

IMPASSE

by

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BLACK SCREEN

SUPER: "Go west, young man, go west. There is health in the country, and room away from our crowds of idlers and imbeciles." ~ Horace Greeley

FADE IN:

INT. WHITE RIVER INDIAN AGENCY - OFFICE - DAY

The small log building has a planked floor and is sparsely furnished. Sun from a small open window on the far wall highlights dust and soot from a kerosene lamp on the desk.

Two men sit quietly across from each other. They are separated by the desk.

Behind the desk is NATHANIEL MEEKER (62). A white man dressed in a pious black suit with a somewhat pompous demeanor. He looks very anxious.

Opposite, with chair backed up against the wall, is CHIEF DOUGLAS (60), leader of the White River Ute Indians. Unlike Meeker, he looks relaxed, yet, alert and vigilant.

SUPER: The White River Indian Agency, Colorado

SUPER: September 29, 1879

SUPER: Based on actual events

Their silent stare is intensified by the CLICKS of the pendulum clock on the wall. It's almost noon.

Moments pass.

Douglas retrieves a CIGAR CASE from his coat pocket. The initials T.T.T. are embossed on the leather case.

He takes out a cigar and reaches forward to offer a cigar to Meeker.

DOUGLAS

Smoke?

Meeker declines with a quick shake of his head and an upturned nose of distaste.

Douglas shrugs and returns the case to his coat pocket.

He lights the cigar which adds blue smoke to the kerosene soot. This only adds to the room's tension.

A horse on the run breaks the silence. Horse and rider pass the open window and stop out of view.

Quick FOOTSTEPS approach on the creaky boardwalk deck outside with no effect on the stare-down.

The rider stops in the doorway. He is SOWERWICK (25), a Ute brave with a towering frame and menacing presence.

He enters the office and leans close to Douglas' ear. He speaks softly a short message.

SOWERWICK
(Spoken in Ute)
It has begun.

Douglas reacts with just a simple nod. He hands Sowerwick the end of a chain that he held unseen in his hands.

Meeker stands abruptly and pounds on the desk with hands bound with rawhide.

MEEKER
No! You can't do this! As your
agent, I order you to---

Sowerwick yanks on the chain and sweeps Meeker off his feet. The chain is wrapped around his ankles. He drags Meeker, as he kicks and screams, out of the office.

From outside, the war cries of unseen Ute braves fill the air, followed by the screams of men and women.

Douglas remains seated. He winces at the sound of gunshots and mayhem. He lets out a deep sigh.

He gets up, picks up the kerosene lamp and throws it against the back wall. The building erupts in flames as he exits the office.

EXT. FORT STEELE - MORNING

The desolate and dusty fort is located on the west side of the North Platte River. It's surrounded by rolling hills of dry grass, sage brush, and a lot of open space.

Railroad tracks pass along the south side of the fort and cross the river via a wooden trestle bridge.

SUPER: Fort Fred Steele, Wyoming Territory

SUPER: Ten Days Earlier

EXT. PARADE GROUNDS - CONTINUOUS

In the center of the fort are the Parade Grounds. It's surrounded by barracks, officer's quarters, the trading post, and headquarters.

A company of fifty troopers from the Fifth Cavalry stand at attention in the parade grounds.

The soldiers are in uniforms of varying tones of blue that look worse for wear. Many of the men are unshaved and in poor formation.

Beyond the formation are forty black soldiers of the Ninth Cavalry, known as the BUFFALO SOLDIERS. They load supplies onto wagons and pack mules at the trading post.

In contrast, the Buffalo Soldiers are well kept and orderly.

SERGEANT DOLAN (49), a burly Irishman, walks with a limp back and forth as he conducts inspection of the troops.

Dolan stops in front of PRIVATE O'MALLEY (18), a fellow Irishman. He stares until the Private becomes uneasy.

DOLAN
Private O'Malley!

O'MALLEY
Aye, Sergeant Dolan!

DOLAN
Can you please tell me just what is
setting on top of your head?

O'Malley squirms and eyes the saggy brim of his wool felt Cavalry hat that falls limp in front of his eyes.

A trooper chuckles from the formation. Dolan scans the men with an unpleasant scowl then snaps back to O'Malley.

O'MALLEY
It's me hat, Sarge.

DOLAN
(Leans in closer)
O'Malley...I don't believe I've
ever seen a hat quite like this
one. What in the Sam Hill did you
do to it? Did you sleep on it last
night? Did you use it to rub down
your horse after yesterday's
patrol? Why is it that your hat is
so...unique?

O'MALLEY
(Gulps)
It, uh, fell in the river and kinda
lost its shape, sir.

DOLAN

Is that a fact?

(Beat)

Let me see your carbine!

O'Malley, with drill team precision, checks the breech to ensure that it's unloaded and hands the rifle to Dolan.

Dolan takes the rifle and examines the breech and action. He sticks his nose in the breech and takes a deep SNIFF.

He turns the rifle to have sunlight in the open action and looks down the barrel.

With equally crisp precision, Dolan hands the rifle back to O'Malley.

DOLAN

Private O'Malley!

O'MALLEY

Yes, sir!

DOLAN

Can you please remind me, and your mates here, why your Springfield Carbine should be cleaned regularly and after each use?

O'MALLEY

Yes, sir! A soldier shall clean his carbine regularly and after each use due to the potential build-up of the black powder and its corrosive nature, sir!

DOLAN

(Addressing the formation)

That is absolutely correct! The last thing you want is an empty shell casing stuck in your breech during a skirmish!

(Beat)

Private O'Malley's carbine is a thing of beauty! Every soldier here could learn a lesson or two from the lad! Good work!

O'Malley stands a little taller and smiles. Dolan takes a step back and then stops abruptly.

DOLAN

But that don't take away from the
fact that I don't like your hat!
Fix that brim, Private!

O'Malley's 'Atta Boy' is quickly crushed and it stings.

Dolan resumes his pace up and down the formation only to
cringe at their shabby presence.

DOLAN

Now, I realize that we're just a
wee little outpost here in the
middle of nowhere with the sole
purpose of supporting the railroad.
And I realize too, that some of you
are counting your days until your
discharge. But, there's one thing
you can never forget.

(Stopped to yell)

We are all soldiers of the United
States Cavalry!

Dolan takes pause until there is another uncomfortable
silence. A dusty wind is the only sound.

In the background, the Buffalo Soldiers have stopped loading
their supplies and watch the exhibition.

DOLAN

I want all of you to turn around
and take a gander over there.

Dolan points to the Buffalo Soldiers and the entire Company
turns to look towards the trading post.

DOLAN

Even them coloreds take more pride
in how they represent themselves as
members of the U.S. Cavalry than
you.

Dolan walks towards the trading post...

EXT. FORT STEELE TRADING POST - CONTINUOUS

...and up to SERGEANT HENRY JOHNSON (29), a tall black man
in charge of the Buffalo Soldiers that gather supplies.

Dolan stands at attention and salutes Johnson.

After a moment of disbelief, Johnson stands tall and returns
the salute.

Dolan winks and gives a barely discernible smile to Johnson before he returns to his Company and resumes an unintelligible rant.

Johnson turns back to his men with a confused but proud look on his face. The rest of the Buffalo Soldiers have surprised looks as well.

JOHNSON

Alright, come on boys; put your backs to it. We don't have all day!

BUFFALO SOLDIERS

(In unison)

Sir, yes, sir!

The soldiers resume and load supplies with renewed vigor.

CAPTAIN FRANCIS DODGE (37), a white man with a large dark mustache, exits the store with manifest in hand. He is the officer in charge of the Buffalo Soldiers.

Dodge approaches Johnson and they return salutes.

DODGE

Sergeant Johnson, what's our timing for heading out?

JOHNSON

We're doing real good, Captain Dodge. I figure we should ought to be ready real soon. Another thirty minutes should do it.

DODGE

Thank you, Sergeant. Keep up the good work.

Dodge gives a quick slap on Johnson's back and turns towards the Post Headquarters.

DODGE

If you need anything, I'll be over at the Post Headquarters. I'll be back shortly.

JOHNSON

Yes, sir.

As Dodge walks across the parade grounds to the Post Headquarters, Dolan dismisses the Company in the background.

Several of the white troopers give the Buffalo Soldiers sideways glances of disapproval as they are dismissed.

EXT. POST HEADQUARTERS - CONTINUOUS

Dodge walks up the rickety steps and pats the alkali dust off the pant cuffs of his uniform.

A well-behaved greyhound dog (FRANK) lies at the top of the stairs and wags his tail as Dodge approaches.

After a quick pet of the dog, Dodge simultaneously knocks and walks through the front door of the headquarters.

INT. POST HEADQUARTERS - CONTINUOUS

He enters into a dimly lit, yet well-kept, administration office. The floorboards creak loudly.

Seated, with boots on the desk, is the Fort Steele Adjutant LIEUTENANT SAMUEL CHERRY (29). His face is hidden behind a dime store paperback of 'Custer's Last Stand'.

CHERRY
(Irritated)
What is it now?

As he barely glances over the top of his paperback, his eyes go wide when he sees the Captain's rank.

He jumps to attention, salutes, and drops the book to the floor behind him.

DODGE
(Returning the salute)
At ease Lieutenant, please, sit down. I'm Captain Dodge with the Ninth from Fort Lewis...May I?

Dodge motions to the chair in front of Cherry's desk.

CHERRY
Uh, yes, sir. Please do. Have a seat. I'm Lieutenant Cherry, Fort Steele Adjutant. What can I do for you, sir?

Cherry is quite flustered. He reaches for the coffee pot on the wood stove nearby, burns his hand, and stifles a cuss.

CHERRY
May I get you a coffee? Whiskey?
I've a very nice Kentucky rye that just arrived yesterday....

Dodge takes off his hat and sits.

DODGE

Thank you, no. I just want to thank you for your hospitality and let you know that we'll be heading back to Colorado this afternoon.

(Beat)

I know it can be difficult to accommodate men of color sometimes, and we really appreciate your understanding.

Cherry follows suit and sits behind the desk.

CHERRY

No trouble at all, sir. We don't get many visitors here and we're happy to entertain anyone that wants to stop by Fort Steele. MAJOR THORNBURGH will be disappointed that he missed your visit.

DODGE

I'm sorry I missed him as well. Is he on assignment?

CHERRY

No, the Major is on a, uh, scouting party up in the Medicine Bow.

Cherry regains his composure, feels more at ease, and sits a bit more comfortable in his chair.

CHERRY

What brings you all this way from Fort Lewis? You're a far piece from home.

DODGE

About 500 miles to be exact.

(A look of frustration)

It's all these damn forest fires. The homesteaders and miners claim that the Utes are setting the fires to drive game. I've orders to investigate and find proof to these claims.

(Shakes his head)

You know...maybe I will take you up on that whiskey if you don't mind.

Cherry reaches into a drawer and happily pulls out a bottle and two glasses. He pours and hands a glass to Dodge.

DODGE

So, we've been chasing fires for two months now and have yet to find any cause other than lightning.

CHERRY

I feel for you, sir. I graduated West Point four years ago wanting nothing more than to fight Indians. I've been sitting here... waiting... ever since.

Dodge raises his glass of rye to Cherry.

DODGE

They want proof? Here's to eighty proof. Cheers!

The two officers toast and throw back their rye. Cherry shows his youth and grimaces from the burn.

EXT. POST HEADQUARTERS - CONTINUOUS

A civilian COURIER (15) on horseback gallops up to the headquarters in a cloud of dust and dismounts.

The courier, with a satchel across his shoulders, runs up the steps and knocks on the front door.

Frank snarls and lets out a menacing GROWL.

CHERRY (O.S.)

Frank! Settle down! Come on in!

INT. POST HEADQUARTERS - CONTINUOUS

The courier enters the office and walks hurriedly up to the front of Cherry's desk.

He gives a sloppy salute with one hand and rummages through his satchel with the other.

COURIER

Morning, sir, Western Union. We just received an urgent telegram for Major Thornburgh. It's from GENERAL CROOK in Omaha.

Cherry takes and quickly reads the telegraph. A nervous smile slowly breaks across his face.

CHERRY

Thank you, that'll be all.

The courier gives another pathetic salute and turns to leave the office.

Cherry, still staring at the telegram, returns the salute without rising or looking up.

As the courier opens the door, Frank GROWLS, and BARKS as he walks past.

CHERRY

Frank! Come here, boy!

Frank runs into the office and jumps onto Cherry with his front paws on his chest and licks his face.

CHERRY

Aw, down, Frank. Good boy!

Frank sits with his jaw on Cherry's thigh, stares into his eyes, and wags his tail. Cherry scratches Frank's ear and looks to the telegram again.

CHERRY

Captain...would you, by chance, be heading south by way of the Medicine Bow? The Major has been waiting for orders like this for some time now. It seems that the White River Indian Agency needs some assistance with your troublesome Utes.

EXT. MEDICINE BOW MOUNTAIN RANGE - MORNING

Two men, MAJOR THOMAS TIPTON THORNBURGH and GOVERNOR PITKIN, lay prone, side-by-side, on a knoll in tall grass.

Pitkin (42), bearded and dressed in buckskins, aims a Henry repeating rifle with flip-up rear iron sights.

Thornburgh (36), a handsome man with bushy mutton-chop sideburns and dressed in his cavalry uniform, is spotter for Pitkin.

Thornburgh speaks quietly as he peers through a pair of field glasses at an unseen target.

THORNBURGH

Easy... Not yet... Wait for it...
(Beat) Now! Take the shot!

Pitkin fires a BOOMING shot that kicks his shoulder hard.

A herd of bison graze in a distant meadow. The bullet finally reaches the target and the legs of a large bison

buckles under its weight.

THORNBURGH

Excellent shot, Governor! He never knew what hit him. You took him totally by surprise. Now watch what happens when you take out the leader.

The bison herd runs chaotically about until they form a tight circle.

THORNBURGH

If we wanted, we could take out the entire herd now.

Pitkin rolls over on to one elbow to face Thornburgh.

PITKIN

Major, I thought that buffalo would never turn. It seemed like forever.

Thornburgh hands the field glasses to SERGEANT GRIMES (31) whom approaches from the side. Grimes' expression is like he would rather be anywhere else than there.

THORNBURGH

Ah, Sergeant Grimes, quite the shot, eh?

GRIMES

(Dead pan, not thrilled)
Yes, sir, a beautiful shot.

Thornburgh turns to face the Governor.

THORNBURGH

And didn't it pay off to lie in waiting? A good ambush takes time.

Thornburgh slaps Pitkin on the back with a hearty laugh.

EXT. HUNTING CAMP - NOON

It's a beautiful setting by a lake with a rocky mountain ridge line on the opposite shore. The camp includes several white canvas walled tents with stovepipes.

The hunting party rides into camp followed by six riders and a buckboard wagon that carries the bison.

They approach and dismount in front of a rope corral. Troopers in camp help the riders remove saddles and tack.

Thornburgh hands the reins to a waiting Private.

THORNBURGH

Thank you, Private. Make sure they both get a good brushing.

Thornburgh and Pitkin walk toward a CHEF dressed in a brilliant white chef coat that stands in front of a larger open-sided tent.

PITKIN

Major, you're in for a hell of a treat. I don't travel anywhere without my Chef.

THORNBURGH

I could eat a horse right now. A morning like that can surely generate quite the appetite.

CHEF

Welcome back, gentlemen. Please...follow me.

The Chef leads Thornburgh and Pitkin into the tent where...

