

"THE PRESBYTERIAN CHURCH WAGER"

The town of Presbyterian Church was born in the early 1890's. It was never conceived, it just happened...John "Pudgy" McCabe came to Presbyterian Church in 1895. He died there in 1897 and the town died three years later...

FADE IN:

1. ESTABLISHING SHOT PRESBYTERIAN CHURCH 1970 DAY

BEGIN TITLES

THE SITE of what was once Presbyterian Church. ANGLE FAVORS the blackened ruins of the edifice from which the primitive zinc mining mountain town took its name; a small, at its best crude church, which at some previous point in history was burned to the ground. We see the charred remains. An entire wall is miraculously intact. CAMERA RISES to peek over the top of the wall and sees a green mountain vista as far as the eye can see. CAMERA BEGINS TO PAN AROUND. It is raining and there is an aura of bitter cold. CAMERA continues it's PAN. Below the church, other buildings, crumbled and sagging are suggested, but not identified. There is NO SOUND. Presbyterian Church has died and time has all but buried it.

2. CAMERA RETURNS TO ORIGINAL POSITION

The town is alive - or rather struggling to survive. The church is as it was at a time when it was under construction. A tiny, rude community sprawls along a muddy street below the church. It is the town of Presbyterian Church, 1895. WE SEE the kneeling figure of a man dressed against the foul, bitter cold sleet. The weather has survived the seventy-five year transition. The man wears a carpenter's apron over his hard clothing. He is MISTER ELLIOTT, self-proclaimed minister of Presbyterian Church and, in fact, the builder of the church from which the town took its name. It is still raining when Elliott, shivering in the cold, completes his silent prayer, rises and walks

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2 (Cont.)

to a ladder and continues to work on the church. CAMERA MOVES UP HOLDING THE CHURCH STEEPLE AND BELLTOWER IN F.G.

3. ANOTHER ANGLE PRESBYTERIAN CHURCH

For a closer look. Calling Presbyterian Church a community is giving it all the best of it. There are a few ramshackle wooden structures on stilts, but the town consists mostly of tents and has been hurriedly thrown up along a main street which is little more than a muddy bog.

There are some mine entrances fronting the main street, but they no longer produce ore and have been converted into primitive dwellings of a sort. A crude sign over the entrance to one of these abandoned mines reads: SHEEHAN'S SALOON AND HOTEL. NO UNESCORTED WHORES ALLOWED..

4. ANOTHER ANGLE "SHEEHAN'S"

As PAT SHEEHAN himself moves out of the former mine shaft and throws a bucket of God-knows-what out onto the muddy street, nearly drenching a couple of CHINAMEN who are picking their way from dry spot to dry spot. The Chinamen register their complaints, but Sheehan pays no attention -- as though dumping garbage on Chinamen was a way of life. Sheehan is filthy and unshaven -- a dirty black Irishman with a dirty black temper to match. He turns and re-enters his saloon. "Sheehan's," in fact, actually sums up the amount of growth Presbyterian Church has so far experienced. It began within the mine shaft, the next addition had been a wooden room used as a bar room. Additional space for living quarters has now been provided by a tent off to one side.

5. ANOTHER ANGLE

FAVORING the Chinese as they move along the street toward the edge of town and the mines in the b.g. In the b.g. the church dominates the landscape, its steeple rising perhaps sixty feet in the air. The SOUNDS of Elliott's carpentering can be heard.

6. EXT. MOUNTAIN TRAIL

DAY

This is the trail leading to Presbyterian Church. We are in hard-rock mining country. A man on horseback, leading a pack horse, moves slowly up the trail and stops to gaze at the church steeple.

7. ANOTHER ANGLE THE MAN

He is JOHN QUINCY McCABE. His is not the face of a miner, nor any man used to this wilderness. He wears a long, heavy, all-purpose coat against the weather. A blanket protects his head against the sleet. His face has not been browned and leathered by the elements, and he seems oddly out of place in this rough mining country.

8. WHAT McCABE SEES

Presbyterian Church.

9. BACK TO McCABE

as he surveys the town, his expression hiding and, at the same time, reflecting his thoughts about it. If he has any. He sighs in a kind of resignation, his breath showing in the cold as he dismounts.

10. ANOTHER ANGLE McCABE

The rump of the pack animal is in the f.g. as McCabe moves in and begins to search for some articles in his pack. The horse chooses this moment to relieve his bowels, perhaps as an opinion of the muddy trail, the rank weather and the filthy town. McCabe removes his coat and takes off the blanket from around his head. We see that beneath them he wears a frock coat, ruffled shirt and a fancy embroidered vest with a gold watch chain strung from pocket to pocket. An impressive hand gun, a Navy Colt with an enormous barrel, is holstered at his side. He has removed his "case" set of collar and cuffs and begins putting them on. It is far too cold for this outfit, but it is apparent McCabe wants this facade. He takes his derby from his pack, shudders and pats himself against the bitter cold, his breath issuing virtual billows of steam. He mounts, puts on the derby at a rakish angle, and urges his horse to move out, securing his collar and his cuffs as he moves up the trail toward Presbyterian Church.

11. ANOTHER ANGLE

A continuation. McCabe rides past the church as Elliott steps out, engaged in some task. He tips his hat, but Elliott ignores him. He continues down into town. Except for the inhospitable Elliott, the town seems deserted. Though McCabe is miserable and cold, he shows an almost jaunty facade -- the imperturbable gambler, in spades.

12. ANOTHER ANGLE

As McCabe rides onto the muddy main street. As he passes "Sheehan's," the proprietor steps out onto the porch. Ignoring him, McCabe rides past the saloon.

SHEEHAN:

Ain't nothing up there but hard-rock miners. This here's the only saloon.

McCabe continues on. Sheehan calls after him.

SHEEHAN:

Trail don't lead nowhere but right back down here.

McCabe rides on.

13. ANOTHER ANGLE McCABE

as he continues along the all-but-impassable street. A CORNISH WATER WHEEL appears in the f.g., its suspended sluice leading to a small stream nearby. The wheel is still.

14. WIDE ANGLE

as McCabe continues around the rough circular trail which, IN THIS ANGLE, we can see does indeed lead back to the main street. Gaping holes in the side of the mountain face out along the trail. These are the entrances to the mines now being worked. As McCabe parades past, miners begin to appear from within the mines and watch him. Some are Chinese, most are Occidental, but it is hard to tell one from the other since they are covered with pale gray zinc dust. INTERCUT.

15. INT. MINE TUNNEL

By the light of several lanterns inside, McCabe sees the brawny back of a miner, the zinc dust caked with sweat on his shirt, as he swings a twelve-pound sledge. Another miner holds a steel bit against the rough face of the tunnel. The blow of the sledge goes slightly off, and the bit is flung to one side.

16. VERY CLOSE SHOT HAND

Blood is on the thick, dusty hand of the miner.

McCabe's promenade. Many carry their mining implements along with them, but none have guns.

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17. EXT. CRUDELY LETTERED SIGNS SEVERAL CLOSE SHOTS

Mailed outside the entrances of the tunnels. MOVING PAST, FROM McCABE'S P.O.V. Their tone is humorous, even if sometimes gloomy. E.G.: "ALWAYS TOMORROW" -- "FOOL'S GOLD" -- "STARVATION HOLE." There is also a sign in Chinese which signifies: "ETERNAL PROSPERITY."

18. FROM OUTSIDE, McCABE'S P.O.V. INTO THE TUNNEL
MED. CLOSE TWO SHOT CHINESE MINERS

One in padded garments and wearing a pigtail, the other wearing the rough clothes of an American miner of the time. They are laboring rather far back in their tunnel. One man is chopping with a pick, the other shovels gray ore into a wicker basket. Both are soaked with sweat.

19. EXT. MINING TRAIL McCABE'S P.O.V.

Heavy logs are being dragged up the trail toward the tunnels. CAMERA PANS to the mules pulling the load, PANS farther to the man leading them, climbing the rough trail. PANS OFF once more to the steep, almost precipitate slope along one side of the trail.

20. INT. MINE TUNNEL

McCabe can be seen in the outside b.g. A Chinese miner in leather and wire harness, dragging a sledge on wooden runners and loading lumps of ore moving away from CAMERA toward the entrance.

21. EXT. MINES AND TRAIL

We see another Chinese pulling an identical device as in the previous SHOT. He stops beside a mule-powered grinding wheel and pours the contents of the primitive sledge onto the grinder. He, too, stops to take a long look at McCabe.

22. WIDER ANGLE

as McCabe passes the mines and follows the trail back toward town. A number of miners have given up work and have formed a group near the trail. McCabe is the subject of the AD LIBS we HEAR as, overcome by curiosity, they follow after him as one. They are filthy to a man. Mud-caked boots, sweat-stained hard clothing, we can almost smell the rag-tag bearded and unkempt group. They are amazed and excited by McCabe's promenade. Many carry their mining implements along with them, but none have guns.

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22 (Cont.)

MINERS:

1. If he's a drummer, I'll buy whatever he's selling.
2. Ain't but one thing he could be - and that's a dealer.
3. That's a fact.
4. Hot damn, a real dealer.
5. What for?
6. Sheehan must've sent for him.
7. That's a fact.
8. You going to try him?
9. Well, I'm not going down there to hump him.

23. ANOTHER ANGLE FROM "SHEEHAN'S"

John Quincy McCabe, the pied piper, rides back around onto the town's muddy street, the crowd of miners growing behind him. Spotting an opportunity for a little afternoon business, Sheehan moves into the saloon. McCabe reins in and ties his horse to a crooked log hitching post. A slight smile plays on his lips -- he has led the group of miners back to "Sheehan's."

END TITLES

24. INT. SHEEHAN'S SALOON

It is crude and filthy. Every piece of furniture was originally intended to be something else. Sheehan can be seen setting bottles and dirty glasses on a bar made of rough planks stretched across three big barrels. There are a couple of homemade tables and primitive benches. McCabe enters and moves to the largest table and rubs his hands over its surface. It's very rough.

SHEEHAN:

I got a chair back here if you want one.

(CONTINUED)

24 (Cont.)

McCabe answers with a warm and friendly smile in Sheehan's direction and then moves back toward the door just as the group of miners are entering. They make room for McCabe to pass, surprised to see him leaving. They look to Sheehan for an explanation.

25. ANGLE SHEEHAN

as he moves from behind the bar, calling after McCabe.

SHEEHAN:

You ain't leaving, are ya? I was just going to set up a bottle on the house.

Sheehan moves to the doorway. All eyes are looking toward McCabe, o.s. Miners AD LIB, disappointed, accusing.

MINERS:

1. What the hell did you do to run him off, Pat?
2. Dammit, I want to play the dealer.
3. Who don't?
4. Where's he going?

SHEEHAN:

He ain't going nowhere! Goddammit, he's just fetching something.

26. EXT. SALOON McCABE

Realizing that he's center stage, he plays it to the hilt. He removes a blanket from his pack horse with great ceremony.

27. ANGLE GROUP FAVOR SHEEHAN

He can't hide the fact that he, too, is relieved McCabe isn't leaving. He moves back to the bar, a few of the miners following. But most remain at the door, reluctant to take their eyes off McCabe.

28. INT. SALOON

The miners are bunched up at the door.

(CONTINUED)

28 (Cont.)

MINERS:

1. Did you get a look at that vest?
Must've cost thirty dollars.
2. That's a fact.
3. Give us a bottle, Pat -- I ain't
playing no professional sober.
4. How long you figure he'll stay?
5. Til we're broke.
6. Jesus, did you see that gun?
7. Looked like a Goddamn hog-leg.
8. Trigger's been filed off.
9. He's coming back.

29. INT. SALOON ANOTHER ANGLE

as the men race toward the table McCabe tested. They push and shove one another for the privilege of being seated. CAMERA PULLS BACK to SEE four lucky miners seated in the f.g. at the large table as McCabe enters and stops at the threshold.

30. ANGLE ON McCABE

His reaction to the "suckers" fighting one another for the chance to be fleeced. CAMERA TRUCKS WITH him as he crosses to the large table, regards his "pigeons," and notes there is no longer a place for him to sit.

McCABE:

(to Sheehan)

I'll take that chair now.

Smiling. The miners react -- no one speaks to Sheehan in this manner.

31. ANGLE ON SHEEHAN

Frozen. One might think from his expression that McCabe was about to draw on him. He doesn't speak.

32. ANGLE McCABE

McCABE:

(coolly)

The chair...

SHEEHAN:

Oh.

He goes to the back room and returns quickly with a chair. McCabe uses the time to ceremoniously spread the blanket over the rough surface of the table. The miners relax and help him smooth it out. Sheehan sets the chair down. Trapped by McCabe's matter-of-fact attitude, Sheehan helps him into the chair as though he were McCabe's servant. McCabe beams his thanks, sits quickly, takes out an unopened deck of cards, shows the seal around before carefully breaking it, and expertly spreads the cards on the blanket. The entire group has now gathered around the table in anticipation. McCabe folds his arms in front of him and waits. No one speaks. He graces each of the four seated miners with a smile.

33. P.O.V. McCABE THE FOUR MINERS CAMERA PANS

They are all bad breath and elbows. Dusty, dirty, unshaven, unkempt, decaying teeth, facial hair which even money says houses lice. CALEB LEDBETTER, FOSTER PATCH, BRIAN KELLY and MOULTRY JACOBS. Each man returns McCabe's look with what passes for a smile in Presbyterian Church.

34. BACK TO SCENE

McCabe locks up at Sheehan who hovers nearby.

McCABE:

Where's the bottle of whiskey?

SHEEHAN:

Who's going to pay?

Miners laugh.

McCABE:

Minute ago you said the house was.

Sheehan sputters.

LEDBETTER:

That's what he said.

(CONTINUED)

34 (Cont.)

PATCH:

What he does is something else again.

KELLY:

Pat Sheehan wouldn't buy a drink if Christ walked in here on a crutch.

Sheehan ignores the miners and looks at McCabe.

SHEEHAN:

You and me ain't made no deal yet. My name's Pat Sheehan. I own this saloon.

McCABE:

How much a bottle?

SHEEHAN:

Bottle's... three dollars.

JACOBS:

Wasn't yesterday.

KELLY:

Yesterday it was two dollars.

McCABE:

What say we split --? You pay a dollar-fifty, I pay a dollar-fifty. Down the middle.

SHEEHAN:

Do I split your winnings?

McCABE:

If you split my losses.

SHEEHAN:

I'm furnishing the place.

McCABE:

And I'm furnishing the customers.

SHEEHAN:

Well nobody's bought nothing yet.

