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THE SON

#101

"First Son of Texas"

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Based on the novel by Philipp Meyer

2nd Revised Network Draft  
10/14/15

## THE SON

"First Son of Texas"

### TEASER

PRE-LAP: a growling engine, truck springs creaking --

#### **INT. OLD FORD TRUCK - DAY (1915)**

Dusty sunlight. Behind the wheel: **PETE MCCULLOUGH** (late 30's) in a fine suit, tan and rugged, the look of a man who's spent a substantial part of his life on the back of a horse.

At the other end of the bench seat: his father **COLONEL ELI MCCULLOUGH** (looks late 60's, but is likely older), also in formal dress. Neither looks particularly comfortable in this attire, but Eli looks positively at odds with it, loosening his tie in the heat and paring his fingernails with a pocketknife. Something quietly wild and powerful about him despite the years.

And between them: **JEANNIE MCCULLOUGH** (10), Pete's daughter. Eyes cast down reading a children's adventure novel.

Most striking about this tableau, though, is the RIFLE hanging in the rack behind them -- not the lever action we'd expect but a steam-punk looking semi-automatic, a Winchester 1907 with an extended magazine. Were it not for the presence of Jeannie these two men would look like trouble.

#### **CHYRON: 1915, South Texas**

Eli stares at the dark spike of an OIL DERRICK on the horizon. If the old man feels anything about this sight, his face does not betray it.

Pete glances down at Jeannie --

PETE

What're you reading there, bug?

She answers without looking up, engrossed in her book.

JEANNIE

*Tom Swift Among the Diamond Makers.*

ELI

You figurin' out how to make diamonds, then?

Jeannie looks up. Her grandfather always gets her undivided attention. Eli rewards her with a little wink.

JEANNIE  
Not yet, Grandpa.

ELI  
Well as soon as you do, lemme know.

JEANNIE  
Right now they're taking the Red  
Cloud to Colorado.

ELI  
What's the Red Cloud?

JEANNIE  
The airship they invented. See?

She holds up an illustration of a dirigible with biplane wings. Eli generously nods his appreciation and threatens to pop the blimp-plane with his pocketknife.

Pete sees something ahead. He shifts out of gear and pulls off the road to a stop. Eli and Jeannie now see what he sees. Their faces tell it's very bad.

Still beat. The hot engine ticking.

PETE  
(to Jeannie)  
You keep your nose in that book,  
honey. Stay put.

Jeannie's eyes flicker between her father and the fascinating but scary thing outside.

PETE (CONT'D)  
(softer)  
Jeannie? You hear?

JEANNIE  
Yes, sir.

Pete steps out of the car.

PETE  
C'mon, Dad.

Eli gets out as well, a little more reluctantly.

Jeannie stares at the book but doesn't read.

**EXT. ROAD - MOMENTS LATER**

Pete stands a few paces ahead of the car, staring up. Eli joins him. We hear a rhythmic CREAKING from above.

PETE

I think that's one of Pedro's men.  
(placing the name)  
...Armando?

Eli cocks his head, studying what's before them for a moment.

ELI

You'd know better, but I'd say so,  
yeah.  
(beat)  
Been up there a while.

REVEAL: they're looking up at the sun-blasted body of a portly MEXICAN MAN (60's) hanged from a roadside live oak. Pants stained with urine, swollen tongue showing. A hundred flies at his eyes and mouth.

Beat.

PETE

Shit. They're gonna think we did  
this.

His tone and posture suggest he is not unaffected by the loss of this life but more concerned with the implications of it. This is not the first dead man he's seen.

Pete takes off his hat and wipes his brow. He gazes out at the open country around them.

HIS POV: The road cuts through a vast expanse of land, an intense blue sky, tall grass and wildflowers. Majestic live oaks spread ancient and enormous branches. Wind makes the tall grass lean and stand up again. This small family appears as alone as anyone can be.

Pete returns the hat to his head and walks back to Eli's side of the truck.

ELI

What're you doing?

**INT. OLD FORD TRUCK - CONTINUOUS**

Pete ignores him for the moment, opening the large glove compartment -- which contains a sheathed hunting knife, a Colt 1911 automatic pistol, and extra magazines for the rifle. He takes the knife and shuts the compartment.

PETE

(to Jeannie)  
You all right, bug?

She weakly nods. Pete shuts the door and steps away. Jeannie's eyes secretly roll up from the book to watch him return to Eli and the body.

**EXT. ROAD - SAME**

Pete examines the hanged man, sees hands tied behind him -- this was no swift snap of the neck, but a long strangulation.

ELI

Leave it for the sheriff.  
What're you gonna do, throw the poor sonuvabitch in the back of the truck? Your daughter's in there for christsake.

PETE

Exactly. I don't want her thinking McCulloughs are the kind of people who drive by a dead man and leave him hangin' in the sun.

**INT./EXT. OLD FORD TRUCK - CONTINUOUS**

Eli opens the door and motions for Jeannie to join him outside.

ELI

C'mon, darlin'.  
(re: the book)  
Leave that.

**EXT. ROAD - MOMENTS LATER**

Pete hangs his jacket on a branch and rolls up his sleeves. The flies buzz loud, seemingly in protest of what's to come. He pulls the knife from its sheath and examines the situation again with a sigh -- *goddamn it, this is gonna be messy.*

**EXT. FIELD - SAME**

Eli walks with Jeannie through the tall grass and wildflowers which ripple around them in the breeze like a body of water.

Eli plucks a flower and shows her. She considers it.

JEANNIE

Bluebonnet. Obviously.

He hands it to her. Plucks a different one. Beat.

JEANNIE (CONT'D)

Indian paintbrush.

He gives it to her. Plucks another -- a game they play.

JEANNIE (CONT'D)  
Phlox. C'mon, Grandpa, you're  
giving me easy ones.

He nods, she takes it. He absently pulls another but just  
twists it in his fingers. Beat.

ELI  
You wanna know what happened, don't  
you.

JEANNIE  
So what? You're not gonna tell me.

Eli half-grins at that.

ELI  
You have me there. But fact is I  
don't know.

He holds out the new flower.

JEANNIE  
...Primrose.

ELI  
Good girl.

He adds it to her growing bouquet and ushers her on.

**EXT. ROAD - SAME**

Sweaty Pete crouched in the brush by the tree, sawing through  
the taut hangman's rope.

The body hits the dirt with a sickening wet *THUD*. The impact  
ruptures the skin in several places, releasing a noxious  
payload of sour blood.

**EXT. OLD FORD TRUCK - MOMENTS LATER**

The dead man is now laid out in the bed of the truck, covered  
by a tarp, feet sticking out.

PETE AND ELI

Stand behind the truck, silently looking at him. Pete is  
filthy from his efforts. Eli packs tobacco into his pipe.

Neither really looks at the other. Long fly-buzzing pauses  
throughout their exchange:

PETE

Who do you figure for it?

ELI

Well, shit son, I dunno.

(ticks off on his fingers)

We got a full-blown revolution just over the border. We got every type of cattle thief known to man. We got trigger happy Rangers, Sheriff's deputies who can't tell their ass from a hole in the ground, plus the normal collection of yahoos who reach for a lynching rope every time a Mexican looks at a white lady.

He lights the pipe and blows smoke.

PETE

I got a pretty good idea which yahoo to go see first.

Pete heads to start the truck. Eli follows.

ELI

Great goddamn way to start a birthday party.

ON THE DUSTY REAR WINDOW: Jeannie peeks at the mostly-covered dead man, fascination overtaking fear.

The truck RUMBLES to life, disturbing the corpse's slack bulk but not Jeannie's intense gaze. As the truck drives off, we pull high and wide to observe the still beauty of the Texas landscape.

TITLE CARD: THE SON

ACT ONE

**EXT. ROAD/OLD FORD TRUCK - DAY**

We're following Pete's truck. The dead man jostles from the rough road.

The truck passes through the open gates and iron arch bearing the name: "MCCULLOUGH RANCH". In the distance, a STATELY HOME rises into view like a monolith.

**EXT. MCCULLOUGH HOUSE - MOMENTS LATER**

A BANNER: "HAPPY BIRTHDAY TO TEXAS & COLONEL MCCULLOUGH"

It hangs from the second story of the massive Spanish-style home. WORKERS scurry about setting up for a huge birthday party: BBQ pit, tables and chairs, beer kegs, a small stage for musicians.

Directing the flow of human traffic is **SALLY MCCULLOUGH** (30's), Pete's tough, no-nonsense wife. She uses broken Spanish to direct some DELIVERY MEN carrying crates of glassware.

Pete and Sally's sons play catch in the yard with baseball mitts. Their names are **CHARLES** (17) and **JONAS** (15). Charles is the more athletic of the two.

Pete's truck pulls up to a stop. The boys are the first to identify the cargo: Charles is delightfully shocked, Jonas more horrified by the sight.

CHARLES

Whoa!

Pete, Eli and Jeannie step out of the truck.

