

Mahtowashtay nods solemnly. Another tear.

AKECHETA (cont'd)

How may I serve?

MAHTOWASHTAY

You will go to them, the white people. You will take a child from their Medicine Man. A boy.

AKECHETA

I will do as you say, Mahtowashtay. But how will I recognize their Medicine Man?

MAHTOWASHTAY

Go. Observe these people. Your heart will reveal the answer to your question.

AKECHETA

And how will I know which child to take?

MAHTOWASHTAY

You will not have to take. He will follow you.

AKECHETA

Follow me?

MAHTOWASHTAY

Yes... so it has been revealed.

EXT. VALLEY RIDGE - DAY - THE NEXT DAY

Akecheta lies in the tall grass on the ridge over which the settlers first arrived.

He is watching, his body still, only his eyes move. His body blends into the rocks and grass.

EXT. FORT STOUT - DAY

A panoramic view of the small settlement.

In the center of it all is Landon, holding his Christian service. He's standing on a raised pulpit with an iron cross bolted to its front.

A few people sit before him in chairs as he reads from a massive Bible.

EXT. TOWN SQUARE - DAY

We see FACES, listening, attentive, swatting flies, eyes watering from a slash fire.

LONDON

*Before destruction one's heart is
haughty, but humility goes before
honor.*

CLOSE ON Landon.

LONDON (CONT'D)

*If one gives answer before hearing,
it is folly and shame.*

EXT. VALLEY RIDGE - DAY

Akecheta watches from his perch atop the ridge.

EXT. TOWN SQUARE - DAY

Landon waves the Bible over his head before closing it with a dramatic thump, startling those gathered before him.

LONDON

(loud, dramatically)

These words tell us that the Lord demands we be vigilant of our thoughts, for they precipitate our actions. Indeed, it is our Lord's fervent wish for us that we strive to understand His will for us, and a large measure of that will is our own God-given power of reason.

EXT. VALLEY RIDGE - DAY

Akecheta smiles. He's found his Medicine Man.

EXT. FORT STOUT - DAY

The ceremony ends. The settlers rise and file up to Landon to shake his hand.

A man lingers a moment with Landon. BILL ROGERS is tall, lean, bow-legged and speaks with a Carolina drawl.

ROGERS

That was mighty nice, Warren.

LANDON

Thank you, Bill.

ROGERS

Especially coming from an Injun-Killer.

LANDON

Now, there was some uncertainty as to whose shot it was.

ROGERS

(a beat)

Aw, I get it... humility, just like you was readin' from the Bible. Practice what you preach, right?

LANDON

I wasn't preaching Bill, just reading.

ROGERS

I can see why John Stout is wary of you. You're an enigma, Landon.

LANDON

Hardly. And you can tell your boss I'm not the one of whom he should be wary. I'd be humble as hell to see the last of Captain Douglas around here.

EXT. VALLEY RIDGE - DAY

Looking down upon Landon's house. We see Landon working in the garden, his wife hanging wash, the boys chasing a chicken. Landon looks up towards our view as Akecheta's lithe body slithers in retreat from the ridge.

INT. SETTLER'S HOUSE - EVENING

The men of the town are gathered in the home of HORST KOHLER, an Austrian immigrant.

A dozen men are here, including Capt. Douglas, Landon, Stout, Kohler, Rogers, Pierre and SIX OTHER MEN.

The room is large, filled with rough-cut furniture. Various tools, clamps, implements hang from or lean against the walls.

DOUGLAS

Where there are one or two, there will be many more. And these are not the peaceful Indians many of you may know from your encounters in the States. These are Sioux fighters, warriors, nomads, who came here from the Great Lakes, destroying everyone in their path, White and Indian. They make no distinction of color or culture when it comes to killing.

STOUT

How many do you reckon there might be?

DOUGLAS

That's what we're going to find out. The one we shot had nothing on him but the hide around his waist. So they cannot be far off.

(beat)

I have 30 good men in Ft. Pierre, but the savages might be gone before they can be mustered. We'll have to go this alone. We can circle a radius of five miles from here ... tomorrow, at first light.

EXT. FOREST - TWILIGHT

Akecheta steals silently through the edge of the forest surrounding Landon's house.

EXT. LANDON'S HOUSE - TWILIGHT

Emma is removing clothes into a basket from a line 20 feet away. Akecheta watches her as he ducks behind a wall.

From the side of the building, he looks in a window on the sleeping boys.

He knocks his forearms together and looks skyward. With a glance back at Emma he slips into the house.

INT. KOHLER'S HOUSE - NIGHT

STOUT

Do you think they will they attack us? I mean, why would they do that?

DOUGLAS

They'll attack, all right. These are blood-thirsty savages, don't forget that.

KOHLER

How will we defend ourselves?

DOUGLAS

Our best defensive strategy is to wipe them out before they move in.

KOHLER

But we could all be killed!

DOUGLAS

Who is this man?

STOUT

He is our carpenter. This is his house.

KOHLER

My name is Kohler.

DOUGLAS

Well, Kaiser Kohler, do you happen to be a cowardly carpenter?

Kohler stands, a giant saw-file in his hand, angered.

KOHLER
You will not say that.

LANDON
All right, all right. Let's not
start fighting ourselves.

The room is hushed. Since his foray into the forest, Landon commands a new, unfamiliar respect.

INT. BOYS' ROOM - NIGHT

AKECHETA enters the room and stands between the beds.

One awakens, it's the younger boy, Nathan.

NATHAN
Whobody are you?

AKECHETA says nothing.

Nathan gets up and follows him out of the room.

INT. KOHLER'S HOUSE - NIGHT

Loud discussion. The men all standing, jeering, raising their arms in virile debate.

Landon raises his arms to quiet the room.

LANDON
Let us vote.

DOUGLAS
I'm telling you, men, for the last
time, you cannot defend, you must
attack.

STOUT
I agree.

LANDON
A show of hands.

STOUT
All those for attack?

Six arms go up, including Stout, Rogers, Douglas and four other men.

STOUT
(dropping his hand)
Those against?

Landon watches as Kohler, Pierre and three others raise their hands.

Landon raises his hand slowly.

DOUGLAS
Well, don't that just beat all?
Landon the Sioux Slayer, of all
people. I'm dumbfounded. Plain
dumbfounded.

STOUT
Warren, what's gotten into you,
man?

Landon looks strange, dazed.

LANDON
I just had a funny feeling...

INT. HOUSE - NIGHT

Emma enters with the brimming laundry basket. Instantly, she knows something is wrong.

A divider separates the boys' sleeping area. She moves around it and drops the basket...

INT. KOHLER'S HOUSE - NIGHT

We can hear Emma shriek before she bursts into the room, carrying Marshall in her arms.

EMMA
Warren!

LANDON
My God, Emma. What has happened?
Is he all right?!

EMMA
No! It's Nathan! He's gone!

The men gather close as Landon rushes to his wife. He takes a bewildered Marshall in his arms.

LANDON

What do you mean, he's gone?

EMMA

(sobbing)

He's not in his bed! I was bringing in the wash... I was only outside for five minutes... when I came back in Marshall was sound asleep but little Nate... was gone!

She breaks down.

STOUT

Mary! Mary, come!

Stout's wife, MARY darts through a doorway and enters.

STOUT (CONT'D)

Mary, take care of Mrs. Landon and the boy. Something terrible has happened.

Mary hurries forward to console them.

Landon pulls at his hair in a silent rage.

DOUGLAS

Well, now. Shall we have another show of hands?

EXT. FOREST - NIGHT

Akecheta is carrying Nathan on his shoulders. They move quickly.

CLOSE ON Nathan, bobbing up and down, his face a serene portrait of fascination.

The full moonlight casts shimmering waves across their bodies as they sidle through the strangely illumined forest.

INT. KOHLER'S HOUSE - NIGHT

The mood has simmered among the men in the room.

DOUGLAS

All right, we can't search at night, it's hopeless. We'll start two parties out in opposite directions at dawn and circle the area.

Landon sits on a bench still in shock. His eyes reveal the extent of his pain.

STOUT

We'll find the boy, do you hear me, men? We'll find him.

A strained cheer erupts, inside of which you can sense the fear and doubt.

EXT. TOWN SQUARE - DAWN

Two groups of three men. In one, Douglas, Stout and Rogers. In the other, Landon, Pierre and Kohler.

All are armed, provisioned with packs and heavy outer clothing.

Landon stands near Emma and Marshall.

LANDON

I don't know how long it will take.

EMMA

I'm frightened, Warren.

LANDON

You'll be safe inside the fort. There are plenty of good men staying behind.

EMMA

I'm frightened for you as well.

DOUGLAS (O.S.)

All right, let's get moving, men.

EMMA

Be careful, dear.

LANDON

Of course.

They embrace. Marshall looks up.

MARSHALL
Where's Nathan?

LANDON
We're going to go find him right
now, son.

MARSHALL
Is he dead?

Emma gasps. Landon with a hand on his head.

LANDON
No. He's not dead.

EXT. FOREST - MORNING

Landon's search party. The men are resting near a creek.
They have bread, ham, cheese, apples. Water from canteens
they re-fill from the creek.

Pierre smokes a pipe.

PIERRE
(with a puff of smoke)
They cannot vanish into thin air.

KOHLER
How do you know? Maybe they can.

PIERRE
Let us not... loose our heads, *non*?

LANDON
(pointing)
Once we get over that hill we
should have a good view. If they
are to the north or west, we should
see them.

Pierre pulls some small shiny bits of metal from a skin
pouch. They gleam in the morning sun.

KOHLER
What is that?

PIERRE
Copper.

LANDON
Copper?

PIERRE

Oui.

(rattling the pieces)
The Indians... They love the
copper.

KOHLER

Why?

PIERRE

Because it shine, *mon ami alemagne*.
What else they have that shine?

EXT. SIOUX CAMP - DAY

The tribe has packed and is moving out of the valley in a
procession of people, horses and dogs.

A smoldering fire is all that remains of the camp.

EXT. TRAIL - DAY

Nathan is back on Akecheta's shoulders. He's now dressed in
a skin loincloth and vest, with war paint on his face, his
large brown eyes still unquestioning.

Chief Mahtowashtay ambles up to Akecheta from behind. He
regards Nathan for a moment, almost fondly.

MAHTOWASHTAY

How is the boy?

AKEHETA

He does not complain. He is a
friendly one.

MAHTOWASHTAY

Then let us call him Tokota, the
Friend to All.

Nathan smiles. The men laugh.