McCabe looks around and smiles. The miners are impressed at the way he's handling Sheehan.

McCABE:

Tell you what. Give these boys a two-dollar bottle on me.

(CONTINUED)

34 (Cont.1)

He reaches into his pocket, careful to pull out only two dollars. He hands the money to Sheehan.

McCABE:

I'll stand my own losses...you make your profit on the whiskey.

Sheehan weighs the proposition -- ultimately moving to the bar to get the whiskey. McCabe picks up the cards and starts to shuffle. He sets the deck in front of Ledbetter on his right.

McCABE:

You boys don't know nothing about me and I don't know nothing about you, so what do you say we make this a nickel game. I can't afford to lose much right off to begin with. -- By the way, what happened to the unescorted "ladies" that aren't allowed in here?

KELLY:

Every time we get a decent whore, Sheehan falls in love and won't let nobody else near to her!

Sheehan returns and sets down a bottle and some glasses. As he pours a round:

McCABE:

Let's make it a five card stud with a three bet roof on the card, if you don't have no objections.

Ledbetter cuts the cards and McCabe scoops them up.

LEDBETTER:

Sure thing.

The others all nod their agreement.

McCABE:

I got some change here. Maybe Sheehan's got some more.

They all start to make change. They are cautious for the most part, but the excitement level among them is very high. McCabe begins to deal. Every man watches his hands as he quickly flips the cards around. Each regards his hole card as though his life depended on it.

McCABE:

Nickels up.

(CONTINUED)

34 (Cont.2)

The players ante.

35. HIGH ANGLE THE DEAL

One up, one down. The highest card showing belongs to Kelly. It is the Jack of spades. McCabe calls.

McCABE:

Jack off.

They've heard it a million times, but it relieves the tension and they all laugh.

36. ANOTHER ANGLE THE SCENE

NOTE: The game continues through the following dialogue. All hands are played with extreme caution by the miners and when one of them wins it is like a major victory. McCabe wins very few hands.

SHEEHAN:

What's your name, dealer?

McCABE:

John McCabe.

SHEEHAN:

(creeping respect)
You ain't "Pudgy" McCabe.

McCABE:

Used to be called that.

SHEEHAN:

The gunfighter?

McCabe looks at his hole card without answering. All the miners look toward him.

SHEEHAN:

(continuing)
You the one that killed Bill Roundtree?

McCABE:

The very same.

SHEEHAN:

Man's got a big rep, boys. Got a big rep I tell you.

McCABE:

Jack bets.

Kelly studies the various hands before making his bet with all the care of a no-limit game.

(CONTINUED)

36 (Cont.)

Nickel.

KELLY:

All call.

SHEEHAN:

You don't look so pudgy to me.

McCABE:.

Living in this country's enough to thin out any man. -- Pair of fours bet.

LEDBETTER:

Five cents...

SHEEHAN:

You come up from Bearpaw?

McCABE:

Only way to get here's through Bearpaw. -- Beats me.

McCabe folds..

SHEEHAN:

How long was you there?

McCABE:

Not long.

SHEEHAN:

How come you left? Kill a man did you?

McCABE:.

I never killed no man.

SHEEHAN:

What about Bill Roundtree?

Ledbetter has won two hands in a row and has had four or five drinks. He kills the bottle, pouring another and expansively orders another bottle. Sheehan moves to get it.

McCABE:

This town got a name?

JACOBS:

Presbyterian Church.

LEDBETTER:

Named after that church Mister Elliott's building.

(CONTINUED)

36 (Cont. 1)
McCabe nods.

KELLY:

He's doing it all by himself.

PATCH:

Son-of-a-bitch never says a word to nobody.

JACOBS:

Damn fool prays all the time.

KELLY:

Play cards. I bet a nickel.

Sheehan returns with the bottle.

SHEEHAN:

(again probing)

How come a big gunfighter like you'd leave Bearpaw to come up here if you didn't kill nobody?

McCABE:

I don't like company towns --.

SHEEHAN:

How long you figure to stop here?

JACOBS:

Listen, Pat, we're trying to play poker.

KELLY:

He's going to stay 'til we quit him.

PATCH:

And I ain't about to quit long as he's losing like this.

LEDBETTER:

He's just sucking us in.

PATCH:

Well, I'm going for it -- it's the only game in town. You going to call, or what?

McCABE:

Ain't no other dealers here, are they?

(CONTINUED)

36 (Cont.2)

SHEEHAN:

No. Why?

McCABE::

I don't like competition.

SHEEHAN:

Then you figuring on staying?

McCABE::

Well, these boys got me stuck pretty good here. I'd hate to move on losers.

KELLY:

Well, how about us? -- We got ourselves a church, a saloon and a dealer. Hot damn!

LEDBETTER:

All's we need now's a whorehouse.

SHEEHAN:

(to McCabe)

You can flop here for a dollar a day.

McCABE::

A dollar?!!

SHEEHAN:

That's my price to every man.

McCABE::

Many Chinamen up here?

SHEEHAN:

(quickly)

Chinamen's two dollars.

McCABE:

How many live up here?

SHEEHAN:

Just turn over a rock.

McCABE::

Who sells them their 'mud?' You?

SHEEHAN:

Not me -- I sell whiskey. We don't tolerate no opium smokers around here.

(CONTINUED)

36 (Cont.3)

McCABE::

They cause any trouble?

SHEEHAN:

The Chinks? They know better.

McCABE:.

Then, I guarantee they're getting opium somewhere... Listen... I'm losing my ass in this game. What do you say we make it a quarter?

LEDBETTER:

Why not?

PATCH:

I come out West to gamble.

KELLY:

(to Sheehan o.s.)

Hot damn! Get us another bottle, Patrick.

McCABE:.

I'll buy it if we can cut a dime from every pot 'til it's paid for.

PATCH:

Your mama didn't raise no fool, did she?

LEDBETTER:

Sheehan, you ain't sold three bottles all month --. This dealer's going to put you over.

KELLY:

Bring it on, Patrick --. McCabe, is it? Born in the old country were you?

Sheehan goes for another bottle.

SHEEHAN:

We never settled on where you was going to stay.

37. ANOTHER ANGLE

McCabe gets to his feet and walks over to a closed door marked: "HOTEL." CAMERA PANS with him. He opens the door. Inside, by the dim light coming through the thinly-covered

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37 (Cont.)

window, we can SEE a number of MEN sleeping on the floor. They MUTTER, BELCH, and SNORE in their uneasy and uncomfortable sleep. On a post, under an unlit lantern, there are two articles, each hung on a separate string: a toothbrush, and a comb. There's an empty space on the floor near a broken window.

38. ANOTHER ANGLE McCABE:

REFLECTED in a piece of cracked and soiled mirror nailed to the window frame of the room. He looks down at the sleeping men. McCabe makes a face as he smells the room. He closes the door and returns to the game. He tosses off a drink.

SHEEHAN:

Them boys got to go to work soon --
I'll hold a bunk for you.

McCABE:

-- Guess I'll just have to build my
own place.

SHEEHAN:

You mean a shack? Listen, it don't
smell half bad when it gets good and
cold.

McCABE:

I mean a place of business. A saloon,
a place to deal.

SHEEHAN:

(laughing)

You'll go broke before you can get
open.

McCABE:

I'm a gambler, Sheehan. Just going
to make a little bet on myself.

SHEEHAN:

This town ain't big enough to support
one saloon, let alone two.

McCABE:

Maybe not now, but with a whorehouse
you'll be surprised how fast it'll
grow.

KELLY:

Hot damn, a whorehouse! Now I know
you was born in the old country.

(CONTINUED)

38 (Cont.)

All the miners CHEER the news of the whorehouse and AD LIB their support.

39. ANOTHER ANGLE THE GAME

as a miner wins a pot and rakes in the money. McCabe holds up a finger and then reaches out and places it on a dime, drawing it aside. He smiles as we:

CUT TO:

40. EXT. TOWN OF BEARPAW ESTABLISHING SHOT NIGHT

A brawling, lawless, lively place considerably larger in size than Presbyterian Church. CAMERA ROAMS the streets. It is the business center of the region and on nearly every building, including the saloons and gambling halls, are signs proclaiming them to be the property of "BEARPAW TERRITORIAL MINING COMPANY." Bearpaw is growing so fast it can't keep up with itself. Tents are still being used where buildings have not yet been constructed. O.s. SOUNDS of desperate fun can be HEARD coming from the saloons as CAMERA PASSES. The street is fairly crowded, dominantly male. AS CAMERA MOVES through this district and turns a corner, the number of pedestrians and loafers becomes less, and for the most part, those we do see are Oriental. CAMERA SETTLES on a group of buildings identified by signs written in Chinese -- as well as the ever-present mining company logo.

41. INT. BUILDING NIGHT

A classic, smoke-filled room. It is in fact an opium den. A large room with bunk beds lining all four walls and on almost every pad nods a man -- mostly Chinese. A pot-bellied stove marks the center of the room. A Chinese ATTENDANT, (a "Chef") expertly sets a dab of opium aglow in a pipe. He moves to a bunk where another man has yet to reach euphoria. The customer takes the pipe and begins to smoke. The "Chef" returns to the stove, CAMERA PANS. In the near b.g. a door opens and we SEE McCabe, and an ancient Chinese in traditional attire, known as OLD MAN, who leads Mc Cabe through another door out onto the street.

42. EXT. STREET NIGHT

as the two men cross and enter another building, a small warehouse. This, too, is marked as the property of the Bearpaw Territorial Mining Company.

43. INT. WAREHOUSE. McCABE AND OLD MAN NIGHT

In the b.g. two or three Chinese workers gamble, playing a traditional game. Old Man leads McCabe to a section of the warehouse where several crates are stacked against the wall. He opens one of them and takes from it a can about the size of a tobacco tin. He hands it to McCabe.

OLD MAN:

Pin Yen. Very best. From Canada.

McCABE:

How much?

OLD MAN:

Full pound, twenty-two dollar.

McCABE:

Too much.

OLD MAN:

Bottom price, McCabe. Canada have tax now. Mining company take big profit. Twenty-two dollar.

McCABE:

I'll pay eighteen and take ten pounds -- and that's three dollars more than I ever paid before.

Old Man puts the tin back and closes the crate.

OLD MAN:

Maybe you buy someplace else.

Which both know is impossible.

McCABE:

Twenty-two dollars...?

OLD MAN:

How many pounds you take?

McCABE:

Eight. I've been dealing poker twelve hours a day for three weeks and you're going to bust me out.

He reaches into his pocket and counts the money into his hand. Old Man calls to one of the workers in Chinese, ordering him to gather eight pounds of opium and load it onto McCabe's horse.

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43 (Cont.)

OLD MAN:
You calm down, Mc Cabe. Lay on
hip for awhile. Smoke. Good for
you.

McCABE:
(taking on Chinese
accent)
Maybe good for Chinaman, Old Man,
but no good for white man.

OLD MAN:
Opium God's medicine, McCabe --
Take away all trouble -- You like...

McCabe smiles at Old Man.

McCABE:
Then maybe next time I pay more...

After a thoughtful, if stoic BEAT, Old Man pushes the money
into a fold of his clothing, as we:

DISSOLVE TO:

44.

EXT. BEARPAW STREET A DOORWAY

NIGHT

It is a split door, at present both sections are closed.
After a BEAT, the door opens and a MAN, wearing the silly
grin of one who has just had his horn scraped, (as indeed he
has) moves quickly PAST CAMERA and o.s. Soon a WOMAN,
darkly attractive, APPEARS. She is making the final adjust-
ments in her clothing. Finishing this, she releases the
catch holding the two sections of the door together, picks
up a tin basin and moves out onto the street, closing the
bottom section of the door.

CAMERA PANS WITH her and we SEE her door faces out onto a
kind of muddy courtyard, over which a network of wooden
planks has been spread for walking. As CAMERA MOVES WITH her,
we SEE that her cubicle is one of perhaps a dozen which line
either side of the courtyard. Prostitutes of all description
and in various stages of dress and undress, lean over the
sills of their half doors, mustering whatever allure they
can. Half are white, the other half Indians of mixed blood.
While not booming, business can be seen peripherally during
the ensuing SCENE. CAMERA CONTINUES TO FOLLOW the Woman
(whom we will come to know later as MRS. CONSTANCE MILLER)
as she moves to a water pump at one end of the courtyard. As
she fills the basin, CAMERA ANGLES TO INCLUDE McCabe, with
another man, ARCHER, an Agent of the Bearpaw Territorial

(CONTINUED)

44 (Cont.)

Mining Company, and TWO WOMEN, one an Indian, both prostitutes and both over the hill.

45. ANOTHER ANGLE McCABE AND ARCHER

The two girls are in the near b.g.

McCABE::

I need one more.

He turns, pointing to a nearby crib.

McCABE::

(continuing)

What about her?

Archer follows his look.

46. THEIR P.O.V.

A whore with an immense bosom and no teeth. Sensing their attention, she starts to reveal her breasts.

ARCHER'S VOICE:

Never mind, Lily.

Lily pouts her disappointment.

47. BACK TO SCENE

ARCHER:

You can have her, I guess, but you're going to have to get her some teeth.

McCABE::

What for --? How much for all three?

ARCHER:

I'll let them go for eighty dollars each.

McCABE::

Eighty dollars!! -- I can buy a horse for fifty!! -- I'll give you two hundred and I'll be goddamn lucky if Pocahontas...

(he nods toward Indian girl)

makes it through the winter.

(CONTINUED)

47 (Cont.)

ARCHER:

McCabe, you rode clear down from Presbyterian Church to buy yourself some whores. Sounds to me like you need them pretty bad -- Why not just pay the money before I change my mind about selling them.

McCABE::

You make it awful tough to make a decent living.

ARCHER:

You could always come to work for Bearpaw Territorial Mining.

McCABE::

Listen, it's bad enough to be a pimp -- You want me to work for the Company, too?

ARCHER:

Two-forty, take it or leave it.

McCabe is thinking it over. CAMERA MOVES IN ON him as we:

DISSOLVE TO:

48. EXT. PRESBYTERIAN CHURCH MOVING SHOT ELLIOTT

dressed in the style in which we shall always see him for work -- a carpenter's apron over a black outfit, suggesting a minister's garb. He is walking down the center of the street, CAMERA MOVING WITH him. Elliott is headed toward his church. As he walks, he passes the end of a long line of men, ignoring them. Several of them we have seen before, but there are many new faces as well. As Elliott continues, we SEE the men are lined up waiting to be admitted into a tent. Bottles of whiskey are prevalent and are passed freely. Some have had too much to drink already.