PETE

Get away from there! Now!

The boys obey but linger close by.

JONAS

Is he dead?

CHARLES

(sarcastic)

No, he just sleeps like that.

Sally now sees the dead body.

SALLY

Oh my God.

Sally instinctively pulls Jeannie close.

SALLY (CONT'D)  
Jeannie, honey, are you okay? Eli,  
what happened?

ELI  
Everybody's fine.

Eli's already walking up the steps into the house, calling to a servant in Spanish -- the word "whiskey" ringing out.

SALLY  
Pete...?

PETE  
(a quiet aside, calming)  
Somebody strung up one of Pedro  
García's hands. I wasn't gonna  
leave him there.

Pete rearranges the tarp over Armando's body.

SALLY  
Jeannie, go wash up.  
(to Charles and Jonas)  
You too. Get inside.

Sally waits for the children to head in. Deep breath.

SALLY (CONT'D)  
Is something else going to happen,  
Pete? Should we cancel the party?

PETE  
It's okay. This doesn't have  
anything to do with us, baby.

He comes over and embraces her. She can't look away from the body under the tarp.

PETE (CONT'D)  
You all right here? I'm gonna take  
the body into town. Let Sheriff  
Graham deal with it.

On Sally, nodding.

The screen door slaps open as **TOM SULLIVAN** (40's), the ranch foreman, walks out into the driveway. A doughy slab of man, fiercely loyal to the family.

SULLIVAN

The Colonel says you brought home a stray.

PETE

That's one way of putting it.

Sullivan looks under the tarp. Grimaces, recognizing the face.

SULLIVAN

Poor bastard. Any idea who done it?

PETE

I'll let you know what I find out.

SULLIVAN

Pete, y'know me and Armando go way back, but they say he was getting in tight with those *sedicios*.

Pete shrugs. He doesn't want to think about this.

**EXT. ROAD - LATER**

The body still in the bed of the truck. A town ahead.

SERIES OF SHOTS as Pete drives through:

A broken down Ford Model T being towed by a pair of horses. A sign ahead: "*MCCULLOUGH SPRINGS - ONE MILE*".

Shanties with wreaths of chili peppers hanging in the doors. Meat drying in the sun. An old Mexican man on a stoop braiding a lariat from horsehair.

The culture of the shantytown is all Mexican, though a pair of HEAVILY ARMED WHITES saunter along with a superior attitude.

**EXT. MCCULLOUGH SPRINGS - SQUARE - MOMENTS LATER**

Now we enter the town proper, mostly white -- clean modest houses, wooden sidewalks, brick storefronts, a garage with a Texaco pump, a horse tied there. In fact, while we see plenty of cars, there are still horses and mules everywhere.

Finally into the town square. A number of businesses, a Baptist church, a stone courthouse -- they surround a tiny park-like area where a STATUE OF ELI stands: "*COLONEL ELI MCCULLOUGH, FIRST SON OF TEXAS*".

Linger on the statue as Pete throws it a side glance and drives past.

**EXT. MCCULLOUGH SPRINGS - POST OFFICE - MOMENTS LATER**

Across the square, two MEXICAN RANCH HANDS haul out a STEAMER TRUNK and set it beside two others. They begin loading them onto a waiting truck.

The POSTMAN hands a clipboard form to **MARIA GARCÍA** (30) -- a striking figure in the latest European fashion, *La Belle Epoch* in rural Texas. She signs the form.

POSTMAN

Well I'm glad you finally got your things. Them German U-boats are sure takin' a toll on the ships.

MARIA

All too true, Henry. Strange times.

She then notices the growing, angry crowd at the Sheriff's office across the square. The Postman follows her gaze.

POSTMAN

I don't think you want to go over there, Miss García.

He returns to the office. Her eyes linger on the commotion.

MARIA

(Spanish, to her servants)  
<One moment, please.>

**EXT. MCCULLOUGH SPRINGS - SHERIFF'S OFFICE - MOMENTS LATER**

Maria slips through the growing crowd and brings a hand to her mouth, seeing:

In the bed of the deputy's truck: the rudely tossed body, the tarp now revealing Armando's face.

She turns to SHERIFF EMMITT GRAHAM (40's). He is not happy to see her -- he is already having trouble controlling the crowd.

MARIA

What happened here?

SHERIFF GRAHAM

I apologize, Miss García, but would you mind stepping back?

MARIA

Excuse me. That man worked for us.

SHERIFF GRAHAM  
I understand, but...

MARIA  
Do you know who did it?

SHERIFF GRAHAM  
Do we ever?

MARIA  
Who brought him in?

SHERIFF GRAHAM  
Eli McCullough's son. Pete.

He nods behind him, she looks

ACROSS THE SQUARE

Where Pete walks into CONNOLLY'S DANCE HALL & SALOON, a local watering hole.

MARIA

Refocuses after that glimpse, pulling a considerable sum of MONEY from her pocketbook. She hands it to a TEJANO PRIEST.

MARIA  
(Spanish)  
<For the service and his family,  
please. Make sure he gets a decent  
suit.>

The priest thanks her in Spanish, but she is not paying attention. She is looking again at the tavern that Pete just vanished into...

**INT. CONNOLLY'S DANCE HALL & SALOON - SAME**

A standard small town saloon, a few rough-looking white men playing billiards. A young bartender, LOUIS, pours a beer. A few are openly armed.

Also behind the bar, **NILES GILBERT** (40's), an outwardly agreeable viper of a man, counting money. He clocks Pete as he enters, brightening with phoney welcome:

NILES  
If it isn't Pete McCullough, son of the Great Man himself. You ready for the birthday *fete galant-ay* tonight?

He pours two whiskeys.

PETE

Niles, did you have a hand in this?

NILES

I'm sure I don't know what you're talking about.

PETE

Niles.

NILES

Well if you're referring to that strung-up cattle rustler, now you mention it, I might know something about that.

Niles raises his glass. Pete ignores his. Niles shrugs and drinks.

PETE

Armando couldn't rustle up supper, let alone seventy head.

NILES

He was confederating with the *sedicios*, Pete. And he was working the García side of your southern fence the night your cattle decided they preferred to live in Mexico.

The white men in the bar have paused their activities to observe this volatile situation. Niles has friends.

NILES (CONT'D)

Armando cut the fence and looked the other way while Mexican guerillas stole your property. He admitted to all of it, near the end.

Pete glances around, his eyes settling on a POLITICAL FLYER tacked to the wall: "*TAKE OUR COUNTRY BACK FOR THE WHITE MAN.*"

Pete taps the name of the organization which is printed at the top of the flyer: "*THE LAW & ORDER LEAGUE.*"

PETE

You ever consider the irony of calling yourselves that?

NILES

You ever consider someone did you a favor?

PETE

By favor you mean stringing up an old man, which is gonna piss off more Mexicans, and give the *sedicios* more reason to cross the border to hit us.

NILES

You and your daddy ain't exactly strangers to back-country adjudication, Pete. You've educated plenty of rustlers at the end of a rope.

Beat. The accusation is true and it stings.

PETE

...That ain't how we do things anymore.

NILES

We noticed that ya'll have been a little slow-moving as of late, so we decided to intercede on your behalf.

PETE

If I catch someone robbing me of my livelihood on my land, I will see he is dealt with. Not you. And not any of your jackass friends.

Pete now downs his shot as punctuation. Niles is relishing Pete's agitation. He has lit a cigar.

PETE (CONT'D)

Keep your favors away from my family.

NILES

You might want to make sure the Colonel is of similar mind.

Pete halts.

PETE

What's that supposed to mean?

NILES

Go ask your daddy, youngster.

Pete storms out. Niles blows smoke, the picture of calm.

**EXT. MCCULLOUGH LAND - REPAIRED FENCE - DAY**

Eli and Jeannie on horseback, lazily riding the fenceline, the late afternoon sun cutting a grand quality of light over the rugged beauty around them.

Eli eyes the country beyond the barbed wire fence. He has a rifle on his saddle but this is nothing unusual.

ELI  
Been a while since I rode the  
fences myself.

They pass a newly repaired stretch of fence, FRESH WIRE gleaming in the sun. Eli points it out to Jeannie.

ELI (CONT'D)  
There's where they took our cattle.  
You see where the wire was cut and  
repaired?

She nods.

ELI (CONT'D)  
They drove the herd out across the  
García property and over the Rio  
Grande to Mexico.

JEANNIE  
Long way to go to steal cows.

Eli chuckles at this. Fair point.

ELI  
The war going on across the river  
is sending all kinds of bad men  
over the border to take our cattle.

JEANNIE  
How do we stop them?

ELI  
We adapt. Follow me.

He veers them away from the fenceline on a new course.

**EXT. MCCULLOUGH LAND - OIL DERRICK SITE - A WHILE LATER**

Eli and Jeannie pull their horses to a stop, looking up.

REVEAL: they're looking at a towering wooden OIL DERRICK.  
Stacks and stacks of drill pipe, drilling mud, other  
supplies.