INT. CANVAS WALL TENT - CONTINUOUS

...a lone table is set with white linens and fine silverware.

THORNBURGH

Well, look at that!

Thornburgh and Pitkin sit across from each other. From this vantage point, the open side of the tent is behind the diners so the camp is in the background.

CHEF

I trust your outing was successful?

PITKIN

Very successful, indeed. I pray that you have some creative ideas for preparing bison for tonight's menu?

CHEF

I do, sir. As for today's lunch, I've prepared Elk tenderloin, Rainbow trout encrusted with pinion nuts, and a potato au gratin.

PITKIN

Splendid, thank you, Chef.

With a subtle bow, the Chef turns and exits the tent.

Background: Scouts hoist the bison carcass up by its horns to dress and skin. Other animals (elk and deer) hang nearby.

PITKIN

That was an exceptional day! Thank you for inviting me on this hunt, Major. I'd heard that you were quite the marksman and hunter, but I must say, the stories do not do you justice.

PRIVATE ESSER (20), a recruit acting as server, enters and clumsily pours Pitkin a glass of wine. He's very nervous.

Thornburgh takes the bottle from Esser.

THORNBURGH

Here, here, son. Just like shooting your rifle. Aim the bottle slowly at the glass, gently pull the trigger, and... follow through!

ESSER

Yes, sir. Thank you, sir.

Esser takes the bottle from the Major and steps out of the way to the side.

Background: Captain Dodge and his Buffalo Soldiers enter the hunting camp.

THORNBURGH

(To Pitkin)

I figured you might need to get away from the Governor's office after your inaugural year.

Background: Grimes approaches Dodge and salutes. An unheard conversation takes place and Grimes points to where Thornburgh and Pitkin are seated.

PITKIN

It's been a challenge. No doubt about it.

THORNBURGH

To you, Governor. Here's to your successful campaign and the great State of Colorado.

PITKIN/THORNBURGH

Cheers!

Thornburgh and Pitkin toast their wine.

Background: Grimes escorts Dodge towards the walled tent. Just short of the tent, they come to attention and salute.

GRIMES

Pardon me, sir. Captain Dodge,
Ninth Cavalry, from Fort Lewis.

THORNBURGH

At ease, thank you, Sergeant
Grimes.

Thornburgh stands, returns the salute, and shakes his hand. Pitkin rises to greet Dodge as well.

THORNBURGH

Come in, Captain. I'm Major
Thornburgh. And let me introduce
you to Governor Pitkin of Colorado.

DODGE

Pleasure to meet you, sir.

Pitkin and Dodge shake hands.

PITKIN

Ah, Captain Dodge! I've heard so
much about you. You're
investigating the Ute fires. Do we
have our proof yet?

DODGE

Well, sir, I'm sorry to say that
we've yet to find anything
conclusive.

To change the subject of fires, he quickly reaches into his coat pocket, retrieves and hands Thornburgh the telegram.

DODGE

Sir, my Company was getting
resupplied at Fort Steele two days
ago when this telegram arrived.
Lieutenant Cherry asked that I get
this to you as soon as possible.

As Thornburgh reads the telegram, a smile begins to grow. He slaps the table with enthusiasm.

THORNBURGH

Governor, great news from Omaha!
Listen to this: "You will move with
sufficient number of troops to
White River Agency under special
instructions." The agency has asked

(MORE)

THORNBURGH (cont'd)
for military assistance and General
Crook has asked that I mobilize
post haste.

PITKIN
Excellent! This calls for another
toast. Captain, please, do join us
for lunch.

Pitkin motions to Esser.

THORNBURGH
Private! Please inform Chef that
there'll be three for lunch. We'll
need another place setting, as
well.

ESSER
Yes, sir.

THORNBURGH
Gentlemen, this is just what I've
been waiting for. I've two
Companies from Fort Steele and an
infantry company in Rawlins that
can be mobilized in short order.

DODGE
Major, I'd like to offer the
assistance of my men of the Ninth
as well. They've proved themselves
in countless skirmishes with the
Apache and Chiricahua.

Thornburgh looks out the tent, sees the Buffalo Soldiers,
and shakes his head.

THORNBURGH
Thank you, but I don't think
that'll be necessary. Be it as it
may, I think we can handle the
Utes. I believe a simple show of
force will settle them down.

Background: Two Scouts continue to dress the bison. They
skin and pull on the hide as the conversation continues.

THORNBURGH
Besides, Captain, the good Governor
here is quite keen to have you and
your coloreds get to the bottom of
those fires.

Background: The hide falls to the ground and the bison carcass spins in the background.

DODGE

As you say, sir. If you find yourself needing any assistance, we'll be in Middle Park, just west of Gore Pass.

Esser returns and sets another place. Lunch service continues and Pitkin raises his wine glass.

PITKIN

Major, here's to your expedition and remember my campaign promise to the citizens of the great State of Colorado...The Utes must go!

The three diners toast with a hearty "Cheers!"

EXT. RAWLINS, WYOMING TERRITORY - MORNING

Main Street is lined with classic false-front wood and brick buildings with boardwalks.

SUPER: Rawlins, Wyoming Territory

SUPER: September 22nd

News of the expedition has spread and the boardwalk is lined with men, women, and children to see the Cavalry off.

The Cavalry Command fills the street from one end of town to the other. It consists of 150 troopers, 25 civilians, a supply train of 30 wagons, and 350 horses and mules.

CAPTAIN JOSEPH LAWSON (49), an Irishman, and CAPTAIN SCOTT PAYNE (35), a Virginian, are on horseback. They ride from the rear towards the front to inspect the men.

Thornburgh approaches on horseback from the front and greets the Captains.

THORNBURGH

Captain Lawson, Captain Payne. I must say, gentlemen, that's a sight to behold.

LAWSON

Aye, sir, quite the sight.

THORNBURGH

I can't wait to see the look on their faces when we come riding into the agency.

PAYNE

Impressive, yes, but---

THORNBURGH

What's on your mind, Captain?

PAYNE

Well, sir, we've been fighting plains Indians for years, but we've had no dealings with these Utes. They're a mountain nation of hunters, not gatherers.

(Beat)

And what about scouts, sir? None of us have been to the White River before.

THORNBURGH

Now, Captain Payne. Let's not get overly concerned. I've arranged a couple locals from Rawlins here to be our guides. Here they come now.

Scouts JOE RANKIN and CHARLIE LOWRY approach on horseback. Rankin (34) has a large mustache and wears a long tan duster. Lowry (mid-40's) is dressed in buckskins.

THORNBURGH

Good morning, men.

Thornburgh extends a hand to both Lowry and Rankin.

THORNBURGH

Damn glad to meet you two. Thank you for taking the time to show us the way. You both come highly recommended.

RANKIN

Howdy, Major. I'm Joe Rankin and this here's Charlie Lowry.

LOWRY

How do, Major. Pleasure.

THORNBURGH

You two come highly recommended. You both were mail carriers between here and the agency, is that right? And Charlie, I hear you worked directly for the agency for a spell?

LOWRY

That's right, sir.

THORNBURGH

Excellent! Charlie, I'll have you running dispatch between the command and the agency while we're in route. Joe, here, will take the lead on getting us there.

Cherry approaches on horseback from the rear of the command.

CHERRY

Major, I just met with DOC. He's in the supply chain with his ambulance and ready to go when you are.

THORNBURGH

Very good. Captain Lawson, will you do us the honor and lead us out?

LAWSON

Yes, sir! BUGLER! Forward Walk!

The BUGLER calls 'Forward Walk' and the command begins to move in unison. The command takes on a life of its own.

The officers and scouts ride to the front as a massive dust cloud forms.

The townspeople cheer on the makeshift parade and the whores throw kisses from the upstairs porch of FOOTE'S SALOON. The officers and troopers wave as they ride.

Somewhere in the command, a soldier starts to sing the old Irish ballad 'Garry Owen'. The other troopers slowly join in until it is almost deafening.

VIEW ON PAYNE

Captain Payne hears the tune and visibly cringes. Captain Lawson rides up to Payne's side and leans over.

LAWSON

I'm with you, mate. That was the favorite ditty of General Custer and the Seventh Cavalry.

Lawson performs the sign of the cross and looks to the heavens.

LAWSON

It just don't have the same feeling that it used to.

PAYNE

You aint a kiddin', my friend.

(MORE)

PAYNE (cont'd)

(Beat)

You know something, Joe? After our clean-up detail at the Little Big Horn, my term of service was up and I got discharged. I was out! And what did I do? Reenlist.

(Shaking his head)

I'm telling you, I can't go through something like that again.

LAWSON

Aw, come on, Scott. How long have we known each other, fifteen, sixteen years? They were hard lessons to be learned, but learned they were.

(beat)

Besides, what else are a couple of old horse soldiers like us gonna do?

A moment passes before Payne continues with a far-off stare.

PAYNE

Do you still get the dreams?

Lawson involuntarily shudders and does not answer.

EXT. BRIDGER PASS TRAIL - DAY

The trail out of Rawlins winds gradually uphill through sage brush and grasslands to Bridger Pass.

The command is massive and extends for more than a mile. A billowing dust cloud follows in the rears.

Thornburgh is in his element and rides at the head of the command. Bravado and confidence emanates from the commander.

Cherry rides up to his side with his greyhound Frank alongside. Thornburgh reaches down and pets Frank.

THORNBURGH

Afternoon, Lieutenant! How are you and Frank keeping on this glorious day?

CHERRY

Frank loves being away from the fort and, I must say, sir, so do I.

THORNBURGH

That's good to hear. That dog of yours has made himself quite the mascot for the Fifth. Its heart and soul, you might say.

CHERRY

He certainly enjoys being around the men.

(Beat)

Major, pardon my asking, but I've always heard that the Utes were a pretty docile nation. I don't recall them ever stirring up trouble.

THORNBURGH

As passive as the Utes may be, they don't want to change. They're hunters by nature, and adamantly refuse to be farmers.

Frank kicks up a sage hen from the brush.

Thornburgh draws his nickel-plated Colt revolver, tracks its flight, and fires one shot.

BANG!

The bird drops like a rock and Frank runs out to fetch it. Cherry is obviously impressed and Thornburgh knows it.

THORNBURGH

Two years ago, the previous Indian Agent got so frustrated with the Utes that he up and quit. The Bureau of Indian Affairs looked long and hard for a replacement until they finally hired Nathaniel Meeker. Have you heard of Meeker before?

CHERRY

No, sir.

THORNBURGH

Father Meeker, as they call him, is quite the character.

(Shaking his head)

He moved out to White River in the spring of last year and immediately shook things up. He moved the agency and village out of the mountains and down river just for

(MORE)

THORNBURGH (cont'd)
 better farmland. That's not the
 best way to get on the good side of
 an already frustrated nation.

Frank runs up with the bird in his mouth and wags his tail.

After a short tug-of-war, Cherry takes the bird from Frank and holds it up. It's a mangled mess.

CHERRY
 Um, sir, I hope you didn't really
 want that sage hen. I'm afraid
 Frank's not much of a bird dog.

Thornburgh laughs and shakes his head. Cherry tosses the bird back to Frank.

CHERRY
 It sounds like Meeker is a tough
 agent.

THORNBURGH
 Meeker expects results and I think
 he's been frustrated for quite some
 time. This isn't the first time
 he's asked for military support.

CHERRY
 What do you think we'll find when
 we get there?

THORNBURGH
 A whole lot of nothing. I think
 it's probably just a big
 misunderstanding and Meeker has
 blown this all out of proportion.
 You'll see, when we ride in to the
 agency...

(He turns and gestures to
 the command)
 ...I think the Utes will just
 settle right down.

EXT. BRIDGER PASS TRAIL - LATE AFTERNOON

The ambulance wagon bounces along the rutted trail. Private O'Malley is at the reins and the Company Doctor (DOC) sits on the bench seat next to him.

Doc (30) has a slight build, wears a long white duster, straw Panama hat and wire rim spectacles. Next to Doc sits Frank.

O'Malley's hat is fixed. The front brim is attached to the crown with a very precise surgeons knot.

O'MALLEY

Thanks for fixing me hat, Doc.

DOC

My pleasure. Any chance to practice my practice, you might say. You know, you really need to get a new hat.

O'MALLEY

Not on thirteen dollars a month, I don't. I'll make do with what I got, thanks.

DOC

Ah, I see. I don't blame you there. How long have you been in the service?

O'MALLEY

Coming up on a year, sir. I signed on just the day after I turned seventeen. Had only been in America for a month, when I did.

DOC

You don't say. Well, the Cavalry's not a bad life.

O'MALLEY

Better than digging ditches, sir.

Sergeants Dolan and Grimes ride up from the forward command.

DOC

Oh, here we go.

O'MALLEY

What's that, sir?

DOC

My two favorite comrades.

Doc does not look the least bit happy.

DOLAN

Well, hello, Doc! How're things back here in the supply train?

DOC

You know damn well how things are back here! Dusty as all get out! Two days now of choking on alkali. Son of a bitch, I should learn how to ride better.

GRIMES

Now, Doc, I've offered to teach you how to ride many o' times, ya know.

DOLAN

I can always put you on one of our mules. I think I've just the one. Blackjack used to be an ornery old cuss but now that he's blind in one eye and can't hardly see outta the other, he's a rightful nice beast. Want me to go fetch em?

DOC

Sure, sure. And why don't you just get a dress and a parasol while you're at it since I'll look like a total ass anyway. A Cavalry Surgeon riding a mule.

Doc sneezes and a huge cloud of dust shakes off him.

DOC

Tempting, though...when are we getting to where ever we're going for the day?

DOLAN

Not too much further, Doc. We'll be dropping over this next rise and settle in for the night by the Little Snake River. Shouldn't be long now.

DOC

A river you say! Glory be. There just might be a God at that.

EXT. SNAKE RIVER CAMP - NIGHT

Troopers relax by a campfire and mill about camp. Lowry's by the fire with Frank at his feet and plays his harmonica.

Doc walks up from the river whistling with wet hair and a towel around his waist.

Lowry sees Doc and changes his tune to a burlesque melody that's in time with each step.

Several troopers laugh as Doc approaches.

DOC

Yeah, go on and laugh you dirty bastards. I'm not going to pass up any chance to wash up and take a bath.

The men are relentless with more cat-calls, whistles, and guffaws.

DOC

You want a show? I'll give you a show!

Doc turns away from the men, lifts his towel and slaps his bare butt.

DOC

(Pointing to everyone)
Cleanliness is next to godliness!
Mark my words, you'll regret passing this up!

EXT. BEAR RIVER TRAIL - DAY

The soldiers ride without conversation. Uniforms are now more chalk colored from dust than blue.

Thornburgh and Payne ride together. Cherry and Lowry approach from up trail.

CHERRY

Major, I found Mister Lowry for you.

THORNBURGH

Thank you, Lieutenant. Mister Lowry, what do you make of our expedition so far?

LOWRY

I think we're making decent time. Now, you do know, Major, we're being watched, right?

THORNBURGH

(Obviously surprised)
Watched? What makes you think we're being watched?

LOWRY

It's probably nothing, but I seen an Indian peering over some bushes
(MORE)

LOWRY (cont'd)
up yonder. I gave a quick chase
just to see if I could identify him
but he was long gone.

THORNBURGH
(Shrugging off his claim)
Oh, now, Mister Lowry, I think
you're getting a little carried
away here. I'm sure it was nothing.
(Changing the subject)
I've drafted a message. I need you
to ride ahead to the agency to let
them know that we're in route and
expect to arrive there on the 29th.