NOTE: Along the main street there is evidence of new construction. Consistent with the obvious population increase -- we SEE more animals, and more wagons. Added to the main street since last we saw it are a grocery store, an undertaker's parlor, a lunch room and a cigar store. Many of these are still under construction. The best location, approximately opposite the tent which is the center of attraction, is taken by "McCABE'S HOUSE OF FORTUNE -- GOOD LIQUOR AND FAIR GAMES OF CHANCE," JOHN Q. McCABE, PROPRIETOR.

(CONTINUED)

48 (Cont.)

However, only the second floor, which serves as McCabe's living quarters and office, has been completed and is supported by the skeleton framework of the first floor, which will ultimately house a permanent saloon and gambling hall.

The waiting men begin to JEER Elliott as he passes. No response.

MAN:

It's Sunday, Elliott - Time
for God-fearing men to get
their horns scraped!

ANOTHER MAN:

Better get in line, Preacher
-- you look a little tight
around the eyes.

ANOTHER:

(singing)

I am safe in the arms of Jesus,
I am Jesus' little lamb.
I am waiting just for Jesus,
Yes, by Jesus Christ I am.

Elliott moves off toward his church. The men SING the song again. CAMERA PANS UP TO the second floor of the half-built casino to SEE McCabe peer out a window, attracted by the singing. He's shaving, suspenders hanging. We SEE the top half of his long-johns as he seems to calculate how much money the line is worth to him. From his second floor vantage point, McCabe looks around the town possessively.

49. P.O.V. McCABE

What he SEES as the CAMERA PANS:

"Sheehan's" can be seen with Pat Sheehan himself standing on the front porch craning his neck to see what is happening up by the tent. Apparently he has no customers, or at least none are visible. Sheehan moves off the porch and heads in the general direction of "McCabe's."

50.

CAMERA LOSES SHEEHAN and precedes him, poking around. A converted sheep-wagon is up on stilts now. A sign above the door identifies it as the "ELITE BAKERY." Just now the ovens of the bakery are out in the open and a MAN can be SEEN removing hot bread from an oven and moving toward the wagon. As he does so, a WOMAN emerges from the wagon with white dough in bread pans and places it in the oven.

51. CAMERA MOVES ON TO SEE the half-constructed permanent new home of the Elite Bakery.

The Government Land and Assay Office has become a permanent structure. Next to it, Sandy Mac Arthur's Blacksmith Shop is being built. SANDY, himself, can be SEEN in the yard. He moves around the side of the building and looks down toward the stream which runs behind. His WIFE is doing a wash. Sandy takes the opportunity to take a place in line.

52. CAMERA MOVES ON TO SEE that a bridge spanning the river is under construction, its builders probably in line with the others. The Cornish Water Wheel is spinning now, pumping water from a flooded mine into the stream.

53. CAMERA MOVES ON TO LOCATE the Chinese section close to the stream. Their area is still very crude, yet on one semi-tent, the MASONIC EMBLEM can be distinguished. A Chinaman is hanging a line of clothes to dry, while another is busy shaving the head of a third.

54. BACK TO SCENE

McCabe turns back away from the window.

55. EXT. STREET FAVOR TENT

A CHINAMAN is stationed at the flap, a strongbox on the table in front of him. Brian Kelly moves out of the tent INTO SHOT and another man moves to enter it.

CHINAMAN:

One way, three dollar --. Two way, five dollar.

The man pays and enters through the tent's flap. Kelly moves out and sees the men in line. Ledbetter, Patch and Jacobs are near the front. Another HUGE MAN, TINY NEWCOMBE, can also be seen. He stands about fourth in line. Kelly moves to Ledbetter, takes a bottle of whiskey from him and has a long drink. Ledbetter, who is next, is anxious.

LEDBETTER:

Who'd you get?

KELLY:

Lily.

(CONTINUED)

55 (Cont.)

Gestures indicating that she's the one with the big bosoms.

LEDBETTER:

Good?

KELLY:

It's all good, some's better.

Tiny Newcombe has had too much to drink.

TINY:

It sure took you long enough.

KELLY:

She-e-e-t, I never even took my boots off.

LEDBETTER:

Jesus christ, I wish they'd hurry. I got a hard a cat couldn't scratch.

TINY:

I'm going next, and that's a fact.

LEDBETTER:

Through me.

56. CLOSER ANGLE THE TENT

TINY:

Good. If there's something I like better than getting my ashes hauled, it's kicking some ass.

KELLY:

What's wrong with you, Tiny? The man's next.

TINY:

Stay out of it. You already been faded.

KELLY:

He's my friend.

(CONTINUED)

56 (Cont.)

TINY:

Then you better give him a hand
jig 'cause I'm going next -- and
I hope you don't like it.

Sensing trouble, the Chinaman in the near b.g. grabs the
strongbox and moves across the street.

57. INT. McCABE'S LIVING QUARTERS

The upstairs is not in much better shape than the lower floor.
It has been furnished with a bed. A few boxes are scattered
around to serve as chairs. A crude bench has been set up in
front of a mirror. McCabe wets his razor in a tin basin. A
pot-bellied stove is stage center. Near it, seated on one of
the boxes is Pat Sheehan.

SHEEHAN:

I've got to hand it to you, Pudgy...

McCabe reacts coldly to this informality.

SHEEHAN:

(continuing)

...ah... John.

McCABE:

Just call me McCabe -- I'll know who
you mean.

SHEEHAN:

You know I want to be your friend, don't
you, McCabe?

McCABE:

Why?

SHEEHAN:

Well, I can see that before very long
you're going to be as important to
Presbyterian Church as... as...

McCABE:

You are...?

SHEEHAN:

Well, why not? -- I mean why shouldn't
we be friends? After all, we've got the
only two saloons in town.

McCABE:

That ain't a whole lot to have in common,
Sheehan.

(CONTINUED)

57 (Cont.)

SHEEHAN:

Why I knew the minute I seen you ride in that you was a man to be reckoned with. Why I've been telling everybody how good you are with that Colt of yours. I wouldn't want anybody to try and fatten up their rep by throwing down on you...

McCABE:

Come on, Sheehan -- that's a lotta crap. And you know it! You make me out a gunslinger because I made you back down when I first came here. It makes you look good. Now tell me whst it is you're after and move away from that stove -- you get pretty ripe when it's warm.

58. ANGLE SHEEHAN

He moves away, but Sheehan is a worm who can't be insulted -- especially by someone obviously superior.

SHEEHAN:

Listen, McCabe, it's no secret that this town's a comer -- and I'm not saying you never had a lot to do with it. But I'm not no dummy. What's going to happen when the town gets big enough for three saloons? Maybe four?

59. ANOTHER ANGLE

McCABE:

Tell me, Sheehan.

SHEEHAN:

(proudly)

You an' me are going to form a partnership.

He pauses, waiting for a reaction. McCabe continues to shave, the only SOUND being the scrape of his blade on his beard.

SHEEHAN:

(continuing)

A partnership that will keep any outsider from coming in here and opening up another saloon without we say it's all right and taking a cut. What do you say to that?

(CONTINUED)

59 (Cont.)

O.s. we hear the SOUND of someone running up the stairs.

60. INT. McCABE'S INCOMPLETED SALOON CHINAMAN

CAMERA is inside the unfinished casino. The Chinaman, still carrying the strongbox, bolts into the casino and up the stairs.

CHINAMAN:

McCabe! McCabe! You come quick.

61. INT. SECOND FLOOR McCABE'S QUARTERS

as McCabe, still in the process of shaving, opens the door.

CHINAMAN:

Trouble! Plenty trouble! Got to stop big fella.

McCabe turns and rushes back to the window, looking out.

62. McCABE'S P.O.V.

Just in time to see Tiny take a roundhouse swing at Kelly and Ledbetter, missing them both. The force of his swing propels him into the tent, knocking it down. Kelly and Ledbetter jump on top of Tiny and more of the tent begins to fall. From inside comes the SCREAMS of the whores and the SOUNDS of at least three angry men whose pleasure has been interrupted.

63. ANOTHER ANGLE THE FIGHT

It catches on like a forest fire and soon the entire line of men are fighting one another. The six occupants of the tent (three whores and three tricks) are in various stages. They manage to extricate themselves from the collapsed tent and they, too, join in the melee.

64. ANOTHER ANGLE McCABE

as he crosses the street. He is fully dressed, his Navy Colt strapped to his side at the ready. He walks slowly and deliberately to the area near the tent and stands quietly. At first, his presence is only felt by a few of those nearest him, but soon the fighting begins to slacken off until it stops totally. When it is quiet and all eyes are on him, McCabe singles out Tiny and directs his words to him, hand poised over the butt of his gun.

(CONTINUED)

64 (Cont.)

McCABE:

Tiny -- You want to fight somebody,
you can fight me.

All eyes are on the two. Tiny hovers over McCabe, but
McCabe wears the difference.

TINY:

Except I ain't got a gun.

McCABE:

Go get one.

Tiny is cornered and has to back off.

TINY:

Listen, Mr. McCabe -- I don't want to
mess around with you. Hell, I didn't
mean no harm -- Honest -- I don't want
to get no gun.

McCABE:

I don't want any Goddamn bullies around
here --. Now get that tent put back
up and get back in line and we'll forget
it.

O.s. the CHURCH BELL begins to RING. McCabe looks up at it,
smiles.

McCABE:

I don't never want to kill nobody on
Sunday...

LEDBETTER'S VOICE: (o.s.)

Oh my God -- My God -- My God -- damn!

Under a tent flap, Ledbetter and Lily are hard at it, as we

DISSOLVE:

65. NEW ANGLE INCLUDE SHEEHAN

who has followed after McCabe, but who has stayed well away
from any possibility of being involved or taking sides until
now. McCabe steps past him and moves back across the street.

SHEEHAN:

That was terrific, McCabe. You could
just tell he was ready to crap his pants.
Boy did he back down...

(CONTINUED)

65 (Cont.)

McCABE:

Eight-to-five says that if Tiny had of wanted a gun, he could've got it from you.

Sheehan stops in the street, McCabe keeps walking away.

66. ANOTHER ANGLE McCABE

SHEEHAN:

What about our partnership?

McCabe reaches in his pocket, turns back and throws three dollars toward Sheehan.

McCABE:

Here's three dollars. Go get in line.

SHEEHAN:

Come on, McCabe -- I got to have an answer.

McCABE:

That is an answer.

And as Sheehan stands in the mud trying to decipher the meaning, we

DISSOLVE:

67. EXT. PRESBYTERIAN CHURCH A WAGON DAY

as it pulls to a stop in front of McCabe's saloon -- still under construction. The wagon is heavily loaded, a tarp protecting its contents. A WOMAN, partially concealed because of the bitter weather, is seated next to the DRIVER. In the rear of the wagon, a wide-eyed, fawn-like young girl sits next to her protective husband, who is obviously her senior by many years. They are IDA and BOB WEBSTER. On the side of the wagon the words, "WEBSTER'S SAWMILL, BEARPAW" have been painted. CAMERA PANS as Bob Webster jumps from the wagon and moves toward the saloon. McCabe can be seen inside the saloon and moves out to greet him. They meet on the porch.

68. CLOSER ANGLE McCABE WEBSTER

McCABE:

You made good time, Bob. Any trouble with the mining company?

(CONTINUED)

68 (Cont.)

BOB:

Some -- but they wanted to set up their own mill, so they let me go.

McCABE:

When can you start cutting? I'm trying to make a living in a Goddamn saloon without no walls.

Webster makes a slight reaction to McCabe's profanity.

69. ANOTHER ANGLE TWO SHOT

The wagon can be seen in the near b.g. The driver is helping the woman who was sitting next to him to the ground. Ida Webster cannot be seen in this ANGLE.

WEBSTER:

I brought the little woman with me.

He nods toward the wagon.

McCABE:

I'm sorry.

CAMERA MOVES WITH McCabe as he approaches the wagon and tips his hat to the woman.

McCABE:

How do you do, Mrs. Webster. I'm proud to welcome you to Presbyterian Church.

WE SEE the woman is CONSTANCE MILLER.

CONSTANCE:

I'm right proud to be here, but my name is Mrs. Miller. Mrs. Webster is in the back.

McCABE:

I'm sorry.

He moves toward the back of the wagon.

70. ANOTHER ANGLE THE WAGON

At the rear as Bob Webster helps Ida down. McCabe joins them. Ida Webster always looks frightened, vulnerable and as though she has just had her feelings hurt.

(CONTINUED)

70 (Cont.)

BOB:

(proudly)

This here's the little woman.

McCabe tips his hat again.

McCABE:

Proud to make your acquaintance,
ma'am. Welcome to Presbyterian
Church.

Ida almost, but not quite, speaks.

71. VERY CLOSE McCABE BOB WEBSTER

as Webster leans in to speak to McCabe in lowered tones.

BOB:

The driver said she needed a lift. I
didn't realize she was a...

72. ANOTHER ANGLE THREE SHOT

McCABE:

(to Ida)

My apologies, ma'am. Just temporary,
I fixed it up for you and Bob to stay
at the MacArthur's 'til you get your
own place.

McCabe points o.s. to the blacksmith shop.

BOB:

(to Ida)

I'll take you over there now.

(to McCabe)

Soon as we get settled I'll see about
getting steam. God willing, you'll
have your sawmill by the end of the week.

McCABE:

Good --. Anything you need, just let me
know.Bob leads Ida toward the blacksmith's shop. McCabe heads
back toward the saloon.

73. ANGLE ON CONSTANCE DRIVER

As Bob and Ida pass Constance, Bob moves so that his body is
between Ida and Constance. Constance doesn't give a damn.
(CONTINUED)

73 (Cont.)

CONSTANCE:

What do I owe you?

DRIVER:

You don't owe me nothing, Connie...

(lowers his voice)

I'll be staying on here, though.

A suitable leer crosses his face. Constance looks at him and drops two dollars in his hand.

CONSTANCE:

Let's keep it all business, Dickey.

And she moves away toward the saloon.

74. WIDE ANGLE CONSTANCE

INCLUDE McCabe on the porch.

CONSTANCE:

(calling)

You John McCabe?

McCabe tips his hat.

McCABE:

I am, Madame.

CONSTANCE:

I want to talk to you. Alone.

McCabe gestures toward the inside of the empty shell.

McCABE:

At your service, Madame.

He follows her into the saloon.

75. ANOTHER ANGLE

McCabe moves to the half-completed bar in the f.g., sets up a bottle and two glasses. Constance moves in opposite him.