ELI

Our future is oil. It's everyone's  
future.

Jeannie stares up at it. The power of that structure.

JEANNIE

But we haven't found any.

ELI

Not yet. But fingers crossed, we  
will.

His gaze lingers on the derrick as though unsure he believes  
his own words, then he leads them on.

Eli takes note of SOME MOVING FIGURES in the distance:  
employees of the neighboring ranch, likely. Eli absently  
rests his hand on the stock of his rifle.

ELI (CONT'D)

The land will always be here,  
honey, it's the people come and go.  
And the minute you get your piece  
of it, someone will be trying to  
take it from you.

Eli looks at his granddaughter with warm pride and resolve,  
then back to the figures in the distance.

ELI (CONT'D)

So you have to be ready.

As they ride on, we STAY ON ELI'S FACE. We hear a distant  
voice, gradually rising in volume. Female. From long ago.

GIRL'S VOICE (V.O.)

Eli... Eli!

**EXT. MCCULLOUGH FRONTIER CABIN - DAY (1849)**

Meet **YOUNG ELI MCCULLOUGH** (13). He sits on the porch of a  
small, rough-hewn log cabin. Young Eli is brown from a  
predilection for the outdoors, and though dressed in the garb  
of a civilized child, his eyes possess a mischievous, feral  
intelligence. He cleans a single-shot *Jaegerbuchse* rifle  
that's nearly as heavy as he is.

**CHYRON: 1849, Central Texas**

The log cabin is a utilitarian structure standard for the time: two rooms connected by a dog trot. A small fenced yard, a smokehouse, a crude stable. Every inch of it hewn by hand. This is not cutesy frontier Americana -- this is reality.

The property is situated on a bluff where a spring issues from the rock and flows to the Pedernales. The woods are far thicker and more lush than they will be even one generation later. These are the first Europeans to live in this part of the North American continent.

Unlike the previous 1915 scenes, the balance of power between man and nature is completely reversed. Man's hold on the land, and on life itself, is tenuous at best. The wilderness presses in on all sides. The temporary nature of man's works is evident. Which is just how Eli likes it.

GIRL'S VOICE (O.S.)  
Eli... Eliiii!

His sister, **LIZZIE** (17) appears from the house. A young beauty, with airs to match.

LIZZIE  
Eli! Go out to the springhouse.

Eli pretends not to hear her, disliking her superior manner.

LIZZIE (CONT'D)  
Eli!

YOUNG ELI  
When no one marries you, Lizzie, at least you can get a job as a hog caller.

LIZZIE  
Mother says bring all the butter and grape preserves.

YOUNG ELI  
We're near out of both. And Daddy will be mad if he comes home and finds them gone.

Their mother, **NATALIA MCCULLOUGH** (30's), appears. Also a beauty. She is also, very clearly, Spanish or Mexican -- and annoyed at the absence of her husband.

NATALIA  
When he comes home he's welcome to eat shoe leather.

YOUNG ELI  
Daddy's off chasing horse thieves.

NATALIA  
Getting drunk all night long with  
his *amigos*, more like. Never mind  
the butter. Go catch some fish,  
will you? And hunt us up a few  
birds? We're eating fine tonight.

He shoulders his rifle.

YOUNG ELI  
Roast turkey sounds good to me.

NATALIA  
Watch out for Indians.

YOUNG ELI  
If I catch one, you can fry him up  
for us.

Eli strides off to fetch his fishing pole, the picture of  
cocky confidence. Natalia smiles as she watches him walk  
away. She'd never admit it, but he's her favorite.

As Eli grabs his pole, his brother **MARTIN MCCULLOUGH** (16),  
looks up from a book. Martin is a skinny intellectual. Martin  
casts a disapproving eye on Eli's big rifle.

MARTIN  
You're supposed to leave the  
*Jaegerbuchse* for me.

YOUNG ELI  
This thing gets meat on both ends,  
Martin. It's too ferocious for your  
poetical constitution. I left you  
the squirrel gun.

Martin can't be bothered to respond. Eli passes through the  
gate, with one worried glance back at the cabin.

YOUNG ELI (CONT'D)  
You see anything queer, you holler!

MARTIN  
(sarcastic)  
Yes, all-powerful one.

**EXT. PEDERNALES RIVER BANK - LATER**

Young Eli stands with his line cast, a fish in his pouch,  
watching the water pass, a perfect moment with the land.

Still, there is tension. A sense of being watched: the frontier is the boundary between civilization and the Stone Age. A place as alive with dread and uncertainty as it is natural beauty. Eli is on maximum alert -- no movement or snapping twig escapes his attention.

Movement catches his eye: a WILD TURKEY on the distant bank.

He quickly but methodically sits down, cocks the hammer and takes aim. He breaks the trigger and...

*BOOOM* -- the gun's kick is ferocious but Eli doesn't blink. He is looking over the sights at something.

We follow his eye to: the turkey dead on the riverbank.

And yet there is no triumph on Eli's face. He swabs and reloads the rifle.

He then wades across the river, carefully scanning the woods for unseen enemies. These are the actions of a soldier, not a young boy. He might act like Huck Finn around his family, but out in the field he's a cautious, methodical killer.

While retrieving the turkey, Eli hears a soft RUSTLE like a footfall -- he freezes and looks around. Nothing.

He calmly but quickly gathers his things, eyes scanning about. The afternoon light has faded. Shadows are deeper, perspectives are off. He makes for home.

We see him from a distance, all the things that might be watching him. Including:

The two tan points of FELINE EARS. It's the head of a PANTHER.

But no, there's something off about it -- where the eyes should be are two pieces of polished obsidian. Two streaks of red paint run down the back.

This is the headdress and pelt-cloak of a COMANCHE seen from behind.

The Comanche soundlessly vanishes into the brush.

END ACT ONE

ACT TWO

**INT. MCCULLOUGH RANCH - STABLE - DAY (1915)**

Jeannie and Eli have finished their ride along the fences. Jeannie now helps Eli unsaddle the horses, focused intensely on the task at hand.

PETE

Jeannie.

Jeannie turns to see Pete standing in the stable entrance.

PETE (CONT'D)

Go give your mother a hand, please.

JEANNIE

I'm in the middle of something.

Jeannie looks to Eli, not wanting to leave.

ELI

G'wan. We can ride out again tomorrow.

JEANNIE

Okay, Grandpa.

Jeannie beams and exits. Pete watches her go -- when's the last time she smiled at him like that?

Eli continues his labors. Pete turns to the Mexican RANCH HANDS working nearby.

PETE

(Spanish)

<Luis, Ramon. Give us a minute?>

They nod and leave, drawing cigarettes. Beat.

PETE (CONT'D)

Had a conversation in town with Niles Gilbert.

ELI

That so. Say anything of interest?

PETE

He told me I should ask you.

ELI

This one of them vaudeville routines, or you working up to a question?

PETE

You put him up to that hanging, or  
is he bullshitting me?

ELI

All I did was ask him to sniff  
around about who might be hitting  
our cattle.

PETE

And you didn't consider how he  
might interpret that?

Eli doesn't respond. He unslings the saddle from his horse  
and sets it on a beam.

PETE (CONT'D)

I don't want this family in bed  
with the Law and Order League.

ELI

And I don't want this ranch I spent  
my whole life building to get  
snatched out from under our noses.

Pete takes a breath -- frustrated, but trying to control it.

PETE

Sometimes it feels like I'm sitting  
in front of the boat bailing water  
out while you're behind me drilling  
holes. Who's running this ranch,  
Dad? You or me?

Eli looks back at him: no anger, just business.

ELI

Well, allegedly, you are. So I  
suppose you better get ready for  
the ass-kissing you're gonna be  
giving ol' Pedro tonight to keep  
the peace. You wanna do things your  
way, it's on you. As the Good Book  
says, "Heavy is the head"...

PETE

That ain't in the Bible.

ELI

I'll take you at your word on that.

With that, Eli takes up his rifle and walks out of the  
stable, leaving Pete to contemplate the mystifying and  
sometimes infuriating man who sired him.

He looks up to see a SHAPE in the window quickly vanish from sight.

PETE  
(calls)  
It's okay, bug. You can come in.

Moments later, a trepidatious Jeannie appears. She was eavesdropping.

PETE (CONT'D)  
Do you remember what Mama told you about being a Nosy Parker?

Jeannie is quiet, but not exactly apologetic. Pete gives a paternal smirk.

PETE (CONT'D)  
Neither do I.

He tosses her a curry comb. Together they groom the horses.

JEANNIE  
Are you and Grandpa mad at each other?

Pete considers this -- conveying the complexity of adult relationships to this precocious child.

PETE  
Sometimes grown-ups who love each other have differences of opinion.

They quietly brush the horses for a beat.

PETE (CONT'D)  
What do you and Grandpa talk about on your rides?

She is hesitant, unwilling to betray Eli.