Thornburgh reaches into his coat, retrieves, and hands Lowry
a letter.

LOWRY
Yes, sir.

THORNBURGH
You're a good man, Charlie. Let
Meeker know that I think it would
be best to meet us on the road
prior to our arrival at the agency.

LOWRY
Will do, sir. We'll see you in a
couple days.

Lowry turns and rides south at a quick gait. Thornburgh
rides between Payne and Cherry.

CHERRY
Major, aren't you concerned at all
that we haven't heard from Meeker
since being dispatched?

THORNBURGH
Not hardly, son, but I do think
it's good to let him know we're
coming. No one likes a surprise and
it would be good for Meeker to let
the Utes know so they don't get the
wrong idea.

Payne turns his head away from Thornburgh to hide his
nervous discomfort.

INT. MAJOR THORNBURGH'S TENT - NIGHT

The tent is small and cramped. On the cot is a bible and
framed photo of Thornburgh's wife.

Thornburgh, Payne, Lawson and Cherry sit around a small table with a kerosene lamp in the middle.

THORNBURGH

Another excellent day, gentlemen!
Only two horses went lame and no breakdowns. Except for maybe our good doctor.

The officers get a good laugh and are in good spirits.

THORNBURGH

Okay, okay. Let's settle down. Now that we have reached Fortification Creek, I've decided to have the fourth infantry with eight of the supply wagons break from the command and remain here.

(Beat)

Captain Lawson, I want you to select an officer to stay with that company and get him set up as our supply base. The Company will escort any civilians that may be travelling towards the agency.

LAWSON

Aye, sir.

THORNBURGH

Lieutenant Cherry, once we get in sight of the Bear River tomorrow afternoon, I want you and Mister Rankin to ride ahead to Pecks Store to check for mail. Make sure you ask around to see if there's been any Indian activity reported in these parts as well.

CHERRY

Yes, sir.

THORNBURGH

Captains, I want you to be honest and forthright with me. Are you with me? Do you have any concerns?

The Captains glance at each other and Payne finally responds.

PAYNE

Yes, sir, I'm concerned. For the little information we have, and Lowry's report of Indian spies, I

(MORE)

PAYNE (cont'd)
 think we're being a bit bullish. A simple show of force may not be all we'll need. I don't know of any real hostilities from these White River Utes, but we do know that Meeker has been riding them pretty hard.

THORNBURGH
 Understood, and I appreciate your candor. Charlie's sighting was unconfirmed. I sent him ahead to gather information as well. If Meeker can let the Utes know we're coming, and can meet us in advance, I don't see what can go wrong.

PAYNE
 But sir---

THORNBURGH
 Are you with me?

OFFICERS
 (In unison)
 Yes, sir.

THORNBURGH
 Now, what say we have a bit of rye.

EXT. BEAR RIVER CAMP - DUSK

SUPER: The Bear River

SUPER: September 26TH

Camp is set and tents erected. Some troopers fish along the river bank and relax. There is a beautiful sunset.

Thornburgh, Lawson, and Payne walk to the river bank and see Doc in water up to his waist bathing once again.

LAWSON
 Hey Doc! How's the water?

DOC
 Captain, as long as you keep finding a river at the end of day, I just might survive this little endeavor.

Doc climbs up on a rock and dives. It gives the officers a quick glance of his white buttocks.

PAYNE

It seems the full moon is a couple
of days early!

The officers have a good laugh.

The laughter is quickly interrupted when Cherry and Rankin gallop into camp and dismount by the officers.

CHERRY

Major! Joe and I were just at Pecks
Store like you asked and, and....

Cherry is out of breath to the point of hyperventilation.

THORNBURGH

Yes? Out with it, son! What's got
you so riled up?

RANKIN

Sir, it's the Utes. We walked into
the store and there were ten Ute
BRAVES in there with CHIEF JACK.
They were in there drinking whiskey
and carrying on. Damn near fell off
their seats when they saw the
Lieutenant's uniform.

THORNBURGH

Joe, who is this Chief Jack?

RANKIN

Oh, he's one of the bad ones, sir.
He's Apache, by blood. You'd never
know it, but he was raised by
Mormons. Moved his clan up river,
out of the agency proper, just to
put distance between him and
Meeker.

CHERRY

Jack wants to speak with you about
your intentions. They know about
this command and are none too
happy, sir.

THORNBURGH

Alright, then. Captain Payne,
Captain Lawson, let's go see what
this Chief Jack wants. Lieutenant,
you have the command.

CHERRY

Yes, sir.

THORNBURGH

Mister Rankin, you're with us.

EXT. PECKS STORE - NIGHT

Thornburgh, Lawson, Payne, and Rankin ride up and dismount in front of the trading post. Smoke belches out the chimney and light beams from two small windows.

A dozen horses are hitched outside. The officers don't recognize that they're loaded with cases of ammunition.

Two well-armed BRAVES stand on either side of the entry and barely acknowledge the soldiers' presence.

As they open the large wooden door, Payne whispers to Rankin as they enter.

PAYNE

When we get inside, I want you to stay as close to the door as possible. Be ready.

Rankin nods in acknowledgement.

INT. PECKS STORE - CONTINUOUS

The interior is dim with only a few kerosene lamps. There is a roughhewn counter that doubles as a bar and a wood stove near the middle of the store.

Chief Jack sits at a table with a brave on each side. Jack (30-ish) has piercing eyes and wears the blue coat of a Cavalry Scout.

The other braves sit spread out around the store and blend with the shadows within.

The STOREKEEPER is behind the bar at the far end. He looks terrified and only slightly more at ease when the officers enter.

Thornburgh walks up to Jack's table, takes off his gloves, and extends a hand. Thornburgh speaks with nervous bravado.

THORNBURGH

Chief Jack, I'm Major Thornburgh, Commander at Fort Steele. I hear told that you would like to parley.

Chief Jack remains seated and does not shake Thornburgh's hand. He sits tall and sizes up the Major.

When Jack finally speaks, he is very curt.

JACK
We smoke. Then talk.

THORNBURGH
Splendid! Here, try one of these.

He reaches in his jacket and pulls out a beautiful leather CIGAR CASE with the initials T.T.T. on the side.

When he offers, Jack takes the case, puts it in his bag and retrieves his pipe.

Thornburgh is dumbstruck. Lawson motions for him to 'Let it go'. Thornburgh's mouth opens but makes no remark.

Jack lights his pipe, smokes deep, and passes the pipe.

The Captains and Rankin can handle the harsh smoke, while Thornburgh cannot. He loses his composure and coughs.

Jack smirks.

Thornburgh sits at the table with the Captains on either side. Rankin stands in the background by the door.

Jack starts to question and gets right to the point.

JACK
What you marching for?

THORNBURGH
I've been informed of the difficulties between the Utes and your agent, Mister Meeker. We've been ordered to investigate. My soldiers and I are here to help straighten out any misunderstandings.

Jack pauses before continuing.

JACK
Everything peaceful there. Who told you this?

THORNBURGH
Mister Meeker told me of the difficulties.

Jack shows agitation.

JACK
Meeker is a bad man. He holds our rations from us. Meeker kills our
(MORE)

JACK (cont'd)
ponies and plows our pastures and
horse track. Meeker is bad.

(Beat)

Meeker not let us hunt to feed our
people. He move our village so he
have better farm land.

(Beat)

Everything Meeker does is for him,
not the Ute.

Jack drinks another shot of whiskey and looks to contain his
pent up anger.

JACK
How many soldiers come?

THORNBURGH
I've three cavalry companies and
one Infantry Company in my command.
Do you know how many soldiers that
is?

JACK
Jack know. Jack was scout for
General Crook. I know.
(Pause, then yells)
What you marching for?!

Thornburgh gets angry as well. He stands up and leans on the
table.

THORNBURGH
Listen here, I started out here
because of the things I heard. And
if it has to end in war, then so be
it. I received notice that the Utes
have the agent besieged!

With that outburst, both Captains rise to settle the Major
and get him to sit back down.

Rankin had backed to the door but seemed ready for anything.
The braves all have subtle moves yet remain seated.

Jack hardly reacts. He becomes calmer and at ease. Jack is
pleased with the Major's reaction and speaks calmly with
open hands and a wry smile.

JACK
Major, no need for this.

Thornburgh realizes that he's been played and pushed to the
breaking point on purpose. He quickly tries to calm himself.

THORNBURGH

Chief Jack. We are your friends. We want to help. I am just carrying out my orders.

JACK

Major. You come to agency and we talk. No need for soldiers. Soldiers stay here.

Thornburgh leans back and pauses to ponder the offer. Beat.

THORNBURGH

Agreed. I will meet you at the agency in three days with only my officers.

Lawson and Payne are shocked at the statement but do not openly comment in front of Jack.

JACK

Major smart man. We go now.

Jack stands and walks out of the store with his braves. The sound of hoof beats gallop away just moments later.

Lawson motions to the Storekeeper for a bottle of whiskey.

THORNBURGH

I think that went well, eh men?

PAYNE

Yes, sir. Just great.

EXT. INDIAN CAMP - DAWN

Jack sits by a small fire wrapped in a blanket. He looks troubled. His braves sit and squat nearby.

Jack speaks in Ute aloud to no one.

JACK

(Subtitled)

I stay awake all night. I have seen this before. I cannot believe that all those soldiers just come to talk.

His braves listen and nod their heads somberly.

JACK

Remember Sand Creek. Washita. The roundup of Cheyenne and Sioux. All the broken promises of the Great

(MORE)

JACK (cont'd)
 White Father. Meeker has threatened
 us with shackles and chains. And
 now come soldiers.

Jack stands and lets the blanket fall to the ground. The
 braves follow suit and rise.

JACK
 I have decided. We will not fall as
 our brother nations. We must fight
 for our way.

The braves react immediately with raised fists, Ute cheers
 and war calls.

Jack turns to SOWERWICK, the brave that sat next to him at
 Pecks store.

JACK
 You will take braves and build a
 guard camp overlooking Milk Creek.
 I must talk to CHIEF DOUGLAS.

EXT. CHIEF DOUGLAS' TEEPEE - DAY

Jack rides through an active Ute village with teepees,
 children and women. Boys play and chase dogs.

Jack reins to a stop and dismounts in front of Chief
 Douglas' teepee.

He gives a Ute greeting through the teepee flap closure, is
 acknowledged and enters.

INT. CHIEF DOUGLAS' TEEPEE - CONTINUOUS

Jack enters to see Douglas seated under a buffalo hide
 between two YOUNG SQUAWS.

Douglas orders (in Ute) for the two squaws to leave and
 motions for Jack to sit.

As Jack sits by a small smoldering fire, Douglas picks up
 and offers Jack his pipe.

Jack signs "No". He reaches in his bag and offers Douglas
 the leather cigar case from Thornburgh.

JACK
 (Subtitled)
 Compliments of the U.S. Cavalry.

Douglas is delighted. He takes a cigar, breaks it in half
 and gives the other to Jack.

When he hands the case back, Jack refuses the case and points back to Douglas. He happily accepts the gift.

He smells the sweet tobacco and bites off the tip. The two light their cigars and enjoy the first couple puffs in quiet.

JACK

How are you my old friend?

DOUGLAS

(Subtitled)

I am not well my brother. It seems the years are finally catching up to me. What brings you to my village?

JACK

Meeker has called for soldiers to arrest us and to drag us in chains out of our beloved mountains. I fear that the sun may be setting on our nation if we do not stand together now.

(Beat)

Soldiers will be here in two days. I come to ask for your help in persuading them to turn around and letting us live our lives as Utes.

Douglas leans back and contemplates. Douglas suddenly seems to have a new glow about his aura.

DOUGLAS

By persuade, you do not mean talk. We are not many these days and our way is like the setting sun.

(Beat)

What is your plan?

EXT. WILLIAMS FORK TRAIL - LATE AFTERNOON

The command continues south along a deeply rutted and dusty trail.

Rankin approaches from up trail to Thornburgh, Cherry, and Dolan at the forward command.

RANKIN

Major, we got a civilian supply train with a huge threshing machine up ahead. It's blocking the trail and one of the wagons trucks is broke.

DOLAN

Sir, I'll get the Wagon Master up there to take care of it.

THORNBURGH

Very good, Sergeant. Lieutenant, go inform Captains Payne and Lawson that we will be camping here tonight.

Dolan and Cherry turn and ride back towards the rear. Thornburgh rides over to Rankin to talk in confidence.

THORNBURGH

Have you seen any Indian sign today, Mister Rankin?

RANKIN

Although I've not seen em, I know they're out there. I'll be sure to let you know if I do.

As if on cue, two horsemen ride towards Thornburgh and Rankin. WILMER ESKRIDGE (50), a white man of German descent, with hand raised high and Chief Douglas.

ESKRIDGE

Afternoon! Coming in?

THORNBURGH

Come in! Identify yourself.

ESKRIDGE

Wilmer Eskridge. I work for Meeker. This is Chief Douglas. He's here to speak on Chief Jacks behalf.

THORNBURGH

I'm Major Thornburgh. Good to meet you, Chief. I met with Chief Jack yesterday. He seems like a reasonable fellow.

DOUGLAS

Chief Jack and I talk this morning. He say you smart man.

THORNBURGH

Thank you, Chief. Eskridge, is it? What news do you have from the agency? Has my man Lowry showed up yet?

ESKRIDGE

Charlie? No, sir. I've not seen him as of this morning. I do have a message from Father Meeker though.

Eskridge hands an envelope to the Major and he quickly reads the message. The Major looks troubled.

THORNBURGH

Joe, I need you to gather up my officers. I'll meet them just ahead at Deer Park.

EXT. WILLIAMS FORK CAMP - EVENING

Thornburgh, Lawson, Payne, Cherry, Eskridge and Douglas sit around a campfire. Frank lies at Cherry's feet and gets his belly scratched.

THORNBURGH

Gentlemen, Chief Jack has met with Meeker and convinced him that we should leave the troops outside the reservation. Meeker thinks it best that I ride in to the agency with just five soldiers to talk terms.

DOUGLAS

Chief Jack has authorized me to guarantee the Major's safety at the agency. There is a location at Deer Creek that would be a fine camp for your troops and animals. Plenty of water and grass.

THORNBURGH

I've thought about it and decided that this may be the best course of action. What are your thoughts?

LAWSON

Aye, I think you're right, sir. Chief Jack might have got a bit upset when we met but I don't think it's too late to talk it out.

CHERRY

I agree, sir. This may be the best chance to mediate a peaceful resolution.

Payne is quiet with a frustrated, almost pained expression. It's an uncomfortable silence until he puts his two cents in.

PAYNE

No, sir. Absolutely not. The army is supposed to settle Indian Bureau troubles, not mediate them. And to camp our troops at Deer Creek?! We're still fifty miles from the agency! I'm sorry sir, but this is wrong.

Thornburgh considers Payne's remarks and turns to Cherry.

THORNBURGH

Lieutenant, draft a return message for the Chief here for delivery to the agent. Tell him that I will advance my command to the reservation line.

(Turns to Eskridge)

Mister Eskridge, what's a known feature in that area?

ESKRIDGE

Well, Milk Creek runs just inside the reservation. There's an open area just this side that might be a decent camp.

THORNBURGH

Good, good. Tell Meeker that we'll camp just north of Milk Creek. From there, I will come in, as desired, with five men.

DOUGLAS

Major, if you enter our lands with soldiers, it will be in violation of the 1873 treaty and will be considered an act of war.

LAWSON

Now see here, Chief. We're here to help work this out. I know what we can and cannot do. I've every right to march every single man down to that agency but I'm not.