CONSTANCE:

Nothing for me.

She begins to remove her gloves. They are a bit worse for wear. McCabe tosses off a drink without speaking.

(CONTINUED)

75 (Cont.)

CONSTANCE:

(continuing)

That was my last two dollars I spent out there -- It's my own fault, I guess. Too damn independent.

She places her gloves on the bar top, revealing a wedding band on her finger, before she turns around and surveys what will soon be McCabe's place of business.

CONSTANCE:

(continuing)

Always wanted a place of my own.

McCABE:

This here's my place.

CONSTANCE:

You know if you want to make out you're such a dude, you ought to wear something besides that cheap Jockey Club cologne.

McCABE:

I don't feel nothing but sorry it bothers you, Madame.

CONSTANCE:

I don't like that "Madame" business much, either.

McCABE:

I thought you might enjoy the promotion.

CONSTANCE:

You're somewhat of a frontier wit, aren't you?

McCabe dismisses her remark with a wave of his hand. She takes a cigarette from her purse and lights it, ignoring his proffered light. She looks at McCabe squarely.

CONSTANCE:

(continuing)

I'm a whore.

(CONTINUED)

75 (Cont.1)

McCABE:

We don't have a newspaper yet,
so's I can't put that in the
headlines --. Anyway, whores
is my long suit right now.

(he sizes her up)

You looking for a job, you got
it.

CONSTANCE:

I mean to run a real whore-
house.

McCABE:

Like I said, Presbyterian Church's
already got a whorehouse.

CONSTANCE:

You call those three Bearpaw crib
girls whores?

McCABE:

Not much to look at, but if they
didn't have to sleep, they'd be
at it twenty-four hours a day.

CONSTANCE:

This town needs a "house." You
put it up, and I'll take care of
the girls and the running ex-
penses.

McCabe laughs.

McCABE:

Just like that...

CONSTANCE:

Why not? I'll pay you back for
the cost of the place, and you'll
still get your fifty percent.

McCABE:

I've been doing all right so far --
Besides. I already planned to build
a "house." Why do I need you?

(CONTINUED)

75 (Cont.2)

CONSTANCE:

Did you ever try to run a bunch of girls? Working girls --? Why you'd have this town clapped up inside of two weeks. Can you handle drunks without any trouble? What do you do with a whore that falls in love?

These are questions McCabe hasn't asked himself before. He thinks about it, but has grave doubts.

McCABE:

It would mean a lot of money. Mrs. Miller, is it? I can see you got expensive tastes, Mrs. Miller. I'm a gambler, but I don't never take chances.

He thinks on it. Constance presses her advantage.

CONSTANCE:

When business is slow my girls can deal for you. We'll make more money for you than those three crib cows ever could.

McCABE:

How did you know I bought those girls in Bearpaw?

CONSTANCE:

I saw you buy them from Archer. I worked there, too. I sold everything to buy myself out.

McCABE:

Why'd you leave?

CONSTANCE:

Because it was dirty -- and because I don't want to be a Bearpaw Territorial Mining Company whore.

(CONTINUED)

75 (Cont.3)

McCABE:

Neither do I.

He pours two glasses.

McCABE:

(continuing)

Have a drink, Mrs. Miller.

This time Constance tosses hers off, too. McCabe touches the wedding band on her finger.

McCABE:

(continuing)

What about your old man?

CONSTANCE:

I don't have one. I just wear this to be respectable.

CUT TO:

76. EXT. McCABE'S SALOON

ANOTHER DAY

Webster's wagon drives up to the front with a load of cut timber. Driver and swamper begin to unload.

McCABE'S VOICE:

(o.s.)

I'll build your 'house' as soon as I get my saloon finished. You'll have to work out of the tent for a while.

CONSTANCE'S VOICE:

(o.s.)

I don't mind working out of a tent, but you're not going to use any lumber on your place until you build us a bath house.

McCABE'S VOICE:

(o.s.)

A bath house! Are you crazy?

CONSTANCE'S VOICE:

(o.s.)

We don't take on any customers until you build a bath house.

A BEAT before McCabe appears from within the saloon and makes angry and reluctant gestures to the driver and his helper

(CONTINUED)

76 (Cont.)

ordering them to reload the lumber which has been delivered.
As they comply:

McCABE'S VOICE:

(o.s.)

How can I pay for a bath house if
there's no 'chingee-chingee' and
no gambling?

The wagon is reloaded and moves out, McCabe staring after it.

CONSTANCE'S VOICE:

(o.s.)

You'll think of something...

CUT TO:

77. CLOSE SHOT EXT. HALF COMPLETED BATH HOUSE
(THEY'RE BUILDING)

DAY

On a SIGN which bears the legend, "BATH HOUSE - FIFTY CENTS -
NO CHINAMEN OR ANIMALS ALLOWED."

CAMERA RISES. The INTERIOR of the bath house can be seen
in this ANGLE. Four barrels have been buried in the ground
near the stream which runs near Presbyterian Church. Planks
for walking have been nailed to the top of tree stumps.
A group of men are at the front of the bath house, Ledbetter,
Kelly, Jacobs, Patch and Tiny Newcombe.

LEDBETTER:

If this is progress, you can have
it in you.

TINY:

Who the hell is going to pay to
take a Goddamn bath?

PATCH:

I wouldn't take one free, so you
know damn well I ain't going to pay.

JACOBS:

McCabe told me you can't get humped
without you take a bath first.

TINY:

Shee-it -- If I washed up, Lily
never would let me go.

LEDBETTER:

I hear we're getting some new girls
from Denver -- one of them is a
Chinese princess...

(CONTINUED)

77 (Cont.)

KELLY:

You think that's true what they say about Chinese girls?

PATCH:

You know what they say about girls from Denver...

TINY:

What?

LEDBETTER:

Jesus, you're dumb. Same thing they say about Chinese girls.

TINY:

I ain't going to hump no Chinese girl -- I don't care if she is a Goddamn princess.

KELLY:

Sure don't make no sense to take a bath and then hump a Chink!

LEDBETTER:

What's going to happen to the pigs we got now?

KELLY:

McCabe's going to give 'em to the Chinamens.

PATCH:

You didn't think they were pigs when they first come up.

LEDBETTER:

I know it, but now I can't even make it thinking about somebody else. When them new whores comin'?

KELLY:

Why don't you ask McCabe?

CUT TO:

78. EXT. PRESBYTERIAN CHURCH McCABE NIGHT

Two tents have been built and they are in close proximity to each other. A sign above the flap of one tent reads: "CONSTANCE MILLER'S DENVER DELIGHT." Below it, "PROOF OF BATH REQUIRED." McCabe moves to the next tent. Its sign reads: "PRIVATE." McCabe is drunk. He scratches on the tent flap. After a BEAT, Mrs. Miller's sleepy voice answers.
(CONTINUED)

78 (Cont.)

CONSTANCE'S VOICE:

Who is it? What do you want? We're closed.

McCABE:

It's me.

CONSTANCE'S VOICE:

Do you want to come in? Wait just a minute.

McCABE:

No, Madame, I do not wish to come in.

Constance appears at the tent entrance.

CONSTANCE:

Are you drunk? -- Never mind, I can see you are. What do you want? Go home.

McCABE:

The boys wish to know when your whores are coming, Madame. And so do I. So far you've cost me all the money I made here and none is coming back. The whole town thinks I am rich and the truth is I am broke.

CONSTANCE:

You have to spend money to make money.

McCABE:

You seem to think I am nothing but a bank, Madame. Tell me when the whores are coming since I have paid for their Goddamn transportation and for a Goddamn bath house which I will lay eight-to-five ain't never going to be used.

CONSTANCE:

You could stand to use it right now.

McCABE:

We're not talking about me.

CONSTANCE:

The hell we're not. You're just as anxious for the girls as the rest of them.

McCABE:

Bullshit, Madame -- . You will never see me standing in line.

(CONTINUED)

78 (Cont.1)

CONSTANCE:

You're all the same, McCabe. God knows it and I know it. Anyway, the girls will be here tomorrow. You better get started on my whorehouse.

CUT TO:

79. EXT. PRESBYTERIAN CHURCH WIDE ANGLE DAY

The weather is bad. Although it's mid-morning, only a few people can be seen on the street -- and these soon duck into the protection of buildings, the windows of which are clouded with steam. Soon a CARRIAGE comes into view and moves down the street TOWARD CAMERA. Although we can't as yet distinguish them, the occupants of the carriage are the FOUR WHORES for whom the town is waiting. The carriage is loaded with their belongings, and the ladies themselves are heavily clothed against the weather and appear as little more than lumps. Across the muddy street a CHINAMAN makes an exit from a building and moves into SHOT about the same time the carriage comes to a stop near CAMERA.

80. ANOTHER ANGLE THE CARRIAGE

And a closer look at the occupants. A DRIVER, EUNICE, BLANCHE, CINDY and MAI LING. Oddly enough, these girls do not look much different from other girls of the same age, which ranges from about twenty to thirty. They are not garishly made up, nor costumed. They are tired and irritable after a long trip.

BLANCHE:

What the hell are you stopping for?
I'm freezing my ass off.

DRIVER:

Where do you want to go?

EUNICE:

Inside. Anyplace. Christ what a rotten swamp.

The Chinaman crosses near them.

CINDY:

Ask the Chink.

(CONTINUED)

80 (Cont.)

DRIVER:

(to Chinaman)

Where is the...?

(to Blanche)

What do I ask.

BLANCHE:

Never mind, dammit -- I'll do it myself.

The Chinaman stands staring blankly.

BLANCHE:

(continuing)

Where's Mrs. Miller's 'house?'

No response.

EUNICE:

For crissake, Blanche. -- Where's the whorehouse?

No answer.

CINDY:

He probably can't speak English.

BLANCHE:

(to Eunice)

What are you going to do now, make gestures?

EUNICE:

Up yours. I'm too much of a lady.

Driver turns to Mai Ling.

DRIVER:

Maybe you better ask him.

MAI LING:

I can't speak Chinese. -- Many years ago I was stolen from my father's palace by an American sailor...

CINDY:

It's too cold for that crap. Save it for the customers. She was born in Portland.

MAI LING:

What customers?

(CONTINUED)

80 (Cont.1)

BLANCHE:

Constance went crazy, I guess.

It suddenly occurs to the Chinaman where these ladies, no doubt, belong. He points o.s.

CHINAMAN:

Missy Miller! Missy Miller!

DRIVER:

Think he knows what he's talking about?

BLANCHE:

He knows a hell of a lot more than you do. Let's go.

81. ANOTHER ANGLE WITH CARRIAGE

as the driver heads toward the tents across from the bath house.

EUNICE:

I thought there was supposed to be a real 'house.'

CINDY:

A minute ago all you wanted was to get inside.

EUNICE:

Didn't Connie's letter say there was a 'house?'

BLANCHE:

How would you know what a letter said.

EUNICE:

Tents, for crissakes. That's no better than cribs.

82. ANOTHER ANGLE THE SCENE

The driver reins in near the front of the tents we have seen before. Constance emerges from inside her tent, attracted by the noise and the bickering.

(CONTINUED)

82 (Cont.)

CONSTANCE:

Come on in, girls. You got wood floors and hot water -- something you never had in Denver, so stop complaining.

BLANCHE:

Well Constance Miller! -- What's a nice girl like you doing in a place like this?

The driver jumps down to help Mai Ling, enamored with her. The other girls climb down themselves and move into the tent.

CONSTANCE:

(to driver)

Put all their stuff in that other tent.

83. INT. TENT A CONTINUATION

The girls have all moved quickly to the stove in the center of the tent. Two cubicles have been partitioned off on either side of the tent. A flap can be lowered for privacy. All four of the cubicles are identical, each containing only a bed. Lily, one of the original Bearpaw girls is present. The girls are chattering, bitching about everything.

MAI LING:

I'm not taking on any Chinamen. I'll tell you that right now.

EUNICE:

Dammit, I thought I'd be working in a real 'house.'

CINDY:

Wasn't that a bath house out there? Jesus, I'd love to take a bath.

BLANCHE:

Does that sign mean what it says?

MAI LING:

I mean it -- no Chinamen. Clean or not.

BLANCHE:

What about it, Connie? You wrote there was a 'house' here.

CONTINUED)

CONSTANCE:

Don't you know when you're well off?
A 'house' will come. A real 'house,'
I promise you. In the meantime, just
knowing that this isn't a company town
ought to be enough. I'll go right
down the middle with you girls.

EUNICE:

What about tips?

CONSTANCE:

They're all yours, but no free rides
-- and no drinking. I won't stand
for any drunken whores during business
hours. And when it's slow, you take
turns dealing for McCabe.

CINDY:

Who's McCabe? Your old man?

BLANCHE:

You mean, pimp. Connie, I never thought
you'd hook up with a pimp.

CONSTANCE:

He's not my old man and he's not
really a pimp. We're partners.
Strictly business. And I don't
want any of that 'Connie' business
in front of customers. Mrs. Miller.
Remember that.

EUNICE:

What customers? There was only one
dried up old Chink when we came in.

MAI LING

If there's going to be any Chinamen,
I quit.

CONSTANCE:

There were some other girls here.
We gave them to the Chinamen.

BLANCHE:

Did you ever see a Chinaman who wanted
to lay another Chink, when there was
a white woman around?

MAI LING:

Don't you call me a Chink!

(CONTINUED)

83 (Cont.1)

BLANCHE:

How about 'whorehouse baby,' do you like that better?

MAI LING:

I'll scratch your eyes out, you clapped up old buffalo.

Constance steps between them.

CONSTANCE:

That's enough! Any more of this and you can sell your ass in Bearpaw! -- Now this is Lily. She'll see you've got plenty of towels and since she's already seen damn near everybody in town, she knows who the trouble-makers are.

Lily rewards them with a grin. The driver enters the tent. Constance moves to him.

CONSTANCE:

Take your hat off.
(he complies)
What do you want?

DRIVER:

Well, I ain't been paid and smelling them girls all the way up here's made me hornier'n hell.

CONSTANCE:

What do I owe you?

DRIVER:

Well, I said I'd haul 'em up here for six dollars apiece, but maybe we could...

Constance produces the money.

CONSTANCE:

But, nothing. This is business. Here's your money.

DRIVER:

But I unloaded all these bags and stuff... That ought to be worth something...

CONSTANCE:

Thank you.

(CONTINUED)

83 (Cont.2)

DRIVER:

Listen, I got to give half this money to the mining company, you know.

CONSTANCE:

You've got enough. Five dollars. Take your choice.

DRIVER:

Mai Ling.