EXT. HILLTOP - DAY

Landon, Kohler and Pierre reaching the summit, out of breath,
sweating, exhausted.

They arrive and gaze out across the valley below.

LONDON
(pointing)
Look. There's smoke. Coming out
of those trees... there.

KOHLER
Yes, I see it.

Landon bounds forward. Pierre holds him back with an arm.

PIERRE
We must be careful.

Landon shakes him loose and begins the hike down the hill.

The others follow.

EXT. ABANDONED SIOUX CAMP - DAY

The men are laying low, peering through trees, into the camp.
There's nobody left.

Landon gets up and walks out into the clearing. Pierre and
Kohler watch, then follow.

Landon looks around, kicks up some ashes, then picks up a
piece of leather twine.

LONDON
They're gone.
(beat)
He's gone.

PIERRE
Is this his?

Landon turns. Pierre is holding out an infant's nightshirt.

Landon takes it, clutches it, smells it.

LONDON
Nathan... what has become of you,
my son?

He falls to his knees, sobs into the nightshirt.

LONDON (cont'd)
Dear Lord, protect my son. See
that no harm comes to him. Do me
this kindness, Lord...

Pierre lays a hand on his shoulder.

FADE TO BLACK.

FADE IN:

SCREEN TYPE: "Twenty Years Later, Spring 1862"

EXT. SETTLEMENT - DAY

Ft. Stout has grown. The fort itself is much larger, able to contain all the residents of the settlement, which has increased to about 100 people.

A handful of stone buildings are at the center of the settlement. The bridge is wider, the streets more visible and manicured. But the town has retained a dusty, primitive atmosphere.

We follow a young man purposefully striding across the street from one building to another. It's Marshall Landon.

INT. GENERAL STORE - MORNING

Marshall enters the store and moves behind the counter, entering a room in the back.

INT. STORE OFFICE - MORNING

Another young man is sitting at a desk transferring totals from a large ledger to a smaller book with a pencil. This is WILLIAM STOUT, John Stout's son.

WILLIAM

I don't know why I always get stuck doing these transcriptions.

MARSHALL

(laughs)

My penmanship is no match for yours, William. You've got a fine hand, indeed.

WILLIAM

Sometimes I get the feeling that's about all I've got a hand for, at least that's what my father thinks.

MARSHALL

What do you mean?

WILLIAM
You know what I mean.

MARSHALL
I do?

William looks like he's weighing the cost of his next utterance.

WILLIAM
I'm not the one who gets to travel,
to negotiate.

MARSHALL
I'd hardly call Fort. Pierre
traveling, William. It's but 40
miles from here.

WILLIAM
But you've been to Chicago. And
St. Louis. And New York. Where
have I ever been? It's like you're
his son. Not me.

MARSHALL
Me... his son? Well, now I'm surely
baffled.

WILLIAM
He dotes on you, Marshall. He
respects you. He even made you a
partner in the family trading
business, *my* family's business.

John Stout enters with muddy boots and pants.

The past twenty years have been hard on him, laboring and building. He's still large and strong, but his face has creased, his hair has receded.

STOUT
Will, there's loading to be done in
the stable. Get your tall boots,
it's a mud bath out there.

William rises obediently and moves toward the door.

WILLIAM
Yes, sir.

MARSHALL
I'll go with you.

STOUT

No, I need you for more important matters. Sit down.

William looks back with contempt as he exits.

EXT. LONDON'S HOUSE - DAY

Nothing has changed at Landon's house; it's still a ramshackle tangle of tools, equipment and supplies.

The same twenty years have taken their toll on Landon as well. He's a little hunched now, slower in speech and movement, graying.

Marshall strolls into the yard in business attire carrying a leather bag.

His father is whittling a hatchet handle from a tree branch. He only looks up when Marshall is directly in front of him.

LONDON

Hello, son.

MARSHALL

How's ma?

LONDON

Same.

MARSHALL

What about you?

LONDON

Same as ma.

Marshall's heard this before. A million times.

INT. LONDON'S HOUSE - DAY

Marshall enters the house and moves across the main room to the kitchen and sets his bag down. There he spoons some stew from a pot on the stove into a bowl.

Landon enters slowly, deliberately, setting his knife and half-carved handle down before sitting at a rough wooden table.

Marshall comes over without a word and serves him the stew, some bread, and a glass of milk.

MARSHALL
 Oh, yes, I brought you some
 pickles. They're from New York.
 I'll get one for you.

LONDON
 New York?

MARSHALL
 Yes. The trade routes are really
 opening up with the railways.

LONDON
 (distant, remembering)
 Railways...

MARSHALL
 What's that, pa?

LONDON
 It's nothing.

Marshall helps himself to some stew and returns.

MARSHALL
 Where's ma?

LONDON
 She's lying down. Not feeling
 well.

MARSHALL
 What's the matter with her?

LONDON
 Not with her. With the calendar.

MARSHALL
 (remembers)
 Oh. I forgot. Sorry.

LONDON
 He would have been twenty-one years
 old today.

MARSHALL
 Perhaps he still is.

Landon eyes his son with a look that spans love to disdain.

LONDON
 Perhaps. But do not say such
 things to your mother.

LONDON(cont'd)

It would only deepen her sadness.
It has been a curse, a shame on
her. All these years.

MARSHALL

All right, father.

Landon breaks a piece of bread off the loaf.

LONDON

How is business, son?

MARSHALL

(brightens)

Business is good. We've signed new
export deals to both French and
Italian buyers. If we're going to
fill all the orders, we're going to
need more trappers and laborers.

LONDON

Careful you don't strip the land to
waste, my boy.

MARSHALL

(laughs)

This land is not only bountiful,
it's endless. If we run dry, we
just move on.

LONDON

There's always a limit, son.

MARSHALL

Not in business, father.

LONDON

It's John Stout that's filled your
head with such notions, lad. And
it pains me.

MARSHALL

What? Are you not proud of my
success?

LONDON

But of course, I am proud of you,
Marshall. Here, have some wine.

Landon pours himself a tumbler full from a decanter on the
table. Marshall declines by covering his glass and scowls as
his father takes a large gulp.

LONDON (CONT'D)

(far away now)

It's been so quiet these last few years. After the dust-ups when you were a boy.

MARSHALL

The Indians?

LONDON

Yes.

MARSHALL

They have disappeared. You'll remember the army was here.

LONDON

And then the army left. And here we are.

MARSHALL

Father, listen. I know in your glory you were a man of the world and everything, but lately, I fear you may have lost touch with the ways of things. There aren't any Indians around here, not because they moved away, they were killed.

LONDON

Who told you this? John Stout?

MARSHALL

No, of course not. I have been places myself, you know.

LONDON

They did not kill them all.

MARSHALL

Father...

LONDON

Leave it be.

Marshall gets up.

MARSHALL

I'll look in on mother now. Then I have to return to work.

He steps away. Landon blows the crumbs off the table, but a few remain.

LONDON
 (to himself)
 You'll never get them all.

EXT. CAVE - DAY

We move down a line of trees on a ridge to the mouth of a cave. Smoke and light, and the shadows of people, spring from the cave.

INT. CAVE - DAY

We swing from the outside view of the driving rain, branches and leaves shaking and swaying. Past the fire and a few people tending to it, cooking and eating, to the cave's darker interior.

We move in on Nathan, who likewise has become a healthy, handsome man, as he tends to an Indian woman leaning against a blanketed boulder.

Nathan looks into her eyes and smiles. The woman is Dyami, the mother of the slain brave and wife of aging Chief Mahtowashtay, who sits nearby against a wall of rock.

DYAMI
 You have been a loyal and joyful son to me, Tokota. It is almost as if Kohana came with you.

NATHAN
 I wish I could have known him.

DYAMI
 I believe you do. Listen to me. My time in this world is drawing to a close. You must promise me.

Nathan leans in as Mahtowashtay watches.

NATHAN
 What is it?

DYAMI
 Do not fight. Do not accept the warrior path.

NATHAN
 Mother.

DYAMI

I am not your mother. The earth is your mother, and she needs you more than me.

NATHAN

You are my mother.

DYAMI

You have fearless eyes and a friendly spirit, Tokota. This is how we named you. You are a friend to all and I want you to promise me you will never fight.

NATHAN

But, Mother. I have trained my whole life for war. I have followed all the traditions. How can you ask me to change my path?

Mahtowashtay, meanwhile, has silently risen and moved in close.

MAHTOWASHTAY

Promise her.

NATHAN

But--

MAHTOWASHTAY

Do as I say.

Nathan looks at him, then turns to Dyami.

NATHAN

(a hand on his heart)

I will not fight. My honor will no longer allow it. So it is now, and so it shall be forever more.

Dyami smiles, a tear down one cheek, as she closes her eyes.

INT. LANDON'S HOUSE, BEDROOM - DAY

Marshall is with his mother, who is in bed. A small room, wooden walls, a large cross above the bed. A table, a Bible, a few items of clothing.

EMMA

Promise me you'll watch out for your father, son.

MARSHALL

I don't understand. I spoke with
Dr. Weaver not two weeks ago.

EMMA

I know my own body better than any
doctor, Marshall.

MARSHALL

But I don't understand.

EMMA

That's the thing, isn't it, boy?
None of us really understands a
thing. So you have to have faith.
It's the only thing that really
works.

MARSHALL

(upset)

Where has your faith led you,
mother?

EMMA

Marshall, please don't say such
things. I'm not going to die
tonight. I suffered a broken heart
many years ago and never recovered.
But it is coming to an end, I can
feel it.

MARSHALL

Is there anything I can do, mother?

EMMA

(a hand on his)

Go fetch me your brother.

She closes her eyes and tilts her head away.

EXT. FOREST - DAY

Mahtowashtay, Nathan, Akecheta and about 20 OTHER INDIANS
stand in front of a rough scaffold built of logs. At the top
rests the body of Dyami, wrapped in blankets.

Mahtowashtay is bare from the waist up. He slashes several
cuts across his chest with a knife, then falls to the ground
wailing.

The others move away, leaving him alone. He looks up and
implores the heavens.

MAHTOWASHTAY

Wakan Tanka, the Great Mystery.
 Watch over my wife, the mother of
 my children. Protect her on the
 journey and I will be forever
 grateful.

Nathan quivers, uneasy, as Mahtowashtay sobs.

INT. INDIAN AFFAIRS OFFICE, INTERIOR DEPT., WASHINGTON - DAY

The tables have turned. The former Captain, now Colonel Harrison Douglas, sits in the office of former War Dept. envoy Horace Stevenson.