Douglas stands up abruptly.

DOUGLAS

You have been warned. Stay off our land. Eskridge and I go back to agency now.

Eskridge looks around with a panicked expression. He looks to Thornburgh for help.

THORNBURGH

Mister Eskridge, you'll be okay. I want you to go on back to the agency to make sure Mister Meeker gets the real story. And, Chief, I want you to ensure he gets back safely. Otherwise, I trust you can find your way back by yourself.

(Beat)

Being an Indian and all.

Douglas is insulted, turns and mounts his nearby horse. Before he rides off, he turns to Thornburgh.

DOUGLAS

Chief Jack say you smart man. I hope he is right. Hee-yah!

Douglas rides off into the night.

ESKRIDGE

Major, I---

THORNBURGH

You'll be alright. You just might want to keep your distance from the Chief for a while until he cools off.

ESKRIDGE

I'll see you in two days, right?

THORNBURGH

Two days. Promise.

Eskridge tentatively mounts his horse and tips his hat to the officers as he rides into the night.

Cherry leans to Payne and whispers.

CHERRY

He'll be okay, right?

PAYNE

Sure, sure. Nothing to worry 'bout.

EXT. HIGH KNOLL ABOVE MILK CREEK - DAY

A creek with varying height banks meanders through the short grass and sagebrush valley. Small groves of cottonwoods grow along the creek.

The road crosses the creek at the lower east end and runs right up through the middle. The valley is one mile in length and half mile wide.

Ute braves, under the supervision of a horseback Sowerwick, build rock fortifications with rifle ports around the valley.

There is a hurried atmosphere as Sowerwick rides from knoll to knoll and yells commands.

Ute braves place boxes of ammunition at each rock fort. Every move by every brave is determined with a sense of urgency.

EXT. DEER CREEK TRAIL - AFTERNOON

Thornburgh and Cherry are in the forward command.

Rankin rides quickly towards them with Lowry, JOHN GORDON, and another dozen civilian riders close behind.

THORNBURGH

(Irritated)

Mister Lowry! Nice of you to join us. Who's that with you?

LOWRY

This is John Gordon. He was making a supply run to the agency when some Utes up at Milk Creek told him to leave.

GORDON

Howdy Major, John Gordon. I gotta tell you, sir. I got a real bad feeling from them Utes back there. I had to leave my ten wagons back there and high tail it out.

THORNBURGH

Sorry to hear that, Mister Gordon. How many Utes would you say were up there?

GORDON

Can't say for sure. We seen maybe a dozen or so. By chance, have you seen another wagon on your march up here? My brother GEORGE is bringing a thresher up and had some trouble.

THORNBURGH

We fixed your brother's wagon yesterday. He's behind us a ways. Why don't you stay with us and you can get your wagons back tomorrow.

(MORE)

THORNBURGH (cont'd)

(Turning back to Lowry)

Charlie, where in the hell you been? What's the latest news from the agency?

LOWRY

(Head down and sheepish)

Aw, shit, I'm sorry, sir. I was a bit slow getting to the agency. I stopped in at Pecks store to play a couple hands of Monty and, well, it aint good, sir. I barely got out of there this morning.

THORNBURGH

Yes, yes, go on!

LOWRY

All hells broke out down there. When Eskridge didn't return last night, Chief Jack and Douglas just had a fit. They've sent all the lodges of squaws and kids south to the Grand River. The two bands had a war dance last night and they told me they were going to fire the agency and kill Meeker for ordering troops.

All the life seemed to drain from the Major. Payne and Lawson ride up from the rears and it is obvious to both that it is bad news from Lowry.

PAYNE

Sir, what is it?

THORNBURGH

I'm afraid I owe you an apology, Captain. You've been dead right all along and I've been dead wrong. We might be too late to be any help to the agency.

The Major looks already beaten.

THORNBURGH

I'm open for suggestions.

Payne does not hesitate and suggests a tactic.

PAYNE

All due respect, sir, but we need to have our men as close to the

(MORE)

PAYNE (cont'd)
 reservation as possible. I suggest we camp north of Milk Creek and go ahead as planned with you and five others riding into the agency. I know you'll be watched and they're sure to follow you in. After a bit, I'll lead two companies to within a mile or so of the agency and, any sign of trouble, we'll be right there.

Thornburgh considers the option and after a moment agrees.

THORNBURGH
 It seems a bit underhanded but I think it's the best we can do.

Thornburgh seems to have regained his confidence, his courage, or now puts on an act, but he is back and calls orders to his officers.

THORNBURGH
 Let's get the command to the top of Deer Creek and set camp. No fires tonight. I want a picket of sentries posted around the camp in sight of each other as well. We break before first light.

EXT. LOWER MILK CREEK - MID MORNING

SUPER: Milk Creek

SUPER: September 29TH

Thornburgh, Payne, Lawson, Cherry, and Rankin are on horseback perched on a creek bank. They stare down at pools of stagnant water.

No one speaks until Thornburgh lets out a sigh.

THORNBURGH
 Damn the luck. Damn it all to hell.

PAYNE
 This is not good, sir.

LAWSON
 We can't camp here. There's not enough water for our men, much less our animals.

THORNBURGH
 Joe? What options do we have?

RANKIN

Well, at the top of Milk Creek is Beaver Springs and the water flow has always been fairly dependable. Problem is, we'll be on Ute land.

THORNBURGH

We don't have much of a choice, do we?

(Beat)

Captain Payne, I want you to relay back through the command that we'll be moving forward to camp in the Milk Creek valley. Bring Sergeant Dolan forward and get the Doc and his ambulance at the head of the supply chain.

EXT. HIGH KNOLL ABOVE MILK CREEK - DAY

Chief Jack and Sowerwick sit on horseback. Jack looks through a collapsible telescope.

JACK P.O.V.: Cavalry enters the lower valley and wagons struggle to cross the muddy creek.

Jack lowers the telescope and looks to his right and left.

Waist high, rock fortifications are located on three sides around the valley. About 300 braves are below the knolls out of sight.

JACK

(Subtitled)

Ride to Chief Douglas. The soldiers have lied once again and have entered our land. It's time.

Sowerwick nods, turns his horse and gallops away towards the agency.

Jack is not as angry as he is disappointed.

EXT. LOWER MILK CREEK - CONTINUOUS

Half the wagons have crossed the creek into the valley and the command spreads out across almost a mile. The scene with the wagons is chaotic.

Thornburgh, Lawson, Payne, Cherry and Rankin are on horseback and discuss tactics.

RANKIN

That's right, sir. Once we cross the valley, we'll drop through Yellow Jacket Pass into Coal Creek. It's a deep valley and if there's apt to be trouble, it'll be there.

THORNBURGH

Understood. Lieutenant Cherry, take Mister Rankin and a squad of Captain Lawson's men up the valley to scout a more direct route to the pass.

CHERRY

Aye, sir.

Cherry and Rankin turn and ride off away to Dolan and his Company of troops in the background.

Cherry speaks to Dolan. He points out five soldiers and they quickly ride up valley.

EXT. MILK CREEK VALLEY - CONTINUOUS

Cherry, Rankin, and five soldiers ride slowly up through the middle of the Milk Creek valley.

Cherry is distracted and overwhelmed by the autumn leaves and scenery.

CHERRY

Beautiful. Absolutely beautiful. Hey, Joe, where 'bouts is that spring you mentioned?

RANKIN

Beaver Spring? It's near another thousand yards up at the top of the valley. See that rock outcropping? Right up in there.

Rankin points up to the top of the valley.

As Cherry and his men pass between two knolls, both he and Rankin see row upon row of Ute braves that lie prone and huddled out of sight from the valley.

EXT. LOWER MILK CREEK - CONTINUOUS

Thornburgh and the Captains watch Cherry's column reach the top of the ridge line as he gives the command to stop.

When Cherry scans the ridge, he suddenly stops and gives the signal for retreat.

The column turns and races back towards the officers.

THORNBURGH

What the hell is Cherry up to?

PAYNE

Can't say for sure but it aint good.

Cherry and his command ride up to the officers and come to an abrupt stop.

CHERRY

Major, we've got us a problem. By my count, there has to be two to three hundred Utes hiding behind that ridge. They're lined up on both sides of the valley just out of sight.

Thornburgh only takes a moment to squint up valley, turn back to see the creek crossing chaos, and make a decision.

THORNBURGH

Captain Payne, have your company set a skirmish line up the left flank. Captain Lawson, set your company up the right. 'V' formation men!

PAYNE

Yes, sir!

LAWSON

Aye, sir!

The two captains ride back to the command to get their men.

Thornburgh looks to the high knoll and sees a Ute atop a horse. He takes out his field glasses from his haversack.

THORNBURGH P.O.V.: The Ute smokes a cigar and looks right back through a telescope at him.

THORNBURGH

Jack.

EXT. HIGH KNOLL MILK CREEK - CONTINUOUS

Chief Jack is on horseback and peers through his telescope.

JACK P.O.V.: He follows the two Captains ride to their troops. Unheard commands are ordered and the troops mobilize to the forward flanks. A V formation is evident.

Jack lowers the scope and makes quick Ute commands. Jack primarily communicates with sign language.

The braves respond and disperse down the both sides of the valley out of the cavalry view.

Jacks last command is to have thirty braves start to walk slowly down the center of the valley towards the troops.

EXT. LOWER MILK CREEK - CONTINUOUS

Thornburgh notes the Ute advance and turns to Cherry.

THORNBURGH

Lieutenant, I want you to take Sergeant Grimes and two squads of Lawson's men to form a forward line. Ride up to the Utes and try to communicate. Ask to parley. Got it?

CHERRY

Yes, sir.

Cherry rides away to the right flank and calls to Grimes. They pull twenty men from the flank. They mount and follow Cherry.

Cherry's column rides ~750 yards and closes the gap on the advancing braves.

EXT. FORWARD LINE - CONTINUOUS

Cherry and Grimes ride in front with the column directly behind two-abreast.

GRIMES

Beggin' your pardon, Lieutenant, but, uh, you doing okay? You got this?

CHERRY

Sergeant, if I don't, I know you got my back.

GRIMES

Yes, sir. That you do.

As the column approaches, to communicate, Cherry takes off his hat and holds it high.

One of the braves mimics Cherry and raises a hand.

CHERRY

Well, that's a start.

Cherry waves his hat in response.

BANG!

A single gunshot comes from an unknown location and Cherry halts the column. No telling who fired the shot.

MONTAGE: A quick series of close-ups show reactions of major characters: Jack, Thornburgh, Payne, Lawson, and back to Cherry. Characters are in mixed emotions of disbelief, surprise, shock, fear, and anger.

All hell breaks loose.

Gunshots are now fired from both sides and in all directions. The noise is deafening.

A soldier behind Cherry has his horse shot out from under him and he falls to the ground.

CHERRY

Dismount! Dismount!

They dismount and the men gather tight. The soldiers try to hold the reins of their startled horses.

The valley quickly begins to fill with thick gun smoke as all the rifles use black powder cartridges.

The cavalry standard issue is a single-shot .45 caliber Springfield carbine whereas many of the Utes have .45 caliber Winchester and Henry repeating rifles.

As the forward line kneels, their horses are shot and begin to fall one by one.

EXT. LEFT FLANK - CONTINUOUS

Payne's men have dismounted as well and kneel. All still hold their reins of their scared horses.

Two of Payne's men are shot and killed immediately.

Thornburgh rides up from behind and yells to Payne. He points to a knoll that overlooks the creek crossing.

THORNBURGH

Captain, braves are moving to cut us off from the wagons! Take twenty men and charge the knoll. The rest of the men will fall back with me and regroup with Lawson!

PAYNE

Aye, sir! Dolan! Two squads and follow me! Everyone else, fall back with the Major to the right flank!

DOLAN

Aye, Sir!

THORNBURGH

The wagons are under attack. I'm heading back!

Payne, Dolan, and his two squads mount up and charge the left knoll.

Immediately after initiating the charge, Payne's horse is shot and Payne flies forward off the horse. He hits the ground in a crumpled heap.

Payne is conscious but dazed.

EXT. LEFT KNOLL - CONTINUOUS

Dolan realizes that Payne is missing. He stops and to see that four Utes ride toward the unaware Payne.

Dolan turns and gallops back to Payne's aid and dismounts.

DOLAN

Captain, take my horse and ride back to the wagons. You're no good to us out here hurt!

PAYNE

I'm fine. Get down!

As Dolan drops to the ground, Payne draws his Colt revolver and shoots a Ute that approaches from behind Dolan.

Dolan and Payne fire their weapons as the others circle. They huddle behind Payne's dead horse for protection.

Two more braves go down and the others retreat to the ridge, all the while firing back.

PAYNE

Dammit, I loved this horse.

EXT. WAGONS - SAME

O'Malley lies under the ambulance and shoots towards the ridge.

He recognizes the predicament with Payne and Dolan, and focuses his attention on the left knoll.

Thornburgh rides up to the wagon train and calls O'Malley.

THORNBURGH

O'Malley! Bring up my ambulance and follow me up the left flank. We have wounded!

O'MALLEY

Aye, sir!

Thornburgh turns his mount and rides back out into the open.

O'Malley grabs his horse and ties it to the ambulance. He climbs onto the bench and reins the two-mule team forward.

Bullets splinter the ambulance around him.

The ambulance only goes about hundred feet before one of the mules is shot and stops.

O'Malley jumps down and cuts free the live mule. He mounts his horse and leads the mule towards the left flank.

EXT. MILK CREEK VALLEY - CONTINUOUS

O'Malley gallops towards Payne and Dolan on the left flank. He turns his head and looks towards mid-valley.

O'MALLEY P.O.V.: Thornburgh rides alone up the center of the valley towards the front. He rides with short-reins in one hand and his nickel-plated Colt revolver in the other.

Suddenly, Thornburgh's head snaps back and the side of his skull disappears. He falls lifeless off his horse.

EXT. RIGHT KNOLL - CONTINUOUS

Two braves lay prone side-by-side on a knoll in tall grass in a scene reminiscent to the earlier bison hunt.

One brave has field glasses and the other a Henry repeating rifle with flip-up rear sights.

The brave on the left puts the glasses to the side and claps the shooter on the back.

EXT. LEFT KNOLL - CONTINUOUS

O'Malley screams out in anguish. He hesitates to turn towards Thornburgh but continues on to Payne. He knows the Major is dead.

O'Malley reaches Payne and Dolan, dismounts, and jumps behind the dead horse for cover.

O'MALLEY

Sir!

DOLAN

Damn glad to see you, laddie! Let's get the Captain mounted and the hell out of here!

O'MALLEY

Aye, sir!

O'Malley and Dolan help Payne onto the horse and all three ride back to the wagons.

VIEW ON PAYNE

Payne looks to O'Malley on the ride back and sees that the private is obviously devastated.

EXT. FORWARD LINE - CONTINUOUS

Cherry and his men are being attacked on three sides. Most of his twenty men are wounded and some very serious.

Only two of the horses remain upright. The men use the dead horses for cover. They shoot in all directions.

Cherry's cartridge belt is empty and he searches all his pockets for ammunition.

CHERRY

I'm out!

GRIMES

Here. Take mine.

Grimes hands him his cartridge belt, gets close to Cherry, grabs his shirt and looks him in the eyes.

GRIMES

I'll be back!

Without hesitation, Grimes gets up and mounts the only able horse. He pulls his revolver, short-reins the horse, spurs hard, and rides through a maelstrom of bullets at a full gallop back towards the wagons.