Mai Ling shoots Blanche a triumphant glance.

BLANCHE:

(under her breath)
Ought to be two-fifty.

84. ANOTHER ANGLE

The driver pays Constance and moves toward Mai Ling.

CONSTANCE:

You have to take a bath first.

DRIVER:

Shit. I ain't going to take no bath.

Mai Ling moves very close to him and whispers something in his ear.

DRIVER:

(turning away)
I still ain't going to take no bath.

He moves toward the tent flap.

85. EXT. TENT HIGH ANGLE

DAY

The driver continues his exit, moving directly to the carriage. He climbs in and turns it around, heading it back out the way he came.

86. CLOSE THE DRIVER

As he thinks over Mai Ling's words -- whatever they were.

87. BACK TO HIGH ANGLE

He negotiates a "U" turn in the street and moves the carriage back to the bath house. As he enters, we

DISSOLVE:

88. INT. BATH HOUSE

NIGHT

It is utter chaos. Two Chinese attendants do their best to keep some kind of order, to no avail. The dressing room, built to accommodate perhaps a half-dozen men waiting for baths, is crowded beyond belief. Half-naked men and stark-naked men are everywhere. Clothing is strewn about -- just who it belong to is the question. Boots, pants, shirts, coats and all sorts of filthy foul weather gear are passed back and forth, claimed and reclaimed.

89. ANOTHER ANGLE

In the tub area. If possible, there is even less order here. One man is bathing, clothes and all. Some are bathing together in the four tanks. The overflow from the dressing room has pushed half-dressed men, still struggling to rid themselves of their clothes, out onto the catwalks between the tanks. Losing his balance, one man pitches into a bath already occupied by two others. While voices are often raised in anger, the main purpose of this hasn't been forgotten, and there is no serious fighting. Throughout the scene, SOUND of the Chinese attendants chattering OVER.

90. CLOSER ANGLE A BATHING TANK

Occupied by Kelly and Ledbetter. Ledbetter is shaving.

KELLY:

Ledbetter, darling -- if I'd know you looked like this I might have taken you on myself.

LEDBETTER:

You been up here too long.

Tiny appears on the catwalk nearby, naked, and lowers himself into the tank.

KELLY:

Well, come right on in for crissakes. Why didn't you bring your fucking laundry?

LEDBETTER:

I'm warning you, Tiny -- if you piss I'll cut off your pecker.

(CONTINUED)

90 (Cont.)

TINY:

Just when I'm falling in love. Did you get a look at the tits on big old Blanche? I might even take my boots off.

KELLY:

Don't think about it. I'm afraid it'll all be over before I can drop my strides.

LEDBETTER:

This is the first time I been warm in three months. Ready?

KELLY:

Let's go.

TINY:

Leave your soap.

LEDBETTER:

Jesus you are in love.

KELLY:

(gesturing)

Why don't you box the clown and beat the price?

TINY:

Up your butt -- think I want hair on my palms?

As they step out of the tub and are quickly replaced by two more anxious bathers, we

CUT TO:

91. EXT. BATH HOUSE

NIGHT

as the first few bathers rush from the bath house toward the tent. Most are dressing on the way, and at least one stumbles or is knocked down and the bath was for nothing. CAMERA PANS as they approach the "Denver Delight" tent. Lily stands at the entrance peering out. As the men approach and begin to form a line, Lily turns inside.

92. INT. TENT

NIGHT

A waiting room has been formed by dropping a flap which separates the girls from the customers. Another small alcove has been fashioned in the same manner. Mrs. Miller has a table set up at the entrance to the "Delight" section and is obviously prepared to take the money.

LILY:

Here they come.

CONSTANCE:

It's up to you, Lily -- If there's lint in their belly buttons, you know they didn't bathe.

She moves toward the entrance. Lily stations herself behind the cubicle flap. As Mrs. Miller is about to poke her head out, McCabe appears.

93. TWO SHOT McCABE CONSTANCE

A slight, knowing smile tugs at the corners of her mouth.

CONSTANCE:

Have you taken a bath?

McCABE:

I'm not here as a customer, Madame.
I just came to wish you well.
Besides, my place is empty.

CONSTANCE:

Maybe you ought to check on the service.

McCABE:

I'm sure you know your business,
Madame -- Are you -- available --
as well?

CONSTANCE:

Why?

McCABE:

Idle curiosity, Madame. ~~Nothing~~
more.

CONSTANCE:

(flat)

My price is twenty-five dollars....

McCabe is angered and can't conceal it. He turns and exits.

(CONTINUED)

93 (Cont.)

McCABE:
I wish you well, Madame.

94. EXT. TENT MOVING SHOT McCABE

as he walks from the tent without looking back. The line has grown now. At the entrance to the tent, Mrs. Miller appears and begins instructing the line of men in the b.g. CAMERA STAYS WITH McCABE.

CONSTANCE:
No drunks and no rowdiness. When you enter the tent, step behind the flap for inspection. No one allowed without a bath and I'll tolerate no abuse of the girls.

MINER:
What about you, Mrs. Miller?

Some of the others in line AD LIB agreement with the notion.

AD LIBS:
I'll pay double!

You can tap me out.

One time, Mrs. Miller -- you can have my claim!

It's all McCabe can do to keep from turning back to hear her answer, but he strides on.

95. ANGLE ON CONSTANCE VERY CLOSE

Looking after McCabe for a BEAT before she answers.

CONSTANCE:
(laughing)
You flatter me boys. But twenty-five cash is all that it takes.

She reenters the tent after another look after McCabe.

96. CLOSE McCABE

Angry with himself for caring whether Constance Miller screws every man in town or not.

97. INT. TENT

As the customers begin to enter. Moultry Jacobs is first.

CONSTANCE:

(points)

Around there, boys.

Led by the first man, they form a line which stretches out the entrance.

LILY'S VOICE:

(words indistinguishable)

MOULTRY'S VOICE:

What?

LILY'S VOICE:

(same as first speech)

A rustle of clothing can be HEARD.

JACOBS:

-- Christ sakes, Lily -- I'm afraid to touch it!

Short BEAT, Moultry steps around adjusting his trousers and moves to the table.

JACOBS:

(continuing)

What is she, a Goddamn doctor?

CONSTANCE:

Five dollars, Mr. Jacobs -- you'll be glad we did that some day.

Moultry pays.

JACOBS:

China girl cost more?

CONSTANCE:

They're all the same.

JACOBS:

(entering "Delight")

That's what I aim to find out...

And as the next man comes from behind the flap from his "Short arm" inspection, we

CUT TO:

98. INT. McCABE'S SALOON

NIGHT

The saloon has been completed now, but the only occupants of it are McCabe, a BARTENDER, DANNY, and a CHINESE WAITER, known as HEY YOU. McCabe, a bottle of whiskey at his elbow, is seated at a faro table, a number of books of the ledger type are open in front of him. His movements and gestures, even the way he tosses off an occasional drink, indicate that columns of figures, credits and debits are not his long suit. Danny is behind the bar, hard pressed to find something to do, and Hey You is standing idly near to him.

DANNY:

Be all right to close up, Mr. McCabe?

McCabe looks up from his books, surveys the empty saloon.

McCABE:

Yeah, close up for crissakes. It's going to take me all night to figure where I am at with these Goddamn books.

Danny slips off his apron and moves toward the door.

McCABE:

Come on over and have a drink.

DANNY:

If it's all the same to you, Mr. McCabe, I thought I'd get myself a bath.

(smiles)

"Cleanliness is next to Godliness."

McCABE:

Cleanliness is next to the whorehouse. Go ahead. -- You too, Hey You. I'll lock up.

McCabe moves after them toward the door. Danny ADLIES his goodnight and moves o.s. Hey You hovers at the door.

HEY YOU:

Man say opium almost gone.

McCABE:

What man?

HEY YOU:

All man. Chinese man. Need more soon. You get?

(CONTINUED)

98 (Cont.)

McCABE:

Yeah, yeah. I get.

Hey You exits.

99. ANOTHER ANGLE

To INCLUDE Constance Miller standing just outside the batwing doors. She carries a small strongbox. McCabe calls after Hey You, obviously for the benefit of Mrs. Miller.

McCABE:

I get if I ever get any Goddamn money!

Mrs. Miller walks by him into the saloon.

CONSTANCE:

Why are you always in such a bad temper?

McCabe closes and locks the inside door of the saloon.

McCABE:

For one thing, it is because ever since you came here you have cost me nothing but money -- This shit must cease, Madame. I have not sold a full bottle of whiskey today, and that's a fact.

CONSTANCE:

Because every man in town was taking a bath in your bath house or laying up with a girl in your whorehouse.

McCABE:

But I have not seen any of that money, Madame, and my books show that what I need most of all right now is money.

She spots the books, moves to the table and sets down the strongbox.

CONSTANCE:

I have the bath house money and the whorehouse money for the first night right here.

She dumps the contents of the box on the table. The take is considerable.

100. ANOTHER ANGLE McCABE

And McCabe is considerably impressed with the amount. CAMERA PANS with him to table and he begins to count.

CONSTANCE:

(continuing)

We missed a lot of bath money because of the rush, but there's almost three hundred dollars there.

McCabe continues to count out loud, makes a mistake, starts over with an impatient glance at Mrs. Miller. She pours herself a drink, then looks at the open books. At first it is cursory, then she peruses them with growing interest, which soon turns to amusement.

CONSTANCE:

(continuing)

How could you tell?

McCabe stops counting, exasperated.

McCABE:

How could I tell what?

CONSTANCE:

You said your books showed you need money. I'd like to know how you figured that, because these books are impossible.

McCABE:

I'll thank you to keep out of things you don't understand.

CONSTANCE:

We're partners. I have a right to see the books.

McCABE:

We are not partners in my saloon or my gambling or my opium business.

CONSTANCE:

Some business -- opium.

McCABE:

If it had not been for opium, Mrs. High-and-Mighty-Miller, there would be no bath house, no whorehouse, and more than likely, no saloon. You might remember that.

(CONTINUED)

100 (Cont.)

CONSTANCE:

There's no whorehouse now.

McCABE:

Jesus Christ, Madame -- we only started today.

CONSTANCE:

I know it, but we could make twice as much if we had a proper "house."

McCABE:

How come whenever we talk about spending money it is always "we."

CONSTANCE:

Do you think I want to do this for the rest of my life? -- I have plans, McCabe. One of these days I am going to pack up and go to San Francisco. I'm going to sell you my half-interest and I'm going to have a boarding house in San Francisco with a brownstone front.

McCABE:

I can just see you running a boarding house. I'd like to get a good look at them boarders.

CONSTANCE:

I know what you're thinking -- It just proves how dumb you are.

McCABE:

I am plenty smart enough for Presbyterian Church, and that's a fact.

CONSTANCE:

You won't prove how smart you are by these books. I better help you with them.

McCABE:

It is not a woman's place to stick her nose in books.

But Mrs. Miller has seated herself in McCabe's chair and is poring down a column of figures. She looks up at him.

CONSTANCE:

What is seven from eleven?

(CONTINUED)

100 (Cont.1)

McCabe thinks too long on the answer.

CONSTANCE: (Cont.)

Nine from sixteen?

No reply.

CONSTANCE:

(continuing)

How much is sixteen and nineteen?
-- While we're at it, how do you
spell "groceries" -- "supplies" --
"salary?"

McCabe's ledger is prompting these questions.

McCABE:

Madame, I can hold my own in any
game of chance with any amount
you can count. I can figure odds
and pay-offs before you can blink,
and I can tell you how much the
bartenders are stealing by looking
at the empty bottles. -- It takes
me a little longer to write it
down formal.

CONSTANCE:

From now on, I'll help you with
the books. -- If only to protect
my interest.

McCABE:

I warn you, Madame -- don't push
me too far.

CONSTANCE:

It'll take me a day or two to
reconcile these figures, but I
can tell already that you have
more money than you think. --
More than enough to begin building
my "house."

Mrs. Miller gathers up the books and heads for the door in
a very business-like manner.

McCABE:

The whorehouse will be built
when I say it will be built and
not before!

(CONTINUED)

100 (Cont.2)

CONSTANCE:

Good night, John.

She unlocks the door and exits.

McCABE:

(shouting
after her)Four, Goddamn it! -- Seven from
eleven is four!

And, on at least this partial victory for McCabe, we

DISSOLVE:

101. EXT. PRESBYTERIAN CHURCH

DAY (MORNING)

The whorehouse, easily the best looking building in town, but still not much at that, has been built. A few pieces of furniture are being carried into it by a couple of men. In this ANGLE we can see that Mrs. Miller's "house" has been built opposite the rear entrance of McCabe's saloon. The back doors of the two buildings face each other across a muddy ditch over which a short walking bridge has been suspended.

102. ANOTHER ANGLE PANNING SHOT

As a carriage occupied by the entire "Denver Delight" troupe labors up the street and stops in front of the "house." Mrs. Miller steps down first and is joined by Blanche, Eunice, Mai Ling, Cindy and Lily.

CONSTANCE:

There it is, girls. -- I even got real beds and real mattresses for you. Each of you has a separate room.

BLANCHE:

Dammit, Connie -- I'm close to tears.

CONSTANCE:

That's not all. Come on.

All follow Mrs. Miller into the "house." CAMERA LOSES them and HOLDS on THREE YOUNG BOYS averaging about ten years, who have been hiding nearby.

(CONTINUED)

102 (Cont.)

FIRST KID:

I could've damn near touched that
one with the red hair.

SECOND KID:

It's a good thing you didn't.

FIRST KID:

Why?

SECOND KID:

I don't know -- it's a good thing,
that's all.

THIRD KID:

You could get something, that's why.

FIRST KID:

What?

THIRD KID:

"Infamouse," that's what. That's
what my mother calls Mrs. Miller.

SECOND KID:

What the hell's "infamouse?"

FIRST KID:

I don't know.

THIRD KID:

Well I do. It's awful. Runs down
your leg and rots off your heel.

SECOND KID:

Jesus...

CUT TO:

103. EXT. PRESBYTERIAN CHURCH THE STREET DAY

There is more activity today than we have ever seen before. The town has been transformed from a makeshift, filthy, half-canvas, half-wood, three-building mining town to something that damn near resembles a real town. Spring rain has left the streets muddy. In the opinion of many, there has been enough progress to have a dedication day of sorts. In a larger town, there would be bunting and streamers and an array of flags for such an occasion. Presbyterian Church does the best it can.