Fourteen years before, the Dept. of the Interior had taken control of the "Indian Office" from the War Dept.

Douglas is now in his forties, while Stevenson is in his mid-fifties.

DOUGLAS

There's going to be trouble. We don't have long to prepare.

STEVENSON

I'm not sure how I can help you, Colonel, if you believe this is a military matter.

DOUGLAS

I need your approval, Mr. Stevenson. We're on standing orders not to engage the Indians without consent of the Department of the Interior. What I need is a report that catches the attention of Congress.

STEVENSON

Don't you have enough to trouble yourself over, elsewhere, Colonel? After all, there is another war going on, you know.

DOUGLAS

The Union Army's troops are superior in numbers and in supply. Victory over the rebels is only a matter of time. Meanwhile, we are losing ground, literally, against the savages.

DOUGLAS(cont'd)

They're clawing back at our advances in the western Territories.

STEVENSON

There have been flash points, I'll grant you. But by and large the Indians are settling into the reservations without a lot of fuss ... or cost. Do you know what it costs to wage war?

DOUGLAS

But, Stevenson, you don't understand. You can't just keep stuffing them into reservations... you'll see. One day they're going to bust right out and we're going to take a nasty wallop.

STEVENSON

I appreciate your zeal, Col. Douglas, but I believe it to be somehow misguided. I was envoy to the Dakotas under General Franklin back in the '40s. I spent time with the settlers there. Indeed, it was my belief then, and continues to be now, that the eradication of the native population of the country amounts to nothing short of a genocide, and I for one will take no part in it.

DOUGLAS

Thank you for your time, and your lecture, Stevenson. I can see that I'll have to speak to the Secretary of the Interior directly.

Douglas strides to the door.

STEVENSON

The pen will prevail over the sword, Colonel.

DOUGLAS

(turning back)

Perhaps. But we don't use swords these days, Stevenson. We use guns.

EXT. STREET, FT. PIERRE - DAY

Marshall is in the street, haggling with a TRAPPER who stands on top of a horse-cart filled with pelts.

MARSHALL

Not a penny more! Take it or leave it. It's all the same to me.

TRAPPER

This is not fair. What am I to do, where am I to go? You're the only buyer in town.

MARSHALL

That's because we bought all the other buyers. Now if you don't like our price, there's a trail over yonder leading south to Yankton. Maybe you can hawk your skins there.

The trapper kicks a pile of animal pelts off the cart.

TRAPPER

Where do you want them?

MARSHALL

Take them around back and ask for William. He'll count them and pay you.

TRAPPER

(muttering)
This is robbery.

MARSHALL

No, not robbery, my friend. This is business.

The trapper jumps down from the cart and starts gathering up the pelts he kicked off. Marshall grins.

A man's voice is heard. It's Col. Douglas.

DOUGLAS (O.S.)

Marshall Landon?

Marshall turns.

MARSHALL

Yes.

DOUGLAS
Son of Landon the Sioux Slayer?

MARSHALL
Excuse me?

DOUGLAS
You're Warren Landon's son, are you not?

MARSHALL
(suspicious)
Yes. Why? What can I do for you?

DOUGLAS
My name is Colonel Harrison
Douglas. Union Army, 5th Cavalry.
I was hoping I could have a word
with you in private.

MARSHALL
What did you call my father just
now... the Sioux Slayer?

DOUGLAS
I guess it never stuck, huh?
Forget it, just something I
remembered. I met your father
about 20 years ago.

MARSHALL
(remembering)
You ... you're the one, you're the
man who ran with my father into the
forest to kill that native boy. It
was you.

DOUGLAS
None other. I was a brash Captain
back then, willing to stick my neck
out in any fight. And it's been 20
years of fighting ever since.
Seems that's all I'm cut out for.

MARSHALL
Tell me ... I've always wondered
... There was talk.
(beat)
Was it you or my father who killed
that Indian?

DOUGLAS
I don't remember now, son. I think
it was probably your father.

MARSHALL
(nodding, satisfied)
What is it you want to discuss?

Douglas motions to the painted sign above the store: "Dakota
Dry Goods."

MARSHALL
Ah, well, if it's supplies you're
looking for--

DOUGLAS
If you help me, son, I think I can
guarantee some hefty military
supply orders for your company.

MARSHALL
(warming)
Why don't we step inside, Colonel?
You must try our latest shipment of
coffee from the West Indies. Of
course, if it's furs you need, we
are one of the largest suppliers in
the entire country.

DOUGLAS
You're not officially a part of the
country yet.

MARSHALL
It's only a matter of time.

DOUGLAS
I'm glad you think so. You see,
that's exactly what I came to speak
with you about...

The two men enter the store.

INT. STOUT'S HOME - NIGHT

Stout is reading a newspaper by the hearth. A large room,
with many lamps and lanterns, rustic but warm. The large
stone fireplace is the focal point, with other furniture
placed around it.

Mary Stout is knitting a shawl opposite him.

William enters the room, head down, looking depressed.

Stout looks up.

STOUT

William, my boy. I'm reading the *New York Herald*. Can you believe it? Says here the French are building giant balloons that will carry men aloft to the skies. Look, here's a drawing.

WILLIAM

Where did you get that newspaper?

STOUT

From Marshall, why?

WILLIAM

Of course. Who else?

STOUT

What is the matter with you, son?

WILLIAM

Me? Nothing wrong with me, father. I just wonder if you've put your trust in the right person.

STOUT

Now what are you talking about? You make no sense this evening.

Mary senses an argument and puts down her knitting to observe the men.

WILLIAM

Your golden boy is being groomed for office, father.

STOUT

What? What are you talking about? Where did you here such nonsense?

WILLIAM

Oh, it makes sense, all right. He's got a taste for the fine life, I reckon. I overheard him talking in Ft. Pierre. There was an army officer with him. The federalists want to grant statehood to the Territories as soon as possible.

WILLIAM(cont'd)

They want him to head up the government here, maybe start him out as a judge.

STOUT

(incredulous)

Marshall? Are you sure? No. It can't be.

WILLIAM

Why not?

STOUT

Because ... I--

WILLIAM

He's already gone over your head, father. But I guess that's the sort of man you created. I would never have betrayed you by jumping ship in mid-course.

STOUT

Are you sure of this, son?

WILLIAM

Yes. I was in the stockroom ... as usual. I heard every word.

EXT. MARSHALL'S HOME - DAY

Stout is riding into the gate of a fence delimiting Marshall's homestead and ranch.

Marshall has done well for himself. His home is one of the largest and most luxurious dwellings in the region and his land holdings are tremendous.

As Stout approaches, Marshall comes out of the door to stand on a large covered veranda.

Stout dismounts and approaches.

STOUT

Good day, Marshall. Sorry to bother you on a Sunday.

MARSHALL

That's all right.

STOUT

I'm not keeping you from church?

MARSHALL

Oh, no. I never picked up much on religion, John.

STOUT

Somehow that does not surprise me ... what with your father and all.

MARSHALL

He's no threat to you, John. I dare say I still do not know why you mock him so persistently.

STOUT

Never mind matters with your father, Marshall. It is you I feel an urgency to mock today.

MARSHALL

Me? What on earth? Why don't you come inside? The sun must be scalding your senses.

INT. MARSHALL'S HOME - DAY

A large house with log walls covered by framed paintings. Sculptures adorn many surfaces, the flashy spoils of a successful career.

MARSHALL

Now, what's on your mind, John?

STOUT

Well, it's like this, you see. I'm just curious about. Well, what I mean is--

MARSHALL

(laughing)

Spit it out, man. I may not attend church but that gives you no license to take liberties with my Sunday rest.

STOUT

I hear you're considering a life of politics...

MARSHALL

You heard?

STOUT

Yes.

MARSHALL

From whom?

STOUT

Never mind. Tell me, is it true?

MARSHALL

(smiling)

I would rather you had heard it from me, John. But since the cat has left the bag, yes, it's true. Listen to me, my appointment is going to cause our little dry goods business to flourish and grow into the biggest commercial enterprise in the Territories.

(beckons to Stout)

Sit down, let me explain...

EXT. FOREST - NIGHT

Nathan sits with his wife, MAGENA ("Coming Moon") overlooking an expanse of the Missouri River. Their perch is secluded and serene, moonlight dancing on the flowing water beyond.

NATHAN

I sometimes wonder where we will end up. As a people.

MAGENA

I can predict one thing. Our people are about to get a littler larger.

NATHAN

What do you mean?

She points at her belly.

NATHAN

What? Is it true?

She nods. Nathan jumps up and starts to do an improvised dance, which Magena finds hilarious.

Nathan bursts into laughter as well, then as if a switch is pulled, he drops into an expression of forboding.

MAGENA

Takota, do not fret. Our people will survive. The land is large and the others cannot follow us forever. And now we will have a baby. To grow and to honor our people.

NATHAN

A boy!

MAGENA

Or a girl.

NATHAN

But probably a boy... don't you think?

She smiles again as Nathan drops to the ground to put his ear on her stomach.

INT. GARRISON, FT. PIERRE - DAY

Gen. Franklin sits with Col. Douglas and Marshall at a small table in a canteen within the thick-planked garrison building.

Marshall appears immature in the presence of the veteran army officers and compensates with bravado.

DOUGLAS

We've only got about 30 troops stationed here. Which leaves us in pretty deep water if things escalate beyond the occasional potshot.

FRANKLIN

We need to recruit and train more local men.

DOUGLAS

I understand that, General Franklin. Unfortunately the civilian militias are almost to a man off fighting those damn secessionists. We're stretched as thin as a Kentucky pancake out here.

MARSHALL

They had a right to secede, didn't they?

FRANKLIN

What?

MARSHALL

The states that left the Union. They had a legal right to separate. There is no provision in the Constitution that forbids a state from resisting an alliance with a tyrannical Union it feels no longer represents its interests and its freedoms. Indeed, it would seem a most appropriately democratic action to separate under such circumstances. As we did against the British not so very long ago.

FRANKLIN

Col. Douglas, I've already forgotten... what is this man's name?

DOUGLAS

This is Marshall Landon, sir. He and I have business dealings together, and I have asked Marshall if he would consider coming to Washington to meet with the Secretary of the Interior. I believe considering Marshall's generous financial support he would make a fine Governor for this fair land.

FRANKLIN

(to Marshall)

A right to secede? Preposterous. They broke federal law and then they fired the first shot. What more reason do you need to engage the military?