JEANNIE  
I don't know. Nothing much.

PETE  
The thing you have to understand about Grandpa, is that he's from a different time. There are things he believes that were true when he was growing up, but aren't true anymore.

JEANNIE  
What kinds of things?

**EXT. MCCULLOUGH LAND - SAME**

Eli walks with his gun. Even at his age, he carries himself with the effortless command of an apex predator in his prime.

We hear the distant sound of laughter, happy conversation, clinking glasses... We're back in...

**INT. MCCULLOUGH FRONTIER CABIN - NIGHT (1849)**

The McCulloughs enjoy a massive feast. Pork shoulder, turkey, fish, greens, pies, an incredible bounty. Natalia pours herself a glass of wine from an ancient bottle.

NATALIA

The Schroeders said to save this for a special occasion, and I see no reason why tonight doesn't qualify.

Young Eli eyes Martin who consults a book of poetry as he writes in perfect flowery script.

YOUNG ELI

Don't read at the table, Martin.

MARTIN

I'm not reading.

YOUNG ELI

Don't scribble at the table, either.

LIZZIE

He's writing a letter to Ralph Waldo Emerson.

Lizzie smiles at Martin, haughtily proud that he's not a disgusting barbarian like his younger brother.

YOUNG ELI

"Waldo." Hell of a name, that.

LIZZIE

Mother, is Eli really your son or did you steal him from a zoo?

Natalia pours another glass of wine and hands it to Lizzie.

NATALIA

Stop scowling, honey. You'll sour the wine.

Lizzie shrugs and smiles. Natalia raises a glass.

NATALIA (CONT'D)

Let's have a toast to your father.  
Wherever the hell he is, I hope  
he's cold and hungry.

The family laughs and toasts.

**INT. MCCULLOUGH FRONTIER CABIN - LATER THAT NIGHT**

Peace. Martin works on his letter by candlelight. Natalia sits at the family's one luxury, a small piano, playing and singing softly as Lizzie harmonizes.

Eli sits on his bed, lost in thought.

From outside in the dark, SEVERAL DOGS begin to BARK. Eli snaps immediately into high alert.

YOUNG ELI

Stop the piano, Momma.

Natalia immediately ceases playing.

NATALIA

It's probably a coyote.

Eli gets up and looks through a "porthole" in the front door.

HIS POV: A DOZEN MEN, maybe twice that, or more, in the shadows around the property. We hear a CANINE YELP OF PAIN -- someone just hurt or killed one of their dogs.

YOUNG ELI

Oh shit. That's a lot of Indians.

Martin looks out another porthole.

MARTIN

Could be Rooster Joe and the other  
Tonks.

LIZZIE

Maybe they want food.

But this is wishful thinking. This is no one they know. Eli grabs his rifle and walks to another porthole, looks out.

YOUNG ELI

(to Martin)

I got nearly twenty. How many you  
got?

Martin is silent, the gravity of their situation sinking in.

YOUNG ELI (CONT'D)  
(hard whisper)  
*Martin!*

They startle at a CLANGING outside -- the Indians are raiding the metal shop.

YOUNG ELI (CONT'D)  
Now I got thirty. What do you got?

Martin is in silent shock, all his dreams evaporating in the reality of life on the frontier. He looks down at his letter to Emerson, as if to give it a final read.

YOUNG ELI (CONT'D)  
Get your goddamn rifle, Martin.  
Momma, get away from that door.

Natalia is now watching through the porthole in the door. She takes a step back, begins to compose herself. Beat --

NATALIA  
You're right, Eli. They're here.

Natalia's head is bowed and her hands are in front of her face, praying or thinking, we can't tell.

YOUNG ELI  
Momma get away from the door.

A SUDDEN POUNDING on the door makes them jump. Then a voice from outside calls into them:

VOICE (O.S.)  
(Spanish)  
<Open the door and we won't hurt you.>

Martin and Lizzie look at each other. Lizzie is about to lose it. She is desperate for reassurance. Martin gives her a long, sad look, he reaches his hand out toward her.

A calm resolve has taken hold of Natalia, the acceptance of her fate. There's no time for anything else.

NATALIA  
Eli, put your gun on the floor.

She turns to them.

NATALIA (CONT'D)  
There are too many of them. If we give them a fight, they are going to kill all of us.

More BANGING on the door. She pulls her children together and forces them to look at her.

NATALIA (CONT'D)  
They will spare you because you're young. Just do what they say. Do you understand?

LIZZIE  
(weeping, realizing)  
Momma, no--

BANG BANG BANG --

NATALIA  
Whatever they do to me, do not fight them. Eventually the three of you will be ransomed back.

BANG BANG BANG --

MARTIN  
But Momma...

NATALIA  
I love you all so much. My darlings. But we have to do this my way.

Natalia turns, breathes and goes to the door. Her tears flow, but she keeps her back straight.

YOUNG ELI  
No!

NATALIA  
Martin, hold your brother!

Martin attempts to grab Eli and stop him from lunging forward. He fails miserably, but manages to delay Eli long enough for Natalia to remove the bar and open the door.

The door is flung open and HELL ENTERS -- two men TACKLE Natalia and others rush in behind them, sound and chaos.

BOOM -- one of the Indian's heads explodes and the other Indians turn and flee the house. Eli, disobeying his mother's orders, has decided to defend their homestead.

YOUNG ELI  
(to Martin)  
Get that goddamn door shut!

Eli dashes across the room to shut the door, but the Indian he just shot is lying across the threshold. Eli grabs the dead body to drag it clear, but a rifle butt comes from out of the frame and smashes him in the forehead.

Eli, stunned, falls back as Comanches pour into the room. Gunfire. Young Eli's world goes BLACK.

END ACT TWO

ACT THREE

**EXT. GARCÍA HOUSE - DAY (1915)**

The sun sets over an old enormous STONE HOME, *La Casa Mayor*, ancestral residence of the García family. Incomparably more ancient than the McCullough home, it is a near-fortress, dating from a time when homes in this area needed to provide their own defense against Indians and bandits.

Incongruous with the setting, a recording of Irving Berlin's jaunty "Alexander's Ragtime Band" floats from within.

**INT. GARCÍA HOUSE - BEDROOM - SAME**

The record plays on an ornate phonograph.

Maria's sister **ANA** (27), the more sensitive and sheltered of the two, sits at an antique vanity. Maria stands behind her combing her hair. Both are dressed for the coming party.

MARIA  
(Spanish)  
<My little sister looks so beautiful.>

ANA  
English, please. I need the practice.  
(smiles)  
Now tell me more about how beautiful I am.

MARIA  
I'd hate to make us late for the party.

ANA  
I imagine you wore fancy gowns like this all the time in France, even for breakfast. Am I right?

MARIA  
For a time. Before the war.

Ana realizes the war is a painful subject for Maria.

ANA  
Ah. I'm so stupid.

MARIA  
<It's all right.>

Beat.

ANA

*<I wish I'd met him.>*

MARIA

*<He would have loved you, Ana.>*

Ana takes Maria's hand. The moment is interrupted by Ana's husband **CESAR** (30's) who enters holding their INFANT SON.

CESAR

*<Are you ladies decent? This boy is hungry.>*

Cesar spins the baby around, "dancing" with him to the phonograph music, swooping and dipping the delighted baby. Ana takes his arm, laughing.

ANA

*<Okay, stop. You're going to make him throw up.>*

CESAR

*<Nonsense. Emiliano has a strong stomach, like his daddy.>*

ANA

Let's fill that stomach.

Ana kisses Emiliano, takes the baby, lowers her dress to breast feed. Cesar respectfully turns away, averting his gaze.

By doing this, he reveals a newspaper jutting out from his back pocket. Maria's face clouds when she sees it.

MARIA

Oh, Cesar, no...

Maria yanks the paper from Cesar's pocket and examines it.

MARIA (CONT'D)

(growing concern)

*Regeneración. Cesar, what are you thinking?*

The newspaper is titled *Regeneración*. The text is all in Spanish, but the artwork is political and suggests violence.

MARIA (CONT'D)

You can't be seen walking around with a *sedicio* newspaper.

Cesar snatches back the paper, annoyed.

CESAR

I won't be seen. I'm safe in my own home.

MARIA

(correcting him)

This is my father's home. You have married into his family and must respect his rules.

CESAR

Are you telling me old Pedro has rules about what I'm allowed to read?

PEDRO

Of course not.

They find standing behind them: **PEDRO GARCÍA** (60), impeccable in his party attire. Though Pedro radiates a generous paternal warmth, his self-possession and fortitude commands respect. Cesar's bravado immediately melts away in Pedro's presence.

PEDRO (CONT'D)

But the world we live in now is a complicated place. Armando's murder is testament to that. Certain publications give our Anglo neighbors the wrong idea about our family. May I see that please?

CESAR

*<Of course, sir.>*

Pedro glances at the paper. Back up to Cesar.

PEDRO

Why aren't you dressed?