EXT. WAGONS - CONTINUOUS

Rankin and Lowry have started to circle the wagons. Their only option was to circle the wagons in an open exposed location in the middle of the valley north of the creek.

They've unhitched all the teams to keep the wagons close. Dead horses and mules litter the interior of the circle

while some wounded animals run amok and kick wildly.

Most soldiers return fire back at the Utes, although some have just taken cover under wagons or behind dead animals. It's total chaos.

O'Malley, Payne, and Dolan gallop into the circle, quickly dismount, and drop behind a wagon.

Other men from Payne and Lawson's skirmish lines begin to filter in as well.

Lawson is the last man into the circle. He huddles next to Payne.

Payne turns to O'Malley.

PAYNE

Private, thank you. That was
incredibly brave.

O'MALLEY

He's dead sir! I saw it!

PAYNE

Who's dead?

O'MALLEY

The Major. He got shot in the head.
He's dead. Oh Christ, he's out
there.

O'Malley motions to the middle of the valley and sobs.

Still dazed from his fall, a look of disbelief, anger and futility rushes over Payne.

The scene is interrupted when Grimes gallops into the circle. He stays in the saddle and yells.

GRIMES

Rounds! I need ammunition now!

As if slapped in the face, two soldiers leap up and secure a box of ammunition to Grimes' saddle.

Grimes throws down his empty revolver. He reaches down and pulls one from the soldier's holster that's securing the ammunition to his saddle

Without hesitation, Grimes spurs hard once again and jumps the breastworks with revolver ablaze.

The scene and act of bravery happens so fast that everyone in the circle is left with mouths agape and awe.

Back to Payne and Lawson.

LAWSON
 Captain, the command is yours now.
 What's your order?

Payne is still dazed and overwhelmed. Lawson gets a little more in his face.

LAWSON
 Captain! What's your order!?

PAYNE
 (In a fog)
 Lawson, we need to, ah, mount and
 retreat north.

Lawson is dumbstruck and grabs Payne's lapel.

LAWSON
 Captain, there is nothing left to
 mount! We need to stay here with
 the wounded.

Payne looks around at the carnage within the circle of wagons and realizes that his first order as commanding officer was impulsive and foolhardy.

He puts his hands to his head and tries to think.

PAYNE
 Joe, I can't do this. I think you
 should take command. I'm not right
 in the head.

LAWSON
 That's bullshit, Scott! Get your
 shit together and take command.
 You've been right all along and I'm
 trusting you to get us out of this.

PAYNE
 Alright, alright.
 (Looks around)
 Where's Cherry?

The two captains turn to follow the direction of Grimes.

EXT. FORWARD LINE - CONTINUOUS

Cherry and his men are out of rifle ammunition and hold their ground with only their revolvers.

They face each other with their backs against their dead horses. When they shoot, it's over the head of one another.

Grimes suddenly rides in, unleashes the box of ammunition and jumps off his mount.

The men scramble and start to reload their rifles and belts.

Grimes drops to the ground and sits next to Cherry with a look of "What did I just do" disbelief.

Cherry smiles at Grimes and he grabs his shirt. Cherry does his best imitation of Grimes.

CHERRY

I'll be back!

They both have a manic laugh and resume the fight.

EXT. WAGONS - CONTINUOUS

Payne and Lawson watched Grimes ride back to the forward line and see that Cherry's men are under a ferocious attack.

The forward line is still hundreds of yards away and that they fall back slowly.

There are many wounded, some carried and others aided with just a shoulder to lean on, but all still fight.

Payne comes out of his daze and takes charge.

PAYNE

Cherry's in a fix. You need to take twenty men and advance a skirmish line to bring Cherry's men in!

LAWSON

Aye, there you are! It's good to see you back mate.

Lawson gives him a clap on the shoulder and Payne winces.

Lawson gets up and moves hurriedly through the men and tags individuals to join him on the order.

LAWSON

You! You! You!

The skirmish line hunkers down low and moves on foot to Cherry's aid.

Payne moves closer to a prone Dolan and points at gaps in their wagon fortress.

The eighteen wagons have been arranged into an oval shape about 250 feet long by 75 feet wide with many gaps and a wide-open side to the south facing the creek.

PAYNE

Dolan! Rally every able bodied man and start building up the breastworks. Empty the wagons. Use everything you can.

DOLAN

Aye, sir!

Payne looks about and sees numerous wounded horses and mules that hobble about and kick erratically.

PAYNE

Lead the wounded stock to the south gap and shoot them in place to build up the breastworks.

(Holding his head)

If you find the Doc, I need him.

DOLAN

Yes, sir!

Payne scans the scene inside the circled wagons and starts to comprehend the carnage. There are dead and wounded soldiers in the circle along with dozens of dead horses and mules.

Dolan moves from cover to cover. He grabs CORPORAL ROACH (21), a Cajun, to help build the breastworks.

DOLAN

Corporal Roach, you're not going to like this but I've my orders. We're going to gather and lead the wounded animals to the open gaps to build up the breastworks!

ROACH

Sir? I don't understand.

Dolan grabs the reins of a wounded mule, leads it to the gap, pulls out his pistol, and shoots it in the head.

DOLAN

Now do you get me?

ROACH

Uh, yes, sir!

Dolan and Roach chase wounded stock and commence the gruesome task. Little by little the gap closes.

As they chase a wounded mule, Dolan sees Doc huddled by a supply wagon. Doc has a bottle of whiskey and holds a bloody upper arm. Dolan rushes to his side.

DOLAN

Doc! Give me that! You've got work to do and that aint gonna help!

DOC

I've been shot!

DOLAN

That don't make you special. We've all been shot!

Dolan takes the bottle, pulls a good swig of whiskey and sticks the bottle in his haversack.

DOLAN

You need to pull yourself together and go tend to Captain Payne. He took a hard fall and a bullet. If we lose him, we're done for.

DOC

Okay, okay!

Doc gets his wits together and crawls to Payne on all fours as bullets hit all around him.

Dolan begins to go chase after a wounded mule when he sees the legs of a soldier that cowers under a wagon.

Dolan pulls the soldier out by his feet and stands over the young man. It's Private Esser.

DOLAN

Private Esser! Why in the hell aren't you firing your weapon?

Esser has his bayonet in one bloody hand and his rifle in the other. He's been trying to pry out a shell casing that is stuck in the breech.

ESSER

I'm trying, sir! It's jammed! I can't get the shell out!

DOLAN

Holy Mother of... where in the hell has your head been? If you don't get your ass out from under that wagon and start fighting, I'll shoot you my---

A bullet zings and hits Dolan in the center of his chest. Dolan falls dead atop Esser.

ESSER

Sarge! Sarge!

The horrified Esser pulls out his pistol and turns to fight.

EXT. FORWARD LINE - SAME

Cherry and Grimes slowly fall back with the wounded men.

Lawson and his skirmish line finally get to Cherry. Ute bullets come from every direction.

LAWSON

Is this everyone?

CHERRY

Yes, sir. We're all accounted for.

LAWSON

We got here as quick as we could.
I'll have my men surround your
wounded and we'll start back to the
wagons.

(Turns to his men)

Huddle up and move as one! No one
gets left behind!

The cluster of men moves steadily back to the wagons while being fired at from all sides. More men are wounded but all make it back to the wagons.

EXT. WAGONS - SAME

Cherry and his forward line finally make it to the wagons. Within the wagon circle, there are noticeably more dead and dying animals and more wounded men.

Payne is being tended to by the Doc. Payne's arm is bandaged and his head is being wrapped with a cravat.

The battle still rages and the black-powder smoke is thick. Men fire in all directions.

Lawson, Cherry, Grimes, and Lowry join Doc and Payne in a corner of good cover.

PAYNE

Welcome back Lieutenant! You okay?

Cherry looks twenty years older and has a hard time focusing right now.

CHERRY

Yeah, sure. No trouble.

Lowry, with a look of shock, points to the southwest.

LOWRY

Captain, look... they've fired the agency!

A tall pillar of black smoke is visible from the direction of the agency. Once again, the officers drop their heads as the expedition takes another blow.

PAYNE

Oh, Christ...

Rankin runs in and dives into the group.

RANKIN

Sergeant Dolan is dead, sir.

The news is too much for Payne and he explodes.

PAYNE

God dammit! All right, that's it! Charlie and Joe get as many men together and keep building up the damn breastworks. Have a team start digging trenches too.

Lowry and Rankin nod their acknowledgment, leave and get to work on the breastworks.

PAYNE

Lawson and Grimes, get the able wounded and organize sentry posts around the circle. Start conserving ammunition. Have them shoot only at what they can hit.

Lawson and Grimes acknowledge and crawl off.

PAYNE

Lieutenant Cherry, go with Doc and start tending to the wounded, starting with him. We'll need to make an area for the dead too.

As they move away, Payne crawls deep into cover under a wagon. He reaches in to his jacket and pulls out pencil and paper. He begins to write furiously.

EXT. WAGONS - LATE AFTERNOON

Wounded are being tended, trenches are being dug, and dead animals are stacked higher in the breastworks.

As Doc tends to a soldier, a mule tied to the wagon next to him is shot and begins to kick wildly. The mule creates havoc within the circled wagons.

Doc dives over top the wounded soldier as Cherry stands up grabs the rein, pulls his pistol and shoots it in the head.

Cherry sees Lowry dig in a nearby trench and calls for help.

CHERRY

Charlie, I need your help to get
this mule over to that gap!

LOWRY

Yes, sir!

Lowry gets up from the trench and is shot in the head. The bullet hits just behind an ear and he falls to the ground.

Cherry and Doc hurry to his side. He bleeds profusely from a hole in his skull behind his left ear. Lowry is wide-eyed and turns to the Doc.

LOWRY

Never mind me, I am done fer.

Lowry lets out a big exhale and goes limp. Doc feels for a pulse and breathes signs but there is nothing he can do.

Cherry and Doc pull his body to a central breastwork location where other bodies have been covered with canvas and dirt.

After Doc turns to go back to the wounded, Cherry kneels down and puts a hand on the mound of dirt.

CHERRY

I'm sorry.

EXT. MILK CREEK HIGH KNOLL - CONTINUOUS

Chief Jack peers through his telescope at the carnage below. The 'bird's eye' view shows a battlefield littered with the bodies of cavalry and animals.

Jack pans the scope from the circled wagons to a separate train of eight wagons left unguarded to the northeast. There are several live oxen tied to one of the wagons.

He lowers the telescope, shouts orders to nearby braves and points at the wagons.

Ten braves get into action, run and mount their horses. The ten braves charge down the hill towards the circled wagons.

EXT. WAGONS - CONTINUOUS

Posted along the breastworks as a sentry is O'Malley. He notices the riders.

O'MALLEY

Here they come!

Several soldiers come up to the breastworks and begin to fire with O'Malley.

As the riders near, they cut towards the other wagons, they cut loose and stampede the oxen back towards their base camp.

Not a single brave is shot or killed. The men are exhausted.

Payne watches the scene unfold, sits back, sighs and mutters to himself.

PAYNE

Dammit. Now we're feeding them too.
(he yells out to Lawson)
Lawson! Bring in all the officers,
NCO's and scouts.

EXT. WAGONS - DUSK

The Ute gunfire has yet to slow. Bullets still impact all around the soldiers. Slowly, the most able-bodied huddle up and sit near Payne quietly.

PAYNE

Okay, everyone. I'm not going to tell you anything you don't already know, but we're in a tight spot. The Major is dead and, by my count, we have twelve dead and over forty wounded. Our ammunition is limited, and water is over seventy-five yards away. First things first, Doc, how are my men?

DOC

I've tended to everyone and, although some are in critical condition, I don't think I'll lose anyone, well, anytime soon.

PAYNE

And the dead?

DOC

Lieutenant Cherry and I, uh, made a difficult decision and... and... we're using their bodies in the breastworks.

Doc stifles his anguish in this decision. Payne put a hand on his shoulder to comfort the Doc but he pulls away.

Payne turns to Lawson.

PAYNE

Corporal Roach, what's the status of building breastworks?

ROACH

I've been heading up the detail, sir, and we've gotten pretty far. I've a team unloading all the wagons of supplies and we've been able to tip-over some of them for more cover.

PAYNE

Good, good, thank you Corporal. And the trenches?

LAWSON

The trenches are going to take some time, maybe all night, but we'll get there. The able wounded are posted in the perimeter as sentries.

PAYNE

Very good. And where's our flag? Someone find our flags and get them up and flying!

(Beat)

Once it's dark, I'd like for you to start a water run too. We'll need to maintain enough supply to make it through daylight hours.

(Beat)

Stock. Can anyone give me a count on horses, mules and oxen?

GRIMES

We're down to less than a dozen uninjured horses and about the same for mules. There are about the same number wounded. All the oxen are gone.

PAYNE

We can't tend wounded stock. As they are wounded, lead them to the open gaps in the breastworks and shoot them in place.

ROACH

Yes, sir, that was Sergeant Dolan's task for me as well. It's, ah, getting done.

PAYNE

Okay men, most importantly, getting out of this alive. No one else dies here!

Payne is adamant and all his men receive the message as a direct order. Everyone nods and there are numerous 'Aye, sir' and 'Yes, sir' responses.

PAYNE

I've written two letters that need to get out tonight if we're going to survive this. Do I have any volunteers?

Rankin is the first to throw a hand in the air, quickly followed by John Gordon, and two NCO's: CORPORALS MOQUIN and MURPHY.

PAYNE

Good, good. Joe, I want you to take Corporal Moquin and ride for Rawlins. You'll need to get the message telegraphed to General Crook in Omaha.

(Turning to Gordon)

Mister Gordon, take Corporal Murphy and head east from Peck's store to start warning settlers. It's up to you two to find Captain Dodge and his Company. They're somewhere in Middle Park this side of Gore Pass.

(Turning to Grimes)

Grimes, help them pick out the best horses.

Everyone responds with a 'Yes, sir' and a salute.

PAYNE

Right. Now we wait for dark.

Payne returns their salute and everyone moves off to complete their tasks. The men seem more cohesive than they have all day.

EXT. WAGONS - NIGHT

With the sun down and at this altitude, the night brings bitter cold. The breath of every man and beast is visible.

A full moon rises over the valley. It's bright as day.

The four messengers huddle with their saddled horses and wait next to an open gap made in the breastworks.

ROACH

You ever seen anything like it?

GRIMES

Not sure if it's good luck or bad,
this full moon. We've one chance to
get them out of here unseen and
it's just about that time.

The men all turn and stare up at the sky as a lone cloud approaches the moon. Suddenly, it is pitch black.

The four messengers mount and trot out the opening. It's all they can do to not gallop and ride off as fast as possible.

Grimes and some other soldiers close the gap as soon as the riders are clear with barrels and bags of grain.

EXT. MILK CREEK - CONTINUOUS

The messengers ride single file to the creek and downstream at a slow pace. All four look anxiously over their shoulders at the cloud that obscures the moon.

They ride hunched over and their heads bob up and down just above the banks.

The only sounds are the hoof trots through shallow water and occasional low suction sounds when they ride through mud.

EXT. WAGONS - CONTINUOUS

Everyone within the wagon circle sits in the pitch black. They wait and watch the sky.

Suddenly, the full moon is exposed and there is an audible gasp of suspense.

EXT. MILK CREEK - CONTINUOUS

A mile downstream from the wagons, the messengers exit the creek bed and, as if on cue, the cloud blows past the full moon. It leaves them totally exposed.