MARSHALL

It seems these days that engaging the military is the first reaction to any crisis.

DOUGLAS

(interrupting)

Well, General Franklin, you have to admit the lad talks like a politician already, wouldn't you say?

FRANKLIN

Yes, I reckon he does just that, all right.

MARSHALL

Just before the fighting broke out, a newspaperman in Mississippi said this war we're engaging in was pure madness, impossible folly, it would never come to pass that one American would bear arms against another. He said it would become a civil war, a war of words. Now he contends that politicians, not generals, should be leading the charge and putting a stop to the bloodshed.

FRANKLIN

God help us, he's got ideals as well.

DOUGLAS

(laughs)

I told you I can really pick 'em.

FRANKLIN

Like spotting a savage in the field at 60 yards.

The older men guffaw. Marshall hesitates, then joins in the laughter.

As it abates.

MARSHALL

As I was about to express... the Southerners legitimate rights under the Constitution to examine their inclusion in the Union doesn't necessarily make them right. And you don't have to agree with everything you read in newspapers.

Douglas looks at Franklin. They both smile.

FRANKLIN

(slapping Marshall's back)
Son, you really had me on a string
there. I figured you sided with
them soft-hearted Interior
Department fools in Washington.

DOUGLAS

(to Marshall)
Marshall, listen now. General
Franklin has pulled a few strings
of his own in the Capitol and we're
confident we can secure a large
number of troops to assist in our
... campaign ... by the fall. In
the meantime, we have some
preparations to take care of.

MARSHALL

I'll do anything I can.

DOUGLAS

Excellent. Let's start with a list
of provisions. If you can provide
the necessary material support,
your legacy as the first Governor
of the Dakota Territory will be
secure. You have our word on that.

MARSHALL

Thank you, sir. I won't let you
down.

FRANKLIN

I'm glad to hear that son. For
your sake.

(leaning in to him)

Listen to me, Marshall. Life is a
game, a war, to be fought and to be
won. And one's success in life is
simply a measurement of the change
one leaves behind.

Marshall hardens his stare.

FRANKLIN (CONT'D)

Do you understand? Do you follow?

MARSHALL

I follow no one, and need none to
follow me.

FRANKLIN

A bold assertion for such a young young man.

MARSHALL

A man's value is certainly not a function of time passed, General.

(a beat)

Indeed, it may seem the opposite may be true.

FRANKLIN

Careful, son.

MARSHALL

I've heard of the pox being spread on clothing, and given to the Indians to wear. And the poisoning of wells and streams from which they gather water. Is this true?

FRANKLIN

Fairy tales, I'm afraid, son. But very interesting suggestions. Thank you.

MARSHALL

Don't mention it.

FRANKLIN

In any case, as a trader, it may comfort you to know that the United States has discontinued the British and French policies of scalp bounties.

Franklin casts Marshall a wry look as Douglas interjects.

DOUGLAS

All right, gentlemen, may I suggest we turn our attention to more practical matters? Such as how are we going to transport and supply our new civilian militia.

EXT. WOODED CREEK - DAY

A group of NATIVE WOMEN AND CHILDREN, terrified, are running barefoot along the sandy bank of a shallow creek in a forest.

Now we see, about 100 yards back, a three-year-old boy, naked, trying to catch up to them.

EXT. FOREST - DAY

Two MILITIAMEN, one young, thin and red-haired, the other older, balding and stout, are perched over a low hill overlooking a flat stretch of the creek. They see the boy.

RED-HAIR

Look!

Red-Hair swings his rifle around and takes aim. A blast peals through the ravine below.

BALD-MAN

Too low.

Red-Hair raises his barrel and fires again.

BALD-MAN

Still too low.

Bald-Man settles his rifle along the bank and aims.

BALD-MAN (CONT'D)

Let me try. I think I can hit that little bastard.

EXT. WOODED CREEK - DAY

The naked boy running, his arms moving, eyes fixed ahead, determined. His quick breaths, his feet splashing in the creek bed.

We hear the rifle shot.

EXT. WIGWAM - EVENING

Nathan sits with Manowhashtay outside his tent.

MAHTOWASHTAY

I have seen. They know only war. They are the savages, not us. If they did not fight us, they would fight themselves.

NATHAN

They already do.

MAHTOWASHTAY

They terrorize their women, beat their children, and hang men by their necks. They take from the land and give nothing back.

NATHAN

They do not know our ways.

MAHTOWASHTAY

You are responsible.

NATHAN

What do you mean? Because I was born one of them?

MAHTOWASHTAY

I do not know why. I only know it is so. You will be the one to find a peace for our people. Otherwise, they'll just kill us all.

NATHAN

In other places, they have given land, land where the whites cannot set foot, land for the people.

MAHTOWASHTAY

Yes, but they lie. They take it back. They have no honor for their words or deeds.

NATHAN

What am I to do?

MAHTOWASHTAY

Tokota, I cannot say. I only have feelings. I do not have the words. I am not sure.

NATHAN

Tell me.

MAHTOWASHTAY

It would not help you.

NATHAN

Tell me, father. Please.

MAHTOWASHTAY

I can only tell you it will be difficult, Tokota.

MAHTOWASHTAY(cont'd)

But you will be brave and you will
find a way to save our people from
extinction. I know this is true.

NATHAN

Will you be there to guide me,
father?

We look into Mahtowashtay's eyes for a moment.

Shouting erupts elsewhere in the camp. Then gunshots.

Now, as Nathan looks up, Mahtowashtay's chest is suddenly
ruptured by a bullet and he slumps over, dead.

Nathan looks down in disbelief, then runs for cover as
volleys soar over his head.

EXT. WAGON - DAY

Nathan is in shackles inside a rough cart pulled by two
horses along a narrow road cutting through an expanse of
cornfields. The cart is barred all around and above. Inside
are two other MEN.

The cart's DRIVER sits at top front, above. He turns to look
at the men below him.

DRIVER

I bet you'll all be hanged before
the harvest is in.

He laughs and spits into the cage.

CLOSE ON Nathan. We see his face, beaten and bloody, his
body dirty, his eyes pained, remembering.

EXT. CAMP - THE PREVIOUS DAY

A woman is hunted down by a militiaman on horseback. A man
attempts to defend her and is slain by pistol fire, the woman
trampled under him and the horse.

Nathan is behind a fallen tree near the small camp's outer
edge, watching in horror and shock as the civilian soldiers
brutally destroy the camp's inhabitants.

Nathan leaps forward, pulling a knife from his side. He
screams as he enters the battle.

EXT. WAGON - DAY

Back CLOSE ON Nathan in the prisoner's cart. The other men are both settlers, mid-forties, bound together by irons at the feet. They look like brothers, maybe.

They regard Nathan listlessly.

Brother One kicks at Nathan's leg, causing Brother Two's foot to move as well.

BROTHER TWO

Ow! What in the name of--

BROTHER ONE

Shut up.

(to Nathan)

You got a name, boy?

Nathan does not notice, and receives another kick. This time he looks up, angry.

BROTHER ONE (CONT'D)

I said, You got a name, boy?

Nathan's stare sets him back.

BROTHER TWO

Never mind him, nor his name, Fred. It's none of our business. He's daft, can't you see? And dangerous, I'd wager.

BROTHER ONE

All right, all right. I was only being friendly, is all. I got no quarrel with this fellow.

BROTHER TWO

He don't want to be friends, and neither do we. Leave him be. No sense getting into a damn war over it, no sense at all.

INT. STOUT'S HOME - EVENING

John and Mary Stout face each other across their living room, each in overstuffed chairs, reading.

A knock at the front door.

John rises, strides to the door and pulls it open.

Marshall Landon, and a beautiful YOUNG WOMAN stand in the doorway.

STOUT
Hello, Marshall.

MARSHALL
Hello, John.

As they enter the room.

MARSHALL
Thank you for inviting us over.
It's so good to be back in the
Territory. Washington is too busy
a place for a Dakotan, born and
raised.

(beat)
Oh, of course, before another word.
John, Mary, I'd like you to meet my
fiancee, Miss Cynthia Markham.

Cynthia smiles and extends her hand, smiling. Stout takes it
and briefly smells before kissing it.

Mary retrieves her hand from under his lips with a scowl,
then smiles.

MARY
I'm so glad you are here. Please,
won't you sit down and have some
tea?

CYNTHIA
Why, thank you, Mrs. Stout.

MARY
Please, call me Mary.

CYNTHIA
Of course ... Mary.

They sit. The men remain standing.

STOUT
Perhaps we should partake of a
drink, ourselves, eh, Marshall?

MARSHALL
I would enjoy a cup of tea, yes.
Thank you.

William appears in the kitchen doorway. He's sweating, muddy.

MARSHALL

William!

STOUT

(with a jab)

Tea? Nonsense. We'll have beer. William, come along, fetch us two bottles from the storeroom. The Bavarian lager.

WILLIAM

Two bottles?

STOUT

All right. Three, then. Looks like you've earned it. How did the sows take to the new pen?

WILLIAM

They were as happy as pigs in shit, father.

STOUT

You'll not foul this house with your filthy tongue, boy.

William disappears.

MARY

I'm terribly sorry.

CYNTHIA

It's fine, please. I was raised in New York. My ears and honor have endured far worse affronts, you can be assured.

MARY

Oh!

STOUT

A city gal. Well, well.

MARSHALL

And I have no idea what she sees in a country boy like me.

CYNTHIA

I see the future, dear.

MARSHALL
Ah, yes, of course.

EXT. RAILROAD CONSTRUCTION SITE - DAY

A group of prisoners are working on a railroad, pulling track, laying ties, hammering spikes.

As we pan across their sweaty faces and bodies, we come to Nathan, a pick-axe raised, ready to strike at the virgin land ahead of the emerging railway.

As he swings his body, behind him appears a man on a horse, silhouetted by the sun.

Nathan comes up for another blow and on the next downward thrust we zoom in on the horesman's face. It's William Stout.

Nathan continues working, and William pulls the horse around to move back down the rail line.

Nathan pauses, wipes his brow and casts a look backward at William.

EXT. RAILROAD CAMP - DAY

Rows of bunk beds, supplies, a cooking stove, some tables and chairs.

William is seated at a table, talking to a large man with a Swedish accent, dressed like William, in militia blue, but also wearing a stained white apron over top.

A ledger book is open before them.

WILLIAM
(noting in the book)
I'll see that you get your full
quota of carrots, Markus, and your
cabbage and your celery and your
onions.