CESAR

I'm not going.

ANA

*<Honey, you have to. You're a member of this family.>*

CESAR

Eli McCullough killed Armando.

MARIA

We don't know that!

CESAR

I will not celebrate with people so arrogant they have no fear of vengeance. They spill our blood like water and it is long past time someone makes them pay.

Pedro holds up his hand for silence.

PEDRO

Our family has been on this land for two centuries, Cesar. Since before there was an America. Since before there was a Texas. And certainly before there was an Eli McCullough. I think you sometimes forget that.

Cesar looks at the floor, chastened.

PEDRO (CONT'D)

If we choose our battles wisely, who knows? Perhaps we may reside here for two centuries more.

CESAR

I hope so, *patrón*.

PEDRO

You are of course welcome to skip the McCullough's party...

Pedro throws the newspaper into the fire.

PEDRO (CONT'D)

After all, you are an American and blessed to live in a free country.  
(to the women)  
Our car is waiting out front.

Pedro exits.

The clip of Pedro's polished shoes blend into the beat of a band playing a jazzy, up-tempo "Red River Valley". We're...

**EXT. MCCULLOUGH HOUSE - DUSK**

Sundown. The source of the music is a jazz band playing in front of the McCullough home.

People are arriving for Eli's birthday party. The expansive lawn has become a parking lot for dozens of automobiles, although there are plenty of horses tied up nearby as well.

A finely dressed ELDERLY WOMAN is helped from a car by her HUSBAND. She startles at the *BOOM* of a not-so-distant gunshot, then chuckles at her own skittishness. Extravagance aside, this is still South Texas.

SMOKING SHELLS yanked from a break-action shotgun. We are:

**EXT. MCCULLOUGH HOUSE - REAR - SAME**

Set back from the home is a SKEET SHOOTING RANGE. Groups of GOOD OL' BOYS drink and rib each other on their performance.

A FEMALE MEXICAN SERVANT, drops off a mint julep to a YOUNG MALE DANDY. She skillfully evades his casual attempt to grab her ass as we track her across the lawn toward the house --

Past groups of CONVERSING COUPLES, collecting champagne glasses on her tray. Past an ancient solitary COMANCHE MAN in a suit lighting a cigar, with whom she shares an uncomfortably long stare.

Past three WIZENED MEN in highly decorated and ill-fitting CONFEDERATE UNIFORMS. Through the back door --

**INT. MCCULLOUGH HOUSE - CONTINUOUS**

Moving through a swarm of SERVANTS who prepare food trays while gossiping about the party in Spanish. And out to --

THE FRONT FOYER

Where a tall gentleman enters with a satchel. This is **PHINEAS MCCULLOUGH** (40's) -- urbane and flawlessly dressed with matinee idol looks. He sets his bag on a table, lights a cigarette, and removes his hat.

Phineas surveys the scene as though already exhausted by it.

SALLY

Phineas!

She closes the distance. They hug and peck.

PHINEAS

And I thought wildflowers wilted at night.

SALLY

How is Austin? Or is it so wonderful I don't want to hear?

PHINEAS

Sadly, I wouldn't know. Been buried  
in paperwork. But still managed to  
find you this...

He pulls a slim brown paper-wrapped GIFT from his satchel and  
hands it to her.

PHINEAS (CONT'D)

It may be my father's birthday, but  
we both know whose party it is.

She beams, opening it to reveal a BEAUTIFUL SILK SCARF. She  
gazes at Phineas with naked adoration.

PHINEAS (CONT'D)

Alas, now I need to find your  
lesser half.

Pete claps him on the shoulder in response: *hello, brother.*

PETE

Where've you been?

PHINEAS

Kissing every ass in the capitol.

Phineas downs the champagne as though to wash away the  
distaste of the past few days.

PETE

...And?

From his look, Phineas does not bear good news.

PHINEAS

Where's Dad?

**EXT. MCCULLOUGH HOUSE - FRONT - SAME TIME**

Eli stands beside a YOUNG SUIT while Negro *vaguer* **NEPTUNE  
HOLMES** (30's) enthusiastically crowbars open a large CRATE  
before them. A group of GUESTS have gathered as well.

YOUNG SUIT

Governor Ferguson regrets he can't  
be here in person --  
(re: the crate)  
-- BUT he did want me to deliver  
his warm regards along with this  
gift:

CRACK -- the crate comes apart revealing a BIG-ASS TRIPOD-MOUNTED MACHINE GUN. Plenty of *oohs* and *aahs* and *holy shits* from the guests.

YOUNG SUIT (CONT'D)  
The Colt-Browning M1895.

Neptune beams like a kid at Christmas.

NEPTUNE  
Aw, now this here's one  
catawumptious piece of machinery.  
Same model chawing up Jerry in  
France as we speak!

ELI  
We sure as hell could have used  
this against the Yankees!

The guests laugh and move in for a closer look. Neptune energetically mimes firing the weapon around the room, eliciting hearty laughs.

Eli's own interest quickly fades as he notices Pete and Phineas across the room. Phineas gestures -- *we need to talk*.

**INT. MCCULLOUGH HOUSE - ELI'S OFFICE - MOMENTS LATER**

Eli's office is nicely appointed, but more rustic than the rest of the house. Hides, leather-bound books, territorial maps and taxidermy. Indian weapons, confederate weapons, war trophies from 70 years of combat. Artifacts from a truly historic life.

Eli sits darkly at his desk with a ledger and documents. Pete and Phineas seated across from him. Muted PARTY NOISE from downstairs.

ELI  
You hit up all the banks.

PHINEAS  
Of course.

ELI  
Private investors?

PHINEAS  
All our regulars and then some. Not  
a single line of credit to be had.

ELI  
Well, why the hell not? I've always  
come through in the past.  
(MORE)

ELI (CONT'D)

Nobody ever lost a dime betting on the McCullough name.

PHINEAS

That name doesn't carry the weight it used to. We're already mortgaged up to our eyeballs and cattle prices are through the floor.

PETE

(a bit defensive)

That is a temporary situation.

PHINEAS

Is it? I heard we just lost another seventy head.

PETE

I'm taking precautions.

PHINEAS

If I had the money, I sure as hell wouldn't invest it in cattle.

ELI

The cattle business is dead. We all know that except Pete who was born thick. We need cash for drilling. Did you make them understand that?

PHINEAS

Not everyone thinks the future is in oil, Dad. And everyone knows we haven't found a drop yet.

(beat)

Anyhow, we need to pay our mortgage before anything else. We're six months behind.

Eli rises and paces, frustrated at being cornered like this.

ELI

Well, what do you suggest?

Phineas hesitantly plays his last card.

PHINEAS

There is one option.

ELI

We DO NOT sell land.

He moves to aggressively pour a whiskey from the bar cart.

ELI (CONT'D)

I got one son running the cattle  
and another running the money and  
Christ if you both can't keep  
either from slipping through your  
fingers. Get out.

He steps to the window and drinks. A glance between Pete and Phineas as they turn away. They are no strangers to this abuse and both are tired of it. As they leave the room, Pete whispers a quiet comforting aside to his brother:

PETE

Maybe we'll get some oil out of the  
hole we're workin' on now.

PHINEAS

If we don't, we're losin' this  
ranch.

STAY WITH ELI

looking out at that solitary derrick in the distance. Behind him the two brothers exit, the door closing HARD --

-- *BOOM!* A clay pigeon EXPLODES into shards and dust. We are:

**EXT. MCCULLOUGH HOUSE - REAR - LATER**

At the SKEET RANGE: Charles lowers a shotgun. Niles stands beside him, nodding approval. Jonas leans on a gun but just watches.

NILES

Sharp. And a good thing too.

Niles whistles at the MEXICAN MAN running the skeet trap.

NILES (CONT'D)

You on the job or the *siesta*? Keep  
'em coming, double-time!

Niles whistles for his birds -- *BOOM-BOOM* -- blows them away.

NILES (CONT'D)

You boys know about the *Plan de San Diego*?

CHARLES

What's that?

JONAS

Nothing.

NILES

The hell it is. There's a verified document outlining it.

(off Charles)

All them guerilla Mexicans running wild down across the border? They're setting to make organized strikes on U.S. soil. Conscripting every nigger, Chinaman and greaser in Texas with the stated purpose of killing every white man over the age of 16. They aim to retake this land for Mexico.

Niles snaps shut his reloaded shotgun for emphasis. Charles is fascinated.

NILES (CONT'D)

How old are you boys?

JONAS

(dismissive of this idiot)

Fifteen, so I guess I'm safe. Tough luck for you, Charles.

REVEAL: Pete has been standing there watching this.

PETE

(to the boys)

Go back inside.

His tone demands compliance and they do. Pete stops at Niles.

PETE (CONT'D)

You got sand, showing your face here.

NILES

Wouldn'ta missed it, Petey.

PETE

You need to get out of here, Niles. I don't want you spouting that Chicken Little bullshit to my kids.