They stop, look at each other and spur the horses hard. It's a tense moment but they seem to have made it out without being noticed. The race is on.

EXT. WAGONS - CONTINUOUS

Payne, Lawson, and Cherry sit together. Payne slaps Cherry's knee with encouragement. This is the first good news or high point all day.

PAYNE

So far, so good. Captain, do we have all the sentries on a rotation?

LAWSON

Yes, sir. I also took advantage of that cloud passing to retrieve as much water as we could. I think we're good for the night.

PAYNE

Lieutenant, how's Doc?

CHERRY

He's been amazing. He passed out about an hour ago and is getting some sleep.

PAYNE

That's the best idea I've heard all day. What say we all try to get some rest?

Payne lies back and Frank curls up beside him with his chin on his chest. Payne rubs his ears.

PAYNE

Goodnight, Frank.

EXT. WAGONS - DAWN

Payne wakes from what appears to be a very restful sleep. He sits up, stretches, and rubs his eyes. It's a beautiful morning and birds chirp.

Payne stands up to the sight of utter horror. Every man in his command has been slaughtered during the night. Men are everywhere with arrows protruding and scalps missing.

Payne runs to the center of the carnage in disbelief with a look of total failure and despair on his face.

He looks up and, from just on the other side of the breastworks, Chief Jack stands there with rifle raised

pointed at his face.

Jack pulls the trigger and a huge cloud of black powder smoke fills the view.

EXT. WAGONS - DAWN

A gunshot wakes Payne from his nightmare with a start. The Utes began to shoot with the sunrise.

Payne slowly sits up and looks across to see some semblance of order.

Men are at their posts and no soldier returns fire. Frank lies next to him and wags his tail.

Work on the trenches had continued through the night and there are now seventeen trenches and rifle pits throughout the circled wagons.

Cherry approaches with a tin plate that contains a very small portion of salt pork and two pieces of hard tack. He holds a small cup of cloudy water in the other.

CHERRY

Good morning, Captain. How did you sleep?

Cherry hands the food and drink to Payne.

PAYNE

Let's just say I'm happy to be awake. Thank you, Lieutenant.

Payne has a bite of pork and quickly follows with a couple gulps of water. He looks very satisfied.

Gunshots and ricochets are heard. It all seems too normal to hear the shots.

PAYNE

That hit the spot. Lieutenant, can you give me an update on our status?

CHERRY

All in all, it was a very quiet night. As you know, the shooting pretty much petered out once the sun went down, but now that the suns up, the pot shots have started again.

PAYNE

And our wounded?

CHERRY

Everyone made it through the night.
Doc still considers a few men to be
serious but he seems very happy
overall.

PAYNE

Well, good news. We didn't lose
anyone last night. Thank you,
Lieutenant.

Cherry nods, salutes and shuffles off.

Payne finishes the last of his meal. He sets the plate down
and retrieves his field glasses.

Payne crawls under a wagon so he can view the ridge tops.

THORNBURGH P.O.V.: Payne scans the ridge and sees
intermittent puffs of gun smoke from unseen braves. As he
pans the ridge, he sees one Indian stand tall with a
telescope pointed right at him.

EXT. HIGH KNOLL - CONTINUOUS

Jack stands atop the high knoll and looks through his
telescope.

JACK P.O.V.: The wagon fortress has taken shape overnight.
Jack sees that there are trenches and rifle pits within the
circle. He sees a cavalry officer look up at him through
field glasses from under a wagon.

Jack pockets the telescope and puts it in his jacket. He
reaches down and grabs a handful of dry grass, raises it
high and lets the wind blow the loose grass. Jack smirks.

EXT. WAGONS - CONTINUOUS

Lawson goes from sentry to sentry for updates and
distributes ammunition.

Lawson approaches O'Malley.

LAWSON

Good morning, Private! How's me
favorite fellow Mick this glorious
morning?

A bullet whizzes by and another ricochets right in front.

O'MALLEY

Good morning, Captain. These bloody
injuns are a damn fine shot when

(MORE)

O'MALLEY (cont'd)
 you give them something to shoot
 at. Watch this.

O'Malley reaches over, grabs a stick, and puts his hat on top. He slowly raises it up above the breastworks and a bullet knocks it off the stick.

O'Malley picks it up and Lawson now sees that it's riddled with holes.

LAWSON
 Not too proud of yer hat are ya
 son?

O'MALLEY
 I hate this bloody hat, sir. All it
 does now is remind me of Sergeant
 Dolan.

O'Malley chokes up but is quickly distracted as he recognizes a new threat.

O'MALLEY
 Sir, do you smell smoke? And I
 don't mean powder, neither.

The two soldiers raise their heads to look over the breastworks.

The Utes have set the grass ablaze and the morning canyon winds blow a raging fire their direction.

LAWSON
 Aw, bloody hell.

EXT. TRAIL TO RAWLINS - SAME

Rankin and Moquin ride hard and fast on the trail to Rawlins. A rooster tail of dust follows the two.

As they race across a creek, Moquin's horse stumbles, throws the rider and comes to a stop lame, with one hoof raised.

Rankin stops, rears around, and takes just one look. He shakes his head.

RANKIN
 You all right?

Moquin sits in the creek stunned. He slowly nods his head.

RANKIN
 You're all right. I'll send help.

Rankin rears once again and rides north.

EXT. WAGONS - CONTINUOUS

Lawson, Grimes, Roach, and O'Malley sit against the north side of the breastworks. Grass fire smoke has started to choke the men in the circle.

LAWSON

Grimes, I need you to take two men to set back burns...Try to create a fire break between the blaze and our wagons.

GRIMES

Yes, sir.

Grimes takes off and tags two men from the breastworks.

LAWSON

Now, Roach, I want ya to take O'Malley here, and two others, to make for those supply wagons. Grab everything you can. We'll keep up a covering fire on that ridge as best we can.

ROACH

Yes, sir. Come on, O'Malley!

Roach and O'Malley turn to prepare for their tasks.

The north side of the breastworks fills with a line of soldiers armed with rifles to maintain cover fire. Payne joins Lawson in the lineup.

Grimes, Roach, and O'Malley are along the breastworks ready to run with their teams. Grimes' team carries torches.

LAWSON

Get ready. Time it with the next wave of smoke and take off running!

A huge cloud of smoke wafts up to the wagons. The two teams take off on a run into the smoke.

When the smoke lifts, the soldiers open fire at the ridge line.

EXT. HIGH KNOLL - CONTINUOUS

Jack watches the scene unfold below through his telescope. He quickly calls for a mounted attack of riders to swoop down on the teams on foot.

Twenty braves on horseback charge down through the middle of the valley towards the wagons.

EXT. SUPPLY CHAIN WAGONS - CONTINUOUS

Roach's team runs through the open sagebrush and makes it to the supply chain. They board the wagons and start to rifle through the supplies.

Ute bullets hit and splinter the wagons all around the four soldiers. Holes appear throughout the canvas cover producing a cobweb of smoky beams of light.

They are at first selective but then just grab anything and everything.

The flames reach the supply wagons.

As O'Malley searches through one wagon, the canvas cover erupts into flames and O'Malley dives out the back.

EXT. BACK BURN LINE - CONTINUOUS

Grimes and his team separate and begin to set the back burn. Bullets whiz by. One of Grimes' team is shot but is able to get back up and resumes lighting fires.

They run from place to place and drop to the ground to light their fires.

The grass fire flares up to a grand scale. The thermals create a whirlwind firestorm of flames and smoke.

Grimes runs to the wounded man's aid and takes a bullet to the upper chest. The third in the team comes over and begins to help them back to the wagons.

The fire line quickly approaches their heels.

EXT. WAGONS - CONTINUOUS

The soldiers fire at-will at the ridge until the Ute charge is recognized.

LAWSON

Concentrate your fire on those
riders!

The firing line focuses their aim on the Ute riders and two braves fall immediately. The charge continues and splits to go at the supply chain and the counter fire.

EXT. SUPPLY CHAIN WAGONS - CONTINUOUS

O'Malley, soot covered and stunned gets up off the ground to see a brave approach on horseback.

He draws his pistol and fires. He falls back to avoid being trampled by the brave's horse.

The bullet hits the horse and the brave flies over his head.

The brave gets up and comes right at O'Malley with a knife.

A bullet finds the brave and kills him just before he gets to O'Malley.

EXT. WAGONS - CONTINUOUS

A cloud of gun smoke clears in front of a smiling Lawson.

LAWSON

I got ya covered, lad.

EXT. BACK BURN LINE - CONTINUOUS

The counter-fire separates the Ute charge from Grimes and his team.

The Ute riders are stopped by the counter-fire line and turn back towards the ridge.

The fire arrives at the wagons as Grimes and team are pulled over the breastworks.

EXT. WAGONS - CONTINUOUS

The fire ignites the canvas wagon tops and they erupt in a brilliant flash.

Soldiers grab shovels and throw dirt on the wagons to snuff the flames.

At the far end of the breastworks, Roach and his team throw their supplies into the circle. At last, the supply team climbs over the dead carcasses of the breastworks.

A stunned Roach and O'Malley sit up against a dead horse. Roach elbows O'Malley.

ROACH

That weren't so bad, was it?

O'MALLEY

Nah, weren't nothing at all.

Lawson runs over, not giving a damn about the bullets that fly around him. Lawson gives O'Malley a big embrace.

LAWSON

I knew ya could do it!

Lawson steps back and does a quick Irish jig until another bullet barely misses his head and he dives for cover.

Lawson pops his head up and eyes the recovered goods from the wagon. He starts to rifle through the boxes and bags.

LAWSON

So...what did ya bring me?

EXT. TRAIL TO MIDDLE PARK (VARIOUS SHOTS) - DAY

John Gordon and Murphy ride along the Bear River. Various shots as they meet different groups of riders, wagons and people on foot. They spread the word of the Ute up-rise.

EXT. TWENTY-MILE CREEK - DUSK

Captain Dodge and the Buffalo Soldiers are camped along the banks of Twenty-Mile Creek. The Rocky Mountains are a majestic backdrop.

Dodge exits his tent and is met by Johnson with a cup of coffee for the Captain.

JOHNSON

Good evening, sir. It's been another fine day, for sure.

DODGE

Thank you, Sergeant, it has indeed. There's no place I'd rather be.

The two walk together towards their men that prepare for the next scouting party.

The troopers look clean and professional. All stop, stand at attention, and salute Dodge as he approaches. Dodge is well respected and he respects his men.

DODGE

At ease, men. Sergeant, where's this last report of fire?

JOHNSON

Last report we got was somewhere up near Gore Pass, east of Middle Park here. About a day's ride.

DODGE

Very good, Sergeant. We'll make all the preparations this evening and set out at first light.

JOHNSON

Yes, sir.

(To the soldiers)

You hear that, boys? Prep and set for leaving in the morning, hey?

BUFFALO SOLDIERS

Yes, sir!

JOHNSON

(Points down valley)

Captain, we got company.

Two riders approach fast from down valley. A SETTLER and his SON ride into camp.

Dodge walks up to greet them.

SETTLER

Are you Captain Dodge? The Utes are on the warpath!

DODGE

Now, slow down, sir, not so fast. What's this all about?

SETTLER

Some feller rode into Hayden this morning saying that the Utes had ambushed the cavalry! He's been looking for you and your men but was just too bushed to go on. He'd been riding all last night and today. He's getting some shut eye down near town.

Dodge only thinks for a moment before going into action.

DODGE

That's got to be Thornburgh and the Fifth. Johnson! Round up the men! We're moving out to Hayden tonight. Repack everything. We're travelling light and fast.

EXT. WAGONS - NIGHT

The men look worse for wear. They're huddled all about their wagon fortress in pits, trenches, and against breastworks. It's another cold night and their breath is visible.

Bloodied and bandaged, dirty, covered in smoke and soot. It's visible in their eyes that they are exhausted and scared.

The full moon is aglow as the night before but it is not silent.

The Utes have a new strategy: verbal harassment to keep them awake and intermittent gunfire into the circle of wagons.

UTE 1 (O.S.)
(Broken English)
Lift up your hats and give us a
mark!

UTE 2 (O.S.)
Come out of your holes and fight
square!

UTE 3 (O.S.)
Come out you sons of bitches and
fight like men!

UTE 4 (O.S.)
Utes kill your horse and mule, and
kill you too!

An enlisted man seated against the breastworks has his hands to his ears. The man is riled up by the Ute taunts, cannot take it anymore and stands up.

ENLISTED MAN 1
Stand up and give me a Ute to shoot
at, you bastards!

Almost immediately, a bullet zings by and another hits a wagon nearby. The enlisted man dives for a trench.

Payne and Lawson sit in view and look at each other.

PAYNE
It's going to be a long night.

LAWSON
Aye, it is, sir.

On the other side of the wagons, Esser, as sentry, is prone under a wagon. He sees a rustle from the water path.

ESSER
Who goes there?

ROACH
It's me, Roach!

Roach runs up the water trail with two bags of water. Esser still points his rifle at him.

ROACH

A little jumpy, aren't ya?

ESSER

Sorry, Corporal. I'm so tired; I'm starting to see...things.

ROACH

You just keep it up. If someone doesn't answer you, you feel free to shoot.

EXT. RAWLINS MAIN STREET - NIGHT

Rankin rides slowly right down the middle of street. No one else is around - it's late. His head hangs low as if asleep.

SUPER: Rawlins, Wyoming Territory

SUPER: 27 Hours and 160 Miles after leaving Milk Creek

The sound of piano music causes him to stop and pause. He starts to go forward and stops again abruptly.

He pats the neck of his tired horse and turns him left to a water trough.

He dismounts and doesn't bother to tether the horse as he knows he'll take to water for a long time.

Rankin gives him another pat on the neck, walks up some rickety wooden steps and slowly through the saloon doors.

INT. FOOTE'S SALOON - CONTINUOUS

The saloon is classic old west with low hung kerosene lamp chandeliers and sconces. A huge mirror hangs behind the bar.

At this time of night, there's only a few patrons at the bar and tables.

Rankin walks past a couple whores that tiredly vie for his attention and makes his way up to the bartender.

RANKIN

(Raspy voice)

Whiskey.

The bartender eyes Rankin with suspicion. He reaches under the bar and pulls out a bottle and dirty shot glass.

He pours a shot and slides it over to Rankin.

Rankin takes it, sniffs it, and slowly sips it until it's gone.

RANKIN
Another, please.

This time his voice is a little clearer.

As the bartender pours another, Rankin looks into the mirror and sees a dirty gaunt rendition of himself.

The bartender slides another shot to Rankin.

BARTENDER
You okay, Joe?

Rankin picks up the shot glass, studies it a second and drinks it in one gulp. Rankin looks rejuvenated.

RANKIN
Right as rain. I'd love to stay and tell you all about it, but there's something I gotta do. Can you put that on my tab? Thanks. You know I'm good fer it.

Rankin turns and walks out the door as the bartender stares.

EXT. MAIN STREET - CONTINUOUS

Rankin walks down the boardwalk until he sees the Western Union sign above a darkened storefront.

He walks past the front door, goes up a set of outside stairs to a second floor and pounds on the door.

RANKIN
J.B.! J.B.! Wake up you old bastard! I gotta send a telegram!

A light comes on in the window.

EXT. PIONEERS CABIN - DAWN

Captain Dodge and his troopers ride up to the front of a very rustic log cabin.

Dodge dismounts, jogs up to the front door, and starts to pound on the door.

DODGE
Captain Dodge looking for John Gordon! Is John Gordon here?