SWEDE
Thank you. Absolutely essential
ingredients for a good stew, of
course.
(beat)
I don't know how you do it.

WILLIAM

My father.

SWEDE

How's that?

WILLIAM

He's part owner of Dakota Dry Goods. I'm suppose you've heard of them.

SWEDE

Of course.

WILLIAM

I thought so.

William closes the book and grunts. His mind seeks out a familiar hostility.

WILLIAM (CONT'D)

My father was going to be Governor. It was all in the works. And I, I was to be groomed to follow him. That's the way it was supposed to be. Instead, my father is appointed as head of the state Management Department and his business partner is appointed as Chief Justice. And me, I am forsaken to manage these heathen-filled, rat-infested, lice-laden railroad camps.

SWEDE

(disbelieving)

Ah, well, I don't mind it so much. Food is good, and the prisoners aren't so bad. Besides, it beats being blown to pieces in the war. I heard a story about a man that got hit by artillery, and they found his body in Virginia and his head in Tennessee.

WILLIAM

I'll wager we'll have General Lee's head on a plate soon enough, friend. We'll win this war, all right. It's only a matter of time.

SWEDE

Seems they got lots of that. It's been three years already.

WILLIAM

Do not fear. Things are pulling our way. We routed them at Gettysburg, in Pennsylvania. We're advancing now, and soon we'll be in a position to strike a death blow at their very heart.

SWEDE

I hope you're right. I still can't imagine a war like this back home in Sweden, one countryman against his brother. I still don't understand it.

WILLIAM

It's all about money, you fool. That's all you have to know. Believe me, I've counted enough of it to know what it can do to men. And there's a lot of money to be made in this war, for a lot of men.

SWEDE

If you say so.

A group of gray-clad prisoners enters, weary, dusty.

WILLIAM

Look, our dinner guests have arrived.

Nathan is among them. His and William's eyes lock. They both sense something, but neither knows what.

SWEDE

Well, I guess I'll get supper started. For our guests.

The Swede gets up.

William picks up the ledger and rises as well, still in a staring contest with Nathan.

As Nathan passes close, he grabs William's arm as if to use it as a conduit to some untold knowledge.

William jerks his arm away.

WILLIAM

Unhand me, you wretch!

Nathan calmly walks on to his bunk and lies down.

SWEDE

You got to keep your eye on that one, boss. Not sure where he's from, but it ain't from around here.

WILLIAM

Nobody's really from around here, are they, Markus?

INT. MARSHALL'S HOME - NIGHT

Marshall stands before a dresser mirror, examining his profile.

Cynthia is in bed, reading a book by candlelight. She looks up.

CYNTHIA

What are you looking at?

Marshall sucks in his gut and punches it.

MARSHALL

Nothing.

He turns to his wife.

CYNTHIA

Why don't you come to bed? You have a very busy day tomorrow.

MARSHALL

Yeah. Damned Indian treaties. I've got about a half a dozen to work through. Bloody waste of time, if you ask me.

CYNTHIA

Well, it's part of the job, dear. Didn't they tell you that when you signed your oath of office?

MARSHALL

No.

CYNTHIA

Come to bed.

He moves towards the bed, then returns to the mirror to gaze at his face.

MARSHALL

(into mirror)

We need to be tough on them, not treat them like they own the land. They don't. They don't even claim to.

CYNTHIA

We can't go on killing them forever, Marshall. Look at what's happened. How many men, women and children they've attacked ... and killed.

MARSHALL

That's what happens in war, my dear.

Cynthia gets out of bed and approaches Marshall. We can see she's pregnant.

CYNTHIA

And what about us? Marshall, you're going to be a father soon. Don't you want to live in peace?

She caresses his face from behind and kisses his neck.

MARSHALL

I had to marry a liberal, now, didn't I?

CYNTHIA

I'm on your side.

He turns to her and regards her expansive tummy before stroking it softly.

MARSHALL

I wonder what it will be?

CYNTHIA

It will be a citizen of a free country where there's opportunity for all. Look at what's happening, Marshall.

CYNTHIA(cont'd)

Lincoln has freed the slaves, and we're going to overthrow the South any day now. These are exciting times, and you have a role to play.

MARSHALL

I still don't know. Douglas is bound and determined to stay the course.

CYNTHIA

He's not the Chief Justice. You are. And some day you'll be Governor.

MARSHALL

Yeah, that's the way it's supposed to go, isn't it?

INT. WIGWAM, SIOUX VILLAGE - DAY

Magena is in labor, stoic, determined. A pair of midwives, one older, one younger, at her side.

Sweat beads on her face as she pushes.

YOUNG MIDWIFE

The head is out.

OLD MIDWIFE

Push, woman. Push now. Your child is coming.

Magena lets out a scream.

OLD MIDWIFE

It's good. You are almost done. Do not stop.

YOUNG MIDWIFE

The shoulders...

OLD MIDWIFE

One last push, Magena.

Another scream.

YOUNG MIDWIFE

It is here. It's a boy!

She pulls the baby and cleans it.

MAGENA
His father should be here.

OLD MIDWIFE
Do not fret, Magena. The creator
will take care of him.

The younger midwife wraps the baby in a blanket and places it
on Magena's chest. She holds it distantly, casually.

MAGENA
(whispers)
Tokota. We have a son. I will
name him in your honor.

She looks at the baby's face and pulls it closer.

MAGENA (CONT'D)
He has your eyes. Your gentle
eyes.

EXT. RAILROAD CONSTRUCTION SITE - DAY

Nathan is sitting beside the emerging rail line with another
prisoner, a TALL MAN with a scar across his cheek.

They are eating stew from metal bowls. Other men eat and
rest along the line.

SCAR
(pointing)
That's a pine tree. P-INE. You say
it.

NATHAN
P-Hine.

SCAR
Pine, that's right. That's good.
You're really coming along,
brother.

NATHAN
Why you help me?

SCAR
It's a good way to kill time.

NATHAN
Kill ... time? I do not
understand.

SCAR
Forget it. Just an expression.
(points again)
See that. That's an elm tree. E-L-M.

NATHAN
My name Tokota.

SCAR
Tokota? Sounds like an Indian name to me. Where are you from, anyway?

NATHAN
Where from?

SCAR
It doesn't matter. We're all newcomers here, right? My name is Palmer. Jacob Palmer. You can call me Jake.

NATHAN
Jack.

JAKE
Not Jack. Jake.

NATHAN
Jake.

JAKE
There you go. You learn fast. You know, kid, everybody around here thinks you're some sort of idiot. They say they found you wounded, in some skirmish not far away.

NATHAN
Not far?

JAKE
That's what I heard. Found you without a stitch of clothing and beaten up pretty bad. They figured you for some kind of Indian collaborator. Or maybe a prisoner.

NATHAN
How far?

JAKE
Huh?

NATHAN
How far they find me?

JAKE
I don't know. Maybe a few miles
west of here.

NATHAN
I have a woman.

JAKE
Me too. Married 25 years now.
Haven't seen here since '55. She
may be dead, for all I know.

NATHAN
Why you are here? Not with her.

JAKE
Me? Oh, it's a long story. But I'm
innocent, brother, God as my
witness. I guess I'm like you. No
other place they could think to
send me, I suppose. So here I am.

INT. COURTROOM, YANKTON - MORNING

Marshall sits at one side of a long wooden table within an
anteroom of the new courthouse in Yankton.

Across from them are seated several Indians in ceremonial
costume. A group of braves stands behind them.

Behind Marshall stand several soliders. Pierre loiters
beside them.

Marshall turns a map on the table and pushes it toward the
Indians. They look as he traces a line with his finger.

MARSHALL
There. You see? That's the
boundary of your reservation, west
of the Missouri River. That is for
you.

The Indians look at each other.

DOUGLAS
Pierre!

Pierre steps forward

He leans into the map, then looks up at the seated Indians.

He murmurs incoherent tones in a strange dialect as his fingers pass over the map.

The Indians frown and shake their heads.

One of them speaks to Pierre.

MARSHALL

What is it?

PIERRE

They say they hunt and fish on both sides of the river.

MARSHALL

(tired)

Not any more, damn it. Do they want peace, or do they want war?

PIERRE

I can ask them, sir.

MARSHALL

Shut up. Tell them if they stay on the western side of the river, there will be no further attacks on their camps.

Pierre's speech rises again in the Sioux tongue.

The Indians look forlorn. One is gazing out the opened window.

MARSHALL (CONT'D)

And of course, no attacks on settlers, wherever they may be.

Pierre leans in and speaks. The Indians confer. Marshall drums his fingers.

Pierre leans back.

PIERRE

They say they want to discuss with their people. To hear what they think.

MARSHALL

Are these men not the leaders?

PIERRE

Yes.

MARSHALL

Then they should lead.

PIERRE

They need to have approval from their people.

MARSHALL

Ridiculous! Approval is only for elections. After that it's up to those elected to lead.

PIERRE

I do not know this, *monsieur*.

MARSHALL

Ah, hell. Tell them we'll reconvene the day after tomorrow. I want this matter settled. You do your job and you'll be rewarded, old man. After all, you're talking to the future Governor of the Dakota Territory.

PIERRE

Oui?

MARSHALL

Wee-wee, Pierre. You see, President Lincoln has ordered treaties to be signed and ratified with all natives before forming any new territorial or state governments.

Marshall rolls out the map on the desk.

MARSHALL (CONT'D)

Now, my job is to get these infernal Indians into defined geographic areas and keep them there. It seems we were unable to dispose of them all, despite Col. Douglas' best efforts. And once I'm done, I'll be sleeping in the Governor's mansion for many years to come.

Marshall looks out the window and sighs.

His eye catches a glimpse of a prisoner as he is dragged across a dusty courtyard to the building's main entrance.

He shakes his head, laughing.

MARSHALL
(to himself)
No. It's not possible.

PIERRE
Monsieur?

MARSHALL
Nothing. I thought I saw a ghost.

Pierre laughs, then abruptly stops.

EXT. WIGWAM - DAY

A brave enter's Magena's wigwam. She is with the baby, now several months old.

BRAVE
I have news.

MAGENA
Sit down.

BRAVE
Thank you.

He watches her breast feeding, no trace of shame.

BRAVE
He is a beautiful baby. Strong.

MAGENA
He has Tokota's eyes, don't you think?

The brave leans forward.

BRAVE
Yes.

MAGENA
Please, tell me your news.