NILES

I figure my invitation come from Colonel Eli McCullough, not you.

Pete's jaw clenches. Tense standoff.

ELI

I hear my name?

They find Eli approaching from the shadows.

NILES  
Yes, sir.

Eli joins them and shakes his hand.

ELI  
Thanks for attending, Niles. I hope  
you had a high time.

Beat. Niles gathers his dignity, point taken.

NILES  
Well I suppose I've paid my  
respects.

Eli takes the shotgun from him.

ELI  
Appreciated.

Niles tips his hat.

NILES  
Colonel.

And with that he leaves.

Beat. Eli hands Pete the shotgun with a nod and heads back to the party. Pete watches his enigmatic father go.

**INT. MCCULLOUGH HOUSE - SAME**

Jeannie stares owlshly at an aged TEXAS RANGER (60's), in animated conversation with Sheriff Graham. Still dressing the part, badge and all, the Ranger has an old ivory-handled Schofield revolver in a tooled leather holster.

Jeannie's eyes lock on the twelve HASH MARKS notched into the ivory.

Pete's hand comes to rest on her shoulder, startling her.

PETE  
Hey, bug.

JEANNIE  
Hey.

Sally is passing by with two glasses of champagne for some guests, but Pete snatches her around the waist and plants a kiss on her cheek. She squeals, but is clearly happy.

SALLY

I've got to give these to...

Pete kisses her. A notch too affectionate for being in public, but it's a sweet moment between them.

Sally, grinning, manages to disengage herself, seeing:

AT THE FRONT DOOR

The García family enters. We've already met Pedro, Maria and Ana. With them are Pedro's WIFE and his ADULT SON. Sally hurries to greet them. Pete follows with Jeannie.

SALLY (CONT'D)

*Maria?* I hadn't heard you were back from Europe.

Kisses and handshakes, Pete and Maria share only a glance.

SALLY (CONT'D)

How long has it been?

MARIA

Too long.  
(seeing Jeannie)  
And who is this?

SALLY

This is Jeannie. My Lord, it *has* been that long. Jeannie, say hello.

JEANNIE

Hello.

Maria and Jeannie share an awkward handshake. Maria gives Pete a genial smile. He nods acknowledgement, but doesn't actually smile back. Instead, Pete turns attention to Pedro.

PETE

Pedro. Thanks for coming.

PEDRO

It's a rare pleasure celebrating someone being older than me. How is the Colonel?

Eli steps up.

ELI

Still kicking.

They shake hands. Pedro reaches into his jacket:

PEDRO  
For your future, *mi padre*  
*compañero*, a piece of my past.

Pedro hands him a small VELVET POUCH. Eli pulls from it an ancient gold SPANISH DOUBLOON. A treasure.

PEDRO (CONT'D)  
My great-grandfather's. May it  
continue to bring your family the  
luck it's brought mine.

Pedro's reference to his family's luck causes Eli's smile to tighten, just a bit. Might be a story there, but Eli moves past the moment.

ELI  
Thank you. I'll wait until your  
back is turned to bite it.

Pedro removes a cigar case from his pocket.

PEDRO  
May I offer you a cigar?

Eli smiles.

ELI  
Give it to Pete.  
(slightly mocking)  
He desires a word.

Eli walks off. Pedro looks to Pete.

PEDRO  
...Well?

PETE  
Why don't we step out back.

**EXT. MCCULLOUGH HOUSE - PORCH - NIGHT**

Pedro and Pete smoke on the porch, looking out at the land.

PEDRO  
Maria told me what you did for my  
man Armando.

PETE  
I'm sure you'd do the same for one  
of ours.

PEDRO  
Of course. Like for like.

From his tone this could be taken as "an eye for an eye."

PETE

I want you to understand we had no hand in the killing.

PEDRO

I appreciate your assurances, Pete, but they would have been more meaningful coming from your father.

PETE

I run the ranch now. We ain't doin' things like the old days.

PEDRO

Of course. But do you speak for the Colonel?

PETE

My name's McCullough, just like his.

PEDRO

You carry the same name, but you are two very different men.

Pete smiles, faintly amused.

PETE

How's that, Pedro?

PEDRO

Your father is a simple animal, untroubled by consciousness or conscience. He sleeps soundly, at ease with his certainties, men as expendable as beef.

Pete's face clouds.

PETE

And me?

PEDRO

You are the otherwise decent man who follows that animal.

He pats Pete on the shoulder and walks away. Pete looks uneasy. Steps into the house.

**INT. MCCULLOUGH HOUSE - PARLOR - MOMENTS LATER**

A small cluster of PARTY GUESTS listen with rapt attention as Jonas plays a gorgeous PIANO SONATA. Pete sidles up to Sullivan and Neptune, who are competing for the attentions of a Mexican servant girl. (Neptune is clearly winning.)

PETE

Pardon, Reyna, need to borrow these two.

Pete takes Sullivan and Neptune aside for a whispered exchange.

PETE (CONT'D)

From now on, our *vagueros* ride in pairs.

NEPTUNE

You expectin the Garcías to hit back at us?

PETE

Just spread the word. No one out there alone, ever.

SULLIVAN

Doubling up the men's gonna eat into profits.

NEPTUNE

Not as much as burying 'em will.

PETE

I don't want any more dead bodies. No one rides without someone to watch his back.

Pete walks off, clearly disturbed, leaving Neptune and Sullivan alone.

NEPTUNE

In the old days, we'd just hit em so hard, they would have never even thought about hitting back.

SULLIVAN

That ain't how Pete wants to do things.

NEPTUNE

(shakes his head)  
He didn't use to be that way.

SULLIVAN

It's the 20th century, my man.  
Better get used to it.

JONAS' MUSIC GROWS LOUDER. His perfect playing gradually is replaced by a RANDOM BANGING of PIANO KEYS. We're --

**INT. MCCULLOUGH FRONTIER CABIN - NIGHT (1849)**

YOUNG ELI'S POV as he drifts in and out of consciousness: A HORDE OF INDIANS wandering inside the cabin. One man, naked except for a loincloth and buffalo horn hat, sits at Natalia's piano, pounding crazily on the keys. Cavemen dropped into the modern age.

A WARRIOR'S FACE thrusts into Eli's. It is a fearsome, painted vision, like something from the Book of Revelation.

BLACK.

**EXT. MCCULLOUGH FRONTIER CABIN - SOME TIME LATER**

Someone has dragged Young Eli outside. Indians carry McCullough family possessions out of the house. Propped up against a fence is the dead man that Eli shot.

BLACK.

*BANG, BANG, BANG.*

As we focus through the darkness, we realize it's the sound of a Comanche warrior attacking the McCullough's barn door with an axe.

BLACK.

A WOMAN CRYING OUT. Indians standing around something on the ground. Eli can make out movement -- a man's BARE ASS. Someone -- his mother or sister -- is being raped.

BLACK.

Sound of WAR WHOOPS. Natalia is naked and crawling to the cabin, trying to make it inside.

*FWWIP* -- something is sticking from Natalia's back: an ARROW. Several more ARROWS hit her, but she keeps crawling.

Finally an Indian walks up to her and gathers up all her hair in one hand, pulling it tight. He draws his KNIFE.

Arms pull Eli, dragging him across the yard. Something white catches his eye -- LIZZIE'S HALF-NAKED CORPSE, used and abandoned.

Eli is dumped at the fence next to Martin, arms bound, but still alive.

MARTIN

Thought you were dead. I was watching you for a long time.

Eli says nothing.

MARTIN (CONT'D)

Did you see what they did to Lizzie and Momma?

Again Eli says nothing.

A warrior hefts the *Jaegerbusche* Eli was using and SMASHES it against the side of the house.

Martin's book -- *The Sorrows of Young Werther* -- is tossed on the growing pile of loot.

MARTIN (CONT'D)

They'll use the pages to stuff their shields. It helps stop bullets.

But Eli doesn't give a shit. His eyes are on Lizzie's corpse.

LATER

The cabin has been lit on fire.

Eli and Martin have been draped over horses and securely lashed down so they won't fall off. Most of the Indians are mounted and only a few stragglers remain, securing things to horses.

LATER

The entire war party loping away from the burning cabin, and disappearing into the darkness of the tree line.

Eli's swollen eyes glance back at the tree-shrouded glow of his flaming home and the column of smoke no one will see.

END ACT THREE

ACT FOUR

CLOSE ON: The FLAME of a match igniting tobacco. We are:

**EXT. MCCULLOUGH HOUSE - NIGHT (1915)**

Eli steps out, lighting his pipe. Puffs it and sees: That old Comanche man we saw earlier with two other Native Americans there, all smoking as well. Beat.

They silently nod acknowledgement to him. He smokes and returns the nod. Whether this exchange is respect or the recognition of old enemies or both is unclear.