A short moment passes. The door creaks open slowly and a rifle barrel sticks out the crack.

The scraggly face of a PIONEER peers out the door, looks at Dodge and then scans the Buffalo Soldiers with distaste.

PIONEER

Alright, alright, settle down. He's here. You can come in but your Negroes gots to stay outside.

INT. PIONEERS CABIN - CONTINUOUS

Dodge enters into a dark, smoky, one-room cabin with bear, beaver and mountain lion pelts on the walls. A hindquarter of elk hangs from the rafters.

John Gordon comes out from under a buffalo hide. He wears a faded old union suit, a cowboy hat and holey socks.

GORDON

Captain Dodge? Thank god, you're here. I'm John Gordon. I've been spreading the word to everyone I come across. I'm glad someone found you!

DODGE

Yes, yes, now what's this about Thornburgh's command?

GORDON

He's dead. For all I know, they may all be by now.

Dodge is steadfast and without emotion.

DODGE

Tell me what you know.

Dodge turns to the pioneer.

DODGE

You got any coffee 'round here?

EXT. PIONEERS CABIN - SAME

Dodge and Gordon exit the cabin. Gordon is fully dressed and looks hesitant. Dodge addresses his men.

DODGE

This here's John Gordon. He was with Major Thornburgh's command to the White River Agency when they

(MORE)

DODGE (cont'd)
 were ambushed by Chief Jack. I'm
 afraid the story we heard is true.
 The Major and more than twenty had
 been killed before Mr. Gordon's
 escape.

Dodge and Gordon walk to their horses and mount up.

DODGE
 It's up to us to rescue the Fifth
 Cavalry. It's going to be a long
 hard ride and there's no telling
 what we'll find when we get there.

(Beat)

This is our chance to prove that
 you, the troopers of the Ninth U.S.
 Cavalry, are as good, no... Better
 than, any other in this man's army.
 This is our time men. To show them
 that the men of the Ninth matter!

(Beat)

What do you say we go do what we've
 trained for and if we become heroes
 along the way, so be it!

The troopers cheer and rally behind Dodge as he takes off
 for Milk Creek.

EXT. WAGONS - MID AFTERNOON

It's clear and the sun is high. The temperature is
 unseasonably very high for the first of October.

The Utes continue shoot down on the soldiers and
 occasionally find their mark.

The scene is grisly. The dead animals and soldiers bloat
 grotesquely from gasification. The sound of the escaping gas
 is audible and the stench ungodly.

The men show signs of exposure, thirst and hunger. Most men
 are nauseous and vomit.

Payne has crawled next to Doc as he tends to a wounded
 soldier. Doc is covered in dried blood and filth.

PAYNE
 Howdy Doc, tell me. How we doing?

DOC
 As if the gunshot wounds weren't
 bad enough. Now we're dealing with
 dysentery and dehydration.

A Ute bullet punctures the belly of a bloated carcass nearby and releases an explosion of putrid decomposition gases. The men nearby gag.

DOC

Captain, I honestly don't know what to tell you. We're in a world of hurt if this keeps up.

PAYNE

I agree. Something has got to change and soon. What about you? How're you holding up?

Doc sits back, looks down at the front of his once white duster and to his bloody/muddy hands. He lets out a deep sigh.

DOC

I'm good. Don't you worry about me.

Doc turns and resumes the treatment on the wounded.

EXT. PECKS STORE - EVENING - SAME

Dodge and his troopers trot up to Pecks store. The men dismount and water their horses.

DODGE

Sergeant, after we water the horses, have the men strip down their gear to the essentials. We need to travel light and fast for the next forty miles. I want every man issued one hundred and fifty rounds of ammunition, to carry only their bedrolls, and three days of rations. Make sure Mister Gordon is armed and supplied as well.

JOHNSON

Yes, sir. What about the wagons, sir?

DODGE

Select a six man squad to take the wagons up to Fortification Creek to rally with the Fourth Infantry stationed there.

JOHNSON

Yes, sir.

DODGE

Thirty minutes Johnson. We need to
be at Milk Creek before sun up.

Johnson salutes and tends to the men.

Dodge leans on his horse, hands on the horn and head against
the saddle.

DODGE

God help us.

EXT. WAGONS - NIGHT - SAME

The Ute heckles continue for a second night. The men are at
an all-time low. Soldiers have hands over their ears, curled
up in balls or pray incessantly.

The carcasses continue to off-gas.

Esser is posted as sentry at the water path. His face is
gaunt, his lips chapped and overall exhausted.

ESSER P.O.V.: Near the creek bank, the tall grass begins to
rustle as a dark shape crawls closer.

ESSER

Who goes there?

There is no response and the movement gets even closer.
Esser is visibly nervous.

ESSER

(a little louder)

Who goes there?

Again, no response and the grass continues rustle. Esser
raises his rifle and fires a single gunshot.

BANG!

Frank, Cherry's dog and cavalry mascot, lets out a
heartbreaking howl and yelp.

Frank hobbles slowly into the circle and drags his barely
attached rear leg that bleeds profusely.

Men run to Frank's aid.

Esser is a total basket case. He's thrown down his rifle in
shame and self-loathing. He sits with his head in his hands.

ESSER

I didn't know! I had to! I didn't
know!

Before the men have a chance to do anything retaliatory to Esser, Roach comes to Esser's side.

ROACH

I know you didn't mean it. You were doing your job. Doing exactly what I told you to do.

Cherry arrives and takes Frank into his arms. He sobs.

Doc crawls over and examines Frank's leg. Doc shakes his head and puts his hand on Cherry's shoulder.

Many men nearby weep as well.

CHERRY

Doc, you gotta do something! Anything!

DOC

I'm sorry, Lieutenant. There is nothing I can do.

Frank's head is in Cherry's lap. Several men encircle the two and take turns give Frank a last pat on the head.

Moments later, Cherry picks up Frank and walks into the darkness out of view.

VIEW ON CHERRY'S TORMENTED FACE

Cherry pulls his pistol and points at the camera.

CHERRY

I'm sorry, Frank.

BACK TO OTHER SOLDIERS

A pistol FLASH/BANG lights up the background and the men visibly jump.

Several men pass by Esser to console him. No one truly blames him for the act.

The mood is an all-time low.

EXT. TRAIL TO MILK CREEK - NIGHT - SAME

Dodge and his troopers ride as fast as they dare in the moonlight. Every man rides tall in the saddle.

Various shots of the night and riders until they approach a steep bank and creek crossing.

Johnson is in the lead and puts his hand up for a full stop.

JOHNSON P.O.V.: At the bottom of the crossing is the wagon with threshing machine. The driver and two helpers are dead.

Dodge and Gordon ride forward. The driver is Gordon's brother GEORGE.

GORDON

Oh God, it's my brother. George!
George!

Gordon dismounts, runs down the embankment and goes to his brother's side.

Death is obvious and, again, there is nothing anyone can do. Gordon sobs and the men of Dodge's company now see the reality of the situation that they ride rapidly towards.

There is a look of horror on some of the riders yet, again, Dodge is steadfast and stoic.

DODGE

John, I'm very sorry. Sergeant, have a couple men grab that tarp out of the wagon to cover those bodies.

Dodge dismounts and goes to Gordon's side.

DODGE

I'm sorry, John, but we need to keep moving. It's almost dawn.

GORDON

I know. I know. It's my fault. He was making this run for me.
(Big exhale)
Okay, let's do this.

EXT. WAGONS - DAWN

O'Malley lies prone as sentry for the northeast area of the breastworks. He hears a hoot call from beyond his sight in the early dawn light.

O'MALLEY

Who goes there?

GORDON (O.S.)

(Barely discernible
whisper)

Cavalry!

O'MALLEY

Bullshit! What's the password?

GORDON (O.S.)
 Dammit, I don't know! It's me, John
 Gordon! I've got Dodge and his
 boys! Don't shoot, we're coming in!

From the darkness comes a stampede of riders across the grassy valley led by Gordon, Dodge, and Johnson.

O'Malley dives out of the way as horses jump the breastworks into the circle.

The besieged men within can't contain themselves. They get up from their pits and trenches to cheer and holler.

As the Buffalo Soldiers dismount, they are surrounded and embraced by Thornburgh's men.

The men of the Ninth look around at the conditions and carnage. They note that the breastworks are not only made up of dead stock, but of men as well.

They are struck with horror and revulsion. The odor overwhelms them and a couple buffalo soldiers vomit.

The scene is full of contrasting visuals between the Buffalo Soldiers and the besieged: Black and White; Clean and Filth; Horror and Joy; Revulsion and Elation.

EXT. HIGH KNOLL - SAME

The raucous gets the attention of Chief Jack and he stands up to peer through his telescope.

JACK P.O.V.: The last of the riders enter the circle and there's great jubilation.

He immediately pans the ridge to the northeast to look for more reinforcements.

He lowers the scope and yells commands in Ute.

JACK
 Shoot! Shoot! They're exposed!

A full barrage of gunfire erupts from all sides of the circle.

EXT. WAGONS - SAME

The celebration is broken up by a new rain of bullets inside the circle.

The newly arrived horses kick as they are one by one shot, wounded or killed. The men return to a world of total chaos and leap into their trenches and pits.

DODGE

Johnson! Get those horses unsaddled
and take positions!

Lawson approaches and calls to Dodge.

LAWSON

Captain Dodge! This way!

Lawson leads Dodge to Payne in a sheltered pit. Payne is overcome with elation as well. Unable to rise he extends both hands in welcome.

PAYNE

Captain Dodge, I presume. Thank
God, you're here.

DODGE

We met up with Mister Gordon
yesterday mornin' and came as quick
as we could.

Dodge hears a nearby carcass release gas and stifles a bout of nausea.

PAYNE

If you haven't already noticed, we
are in a bad state. Twelve dead,
forty-three wounded, and the rest
of us are sick from bad water. Our
ammunition and food are getting
low, and no one has been able to
sleep much these past few nights.

(Beat)

And that smell? You don't get used
to it.

DODGE

My men and I are at your service.

PAYNE

Good, good. I lost my First
Sergeant and my second is wounded.
Do you have a man that could take
over the role?

DODGE

Sergeant Johnson is highly capable.
I'll get him on it straight away.

PAYNE

Excellent! My officers, Captain
Lawson and Lieutenant Cherry can
brief you our fortifications and
routines. Thank you, Captain.

With that, Payne leans back, closes his eyes and passes out.

DODGE

Captain Lawson, whatever you need
of us, just ask.

EXT. HIGH KNOLL - SAME

Chief Jack and Sowerwick, for the first time since the siege began, look very troubled.

SOWERWICK

I do not understand. Where are the
rest of the soldiers? Is this all
they send? Their Buffalo Soldier?

JACK

They could be just a scouting party
but I don't think so. I think this
is it.

SOWERWICK

We must attack now before more
soldiers come.

JACK

Not now, tonight. You'll have your
chance tonight.

EXT. WAGONS - AFTERNOON - SAME

Payne is conscious again and looks improved. Payne meets
with Lawson, Dodge, and Cherry.

DODGE

So that's how it's been these last
few days? Random shots from the
ridges and insults at night?

PAYNE

The Utes are fighting different
than what we saw on the plains.
They are tactical and patient. Now
we're outgunned too. They have
Winchester and Henry repeaters.

LAWSON

And they're damned good marksmen
too. Our light carbine rounds are
hardly making it to the ridge tops
while their rounds routinely find
their mark.

Doc crawls in from the background. He's very concerned.

DOC

Pardon my interruption but we've a serious problem. I'm afraid we're going to start losing some men to dysentery if we can't improve our water supply. And now, with the addition of the boys from the Ninth, it'd be a shame to get them sick too.

CHERRY

Captain, When Rankin and I were scouting, before all the shooting began, he showed me where Beaver Springs is located. It's about a mile upstream from here. He said it's always been dependable.

LAWSON

A mile. Geez. That's a long way.

DODGE

My men can do it. They're fresh and able.

PAYNE

Lieutenant, can you draw a map for Dodge?

CHERRY

I've got to go, sir. They won't have a chance in hell finding it at night without me.

PAYNE

Ok, just the first trip until we get the route established. Ask for volunteers and get geared up. It'll be dark soon enough.

EXT. WAGONS - NIGHT - SAME

Cherry, Johnson, Roach, and Esser are geared up at a gap in the breastworks.

They have water bags over their shoulders, full cartridge bandoliers and pistol belts. Esser picks up his rifle.

CHERRY

No need for that, O'Malley. If there's any fighting to be had, it'll be hand-to-hand. Pistols and knives only.

ESSER

Yes, sir.

CHERRY

Corporal Roach, thanks for joining us.

ROACH

My pleasure, sir. I wouldn't miss it for the world.

(Beat)

I figured I had to get out of this hell hole or I'd go nuts.

Cherry speaks to the team.

CHERRY

Sergeant Johnson will pair with Corporal Roach, and I with Esser. We'll advance in pairs to a defensive position and leap frog our way to the spring. The moon won't be up for a couple hours so it's going to be blacker than Toby's ass out there, er, my apologies Sergeant.

JOHNSON

No apology needed, sir. My ass is pretty black, sir.

The team stifles a snicker and if there was any ice to be broken, it was shattered.

CHERRY

Okay, men. Two-by-two. Go!

Cherry and his team sneak out into the night.

EXT. MILK CREEK - SAME

Cherry and his team take turns in pairs as they advance up the winding stream with pistols drawn. As they advance, they lower the banks until finally they have no cover.

Cherry is point man in the skirmish line, followed by Johnson, Esser and Roach the rear guard.

They exit the creek and cross the open valley. They stay low and fast. Cherry advances solely by memory.

EXT. BEAVER SPRINGS - SAME

The team huddles at the base of a rocky outcrop.

CHERRY

The spring is just ahead in those rocks. Roach, Esser, start filling bags.

Cherry uses hand signals to motion Johnson to the right flank and Cherry moves to the left.

EXT. WAGONS - SAME

Payne, Lawson and Dodge huddle in their cover and wait for, but not wanting to hear, gunshots or some raucous.

Payne and Dodge check their pocket watches while O'Malley eyes the water path. Grass starts to rustle along the banks.

O'MALLEY

Who goes there?

CHERRY

Cherry. Don't shoot.

Cherry and his team labor through the breastworks. Cherry doesn't look well at all.

Lawson rushes over to help O'Malley take the water from Cherry.

Cherry collapses once his load is removed.

CHERRY

I'm done. They know the way. I'm done.

LAWSON

Fine work, Lieutenant. Fine work. Let me take those bags and you go get some rest.

The rest enter the circle and drop their water bags.

JOHNSON

Lieutenant Cherry, you done fine work but we'll take it from here. How you boys holding up?

ROACH

I'm good, Sarge. Let's empty these bags in a barrel and get to another run.

ESSER

Me too, Sarge.

Johnson turns to the officers.

JOHNSON

If'n it's okay with you Captains,
we'd like to keep going until the
moonrise. It aint a bad run.

PAYNE

We need all the water we can get.
Keep an eye on that moon, okay?

JOHNSON

Yes, sir.

The water bags get emptied and are once again thrown over their shoulders. Johnson and his team sprint back out into the night.

PAYNE

That Johnson's a good man. He's
already gained the respect of our
command. Those two privates would
do anything that man asks.

EXT. BEAVER SPRINGS - MOONRISE

Johnson has just filled the last of the water bags from the spring. As he turns to Roach and Esser, he's hit with the moonrise over ridge. It's like being in a spotlight.

JOHNSON

Shit.

Johnson hurries to join his team. Roach and Esser are awash in moonlight and look like they've seen a ghost.