BRAVE

Magena. I come to tell you. Tokota tried to come. But he could not. They would not let him. They took him away.

MAGENA

What? He lives?

BRAVE

Yes. He lives.

MAGENA

When did you see?

BRAVE

Yesterday. He wears clothes of a prisoner, and chains. Like the ones who build the trail of metal.

MAGENA

He lives!

BRAVE

They took him in a wagon. They were heading south. Probably to the stone camp, the one they are are building.

MAGENA

Yankton. He told me about it once.

BRAVE

Yes, I think that is the name.

MAGENA

(looking up)

Can you take me there?

BRAVE

What?

MAGENA

To the stone camp of the whites. Can you take me?

BRAVE

It is not safe.

MAGENA

Where is it safe? Are we safe here? You must take me. Now.

BRAVE

Yes, Magena. I will prepare.

They embrace. The brave leaves. The baby burps.

MAGENA

That's right, my son. You eat now.
You will be strong, like your
father. We're going see him. I
promise you.

INT. JAIL CELL - NIGHT

Marshall creeps into a darkened basement jail cell.

The lone occupant is Nathan, lying on his back on a filthy
bunk. His eyes are open, his expression blank.

Marshall rattles a large key against the cell's bars. Nathan
does not stir.

MARSHALL

Well, brother. It really is you.

Nathan closes his eyes.

NATHAN

Marshall.

MARSHALL

Yes.

Nathan stands and silently approaches his brother. They
stand face to face, close, only the bars between them.

NATHAN

I knew I would see you again.

MARSHALL

Not like this, I'm sure.

NATHAN

What will become of me?

MARSHALL

I fear, brother, who you will
become depends entirely on who you
are now.

NATHAN

I do not understand.

MARSHALL
So, tell me. Who are you?

NATHAN
They call me Tokota.

MARSHALL
Tokota.

NATHAN
Yes.

MARSHALL
Now it is I who do not understand.

Marshall inserts the key and opens the cell door, but he blocks Nathan's exit by taking a step into the cell.

MARSHALL
Does that mean you're some kind of Indian, or something?

NATHAN
I am what I am.

MARSHALL
Now, you see, that could be a problem for me. And for you.

NATHAN
Why are you here?

MARSHALL
Of course, you don't know the news about our father, do you?

NATHAN
Know what?

MARSHALL
Turns out he wasn't just a jack-of-all trades, but a jack-of-all-crimes in his heyday.

NATHAN
Jack of all?--

MARSHALL
He robbed a train. In 1840. In Illinois.

Marshall swings and clinks the giant key in its massive ring in emphasis.

MARSHALL (CONT'D)

It was Stout's brother who was able to convince the authorities there to let him settle out west. He could have been hanged.

(beat)

Like you.

Nathan scowls.

MARSHALL (CONT'D)

You see, father's stolen money financed our little voyage across America all those years ago, before you were even born. The money came from a Chigago slaughterhouse en route to a bank in New York City. But the slaughterhouse was owned by a rival of a state Senator, so there was no great desire to see justice prevail. Lucky for us, I suppose.

EXT. COURTHOUSE - NIGHT

William stands in the street outside the courthouse, smoking a pipe.

From an air vent below at his feet voices can be heard coming from the cell. He stoops to listen better.

INT. JAIL CELL - NIGHT

Nathan starts pacing, like a lion in a cage.

NATHAN

Where is he?

MARSHALL

Who? Father? Drooling over a bowl of stew in Ft. Stout, I'm sure.

NATHAN

And our mother?

MARSHALL

She died, Nathan, or whoever you are.

NATHAN

When?

MARSHALL

Two years ago.

NATHAN

Dyami...

MARSHALL

What?

(beat)

Anyway, to get back to the story, seems there was a missing ledger. A ledger I was able to locate during a trip to Chicago. A ledger that told a story itself. I discovered father may have been holding out on John Stout and the authorities in Illinois all along.

NATHAN

Holding what?

MARSHALL

Holding what? Money, of course. Lots of it. He's got a secret fortune, and when he dies, that fortune passes to his rightful heir and only son, namely me. Stout witnessed the will. Everything goes to me. I suppose it was the reason he was so eager to be in business with me from the beginning, although as it turns out I do possess a superior aptitude for negotiations...

Nathan strains to understand.

MARSHALL (CONT'D)

And, of course, father's not going to live forever. I doubt he'll survive the coming winter.

NATHAN

His only son...

MARSHALL

(snaps)

That's right. His only son. Until Nathan the Indian arrived.

(beat)

They say you killed a soldier.

NATHAN

It was war.

MARSHALL

And they let you off with hard labour because you're white. They thought you must have been some kind of a prisoner.

NATHAN

I am a prisoner now.

MARSHALL

You escaped the railroad camp.

NATHAN

I have a wife and child.

MARSHALL

Well, you can forget about them. You won't live to see another sunset, I'm afraid.

(beat)

You're going to be hanged tomorrow, little brother.

EXT. COURTHOUSE - NIGHT

A smirk crosses William's face. He looks across the street at a building with a sign in front: "Dakota News".

He walks across the street and bangs on the door. A light comes on and flickers towards him.

The door opens and we see William talking and gesturing to the courthouse. The man holding the light beckons William inside.

INT. COURTROOM - DAY

Nathan is escorted into the makeshift courtroom, the same room used for treaty negotiations, by a gruff BAILIFF with heavy hands.

A STENOGRAPHER sits poised to record the minutes of the proceeding.

Marshall is sitting at one side of the table as Nathan is planted roughly opposite him by the Bailiff.

MARSHALL

Let's see. What do we have here?
The prisoner is accused of escaping
confinement, in which he was placed
for his role in the death of a
Union militia soldier.

Nathan is astonished to find Marshall presiding. He sits
motionless, in shock.

MARSHALL

After reviewing the facts of the
case, I can only conclude that the
prisoner shows no remorse for his
crime and is unwilling to wait out
his original sentence of 10 years
hard labour. Indeed, it took him
but a few months before he escaped.
Who knows what further criminal
activity he may have found himself
engaged in if we had not recaptured
him.

The Bailiff grins. Marshall nervously clears his throat.

MARSHALL

It is my opinion in this matter
that the prisoner would only
attempt to escape should he be
confined again. I also conclude
from the records of his original
trial that he was spared the noose
as it was suspected he was an
Indian prisoner, but I have to
disagree. This man is nothing more
than a turncoat, a traitor and an
Indian sympathizer.

NATHAN

Brother--

MARSHALL

Silence!

The brothers stare into each other's eyes.

MARSHALL

Therefore, it is the opinion and
judgement of this court that the
prisoner be sentenced in accordance
with territorial law, which in my
estimation calls unequivocally for
the penalty of death by hanging.

The Bailiff's smile broadens.

MARSHALL

Has the prisoner anything to say?

NATHAN

Your time will come, brother. One day, you too will die.

MARSHALL

Is that all?

NATHAN

Our people will survive, but your people will die by your own hands--

MARSHALL

That's enough. I hope you take comfort in your pathetic prophecy. Savor it while you can ... for the rest of the day ... which it turns out will also be duration of the rest of your life.

Nathan feels his neck.

MARSHALL

Now, having reviewed all evidence and having afforded the prisoner allowance to make his case, it is the judgement of this court that the prisoner be held until sundown, at which time he will be hanged by the neck until dead. Court is adjourned. All right, Bailiff, remove the prisoner. Immediately!

The Bailiff lifts Nathan under the arm and hurries him out of the room.

INT. NEWSPAPER OFFICE - DAY

The PROPRIETOR and editor of the *Dakota News* is hand-cranking out copies of a newspaper on a printing press.

William stands next to him, holding up a broadsheet page with a smile on his face.

EXT. COURTHOUSE - DAY

The Bailiff is pushing Nathan across a courtyard to the holding cell.

Magena and the Indian brave are standing at one side of the courtyard. Magena clutches her baby.

They see Nathan. Magena hands the baby to the brave and runs towards Nathan.

MAGENA

Tokota!

Nathan wheels around and escapes the Bailiff's grip.

The Bailiff draws a pistol as Nathan and Magena come together and embrace.

BAILIFF

Halt!

MAGENA

Tokota. You live!

NATHAN

Where is the boy?

Magena points to the brave holding their child.

Nathan smiles as the Bailiff cracks him over the head with the pistol. He falls to the ground unconscious, the smile still on his face.

Magena flings herself on the Bailiff who pushes her away and lowers his pistol towards her.

William appears suddenly.

WILLIAM

(to Bailiff)

I wouldn't, if I were you.

BAILIFF

Who the hell are you?

WILLIAM

Only a messenger, friend.

He passes the newspaper to the Bailiff. He reads a little, then looks up imploringly.

Harrison and Marshall appear in the courthouse doorway.

HARRISON

What's all this commotion?

They approach.

WILLIAM

Have you not read the paper today?
It seems Judge Landon has been
withholding information about this
prisoner.

William motions to Nathan, who is attempting to rise.

Marshall kicks him down.

WILLIAM

Have you no respect for your own
kin, judge?

HARRISON

What in the devil is going on here?

The bailiff passes him the newspaper.

The brave carries the baby forward and gives him to Magena.

As Harrison reads Marshall grabs the gun from the bailiff and
points it at Nathan.

The brave steps in and a shot rings out. The brave slumps
over Nathan, mortally wounded.

Magena shrieks. The baby howls. Nathan calls out to them as
Harrison drops the newspaper and makes a move for Marshall.

HARRISON

Bailiff, help me here, man!

They tackle Marshall and hold him down. Marshall's gaze
falls across the sandy courtyard upon the newspaper headline:
"Judge sentences own brother to hang."

INT. JAIL CELL - DAY

Marshall is asleep in irons inside the jail cell. Warren
Landon appears outside the cell, frail, faltering.

He watches his son sleep for a moment.

LANDON
Marshall...

Marshall stirs.

LANDON
Are you all awake?

Marshall's eyes open and he tilts his head to one side.

MARSHALL
Father.

Their eyes meet.

LANDON
(deflated)
So, it's true.

Marshall stands with the clank of irons.

LANDON (CONT'D)
But why? Why did you do it,
Marshall? To your own brother.

MARSHALL
He's not Nathan, father.

LANDON
Do not lie to me. I have been with
him.

MARSHALL
I mean, he's not the same. He's
become an Indian.

LANDON
He is your brother.

MARSHALL
It was my duty, father. He killed
a soldier, and then escaped from a
labor camp.

LANDON
You killed a man, too.

MARSHALL
What was I to do?