**INT. MCCULLOUGH HOUSE - TROPHY HALL - MOMENTS LATER**

Pete stands in a hallway filled with the memorabilia of Eli's long and eventful life. Old weapons, uniforms, and pictures. He sees an old MCCULLOUGH FAMILY PHOTOGRAPH on the wall. Pete and Phineas were just kids, Eli also looks much younger.

Maria steps up. Pete nods, acknowledging her. She inspects a photo of Pete, Sally and infant Jeannie.

MARIA

Your wife and daughter are both very beautiful.

PETE

Thanks.

MARIA

Being here feels like going back in time.

PETE

Yeah, well I expect things move slower here than a place like Paris.

MARIA

I'm not so sure.  
(then)  
Thanks for bringing Armando home.  
That was kind.

Pete looks away.

PETE

Not taking any bows over it.  
(eager to change subject)  
I heard you got married.

Now she is the one to look away.

MARIA

Yes, he died last September. In combat.

PETE

I'm sorry for that.

MARIA

A half-million men were killed that same month. The London newspapers have started calling it "the war to end war."

Pete nods, thoughtful.

PETE

That's a hopeful way of looking at it, I guess.

(beat)

I'm glad you're home safe.

MARIA

Am I? Safe?

Pete just looks at her.

MARIA (CONT'D)

Europe is on fire, Peter. And what it feels like around here is what it felt like in Paris, right before the war began. Like the quiet before a terrible storm.

PETE

We ain't that bad off yet.

MARIA

Still an optimist.

On Pete. He knows a war is coming as well as she does. He once again tries to change the subject.

PETE

You really grew into yourself. It's nice to see.

Maria eyes him.

MARIA

Are you trying to sound patronizing or are you just dumb?

Pete shrugs, grins.

PETE

...The second one.

MARIA

(smiles)

Congratulations, that was the right answer.

**INT. MCCULLOUGH HOUSE - MOMENTS LATER**

*TING-TING-TING.* Sullivan raps a knife and glass, addresses the crowd.

SULLIVAN

Who wants a few words from the man of the hour? Anybody?

Exuberant cheers and applause. Eli grudgingly steps forward.

ELI

All right, settle down. Settle.

Eli hushes the crowd as party guests push their way into the room to listen, including Pete and Maria.

ELI (CONT'D)

I enjoy delivering speeches just about as much as I do hearing them. But considering some of you came as far as Dallas, and Amarillo, and the former Indian territories, I suppose I can be briefly bothered, given that only the Devil knows if I'll still be standing this time next year.

The crowd chuckles, easily delighted by this living legend.

ELI (CONT'D)

I was born on the same date as the Republic of Texas and you do not reach my age without accommodating your fair share of change. I was taught real early you have to roll with the punches. I see many old faces here, from a lot of different sides of a lot of different fights. Some of you I've rode with, some of you I've bled with. Shared fat times and lean. But whatever side you're on, there is one thing that never changes. Because everyone will put it on the line for home. They do it for the ones they love.

(MORE)

ELI (CONT'D)

And if this motley world of man has  
one thing in common, it's that. And  
I will raise a glass to it.

(raises his glass)

To home and family. God bless  
Texas.

That's met with a hearty "God bless Texas!" and raised  
glasses from the crowd. Drinking and applause.

This applause becomes THE SOUND OF THUNDERING HOOFBEATS.  
We're --

**EXT. WILDERNESS - NIGHT (1849)**

VARIOUS SHOTS of the war party riding. Branches whipping  
Young Eli's face and arms -- changing mounts -- indigo  
seeping into the night sky --

**EXT. RIVER - DAWN**

Young Eli and Martin waiting as the horses cross.

MARTIN

Is this what I think? Is this the  
Llano river?

YOUNG ELI

Sure is.

MARTIN

This is impossible. It's a whole  
day's ride.

He looks to Eli who nods, confirming their worst fears.

YOUNG ELI

They'll never be able to track us.

As they ride on, we pull high above the war party to see the  
river snaking through a wild land rolling as far as the eye  
can see. Eli's not wrong.

**EXT. RIVER - MOMENTS LATER**

Weary Young Eli and Martin on the ground, watching their  
captors stretch and water their horses. Eli indicates his  
binding:

YOUNG ELI

I can shimmy my hands.

MARTIN

For what?

YOUNG ELI

We should stay ready.

Martin looks at him like he's mentally slow.

MARTIN

We're not going to escape, Eli.

(beat)

How much do you remember about last night?

YOUNG ELI

Enough.

MARTIN

You were out for a lot of it. They were obviously going to kill Momma, but I don't think they meant to kill Lizzie. After you shot that Indian the others began to fire into the house and Lizzie was hit. When they saw she was wounded they took off her shirt and looked over her gunshot and I thought they were going to doctor her.

(shrugs)

But they must have decided she wouldn't make it.

YOUNG ELI

Why are you telling me this?

MARTIN

You got Lizzie killed. I wanted you to understand that.

Beat. That quiets Eli. Echoes of CHANTING.

**EXT. TABLELAND - THE NEXT DAY**

The war party riding past sandstone MESAS with ancient figures etched into the rock: shamans, men in combat, lances and shields and tipis. Strange dancing figures, thousands of years old, as ancient as any hieroglyph.

The war party dismounts near a MUDDY HOLE. Hands tied behind them, Young Eli and Martin are thrust face first into the filthy water to drink.

It is REPUGNANT -- insects lazily hovering, you can imagine the smell of it. But Eli chokes it down.

Martin simply refuses, despite repeated indications by the Comanches. Annoyed, one Comanche kicks him in the stomach. The others look on with disgust.

Eli processes all of this.

YOUNG ELI

They're gonna kill us if you don't start doing what they say. Martin, you hear me?

But Martin's not listening. He just stares out, physically and mentally wasting away.

MARTIN

You'll make a good little Indian, Eli, you know that.

**TOSHAWAY** walks up. Late-40's, a chief who carries himself like a king. A seasoned warrior, lots of mileage on this guy. He wears a familiar PANTHER HEADDRESS with obsidian eyes.

Toshaway looks with disgust at Martin, then pulls Eli to his feet, indicating the canyon around them.

TOSHAWAY

(Spanish)

*<In the fall this place will be thick with buffalo. Very good hunting.>*

Eli is surprised that his captor is making conversation.

YOUNG ELI

*<You speak Spanish?>*

TOSHAWAY

*<Of course. And Comanche, some Apache...>*

(then, in English)

And a little bit of English. My name is Toshaway.

YOUNG ELI

(points to himself)

Eli.

TOSHAWAY

Do what I tell you, Eli.

Toshaway moves off. He nods to a COMANCHE BRAVE who pulls Eli and Martin to their feet and walks them to the horses.

MARTIN

They're going to separate us.

YOUNG ELI

Why would they do that?

MARTIN

These guys are from two different bands.

Martin nods toward **URWAT** (30's), a stout Indian watering his horse.

MARTIN (CONT'D)

The one who owns me is Urwat. They've been saying that Urwat has a long way to go, but the guy who owns you -- Toshaway, the chief -- is not far from home.

YOUNG ELI

They don't own us.

MARTIN

Course not. Why they might have that impression is completely beyond me.

The brave lifts Eli, unceremoniously dumps him across the back of the horse and begins to lash him down.

**INT. MCCULLOUGH HOUSE - NIGHT (1915)**

Eli bids goodbye to a few drunken old cowboys at the door.

Phineas and Jonas play chess. Phineas, quite drunk now, observes Jonas like he's looking at his younger self.

PHINEAS

Don't worry, kid.

JONAS

What?

Phineas moves his bishop.

PHINEAS

You'll get out of this place soon enough.

Jonas warms at that.

**INT. MCCULLOUGH HOUSE - JEANNIE'S BEDROOM - NIGHT**

Pete tucks Jeannie into bed.

PETE  
You gonna read to me?

JEANNIE  
(laughs)  
You're supposed to read to me!

He kisses her forehead.

PETE  
All right.

As Pete picks up a copy of *The Adventures of Huckleberry Finn* from the nightstand, we see an ORANGE FLASH in the dark distance quickly followed by a concussive BOOM. Both startle and rise to see:

A FINGER OF FIRE far off in the night.

PETE (CONT'D)  
Stay in bed.

And Pete's out the door.

**EXT. MCCULLOUGH LAND - OIL DERRICK SITE - LATER**

Eli, Pete, Phineas, Sullivan, Neptune and a group of ranch hands thunder up on horseback out of the darkness and stop at the hot edge of roaring firelight --

The oil derrick has been BLASTED to pieces, only a flaming jagged stump of the structure remaining. The rig's outbuildings have also been set ablaze.

Sullivan looks around, flummoxed.

SULLIVAN  
How the hell did a dry well catch fire like that?

ELI  
It didn't. It was dynamited.

On Eli: fire reflected in his eyes.

END ACT FOUR

ACT FIVE

**EXT. MCCULLOUGH LAND - OIL DERRICK SITE - NIGHT**

Everyone has to shout above the roar of the fire and general chaos of the scene, keeping a handle on the spooked horses --

Eli paces with purpose low around the blazing rig -- his eyes scanning fire-highlighted hoofprints in the dirt.