105. EXT. STREET A LARGE CROWD DAY

They have gathered around a roped-off square to witness a wrestling match between Tiny Newcombe, wearing a sash of Stars and Stripes around his waist, and an equally large Canadian in red tights. Everyone we have met, including the Chinese and all the whores, new and old, can be seen. Only Pat Sheehan is not in evidence. McCabe stands nearby Constance Miller, who sits in her carriage with all the girls, including Lily.

106. SEVERAL ANGLES

of the match itself, INTERCUTS of the crowd, as the two giants wrestle each other, break down the ropes, fall into the crowd and wind up using half the town to complete the match. The delighted crowd follows along with them. Tiny is the eventual loser, as the Canadian nearly drowns him in the dirty pond, which the rains have left in front of "Sheehan's." Across it, Sheehan moves out onto the front porch of his saloon and watches the action, before turning back inside.

107. ANGLE ON LILY

Very upset at the outcome of the match. She rushes to the side of the half-drowned Tiny and helps him to his feet, unmindful of the water which drips on her. They walk away, Lily doing most of the supporting.

108. INT. SHEEHAN'S SALOON

Except for one other man, "Sheehan's" is empty. The lone customer is totally medium. His height, weight, coloring, clothing, everything about him is commonplace, as though he were stamped out of a mold. Yet there is a peculiar and probably unwarranted air of self-assurance about him in sharp contrast with his appearance.

SHEEHAN:

Well, McCabe's miner got his ass kicked, so the day's not all shot.

MAN:

No love lost between you and McCabe... I guess.

SHEEHAN:

You got that right -- and he don't come come around me, neither -- I ain't saying he's scared, mind you, but...

(CONTINUED)

108 (Cont.)

Sheehan takes a closer look at the man. He reaches out and grabs a bottle and a glass for himself.

SHEEHAN:

(continuing)

Listen -- you got some time.

(he pours two drinks)

Let me tell you about Pudge McCabe...

CUT TO:

109. EXT. STREET CLOSE ON LARGE ROCK

as a sledge swung by an unseen miner smashes it to bits. CAMERA PULLS BACK and we are viewing a rock-smashing contest. Three rows of rocks have been lined up in rows of five. A miner straddles each row, moving back as the rocks are expertly smashed - in most cases with a single blow. Onlookers and a prevalence of whiskey everywhere.

110. ANOTHER ANGLE

and another contest. This time a number of men are trying to drill into the sheer side of hardrock. The drills are turned as they bite deeper and deeper into the rock, powered by the swing of a hammer.

111. ESTABLISHING SHOT PRESBYTERIAN CHURCH DAY (AFTERNOON)

The shadows are longer and the main event, a tug-of-war to be staged on the main street and involving damn near every man in town, is about ready. McCabe is somewhere in the f.g., his Colt drawn to signify the start. He carries a bottle of whiskey in his other hand. He is swaying drunkenly, but obviously having the time of his life.

McCABE:

Drinks on me for the winners, and the losers have to spend the night in Sheehan's Hotel.

This is greeted with laughter, but when McCabe FIRES for the start of the tug, it becomes a serious matter -- though easily half the men involved are as drunk as McCabe, or drunker.

112. ANOTHER ANGLE McCABE

He holsters his Colt, tosses off the rest of the bottle before throwing it into the street, and climbs the steps leading to the porch of his saloon. The MAN we saw earlier at "Sheehan's" can be seen near the entrance, an amused, supercilious expression on his face. As McCabe sways to the door, he hands him a card. McCabe glances at it, without seeing, and hands it back.

MAN:

My name is Sears. Eugene Sears.

McCabe tries to focus. He sticks out his hand in the general direction of Sears.

McCABE:

I'm Roebuck -- who the hell is watching the store?

Sears smiles, lips only.

SEARS:

We'd like to have a little talk with you, McCabe.

McCabe looks at him closely, decides he probably doesn't like Sears, and moves into the saloon as Sears tries to complete the handshake.

113. INT. McCABE'S SALOON

NIGHT

McCabe moves directly behind the bar, which has neither bartender nor customers, to get another bottle. Sears follows, despite the rejection, still confident.

SEARS:

We take you for a man that belongs on the right side, McCabe. With the right people. You know what I mean.

McCabe takes a long pull from his bottle, then BELCHES his answer.

SEARS:

(continuing)

It's no secret that there are some pretty good zinc deposits here, and we have been...

(CONTINUED)

"THE PRESBYTERIAN CHURCH WAGER"

Based on the novel "McCABE" + MRS MILLER

by Edmund Naughton

Screenplay by

Brian McKay and Robert Altman

7/27/70

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David Foster - Mitchell Brower

113 (Cont.)

McCABE:

Wait a minute, Eugene. Do you have a turd in your pocket or something? Who the hell is "we?"

SEARS:

It was on the card -- the Bearpaw Territorial Mining Company. As I was saying, we were waiting for the - ah - propitious moment, as it were, to put in a bid for those deposits.

McCABE:

What's stopping you? I don't own any fucking zinc mines.

SEARS:

I was empowered to speak to you because we were given to understand that you were the leading citizen around here. A man of common sense, if you know what I mean.

McCABE:

That's the first thing you said that did make sense.

SEARS:

We like to deal with people of quality and intelligence. Men who've got a feeling for reality.

McCABE:

That's enough of that shit, Eugene. You want to buy me out, right? -- What's the offer?

Sears is annoyed at not being able to continue his pitch, but reaches into his pocket producing an official-looking paper which he refers to.

SEARS:

The Company won't go any higher than twelve thousand dollars.

McCABE:

For the whole town?

SEARS:

Oh, no, Mr. McCabe. You see, we don't have to buy the whole town.

(CONTINUED)

113 (Cont.1)

SEARS: (Cont.)

Once we own the bath house, the saloons, and control the gambling and prostitution, we can pretty much name our own price for the rest.

McCabe takes a long time to answer.

McCABE:

Up your ass.

Sears is not sure he has heard correctly.

SEARS:

I beg your pardon?

McCABE:

Up your Bearpaw Territorial Mining Company ass.

McCabe moves around the bar and lurches out the door.

114. EXT. McCABE'S SALOON STREET DAY

The tug-of-war is a dead heat. There has been plenty of slipping and sliding, but most everyone is in the same place as they were before. Standing drunkenly on the top step, looking as though he were ready to pass out, McCabe watches for a BEAT. Behind him, Eugene Sears steps out of the saloon trying to figure why the approach, so often successful, failed here. He is just in time to HEAR McCabe let out a wild whoop, draw his gun and fire with an expertise not expected of a man that drunk. His shot severs the rope between the two tugging teams.

McCABE:

I declare this match a draw. Nobody loses in Presbyterian Church, and that's a Goddamn fact! The drinks are on me.

As McCabe turns back into the saloon, followed by the hooting, happy, drunken, brawling residents of his town, CAMERA PANS with Eugene Sears. He steps out into the street to the site of the tug-of-war, bends down and picks up the two ends of the rope parted by McCabe's bullet. As Sears stares thoughtfully back into the saloon, we:

DISSOLVE TO:

115. INT. MRS. MILLER'S WHOREHOUSE

NIGHT

A wild, bawdy party is in progress. This is the first time we have been inside Mrs. Miller's "house," and while it is furnished and has a piano and a few carpets, it is hardly a grand, exotic escape from the dreary everyday life of Presbyterian Church. By comparison it may seem so to the miners, long accustomed to really hard living, but luxurious it ain't. All the girls are here, most of the men except the Chinese, Sheehan, and most notably, John McCabe. Constance Miller walks through her crowded "house," entertaining, patting, dodging serious passes, keeping order. From time to time one of the girls lugs a trick upstairs, but tonight at any rate, Mrs. Miller is running a loose ship. Eventually she heads into the kitchen.

116. INT. KITCHEN

At the kitchen table Lily sits with Tiny. They are holding hands, smiling, enamored with one another. With a slight smile, Mrs. Miller crosses directly to the window and peers out.

117. MRS. MILLER'S P.O.V.

Across the ditch, the rear of McCabe's saloon can be seen. In contrast with the revelry at Mrs. Miller's, McCabe's saloon seems quiet.

118. ANOTHER ANGLE

Mrs. Miller turns away from the kitchen window, disappointed somehow, and puzzled.

CUT TO:

119. INT. BATH HOUSE MCCAEE

NIGHT

Chin deep in the water, hardly moving at all. A bottle of whiskey is nearby and can easily be reached, but McCabe ignores it.

120. INT. MRS. MILLER'S FROM THE TOP OF THE STAIRS

as Constance Miller, refusing invitations for everything, and adroitly eluding the hands of her guests, leaves the parlor and heads upstairs. She is not having a very good time.

121. NEW ANGLE

The second floor. Nothing much up here but a few pictures and several doors. Mrs. Miller heads for one of the rooms located at the end of the hall. A door opens and a man enters the hall from one of the bedrooms. His eyes light up and he makes a grab for Mrs. Miller, who ducks away and continues. The man starts to follow.

CONSTANCE:

Get away from me, you son-of-a-bitch or I'll make a soprano out of you!

The man reaches uncontrollably to protect his groin area as Mrs. Miller slips into her bedroom.

122. INT. BEDROOM

A large room by present standards, impersonally furnished. There is a closet door and another which leads to a flight of outside stairs. Mrs. Miller opens the outside door and takes another long look at McCabe's saloon. She turns away, slamming the door, growing angry -- and angry with herself for growing angry. Now she moves to the closet door, takes a hat box down from the shelf and moves to the bed. She opens the box, removes a feathered hat, which conceals a packet of opium and the paraphernalia with which to smoke it. (We should get the feeling that she handles the whole thing with considerable expertise.)

123. INT. BATH HOUSE

as McCabe rises from the tub and begins to dress, long johns first.

124. INT. MRS. MILLER'S BEDROOM

NIGHT

She has fashioned a pellet of opium and is about to light it, when she HEARS FOOTSTEPS on the stairs outside. Quickly she returns the opium and pipe to the hat box, covers it with the hat, closes the lid and slides it under the bed.

125. ANOTHER ANGLE

Constance turns down the light and moves to the door to listen as the footsteps reach the top of the outside stairs. Now there is NO SOUND at all -- and when the silence grows so loud that she can't stand it another second, Mrs. Miller throws open the door.

126. EXT. STAIRWAY McCABE

leaning with great nonchalance against the rail, his arms folded as the door opens. In this ANGLE, she can be seen just inside the doorway.

CONSTANCE:

What do you want, you son-of-a-bitch?

McCABE:

Goddammit, Constance -- this is my town, and I want to celebrate.

CONSTANCE:

Don't try to fool me with that Goddamn Bay Rum -- get on down there and take a bath.

McCABE:

Madame -- I have been in the water so long my ass has wrinkled up.

CONSTANCE:

Well get in here, then, before you catch your death.

McCABE:

Thank you.

She widens the door for him to enter, and as he steps through, McCabe picks her up and kisses her hard on the mouth. A moan comes from deep within her somewhere before McCabe kicks the door shut behind him and we:

DISSOLVE TO:

127. INT. MRS. MILLER'S BEDROOM

MORNING

Although it's early, already the SOUND of the blade biting into timber at Webster's Sawmill can be heard. (There are only one or two occasions since Webster's arrival that we haven't heard the sawmill SOUND.)

Mrs. Miller and McCabe are lying side by side under the covers. Her shoulders are bare and we should know, but never see, she is naked. He is wearing the long johns we saw him don the night before in the bath house. Mrs. Miller is wide awake and looking, staring at McCabe, whose eyes are closed. Since McCabe is at least the hundreth man she has

(CONTINUED)

127 (Cont.)

spent the night with, the actual act of love undoubtedly did not take her to previously undreamed of emotional heights, -- but she brought him off and he brought her off and somehow that should be implicit. She continues to stare, perhaps toying with the idea of awakening him, then decides to let him sleep. She leaves the bed and just before it discovers her nakedness, the CAMERA MOVES to McCabe who emits an early morning groan and reaches over sleepily to embrace Mrs. Miller, who is now o.s. Her absence brings him awake.

128. ANOTHER ANGLE

Mrs. Miller has slipped into a robe. She lights a cigarette. McCabe sits up in bed.

McCABE:

Why don't you come back to bed?

CONSTANCE:

I've got things to do.

McCABE:

Someone waiting?

CONSTANCE:

Why don't you grow up for crissakes.

McCABE:

Why don't you? -- You won't never have no better chance to be an honest woman. If you had sense enough to pour piss out of a boot, you'd know that.

CONSTANCE:

I've got news for you, John Alden. I don't never want to be a Goddamn honest woman, as you so nicely put it. I like being a whore. And I must be pretty good at it, too, if you want to take me away from all of this after one roll in the hay!

McCabe gets up and starts to dress with angry motions.

McCABE:

You won't never find no better man than me, Madame.

(CONTINUED)

128 (Cont.)

CONSTANCE:

I never belonged to a man before and I never will. -- You want to do something for me? Buy me out, you cheap son-of-a-bitch and let me go to San Francisco and build my boarding house.

McCABE:

That's what you'd like, isn't it?

CONSTANCE:

You're Goddamn right it is. What do you think? That you're some great lover or something? You don't even take off your long johns. Sleeping with you's like taking a bath with your socks on.

McCABE:

Well, figure out what you got coming, 'cause I had an offer yesterday from the Bearpaw Territorial Mining Company.

All the foregoing words were shouted in anger and designed to hurt by both of them...but a real offer to sell is something else again. Mrs. Miller thinks on her reply before she answers, her tone changing.

CONSTANCE:

How much?

McCABE:

Twelve thousand dollars. -- I figure you got about four coming for your end.

CONSTANCE:

Looks like I really will wind up behind a brownstone front in San Francisco, after all.

McCABE:

Looks that way...

(beat)

Except that I never accepted their offer.

CONSTANCE:

How much you asking them?

McCABE:

Nothing -- I'm not going to sell, that's all. I got a position here.

(CONTINUED)

128 (Cont.1)

CONSTANCE:

What position for crissakes?
What's Presbyterian Church to
you? Sell out and go someplace
where people are civilized.

McCABE:

I can't do that, Madame.

CONSTANCE:

Why not?

McCABE:

Because it'll cost me my self-
respect. My reputation.

CONSTANCE:

Take your precious self-respect
to a bank sometime and see what
you get for it.

McCABE:

You don't have the slightest idea
what it'll mean to me in cash if it
gets out that I can be bluffed by a
two-bit offer from the Bearpaw Territorial
Mining Company.

CONSTANCE:

What will it mean in cash if
you're face down in a ditch?
Can't you for once be smart?
Take the offer. Goddamn it,
they're going to win and you
know it.