LANDON
You should have sent for me.

MARSHALL

But--

LANDON

I do not know if I can forgive you.

MARSHALL

Forgive me? What about Nathan, or Tokota, as he calls himself now.

LANDON

What about him?

MARSHALL

How can you forgive him?

LANDON

He is what he is.

MARSHALL

My God, now you talk as he does. What is the matter with everyone?

LANDON

I fear the matter lies with you, Marshall. You say Nathan has changed. But you have changed as well.

MARSHALL

He's a bloody savage, an Indian!

LANDON

No, it is you who have become the savage through your lust for power.

MARSHALL

I can't believe this is happening.

LANDON

Nor I.

MARSHALL

You have to help me.

LANDON

I do not know what to do.

MARSHALL

You don't know what to do? You have to get me out of these irons, out of this cell, that's what you have to do. You have to help me, father.

LONDON

I don't know--

MARSHALL

Listen, I know people ... people in power. We can talk to them.

LONDON

What good will it do?

MARSHALL

Listen to me, father. We have to do what you did before ... in Illinois.

Landon takes a step back.

LONDON

What are you talking about?

MARSHALL

Father, I know everything. John Stout told me.

LONDON

John Stout ... told you what?

MARSHALL

Father ... the train, the money, the journey out West, everything.

LONDON

I see.

MARSHALL

I found the missing ledger book--

LONDON

Be quiet!

MARSHALL

In Chicago. It was in the receivership files of a meat packing company we supplied. I was looking for a way to salvage our losses.

MARSHALL(cont'd)

Father, I know about the money you concealed ... there was \$25,000 unaccounted for.

Landon moves in closer and whispers.

LANDON

All these years I have been holding this secret, this money, for you. But now I hold it for your brother as well.

MARSHALL

That money would buy my freedom.

LANDON

The price of freedom has gone up since my day.

MARSHALL

It's my life at stake, father!

Landon sets his jaw.

LANDON

I will talk to Nathan.

MARSHALL

To Nathan? Where is he?

LANDON

Nathan and his family are staying with me. He was freed by the provisional authority, an Army officer named Douglas, whom oddly enough I had a strange encounter with many years ago. He was under a lot of pressure, of course. They call it the power of the press. I don't think he really had any choice.

MARSHALL

Father, my trial is set for next week. They'll hang me for sure!

LANDON

(moving away)

Yes, I really do think it should be Nathan who decides.

(beat, looks back)

It's only fair, wouldn't you say, Marshall?

INT. LANDON'S HOUSE - MORNING

Megena is feeding the baby. Through the open window, we see Landon arrive on a horse, dismount and tie up. He looks weary, having ridden all night.

Nathan strides into the room with a handful of lettuce.

NATHAN

Look at these! These will make the boy grow!

MAGENA

Your father is here.

The door opens and in walks Landon, dusty, stooping, exhausted.

Nathan darts over to assist him.

NATHAN

Father, sit down. You are tired.

NATHAN

(sitting)

We must talk, son.

(beat)

You have an important decision to make.

INT. JAIL CELL - DAY

Douglas and Stout are inside the cell with Marshall, who eats some stew from a tin bowl.

DOUGLAS

There were some mitigating circumstances, I'm afraid. You didn't quite follow the rules, Marshall, according to the court transcript. The defendant, your brother, should have had a lawyer to represent him, and a translator probably, too. He can barely speak his mother tongue. Not to mention a blatant conflict of interest.

MARSHALL

You pardoned him?

DOUGLAS

Well, technically, no. I declared what you'd call a mistrial and I overturned the ruling on his murder conviction in Ft. Pierre. Seems they didn't really follow the rules, either.

MARSHALL

I don't believe it. And what ... what is to become of me?

DOUGLAS

Well, you murdered a man, and you committed a federal offence in the derelictions of your duty to boot, something the newspaper has been calling an act of treason.

MARSHALL

Treason? Murder? You're not serious!

DOUGLAS

Sounds pretty serious to me.

MARSHALL

John! John ... help me take care of this.

STOUT

Take care of what?

MARSHALL

Look ... we're all intelligent men, here. Why don't we talk about some numbers?

STOUT

I don't follow--

MARSHALL

Listen ... listen to me, now. Col. Douglas, since you take such stock in what the newspaper has to say, wouldn't it be some great news if the local militia could gain new ground in the fight against the Indians?

DOUGLAS

Go on...

MARSHALL

Wouldn't that be a feather in your cap? I mean, when the papers in New York, and Philadelphia, or Washington, pick up the story of our military success.

DOUGLAS

Take aim at your point, son.

MARSHALL

So what's holding us back? Money, that's all. Just money. The war against the Confederates has strapped us. There's no money left for waging war on the real enemy, on those damned savages. But what if we could fund ourselves for a good fight, gentlemen? What do you say?

STOUT

Now you listen for a moment. Your actions have already cost us a dozen supply contracts. And when word gets out in Washington, we could be ruined. So don't come looking to me for money, Marshall. You've already cost me plenty. As far as I'm concerned, our business partnership has ended.

MARSHALL

I wasn't going to ask you for money, John. I have another plan.

DOUGLAS

Take aim again, son.

MARSHALL

John ... do you remember when you told me a story about my father? About a year ago. At your house. You'd had some drink that night. We were celebrating, with my fiancée...

STOUT

I had hoped you'd forgotten that, because I can't remember exactly what I told you.

MARSHALL

You told me enough. But since then I have learned even more. There was more money, lots more, that father never mentioned. I found a missing ledger book that listed the contents of that box-car. He's still got it. It's in a chest, it's under his house.

STOUT

You found the manifest?

MARSHALL

Yes. In Chicago. It's quite detailed. Have you any idea how much it was? Because I counted it.

DOUGLAS

What's all this?

STOUT

Unfinished business.

MARSHALL

I counted just over \$10,000.

STOUT

You're lying.

DOUGLAS

Ten thousand ... dollars?

MARSHALL

Lying? I'm telling you the truth to save my life, you idiot.

STOUT

All right, so you speak the truth. Now, how are you going to get it. I mean...

(looks around the cell)
...considering your present situation.

MARSHALL

Let me out for 24 hours. I'll bring the money back. If I don't, you can hunt me down like you did my brother.

STOUT

Are you sure you want to add theft to your list of criminal accomplishments?

DOUGLAS

I don't know, son. I mean, what will the papers say? And the people really want to see someone get hanged here.

MARSHALL

They'll say I paid a \$10,000 fine and you're going to use the money to defend the citizens of this stinking town from those God-damned marauding Indians, that's what they'll say.

DOUGLAS

Well... you know, a little clemency does show compassion, and compassion is how you get promoted to general these days. Especially if you can kill off a few Indians while you're at it.

MARSHALL

We'll split it three ways.

DOUGLAS

Two ways. You get something far more valuable than money.

Douglas smiles.

MARSHALL

What? But how will I survive?

DOUGLAS

You'll survive by not having your neck broke in a noose, that's how.

EXT. STREET - AFTERNOON

Douglas is adjusting saddlebags on a horse tied to a post.

Stout ambles up, suspicious.

STOUT

Going for a ride, Colonel?

DOUGLAS

(turning)

Why, yes, I thought I'd take a little trip ... just to be sure our prisoner makes a safe and prompt return.

STOUT

And how am I to be sure that you'll return?

DOUGLAS

Money won't get your name in any history books, my good man. But victory in battle will. I'll be back all right. With Marshall Landon and a bag full of money.

INT. LANDON'S HOUSE - EVENING

Landon is bouncing Nathan's baby boy on his knee.

Nathan brings a glass of beer and sits opposite on a stool.

NATHAN

Set him free, father.

Landon looks into the baby's face.

LANDON

Yes.

He looks up at his son.

NATHAN

Yes.

LANDON

(standing)

Here...

(passes the baby)

Take him. I will fetch the money.

EXT. LANDON'S HOUSE - TWILIGHT

Landon carries a shovel into the garden. He kicks apart a small greenhouse and begins to dig at the ground below.

Now he looks up, to the same spot where he saw Akecheta years before, to see his son, Marshall, staring at him through the trees.

Landon starts frantically pushing the earth back into the hole.

Marshall emerges through a misty patch of ground and stands in front of his father.

MARSHALL

Picking cucumbers at this hour,
father?

LANDON

How--

MARSHALL

(to the half-filled hole)
Or is there some other crop you
hope to harvest here?

Landon holds up the shovel as if to strike.

LANDON

Get back, boy.

Marshall pulls out a gun from beneath his coat.

MARSHALL

I couldn't risk my brother's
judgement, not after everything
that happened.

LANDON

You should have, Marshall. You
really should have.

EXT. FOREST - TWILIGHT

Douglas is moving slowly atop his horse through the darkened forest.

He stops, dismounts and steals through the trees to a vantage looking out across Landon's property. He spies Landon and Marshall in the garden.

EXT. GARDEN - TWILIGHT

Marshall and Landon are at a stand-off, gun against shovel.

MARSHALL

I think you'd better keep digging,
father. Either way, I need that
money now.

LONDON
 I misjudged you, son. As did
 Nathan. Lord have mercy on you.

EXT. FOREST - TWILIGHT

Douglas watches as Landon begins to dig. He steps out of the forest towards the garden.

Marshall sees Douglas and conceals his gun back under his coat.

As Douglas arrives.

DOUGLAS
 Well, I say. Nothing keeps a
 family together like good hard
 work, ain't that so?

MARSHALL
 Hello, Colonel. What brings you so
 far and fast from Yankton?

DOUGLAS
 I only wanted to ensure our
 arrangement went off smoothly,
 that's all.

MARSHALL
 You needn't have bothered. As you
 can see.

DOUGLAS
 I thought you said it was hidden
 under the--

MARSHALL
 That's of no consequence.
 (grabbing the shovel)
 Here, give me that. You're heart
 is liable to give out at any
 moment.

Marshall digs fast, huge clods of earth flying over his shoulder. A clank as the shovel hits metal.

DOUGLAS
 Ah-ha!

LONDON
 I had hoped I'd seen the last of
 you, Douglas.

DOUGLAS

(remembering)

But of course, Landon the Sioux-Slayer. Hah! Destiny is a wheel that turns upon itself, is it not?

LANDON

I know where you're destined to spend eternity.

Douglas laughs as Marshall pulls a brass box out of the dirt and opens it by smashing the lock with a stone.

DOUGLAS

Is it all there?

MARSHALL

I think so, yes.