ELI

I got tracks. Six horses. They took off south.

Pete can see his father's mind at work --

PETE

We'll never catch 'em.

But Eli's not listening. He swings onto his horse and savagely spurs it into the night, on the trail.

PETE (CONT'D)

Shit.

(to ranch hands)

Put out the fire, see if there's anything to salvage.

Pete mounts up and follows, as do Phineas, Sullivan and Neptune.

ELI'S AHEAD OF THEM

Riding hard in the dark. The man is a fucking spear-point.

**EXT. HIGH PLAINS - MORNING (1849)**

Young Eli and Martin now ride upright, no longer tied up. They are, however, exhausted and famished.

The war party spots a small herd of buffalo. A few warriors split off and ride in that direction.

LATER

The war party is dismounted by a SLAIN BUFFALO. Rolling grassland extend infinitely in every direction. Bright sky, wildflowers everywhere. A stunningly beautiful scene.

YOUNG ELI

Why you think they stopped tying us up?

MARTIN

Nowhere to go.

The Indians cut into the carcass. Toshaway removes the warm LIVER, cuts a slice, and offers it to Eli and Martin.

Martin goes green, refusing to touch it. Eli sees that this does not go over well so he forces himself to take a bite and swallows, preventing himself from gagging.

His captors clearly approve so he holds his hand for another slice, which he is given.

This awakens his appetite so he holds out his hand for more meat. The Comanches laugh and slap him away, taking the liver for themselves, but clearly approving.

Portions of raw meat from the animal are passed around. Eli's hunger and exhaustion catches up with him and he eats his share wolfishly. Martin, pale and frail, does not.

YOUNG ELI

Eat something.

MARTIN

You know, I never thought a place like this could exist.

YOUNG ELI

You need to eat.

MARTIN

I'll bet our tracks will be gone with the first wind.

YOUNG ELI

They're going to kill you if you don't eat.

MARTIN

They're going to kill me anyway, buddy.

Eli looks at him. His brother has lost hope.

MARTIN (CONT'D)

I was sure I would go to Harvard. I wrote about ten letters to Emerson but I didn't get a chance to send them. I think he would have taken them seriously, though.

Eli, very worried about his brother, offers more of the meat.

YOUNG ELI

It's not bad once you get used to it.

But Martin just looks at the ground and plucks a WILDFLOWER. He struggles to stand on weak legs, but manages to rise.

He holds up the flower for the entire war party to see, as if offering it to them, and begins to shout, addressing them all with a surprising reserve of strength.

MARTIN

I'm sure you have your own name for this! We call it an Indian blanket, or Indian sunburst!

They ignore him. He continues.

MARTIN (CONT'D)

It's interesting to note that small, stunted, or useless plants -- such as the Mexican plum, or Mexican apple -- are named after the Mexicans, with whom we will likely be at war for centuries to come. But even now, we name colorful or beautiful plants after you Indians, as you will all soon be vanquished from the earth. It is, of course, a great compliment to your race. Though if your vanquishing had come a bit earlier, I would not have complained!

Now they're looking. The attention empowers him.

MARTIN (CONT'D)

*"It is the fate of a man like myself to be misunderstood!"* That's Goethe, in case you were wondering.

Then Martin turns to Eli.

MARTIN (CONT'D)

I've always been proud of you, buddy.

And just then Toshiway yanks Eli away and pins him to the grass. Something's up. Something bad.

Martin does not move from where he is standing. He leans down and grabs a handful of wildflowers in each hand, then lets them slowly fall through his fingers to the earth.

Urwat, Martin's owner, mounts his horse and rides circles around Martin, whooping and hollering.

Urwat slaps Martin with the flat of his lance, encouraging him to run.

URWAT

Go! Vamoose!

Martin manages to hold his ground. He takes another handful of flowers from the ground and throws them up in the air, watching them as if hypnotized.

Eli struggles, but is held firm.

YOUNG ELI

Martiiiiin!!!!

Urwat, seeing there is no sport to be made, abruptly turns and runs his lance through Martin's back.

Martin stumbles but remains standing. He looks down in shock. His torso has been gashed open; his organs are spilling out of the wound. Then he begins to laugh.

He stands squarely to Urwat, the blood running down his torso and legs.

This causes some whispering among the Indians.

Urwat charges again. He runs Martin through with the lance a second time, then circles around him. But Martin simply stands back up.

Toshaway tries to force Eli's head down, but is himself transfixed by the curious scene.

Again and again, Urwat runs Martin through, and Martin falls, only to rise again.

Finally Urwat discards his lance and makes a run for Martin with his ax -- and ends the matter.

As Martin falls for the last time the Indians rush forward and make a circle around his body.

**EXT. HIGH PLAINS - LATER**

A SHALLOW GRAVE has been dug, and Martin's body, wrapped in Calico, is lowered into it. He has not been scalped. Urwat places his tomahawk into the grave, another warrior places a knife, another a cloth containing dried meat and other foodstuffs.

A gravely serious Toshaway addresses Young Eli, explaining why his brother is getting this ceremonial burial as opposed to the ignoble ending the enemies of the Comanche typically receive.

TOSHAWAY

(English-Spanish)

<Your brother> only pretended to be a <coward,> but in fact was a <coyote> sent to test us. Very, very bad medicine. For Urwat, <especially>. And for the rest of us.

On Urwat, looking ashamed and uncomfortable.

**EXT. MCCULLOUGH LAND - NIGHT (1915)**

Hooves hammering the earth -- Eli gallops after the saboteurs, Pete and the others close behind him.

They blow through a CUT in their fenceline into García territory. Pete glances back at the fence but rides on.

**EXT. GARCÍA LAND - MOMENTS LATER**

Riding hard, Eli somehow continues to read the passing ground in the moonlight.

ELI

(calling back to them)

One of them split off!

SULLIVAN

How the hell can he see that?

Soon Eli reins to a sudden stop, spinning his horse as he scans the ground.

ELI

Right here. Five of the riders keep hard south for the river. The other one looks like his horse threw him.

PETE

They're gone.

Beat, Eli's eyes on the dark landscape --

ELI

Not all of 'em.

Eli veers off after the lone rider. Phineas Sullivan, and Neptune follow, Pete the last to join. But he does.

Quiet. The stillness of the land at night. Then: the heavy sound of breathing like bellows --

A saddled but riderless HORSE moves into view, limping.

A calm hand reaches out for its hanging reins: Eli.

He offers the wounded mare a gentle *shh-shh*. With his other hand he feels the warmth of its saddle.

The others pull to a stop behind him. Beat.

Phineas draws a rifle from his saddle scabbard and quietly cocks the hammer. He may appear a city-slicker but he was born and raised here.

Eli holds up a hand for quiet. Only the night sounds.

Everyone scanning the dark, waiting on a signal from Eli.

Eli moves his horse slowly forward, reading the ground. Listening...

*SNAP* -- far ahead, the tiny flash of a DOE and her FAWN breaking off into the night --

Eli spurs into a gallop -- branches whipping him -- eyes locked ahead -- and we also soon see:

From the brush a MAN breaking into a sprint --

*FLASH-BANG* -- the Man fires a wild pistol-shot without looking, missing wide --

Eli is already on him, rifle at the ready. He BUTT-STROKES the man as he passes. The man goes down hard.

All the riders dismount. Eli walks up and grabs the limp man by the hair to pull his face into the light. He reveals:

**The captured man is CESAR.** Pedro's son-in-law. We met him earlier this evening.

Looks exchanged between all.

Eli draws a 1911 semi-automatic and clicks off the safety.

Cesar sees this and defiantly spits blood. *He understands his fate and will meet it like a man.*

Cesar sneers at the gun in Eli's hand.

CESAR  
(Spanish)  
<A gun?> I thought you people  
preferred a rope.

Eli considers this.

ELI  
Best idea I've heard all day.

PETE  
Don't.

It's as though Eli doesn't even hear him --

ELI  
Sullivan!

Sullivan's already on top of it, tossing Eli a coil of ROPE  
from his saddle.

PETE  
This is Pedro García's son-in-law.

Eli begins to make a noose. Pete grabs his arm --

PETE (CONT'D)  
*We cannot kill him.*

Eli stares down his son with an intensity Pete (and we) have  
never seen before. Pete is trying to take a kill from a lion.

ELI  
You had your shot, son. Now we're  
doin' things my way.

Eli is wild-eyed. Younger. Invigorated. A slight smile tugs  
at the corner of his mouth. He is Comanche. THUNDERING  
HOOFBEATS take us...

**EXT. HIGH PLAINS - MORNING (1849)**

The entire column of Comanche moves out.

Young Eli stares back at his brother's tiny grave as it  
disappears from sight in a endless sea of grass. The camera  
rises, and rises, and rises, and we see that Eli is truly  
alone in the vastness.

END EPISODE