McCABE:

Not on your tintype, Madame.

Mrs. Miller goes to the door and opens it.

CONSTANCE:

Get the hell out of here, you
dumb bastard.

(CONTINUED)

128 (Cont.2)

McCABE:

Who do I pay? Twenty-five
dollars... I believe was your
price.

Their eyes meet. McCabe hit below the belt, but so
had she.

CONSTANCE:

I don't take money from dead men.

McCabe turns and leaves.

129. EXT. BLACKSMITH'S SHOP

DAY

Mr. and Mrs. MacArthur watch McCabe crossing the bridge
to his place. Mrs. Miller slams the door as hard as
she can.

MRS. MacARTHUR:

Well, I never...!

She turns and enters her house. CAMERA HOLDS on Sandy
MacArthur's face as he watches his frigid-looking wife
disappear.

SANDY:

(sotto voce)

Never is right.

DISSOLVE TO:

130. INT. McCABE'S BEDROOM

DAY

as he finishes packing a small war bag, straps on his
gun, spinning the cylinder as he moves to his bedroom
window and looks out.

131. McCABE'S P.O.V.

The rear of Mrs. Miller's "house," and more particularly, the
window of her bedroom, shades drawn against the light.

132. BACK TO SCENE

McCabe slings the bag over his shoulder and exits.

133. EXT. PRESBYTERIAN CHURCH FROM CHURCH DAY

as McCabe rides out of town and, nearing CAMERA, turns to take a good look at his town. The sawmill can still be HEARD. Elliott comes around the side of his church and his eyes meet McCabe's. Elliott looks at McCabe as though he has smelled something bad and turns to enter his church.

McCABE:
God's dead, you prick.

He wheels his horse around and rides out. CAMERA STAYS ON Presbyterian Church. The SOUND of the sawmill operating becomes isolated and as it grows LOUDER, and then LOUDER STILL, it STOPS ABRUPTLY. When the silence grows unbearable, we:

FLASH CUT TO:

134. EXT. SAWMILL VERY CLOSE THE FACE OF IDA WEBSTER

Her face indescribably twisted at the sight of something horrible o.s. Her SCREAM seems to replace the SOUND of the saw blade.

135. ANOTHER ANGLE WHAT IDA WEBSTER SEES

The mangled body of her husband draped over the saw blade, his life leaking out of him over the rig that has built the town of Presbyterian Church.

136. INT. MRS. MILLER'S BEDROOM

lying on her bed, on the nod, her opium pipe dangling carelessly in her hand, Mrs. Miller has found peace as well...

DISSOLVE TO:

137. EXT. BEARPAW McCABE NIGHT

as he rides into town very alert and acutely aware of the possibility of being shot down. He carries a SHOTGUN at the ready, and takes it with him after he dismounts and ties his horse to a hitching rail in front of a string of small offices. After perusing the street carefully, McCabe enters an office marked: "LAWYER."

138. INT. LAWYER'S OFFICE

NIGHT

No secretary, one room, a battered desk and a couple of chairs. The LAWYER is seated behind his desk. He's sixty, and speaks with the raspy voice of a New Englander. But his eyes aren't sixty, because he doesn't wear glasses.

McCABE:

You ain't never won a case against the mining company.

THE LAWYER:

Nobody's perfect...

McCABE:

They say you're either rich, -- or not all there. Which is it?

THE LAWYER:

I think probably both.

McCABE:

I'm John McCabe..

The Lawyer moves around and pulls down the shades to the window and the door before returning to his chair. McCabe sits, the shotgun across his lap.

THE LAWYER:

You any good with that?

McCABE:

Not too bad.

THE LAWYER:

Whoever they hired hasn't come yet, but better safe than sorry. -- They say that, too, don't they? Did you ever wonder who 'they' is?

McCABE:

By me they're the Bearpaw Territorial Mining Company. -- You seem to know all about it.

THE LAWYER:

Small town. Why'd you come?

McCABE:

I was thinking about that on the way down here.

(CONTINUED)

138 (Cont.)

THE LAWYER:

To think I can single-handedly stop the Company is an impractical assumption.

McCABE:

I know that.

THE LAWYER:

Wise. -- Before I take the case, I want you to tell me why you want to fight. Don't give me any bullshit and I won't give you any. -- You wouldn't've come here if you didn't want to fight them.

McCABE:

I don't know, really. -- I guess it's my time.

139. ANOTHER ANGLE

The Lawyer looks as though he's compressing things behind his lips, probing, testing to see if McCabe is the right man.

THE LAWYER:

I think we ought to head up to the marshall's office.

McCABE:

Won't do no good. He's Company property.

From the Lawyer's standpoint, the answers so far are right, but he's not quite sure yet.

THE LAWYER:

You're going to stay in Presbyterian Church?

McCABE:

I don't have no other place to go.

THE LAWYER:

You know the Bearpaw Territorial Mining Company can't afford a man it can't buy out. Know that? They got it figured out how much Presbyterian Church is going to cost and it doesn't much matter who collects. But it can't afford you. Pile all these mountains on you, if they have to. Company's like an animal -- second

(CONTINUED)

139 (Cont.)

THE LAWYER: (Cont.)
it stops growing, it starts dying.
Get it? You not being for sale,
limits the Company's growth. -- You
going to change your mind?

McCABE:
Not on your tintype.

THE LAWYER:
You got yourself a lawyer. Always
hated big outfits, -- big things.

McCABE:
I don't comprehend you.

THE LAWYER:
Doesn't make any difference.

He pushes a paper toward McCabe..

THE LAWYER:
(continuing)
Sign this. Make it official you
retained me.

McCabe slowly reads the paper before signing. The Lawyer
stares at him.

McCABE:
You ain't charging me no fee.

THE LAWYER:
Can't collect from a dead man.

McCabe shrugs, signs the paper, hands it back.

THE LAWYER:
(continuing)
All right. Trick is to enter every-
thing into some kind of record. We'll
take out warrants against the Company
for coercion. We'll file in district
court and we'll lose. Then we will
appeal and start all over again. Think
I'm a fool?

McCABE:
I couldn't make no judgement on that.
It does seem like a waste of time.

LAWYER:
Right. Man's a goddamn fool to believe
that justice is the business of the law.

(CONTINUED)

139 (Cont. 1)

LAWYER: (Cont.)

Law uses rules to make society orderly enough to live in. Sometimes justice comes out of that; sometimes it doesn't. Know who the real villain is? Not the Company -- the people who let the Company roll over them. Time's come for somebody to stand up -- fight them to a standstill.

McCABE:

What happens to me?

The Lawyer waves the question away.

THE LAWYER:

Company's going to deny you ever existed. That's why the warrants, the trials, the courts. History. Can't deny history. Never hold water. History will work against them. You're going to be a legend, McCabe..

McCABE:

They're going to kill me.

THE LAWYER:

Of course they're going to kill you. They have to kill you. Everybody dies. But you're going to die with dignity. More dignity than you have a right to expect.

McCABE:

Damned encouraging.

The Lawyer stands.

THE LAWYER:

I'd like to shake your hand, sir.

And as the Lawyer pumps McCabe's arm, we:

CUT TO:

140. EXT. BEARPAW McCabe

NIGHT

as he rides out of town. He passes a saloon and can HEAR the piano tinkling and the SOUNDS of drunken men and women. A SHOT rings out. McCabe dives off his horse into the mud, clawing his pistol from his holster in the same motion.

141. CLOSER McCABE

lying in the mud, eyes everywhere at once, gun ready, but there is no target. Fear has moved in on John McCabe. It's on his face as we:

DISSOLVE TO:

142. EXT. PRESBYTERIAN CHURCH GRAVEYARD

EARLY MORNING

The funeral of Bob Webster. Mr. Elliott stands at graveside, his book open in his hands, but does not read one word aloud. Except for Ida Webster's sobs, there is no SOUND at all. The only people in attendance are a couple of mill hands who stand around uneasily. Elliott closes the book, perhaps concluding whatever rites he read to himself and walks directly away without a word to Ida. She turns and watches after him for a long time.

IDA:

(calling after him)

What am I going to do?

And she weeps, alone. Elliott stops, turns back and looks at her. It is as if she has spoken to him in some foreign language that he cannot comprehend. After a moment he turns and goes on his way, CAMERA HOLDING ON Ida, and we:

DISSOLVE TO:

143. INT. MRS. MILLER'S BEDROOM

DAY

Mrs. Miller is standing at her window staring out. She is fully dressed and has smoked no opium. She has smoked an endless string of cigarettes. The butts have been snuffed out in a large ash tray -- testimony to how long she has stood here waiting.

144. P.O.V. MRS. MILLER WHAT SHE SEES

Across the ditch, the rear entrance of "McCabe's." McCabe rides in, returning from Bearpaw. He dismounts, ties up and removes the war bag and shotgun from his horse. He does not look up toward Mrs. Miller. In the same ANGLE, we SEE him enter his saloon. CAMERA PANS UP to the shaded window of his bedroom. After enough time has elapsed for McCabe to reach his room, the shade is raised and McCabe appears in the window and looks out. CAMERA ZOOMS SLOWLY AND HOLDS ON him. He makes no gesture nor does the expression on his face indicate his thoughts.

CUT TO:

145. INT. MRS. MILLER'S BEDROOM TWO SHOT DAY

As before, Mrs. Miller is naked under the covers and McCabe wears his long underwear. They have made love, possibly without speaking of anything beforehand except their mutual hunger for one another. As before, too, both have been "brought off." Mrs. Miller is smiling.

McCABE:
You're smiling.

CONSTANCE:
Habit.

McCABE:
Would it kill you to say that you were smiling because you're glad I'm back?

CONSTANCE:
It wouldn't be the truth.

McCABE:
Goddamn you.

CONSTANCE:
I smile because when I was a little girl I thought if I smiled enough I wouldn't get punished. -- And I'm glad your back.

McCABE:
It's funny, I never thought of whores being little girls -- ever.

CONSTANCE:
Did you think we all got scraped off some wall or something? Jesus.

146. ANOTHER ANGLE

She gets out of bed, CAMERA MISSING her nudity. McCabe follows her with his eyes as she slips into a robe.

CONSTANCE:
Why are you staring at me?

McCABE:
Trying to figure how many times you sold yourself while I was gone.

CONSTANCE:
What difference does it make? You really like to put yourself through

(CONTINUED)

146 (Cont.)

CONSTANCE: (Cont.)
 it, don't you? This is a business.
 The suckers don't get no real part
 of me. I lie there for them. Don't
 try to make anything out of it. --
 Haven't you got enough to worry about?

McCABE:
 Plenty. And you don't help me none.

CONSTANCE:
 What did they say in Bearpaw?

McCABE:
 What did who say?

CONSTANCE:
 Are you trying to be funny? -- The
 Mining Company -- what did they say?

McCABE:
 I didn't talk to them.

She can't believe it.

CONSTANCE:
 Then what the hell did you go down
 there for?

McCABE:
 Hire myself a lawyer -- and I got me
 a goddamn good one.

CONSTANCE:
 What for?

McCABE:
 You don't think I'm going to take
 this lying down?

CONSTANCE:
 I couldn't have put it better myself.
 -- You know goddamn well they got to
 get you now.

McCABE:
 I might make a handsome statue, Madame.

CONSTANCE:
 The birds will love it. -- You really
 fixed yourself now.

McCABE:
 Come on back to bed.

(CONTINUED)

146 (Cont.1)

-She thinks about it for a short time and then begins dressing.

CONSTANCE:

Jesus Christ. A hero...

DISSOLVE TO:

147. INT. McCABE'S SALOON

NIGHT

It's more crowded tonight than we have ever seen it. There's plenty of drinking and most of the town has gathered here to drink and gamble. It must be slow at the Whorehouse, for some of the girls are here as well. McCabe is dealing faro and the girls from Mrs. Miller's are filling in at the other tables. Patrick Sheehan enters, drunker than seven hundred dollars, and mean. He staggers up to the bar.

SHEEHAN:

A round for the house on Patrick Sheehan.

He looks around at the customers.

SHEEHAN:

(continuing)

Pretty soon you'll all be back at Old Patrick's -- 'less I decide to take over here.

He spies McCabe at the faro table and, swaying over near to him, stands staring down. McCabe doesn't look up.

SHEEHAN:

(continuing)

McCabe won't stand so tall when they bring some gen-u-ine gunmen in, will he, boys?

McCabe ignores him, but the saloon grows quiet.

SHEEHAN:

(continuing)

I told them all about you. They got the word on you and I'm here to tell all of you that these here professionals they bring in ain't going to be stopped by the likes of Pudgy McCabe..

McCabe looks up..

McCABE:

(deadly quiet)

Good night.

(CONTINUED)

147 (Cont.)

Sheehan miscalculates.

SHEEHAN:

Who the hell do you think you're
goodnighting? You ain't nothin',
Pudgy McCabe.

McCabe rises and moves toward Sheehan, who retreats, backing
toward the doorway.

McCABE:

(hard and cold)

Good night.

CAMERA HOLDS ON McCabe as he tries to piece together what
would make someone like Sheehan come on so strong.

DISSOLVE TO:

148. EXT. PRESBYTERIAN CHURCH McCABE

DAY

He steps from his saloon and moves down the street headed to-
ward the Assay Office. A wagon pulls up the street headed
out of town. McCabe stops to talk with the driver, Tiny
Newcombe. Lily sits beside him on the seat.

TINY:

Going home, McCabe..

McCABE:

Where's that?

TINY:

Somewheres away from here where they
don't know that I can't rassle good.

McCABE:

Good luck.

The wagon moves out. McCabe watches, then moves to the
Assay Office and enters.

149. INT. ASSAY OFFICE

McCabe approaches the CLERK, a rather nondescript government
employee about fifty.

McCABE:

They're short rating all the zinc
loads down in Bearpaw.

(CONTINUED)

149 (Cont.)

CLERK:

I hadn't heard.

McCABE:

Bullshit. -- Just another way of turning the town against me is what it is.

CLERK:

What can I do about it?

McCABE:.

You could write the governor or something. Tell them what's going on. Company cheating our people.

CLERK:

All I do is tell them what it's worth. Man can sell for whatever he sees fit.

McCABE:

(angrily)

Making them take script for it, too. Goddamn it, there's something illegal about that, and you know it.

CLERK:

If you want to make out a complaint, I'll be glad to forward it, Mr. McCabe.

150. VERY CLOSE THE CLERK

CLERK:

Might be some time before we get an answer, though.

Long enough, he is sure, for the complainees to be dead...