DOUGLAS

Stay put. I'll bring my horse and we can load that into bags.

Landon eyes a movement in the house. Nathan is looking out the window.

INT. LANDON'S HOUSE - NIGHT

Nathan at the window.

NATHAN

Magen. Take the child. Hide in the closet. I must go.

MAGENA

But--

NATHAN

Do as I say. Go!

She gathers up the child and hurries away as Nathan opens the door.

EXT. GARDEN - NIGHT

Marshall is tossing money into the hole from the box and piling dirt over it.

LANDON

More deception?

MARSHALL
Shut up. And keep your mouth shut
if you want to live.

LANDON
(praying)
Lord, help my wayward son find
redemption through the grace of our
Saviour, Jesus Christ...

MARSHALL
I said, shut up!

EXT. LANDON'S HOUSE - NIGHT

Nathan is moving through the mist, shirt off now, holding a
kitchen knife in front of him.

He leaps and knocks Marshall down and they tumble through the
cucumber plants.

Douglas gallops in on them, a shotgun drawn. He blasts a
volley through the air.

DOUGLAS
Stand up, both of you!

The brothers separate and stand. Marshall's nose drips
blood.

LANDON
The cavalry arrives.

DOUGLAS
Where's the money?

MARSHALL
There. In the box. Allow me.

He brushes dirt off himself with a glare at Nathan and moves
towards the box.

He lugs the box over to Douglas.

DOUGLAS
Empty it into the saddlebags. It
better be all there.

Nathan shovels wads of cash into the bags.

DOUGLAS (CONT'D)
 Now, go get your horse. You're
 supposed to be in jail, remember?

Marshall tosses the box away and turns slowly towards Nathan.

MARSHALL
 Oh, yeah. Before I forget...

Marshall draws his weapon and takes aim at Nathan.

MARSHALL
 So you told father I should be
 freed, is that right?

NATHAN
 It is so, yes.

MARSHALL
 Well, thanks, little brother.
 Sorry I couldn't do the same for
 you.

NATHAN
 I forgive you.

MARSHALL
 Aw, shucks, that's awful nice of
 you. I hope you can forgive me for
 this...

As he cocks the gun and lowers it toward Nathan's chest.

A shot rings out.

Marshall collapses, dead.

Smoke trailing from Douglas' shotgun.

Landon collapses, clutching his chest.

Nathan stumbles towards Landon.

DOUGLAS
 (laughing)
 I dare say, you could thank a man
 for saving your life, you know.
 It's only proper courtesy.

NATHAN
 Father--

MARSHALL

(more to himself)

Not a bad expedition, really. As it stands, I've hunted down and killed an escaped murderer and managed to confiscate a small fortune.

Nathan looks over at his dead brother, then up to Douglas on his horse.

I ought to kill you too, you half-Injun bastard. But that wouldn't look right, would it? Seeing as you're some sort of folk hero now. And we've all learned our lessons. We certainly have to be careful about appearances, now, don't we?

NATHAN

You're mad.

DOUGLAS

Mad?

(laughs)

No, not mad, but I'll tell you what's crazy.

(pats saddlebag)

This money, this money here is going to get a lot of your Indian buddies blown to bits.

NATHAN

No, I don't think so.

DOUGLAS

Oh, really? Well, you just watch me.

Douglas kicks his horse violently and crashes away through the garden into the blackness.

Nathan looks down to see his father has died.

NATHAN

Father! Father!

INT. STOUT'S HOME - DAY

William stands over Stout, who is seated in the living room in a mammoth upholstered chair, reviewing some papers.

WILLIAM

I'm telling you, legally that money is ours, father. It was ours to recover from debts owed to the company.

STOUT

Are you certain?

WILLIAM

Of course, I've spoken to a lawyer. In confidence, of course. Besides, where would Douglas ever get his hands on such a fortune? It's almost \$10,000.

STOUT

But I'm ordering the supplies for his militia now.

WILLIAM

Father, listen to me. If you supply the army it will just mean more people have to die. Think about it. Douglas is a madman, can't you see?

STOUT

He does seem somewhat over-anxious ... about the Indians.

WILLIAM

He's insane, father. We can't let him dip his evil hands into our fortune.

STOUT

Yes, you may be right.

WILLIAM

Do you know what we should do? We should invest that money. Get out of here, get out of the dry goods business.

STOUT

What will we do?

WILLIAM

We'll invest in newspapers.

STOUT

Newspapers?

WILLIAM

Yes. Men are getting rich, father.
If you own the news, you own
everything. Believe me, we'll live
like kings.

STOUT

All right, I'm listening.

EXT. HILLSIDE - DAY

Douglas atop his horse, overlooking an Indian camp.

About 25 militia SOLDIERS are gathered around him.

A BUCK-TOOTHED SOLDIER lowers his telescope.

BUCK-TOOTH

I think they're preparing to
advance, sir.

DOUGLAS

Preposterous. We have the superior
position. They would have to be
crazy to attack up hill.

BUCK-TOOTH

(another look)

It does seem like that's what they
intend to do, sir.

DOUGLAS

Where are our bloody reinforcements
and our provisions? We don't have
enough men or ammunition to fight.
They should have arrived by now.
We've no food, no water, for
Christ's sake.

BUCK-TOOTH

I don't know, sir.

DOUGLAS

Damn and blast it. They can't
attack now. We're not ready. I
won't stand for this.

BUCK-TOOTH

Sir? They're advancing now, sir.
Would you like to take a look?

DOUGLAS
(under his breath)
God-damned savages...

EXT. GARDEN - DAY

Nathan and Magena's child is playing in the garden. He spies something in the earth and pulls on it. A dirty \$10 bill emerges from the soil.

He keeps digging and pulls up bill after bill.

Magena is picking beans as she looks over.

She dashes over to the baby and helps him dig. They uncover the rest of the money, hundreds of bills.

Nathan walks out of the forest pushing firewood in a wheelbarrow. He sees his wife and child, covered in cash, and begins to laugh.

INT. WAGON - DAY

John, William and Mary Stout jostling inside a wagon packed with belongings. Outside the rain pelts the canvas roof as they travel.

STOUT
We'll be in New York in a couple of weeks, I reckon. They say the train can take you over 200 miles in a day.

MARY
It's unbelievable. You know, I haven't felt so excited in years, not since we first arrived here.

STOUT
Well, you can thank our good son, William, this time, my dear. It was he who had the foresight and vision to move the family business from materials to media.

WILLIAM
That's right. The future is all about information, Ma, not salted pork or sealing wax.

STOUT
Salted pork...

MARY
What's that, my dear?

STOUT
Oh, nothing. I was just stuck in
the past for a moment ... I
remember my last order for salted
pork ... for Col. Douglas.

EXT. HILLSIDE - DAY

Indian warriors are overrunning the position held by Douglas and his men. When their guns run dry, they turn them into clubs to fend off the hoard.

CLOSE ON the face of Douglas. He's about to crack; his chin quivers, his eyes bulge as he attempts to bark a command. But only a faint, gasping whisper emerges.

DOUGLAS
Attack ... attack ... attack.

FADE OUT.

FADE IN:

EXT. WASHINGTON, DC - MORNING

SCREEN TYPE: "One Year Later"

Nathan is walking down an expansive avenue. Two LAWYERS walk with him on either side.

Nathan strides quickly, purposely, dressed in a suit and tie, but his hair remains long, braided with beads. And he pads along the pavement in buffalo skin sandals.

The lawyers struggle to keep up, like children following their mother.

One lawyer appears much older, and wiser, than the other.

NATHAN

I'm glad to hear that Senator Evans has agreed to expand the Black Hills treaty to include the sacred mountains. He has made a wise decision.

OLDER LAWYER

I believe the government negotiators are beginning to learn what is of value, and what is not, to the native Americans.

NATHAN

Everything has a value, counselor.

OLDER LAWYER

Why, yes, of course.

(beat)

And we've been getting some help from the newspapers as well. Did you read the editorial in yesterday's *New York Review*?

NATHAN

Isn't that paper owned by Stout Press?

OLDER LAWYER

Yes. A very liberal outfit, I must say. Who have apparently taken up our cause. They called you the "conscience of the nation."

NATHAN

Imagine that--

YOUNGER LAWYER

You know, if we set precedence with Black Hills, I'll bet we could attempt a reverse-grandfather injunction against a number of duly signed agreements, based on the notion of an advancement in cultural disposition and social recognition.

NATHAN

Is that so?

(to Older Lawyer)

What's he talking about?

OLDER LAWYER

Please forgive him, Mr. Landon. He only passed the bar examinations a few short months ago. I'm sure he'll calm down eventually.

NATHAN

See to it that does not happen!
His fervor is contagious.

The lawyers laugh as Nathan stops to regard a small plant emerging from between the paving stones. He bends over it.

NATHAN (CONT'D)

You see, gentlemen. Nature prevails over all things. This is the way it is. We must not let the new Americans believe they can outsmart Nature, nor tame her, nor claim her as their property. For, like this little plant pushing its way through the cobblestones and into the light, the Great Spirit will always be, while we will not.

The younger lawyer pulls a pad and pencil from his pocket and jots down notes.

YOUNGER LAWYER

That's beautiful, brilliant! May I add that to the speech we prepared for Congress this afternoon?

Nathan stands up again, careful not to trod upon the tiny plant.

NATHAN

You may, and you may add this as well. Behind every living thing, every animal, every insect, every blade of grass, there is a voice urging us to live, to live in harmony with our surroundings, to live in peace with our neighbors, and to cherish life as the most precious gift in the universe.

The men are now making their way up the imposing stone steps of the Capitol Building.

About half-way up, a BEGGAR in an army cap and military boots is stooped on the stairs, a tin cup outstretched.

He's missing an arm.

OLDER LAWYER
Another cast-off, another casualty
of all this damned war.

NATHAN
Give me a coin.

YOUNGER LAWYER
(fishing in his pocket)
Here.

Nathan drops a coin in the cup with a clang.

The beggar looks up.

It's Col. Douglas, a long scar across his face.

DOUGLAS
Thank you.

NATHAN
You're welcome, old friend. I
trust you'll put my money to good
use this time.

DOUGLAS
(confused)
Say, do I know you?

NATHAN
Me? No, you do not know me. You
do not know me at all. But you
will some day. On the day when
Nature calls your name, you'll
remember me. You can count on
that.

Nathan and the lawyers ascend the stairs, leaving the
bewildered Douglas behind, the fragile figure of a man whose
day and age has long since passed.

THE END