JOHNSON

Okay, we gots to stay low and move!

Johnson pans back and forth at Roach and Esser.

JOHNSON

Once we get to the creek, I suggest
rubbing some mud on your faces. You
boys kinda stand out right now.

Johnson flashes a big smile and chuckles. Johnson draws two pistols.

JOHNSON

Okay, boys? Follow me.

They sprint across the open ground and enter the creek bed.

EXT. MILK CREEK - SAME

Sowerwick and ten braves slowly make their way down the creek. They stop at the embankment that leads to the wagons.

Sowerwick starts to make his way up and over.

The wagons are seventy-five yards away. Sowerwick is clearly excited and motions for the others to follow single file.

VIEW ON JOHNSON AND TEAM

Johnson, Roach, and Esser alternate at each turn of the creek. Roach is at the lead, stops at a turn, and motions for Esser to advance.

Esser moves quickly forward, rounds the bend, and runs right into the back of an unsuspecting brave that waits his turn to climb the bank.

Esser cries out.

ESSER

Utes!

Esser raises his pistols and fires. He shoots the nearest brave square in the chest and the next brave in the shoulder.

Johnson and Roach run around the bend as a brave fires his rifle into the face of Esser. Esser falls back with hands to his face.

Close quarters fighting ensues in the muddy creek. It's brutal as pistols light up the night.

EXT. WAGONS - SAME

O'Malley, sentry for the water path, hears the gunfire and sees the flash of each shot fired.

The gunfight below the embankment acts like a strobe and, with each flash, the silhouettes of two braves become visible. With each flash, the braves close in.

O'Malley aims and waits for the next flash.

FLASH/BANG!

He shoots and the nearest brave drops to the ground. The other brave stops and begins to run off to the high knolls.

O'Malley reloads and shoots at the brave on the run. The brave goes down for a moment, gets back up and disappears into the night.

As O'Malley rises to aid Johnson and team, Lawson approaches and grabs the back of O'Malley's trousers.

LAWSON

Hold fast, mate. You go running over that creek bank without warning and you might get shot by our own man.

O'MALLEY

But Captain---

LAWSON

Man your post, laddie!

O'MALLEY

Yes, sir.

EXT. MILK CREEK - SAME

The fighting in the creek has turned brutal as Johnson and Roach are now engrossed in hand-to-hand combat.

They both push back from their opposing braves, fire their pistols and the two braves go down. The other braves from the party have run off into the night.

Roach kneels to dress Esser's wound. The bullet went through his cheek and bleeds profusely.

Johnson reloads his pistols and covers their back. He too sides up to Esser.

JOHNSON

You did real good, son. We got the injun that got you, don't you worry 'bout that. Roach here'll get you patched up and back to the Doc.

ROACH

I got ya, pard. Okay, let's get you back.

Roach helps Esser back to his feet and they hustle down the creek and up their regular path.

EXT. WAGONS - SAME

O'Malley finds Johnson and Roach with Esser on the run towards his position.

O'MALLEY

Coming in!

Doc waits with Dodge and Lawson. Doc tends to Esser as soon as they enter.

Johnson and Roach collapse to the ground.

DODGE

Good to see you back, Sergeant. You know I'd be pretty mad at you if you got yourself killed out there.

JOHNSON

Don't you worry 'bout me, Captain. I's in good company out there. These two boys might just make good Buffalo Soldiers if'n we ever allow their kind in the Ninth.

ROACH

Sarge, I'd be honored.

EXT. HIGH KNOLL - SAME

Chief Jack sits atop the high knoll. He had watched the gunfight unfold below and knew the plan had been foiled.

From off to his right, two braves help two other wounded braves back up to their stronghold. One of the wounded is Sowerwick.

Jack approaches Sowerwick with a disappointed expression.

SOWERWICK

I don't understand. We were there. I could have touched the wagon. They came up from behind us like they were expecting us.

Jack's expression doesn't change. He remains for a moment, turns and walks away.

Sowerwick, shamed, drops to the ground and lets out a soul-splitting howl.

EXT. WAGONS - SAME

Payne rests with his eyes closed when, somewhere in the night, he hears the soul-splitting howl of an Indian. Payne remains motionless except for a smile of satisfaction.

INT. GOV. PITKIN'S OFFICE - MORNING

SUPER: OCTOBER 4TH

Pitkin walks into the Governor's office with a cup of coffee in one hand and a folded-up newspaper in the other.

He sits down and props his feet up to read the front page. Suddenly, he sits bolt upright.

PITKIN

Thornburgh! May God rest his soul.

EXT. WAGONS - SUNRISE

The day breaks clear and cold.

Dodge and his buffalo soldiers already look worn out. The thwarted attack and gunfire in the middle of the night stole any chance for sleep.

Dodge sits up on one elbow from his saddle blanket bedroll and looks about. There are numerous dead horses about the circle.

DODGE

I'll be damned. Only two horses left standing.

Dodge sees Johnson run from one guard post to another. Ute gunfire has resumed and two bullets barely miss the Sergeant.

Dodge gets his attention and Johnson runs over.

DODGE

(Almost scolding in tone)
Sergeant! Did you get any sleep last night?

JOHNSON

No, sir, not a wink. I been running all night getting water to all the men. I'm about all caught up now. With your permission, I wouldn't mind finding a hole to crawl into for a while.

DODGE

Absolutely, Sergeant. Here, go ahead and take my bedroll. Try to get as much shut-eye as you can. I got a feeling it's going to be another long night tonight.

Dodge crawls out from his bedroll and Johnson moves in. Johnson smiles.

JOHNSON

Thank you, sir. It's still warm.

Johnson closes his eyes and is fast asleep.

Dodge crawls over to Payne and Lawson's cover. They are both awake and drink coffee.

DODGE
Good morning, Captains!

PAYNE
Not so loud, Dodge.

Payne points at Cherry lying fast asleep nearby.

LAWSON
It seems that the young lad was the only one able to sleep last night. It'd be a shame to wake him.

DODGE
I just left Sergeant Johnson in the same state.

PAYNE
That Sergeant of yours did fine work last night on those water runs. I hope he gets his rest because we're going to need more runs tonight.

DODGE
That shouldn't be a problem. He's a handful but a good man. He just got his Sergeant stripes for the third time. It seems he gets a little rambunctious on leave at times and gets knocked down a stripe or two.

PAYNE
Well I'd be proud to have him in my company any day.

LAWSON
I second that.

EXT. HIGH KNOLL - HIGH NOON

Chief Jack surveys the wagons with his telescope once again. From behind, Chief Douglas rides up to Jack's stronghold.

Jack turns and extends a Ute greeting.

JACK
Welcome brother. What news do you have from the agency?

DOUGLAS

Meeker and his men are no longer a bother. We've taken the women of the agency south to the Grand River with our village.

Douglas peers down onto the carnage of the circled wagons. A couple campfires are visible and, although there is carnage about, the scene seems somewhat serene.

Douglas gets agitated.

DOUGLAS

I don't understand. This has taken too long. Why haven't they surrendered?

JACK

They were about to give up until the Buffalo Soldiers arrived yesterday. They appeared beaten but now show sign of hope.

DOUGLAS

It must be today. You cannot stop attacking. They must surrender or die.

Jack agrees but is reluctant. Douglas dismisses Jack, mounts his horse and turns to head back to the agency.

DOUGLAS

It is today, brother.

Jack bids farewell and Douglas rides off.

EXT. WAGONS - AFTERNOON - SAME

The sentries show signs of exposure, indifference, and exhaustion as the interior of the wagon circle is panned.

O'Malley, once again, sees a new onslaught of braves. They come from two directions of the Ute fortified knolls.

O'MALLEY

Aw, Christ, here they come again! They're coming in from the North and West!

JOHNSON

Hold your fire boys until ya got something decent to shoot at. Make your shots count!

The braves, numbering more than a hundred, ride hard and fast in a last-ditch effort to overrun the wagons or to put up a show of force to make the cavalry surrender.

JOHNSON

Hold it...hold it...

The braves close in without opposition to thirty yards.

JOHNSON

Let 'em have it boys!

The first volley takes down but a few braves and an equal number of horses.

The braves turn and parallel the circle firing with their repeaters while the cavalry reloads.

Every able man in the circle is against the breastworks and fires at-will except for Sergeant Johnson.

Johnson runs back and forth along the breastworks to instill confidence and ensure ammunition is abundant.

JOHNSON

Good shootin' son! Aim true! Make your shots count!

Johnson's words of encouragement and pats on the back are doing more for the effort than the errant hits and misses.

EXT. HIGH KNOLL - SAME

Jack stares in disbelief and eventual rage overcomes his usual controlled state. The rage is short-lived and he sits down on the knoll.

Somewhere deep inside, he knows this impasse is coming soon to an end.

EXT. WAGONS - SAME

The braves do not fight long. It appears as if the fight had just gone from the Utes as they ride back to the knolls.

Cherry calls the men together for Dodge and Lawson. The men are exhausted yet exude newfound confidence that they just might survive the ordeal.

LAWSON

Excellent defense men! The Captains and I are proud of the way you stood your ground. Absolute textbook lads!

Dodge looks about the men and sees his buffalo soldiers intermixed with all the other whites.

DODGE

I'd like to congratulate all of you for working together as well. Look to your right and left. I don't see any difference in the soldiers here today. You fought like brothers.

The soldiers show signs of their own new found revelations. Some just shake hands while others give full embraces.

EXT. WAGONS - NIGHT

A relentless shower of gun shots reign through the night. The Ute heckles continue.

Doc tends to the wounded, checks bandages and their general conditions. He sides up next to Esser who has most of his face bandaged.

DOC

Mister Esser, how are you feeling tonight?

ESSER

Could be better. I wish I could've helped in today's skirmish.

DOC

I think you've more than done your fair share here. Most of the wounded here owe their lives to your effort in getting them fresh water.

ESSER

Thanks, Doc. Hey, Doc?

DOC

Yeah?

ESSER

Ya know, that Beaver Spring has a nice little pool about the size of a bathtub. I'm sure Sergeant Johnson wouldn't mind having you tag along tonight if you want to take a dip.

DOC

Mister Esser, I think this might be one bath I skip.

EXT. WAGONS - SUNRISE

SUPER: OCTOBER 5TH

SUPER: DAY SIX OF THE SIEGE

The sunrise breaks over the horizon. Very little stirs amongst the men within the circle.

Payne lies half-asleep in his cover. Suddenly, Payne's eyes open wide. He remains still for a moment and then sits bolt upright.

Far in the distance, a bugler sounds 'Officers Call'.

PAYNE

Sergeant Johnson! Johnson! Sound
'Officers Call'!

JOHNSON

Yes, sir! Bugler! Officers Call!

The company bugler answers the officers call. Every man in the circle runs to the breastworks to see the source.

A cavalry command four hundred strong begins to ride into view. It's a tide of blue uniforms led by flags and banners.

The men are overjoyed, hoot, and holler. The siege is over.

It's all they can do to remain within their circled-wagon fortress and not stampede out to greet their saviors.

EXT. HIGH KNOLL - SAME

Chief Jack stares down on ever-growing blue wave. The reinforcements seem endless.

Jack turns to a gathering BRAVES.

JACK

Let it be known that there is no
shame in leaving now. Pass the word
to every brother.

The braves disperse in all directions to spread the word. Jack sits and continues to watch the scene below.

EXT. WAGONS - SAME

Payne, Lawson, Dodge, and Cherry wait near a gap in the breastworks. Not a single shot had been fired by the Utes since the new command entered the valley.

COLONEL MERRITT, the columns commander, approaches the breastworks. He weeps uncontrollably at the sight of devastation and carnage.

The men in the background show emotions of shock, horror and revulsion. Once again, men are gagging from the smell of death.

MERRITT

(Saluting)

Colonel Merritt, commanding officer
Fort D.A. Russell. Permission to
enter?

PAYNE

(Returning the salute)

Captain Payne, sir. Permission
granted.

Merritt enters and dismounts. He is overcome with emotions from what he sees.

Doc approaches covered in bloodstains and filth.

The sight of Doc causes Merritt to regain his composure. He yells back to his command.

MERRITT

Get my surgeon in here! And I want
skirmish lines up to those ridges
now!

EXT. WAGONS - LATE MORNING

The men are being tended to by the new arrivals. Everyone enjoys a hot meal and coffee.

Cherry, Johnson, and O'Malley sit together and finish up their plates.

O'Malley repeatedly turns and looks over his shoulder to the open Milk Creek valley.

O'MALLEY

Uh, Lieutenant?

CHERRY

Yes, Private?

O'MALLEY

Now that things have settled down a
bit, I was wondering if you could
help me. There's something we gotta
do.

EXT. MILK CREEK VALLEY - NOON

O'Malley leads Cherry and Johnson on a foot patrol up the middle of the Milk Creek Valley. They have rifles at the ready and look side to side.

O'Malley stops suddenly and calls out.

O'MALLEY

Over here!

Cherry and Johnson hurry over.

Thornburgh's bloated body lies stripped bare and scalped.

CHERRY

My God.

JOHNSON

May God have mercy on his soul.

(beat)

I never knew the Major but I do know he fought for me and mine during the war.

(Beat)

Now I fight for him.

CHERRY

Lest we forget.

JOHNSON

(Beat)

I'll get a couple of my boys to bring him back.

Johnson turns and rushes back to the wagons while O'Malley and Cherry remain behind. They stand side by side and stare at the Major's body.

O'MALLEY

Sir? Who won?

CHERRY

O'Malley, I don't think there is a victor. What was there for us to win? And yet the Utes had everything to lose. I fear that's exactly what will happen.

Pause.

O'MALLEY

I'm sorry for your loss, sir.

CHERRY
Huh? Oh. Frank. Thanks.

FADE TO BLACK

EPILOGUE

LEGEND #1

THE REMAINS OF MAJOR THOMAS TIPTON THORNBURGH WERE RETURNED FOR BURIAL AT ARLINGTON CEMETERY.

THE OTHER ELEVEN TROOPERS KILLED IN ACTION WERE BURIED IN A MASS GRAVE AT MILK CREEK.

IN ALL, 29 WHITE MEN DIED AND OVER 60 WERE WOUNDED DURING THE SIX-DAY SIEGE AT MILK CREEK AND THE WHITE RIVER AGENCY.

MORE THAN 300 HORSES AND MULES WERE KILLED.

LEGEND #2

THE SIEGE AT MILK CREEK REMAINS THE MOST DECORATED SINGLE BATTLE IN US MILITARY HISTORY.

ELEVEN CONGRESSIONAL MEDALS OF HONOR WERE BESTOWED INCLUDING:

SERGEANT EDWARD P. GRIMES - 5TH CAVALRY

CORPORAL HAMPTON M. ROACH - 5TH CAVALRY

CAPTAIN FRANCIS S. DODGE - 9TH CAVALRY

SERGEANT HENRY JOHNSON - 9TH CAVALRY BUFFALO SOLDIERS

LEGEND #3

CHIEF DOUGLAS WAS SINGLED OUT OF ALL THE UTES AND SENTENCED TO ONE YEAR IN LEAVENWORTH PENITENTIARY.

ALL SIX BANDS OF THE UTE NATION WERE BANISHED FROM THE COLORADO MOUNTAINS AND RELOCATED TO THE UINTAH BASIN DESERT OF UTAH WHERE THEY REMAIN TODAY.

AN ACCURATE COUNT OF UTE DEAD AND WOUNDED WAS NEVER TALLIED.

FADE OUT