151. EXT. STREET

DAY

as McCabe steps out of the Assay Office onto the street. He needs take only a few steps before he realizes that something "ain't nothing but wrong." There is NOT A SOUND, nor is there anyone else on the street. McCabe tenses visibly as he realizes that he has no gun. He ducks back in the direction of the Assay Office, but as he reaches for the knob, the SOUND of the bolt being slipped home stops him. He spins around, an unarmed target for something, -- but what? Back to the wall, he looks up and down the deserted street.

152. P.O.V. McCABE

CAMERA PANS the entire length of the deserted street. No one. Not a SOUND. The blacksmith is not working; nor the grocer, the baker. Nothing. Not even smoke. Presbyterian Church is closed.

153. MOVING SHOT WITH McCABE

He walks up the street. -- He can hardly help but break into a run. When at last he reaches a point opposite his saloon, he takes another look. He is a truly frightened man.

154. P.O.V. McCABE

CAMERA PANS again searching Presbyterian Church for danger, and finding only emptiness.

155. ANOTHER ANGLE

McCabe walks very fast across the street and around the side of his saloon. Safely gaining the rear steps, he climbs them quickly and ducks into his bedroom door.

156. INT. BEDROOM McCABE

He quickly straps on his gun, picks up his shotgun, checks the load and moves to the window. CAMERA FOLLOWS HIS LOOK. The window of Mrs. Miller's bedroom is shaded. No sign of movement.

McCABE:

Shit...

He assures himself that his revolver is riding well in his holster and moves to the door leading down to his saloon.

157. INT. SALOON McCABE

The bartender, without a single customer in the place, is polishing glasses in the f.g. as McCabe moves down the stairs, carefully.

McCABE:

Where's Hey You?

DANNY:

I haven't seen him. -- Come to think of it, I haven't seen a Chinaman all day.

(CONTINUED)

157 (Cont.)

McCabe moves to the faro table farthest from the door.

McCABE:

Have you seen anyone all day?

McCabe is headed for the door, but before he gets there, it bursts open. Brian Kelly and a couple of other miners rush in. They stop dead in their tracks, having damn near run into the business end of McCabe's shotgun. After a moment of relief shared by all...

KELLY:

He's come, McCabe!. He's come!

MINER:

You better get ready. He's on his way.

McCABE:

Who's come?

KELLY:

The Company gunslinger they sent to kill you.

158. ANOTHER ANGLE

There is excited AD LIBBING between the two other miners. They both speak at once so that hardly anything is understood.

McCABE:

You seen him yourself?

KELLY:

Johnny Shields did.

McCABE:

Where is Mr. Shields?

KELLY:

Telling them down at the livery stable.

McCABE:

That's nice.

KELLY:

I come right away, McCabe..

McCABE:

Where did he see him?

KELLY:

On the Bearpaw Trail.

McCABE:

Then he ain't here.

KELLY:

Not yet.

(CONTINUED)

158 (Cont.)

McCABE:

What sort of appearance did this man have?

KELLY:

Big. Sheehan said he was big and mean.

MINER:

What are you going to do, McCabe?

McCABE:

Ascertain what this son-of-a-bitch looks like first.

MINER:

He's a big black-haired fella.

KELLY:

Shields said he's got two guns.

ANOTHER MINER:

Dressed in black like an undertaker.

ANOTHER:

With black and white boots and a white hat, I heard.

ANOTHER:

A black hat with the brim turned down.

McCabe, knowing he's not going to get an accurate picture of the gunman here, moves out.

159. EXT. "McCABE'S" A CONTINUATION

The three men follow McCabe out onto the porch and AD LIB questions that go unanswered as McCabe goes to his horse, mounts and rides out.

AD LIB:

1. He had cold, gray eyes.
2. You're the one who started this, McCabe.
3. This is a responsible community.
4. We don't want the whole town shot up on account of you.
5. Ought to go down and meet him on the trail.
6. Get him while he's asleep...

(CONTINUED)

159 (Cont.)

And as it occurs to the three men that their gunfighter has left town, we

DISSOLVE:

160. EXT. MOUNTAIN TRAIL McCABE DAY

He rides into scene, dismounts and moves to the edge of the trail to look over the side.

161. P.O.V. McCABE WHAT HE SEES

Far down the side of the mountain - easily four or five hours away - a lone rider can be seen riding up the trail...

DISSOLVE:

162. INT. MRS. MILLER'S PARLOR NIGHT

There is no business. Blanche, without any talent, is fooling around with the piano. Eunice is trying to read a well-thumbed magazine and Cindy and Mai Ling have stationed themselves near the front window. Their number has increased. Ida Webster has figured out what she is going to do. They are all nervous, worried, waiting... Blanche hits all the keys at once, closes the lid, stands, takes a cigarette from the pack on top of the piano.

BLANCHE:

Business is rotten -- Connie is having trouble making ends meet.

EUNICE:

I just read that joke in here and smoke your own for crissakes.

She throws down the magazine, takes her pack and moves away. As she passes Ida, seated on a sofa...

EUNICE:

What we really needed around here was another whore. -- What the hell are we going to do for crissakes?

She flops into a chair.

BLANCHE:

The last thing I decided was to come up here. -- I'm going to get something to eat.

(CONTINUED)

162 (Cont.)

Eunice stands and follows her into the kitchen.

EUNICE:

All you do is eat and screw.

BLANCHE:

Hell, ain't it?

163. ANOTHER ANGLE MAI LING CINDY

staring out the window.

CINDY:

It's my night to go over and deal at "McCabe's."

MAI LING:

Solitaire?

CINDY:

Honest to God, it's like a Goddamn undertaker's in there now.

MAI LING:

There's plenty of action over at "Sheehan's."

CINDY:

So?

MAI LING:

We ought to go over there.

EUNICE:

Connie would kill us.

MAI LING:

You can forget about her and McCabe, too. He's going to be dead and we're all going to be Company whores.

CINDY:

I don't know why I listen to you.

MAI LING:

You want to make some money?

CINDY:

No. I'm in this for the romance.

Mai Ling takes some crumpled notes from her cleavage. Not bank notes. She shows them to Cindy.

(CONTINUED)

163 (Cont.)

MAI LING:

Look.

CINDY:

Scrip. Mining Company scrip. What good is it?

MAI LING:

Mr. Sears told me pretty soon we'd be able to use it just like money.

CINDY:

Sears?

MAI LING:

I saw him over in "Sheehan's" back room -- I'm telling you kid, you better start taking care of yourself.

Cindy moves away from her.

CINDY:

You're going to get your ass in a sling, Princess.

She passes Ida on her way upstairs. CAMERA PANS.

CINDY:

How's it feel to be in the big time?

IDA:

(calling after her)

What am I going to do?

CAMERA MOVES in on Ida and HOLDS.

DISSOLVE:

164. INT. McCABE'S SALOON THE OFFICE NIGHT

Where McCabe is seated at a desk-table in semi-darkness, a plate of food uneaten in front of him. He looks up at the c.s. SOUND of footsteps crossing the footbridge between his saloon and Mrs. Miller's. There's a KNOCK at the office door.

McCABE:

Come in, Madame.

. Mrs. Miller enters.

(CONTINUED)

164 (Cont.)

CONSTANCE:
What if I would have been him?

McCABE:
I've learned your footsteps, Madame.

CONSTANCE:
What are you going to do?

McCABE:
Try my best to keep from being
assassinated, if the truth were known.
Are you worried?

CONSTANCE:
I came to do the books.

McCABE:
Oh, yes. The Goddamn books. You must
do the books, for crissakes. I don't
want to leave any loose ends.

She moves to where the books are kept and turns the light up. She sits down and peruses them. McCabe takes his revolver from its holster and begins to spin the cylinder with an annoying CLICKING SOUND.

CONSTANCE:
Do you have to do that?

McCABE:
Yes.

CONSTANCE:
Why don't you get some help?

McCABE:
From who? I'm the gunfighter. I got
the rep. This is my town and my fight.

CONSTANCE:
Hell of a time to decide that. --
What about the Chinamen? You helped
them plenty.

McCABE:
I helped them when it was a help to
me. They don't owe me nothing.

CONSTANCE:
Danny?

McCABE:
Is a bartender...

(CONTINUED)

164 (Cont.1)

CONSTANCE:

See what playing with guns gets you?

McCABE:

Constance, I'll be back -- I'll
thank you to turn the light down
before I open the door.

165. ANGLE ON MRS. MILLER

as she turns down the light. We hear the SOUND of McCabe
leaving without another word. Faint signs of worry appear
on Mrs. Miller's face after the door is closed, and we

DISSOLVE:

166. EXT. MOUNTAIN TRAIL

NIGHT

It is the same observation point from which McCabe first saw
the rider. As before, McCabe moves near the edge and looks
down in the direction he must come.

167. P.O.V. McCABE

Now, far down the trail, but closer, a campfire glows in the
black night.

DISSOLVE:

168. INT. MRS. MILLER'S BEDROOM

NIGHT

Mrs. Miller is in bed. McCabe stands looking out the bedroom
window in his long johns. After a BEAT, he moves to the bed
and climbs in.

McCABE:

He's a cool son-of-a-bitch to camp
down there with me up here. Or maybe
I'm just supposed to think he's camped
down there.

CONSTANCE:

It wouldn't ever occur to you just to
get the hell out of here.

McCABE:

With what? All the money's tied up here.

CONSTANCE:

You could sell out.

(CONTINUED)

168 (Cont.)

McCABE:

Who'd buy now? Whole town knows the Company's coming.

CONSTANCE:

Why not ride down to Bearpaw and tell them you reconsidered?

McCABE:

No. -- When you live in a flat you got to pay the rent. The rent's due now and that's all there is to it.

CONSTANCE:

I don't know what the hell you're talking about.

McCABE:

I don't expect you to understand.

CONSTANCE:

Don't expect me to feel sorry for you, either.

McCABE:

I'm not expecting nothing.

CONSTANCE:

You're afraid to.

Nervous, McCabe again leaves the bed and moves to the window. As he peers out into the blackness seeing nothing - and everything -- we

DISSOLVE:

169. EXT. PRESBYTERIAN CHURCH McCABE DAY

The only person in sight. Not another soul visible. McCabe walks easily down the steps of his saloon and onto the street of his town. He is different than he was in Bearpaw; ready, competent somehow. He looks up the street toward the church. Nothing. He seems to be looking for a place of advantage. He looks around the side of a building, then between two others and each time sees nothing. He starts at the SOUND of a mother calling hysterically for her son, but beyond that - the only SOUND is the CRUNCH of his boots in the dry dirt.

170. ANOTHER ANGLE THE SCENE

McCabe moves to where the main bridge crosses over the ditch. He takes first one position, then another. Each time he

(CONTINUED)

170 (Cont.)

sights the shotgun toward the corner of Elliott's church and each time he decides that the logistics aren't right for ambush.

171. ANOTHER ANGLE

He slips across the street, sighting at an imaginary enemy up near the church. This spot, too, is unsatisfactory. First he moves closer up toward the church, then farther down away from it, and when he has at last decided on the best spot to wait, he moves to his horse, mounts up and rides out.

172. EXT. MOUNTAIN TRAIL

DAY

as before. More carefully now, McCabe peers over the edge.

173. P.O.V. McCABE

Still a few miles down the trail, but climbing steadily, the rider approaches.

174. BACK TO SCENE

McCabe mounts up and rides out.

175. EXT. PRESBYTERIAN CHURCH

McCabe rides in, ties his horse and moves to the spot he has previously chosen for ambush. It is a spot at the corner of a porch facing the street where the rider must pass. McCabe further protects himself by moving a rain barrel around for better concealment and, shotgun at the ready, he settles down behind it to wait, eyes riveted to the corner of the church.

DISSOLVE:

176. TIME LAPSE

EXT. PRESBYTERIAN CHURCH McCABE

It's doubtful he has moved from his position. The town is still silent, empty. McCabe waits, still watching the church.

177. P.O.V. McCABE

The church. Very soon, the SOUND of a horse nearing and a BEAT later a YOUNG COWBOY, riding easily, appears.

178. CLOSER ANGLE THE COWBOY

He is about twenty and there is something strapped to his back that we cannot identify in this ANGLE. The cowboy reins in and stares at something o.s. He smiles, lets out a whoop and, drawing his revolver, he fires a couple of times in the air.

179. ANOTHER ANGLE

He has seen the sign in front of "McCabe's" and is riding to it. In fact, he starts to ride right up onto the front porch in his haste to enter. He does not see McCabe appear behind him, his gun drawn.

McCABE:

Hold it, sonny. -- Drop the gun.

"Sonny" complies.

McCABE:

Now back off the porch and get off that horse. Real easy.

McCabe moves in closer to see the "gunman" is bowlegged, boy-faced, and flustered.

YOUNG COWBOY:

Wait a minute, Mister. -- I don't mean no harm. I'm just so Goddamn glad to get here that I...

McCABE:

What'd you come here for?

YOUNG COWBOY:

I heard there was the fanciest whorehouse in the territory up here, and it's been so long since I done any celebrating...

McCABE:

Pick up your gun and behave yourself.

The young cowboy picks it up, nearly drops it, then shoves it into his holster so far down he'd need help pulling it out.

YOUNG COWBOY:

I'm sure glad you didn't shoot me, Mister. I'd hate to die without busting my cherry first.

McCabe smiles, moving to the porch.

(CONTINUED)

McCABE:

Would have been a Goddamn shame,
sonny. A goddamn shame...

McCabe enters the saloon followed by the young cowboy. As the latter enters, WE SEE that strapped to his back is a banjo, and we

DISSOLVE:

180. INT. MRS. MILLER'S BEDROOM

NIGHT

Both McCabe and Mrs. Miller are fully dressed. She leans against some pillows on the bed, McCabe stands by the window staring out.

McCABE:

Town is dead.

CONSTANCE:

Then stop staring at it.

McCABE:

I want to know when he comes.

CONSTANCE:

You'll know. Half the town told you about that cowboy.

McCABE:

That's where you're wrong, Madame. When he really comes, nobody will tell me.

CONSTANCE:

Are you going to stand there all night looking out the window? It's bad for business.

McCABE:

That's all you think about, isn't it?

CONSTANCE:

It's all I know, Goddammit. And if I'd 've had any sense I would have gotten out of here while the getting was good.

McCABE:

That's the Company whore coming out in you.

CONSTANCE:

I'd rather be a Company whore than a dead Madame.

(CONTINUED)

180 (Cont.)

McCABE:

Mrs. Miller, you give me a pain in the ass, sometimes.

CONSTANCE:

Then go and nurse it in your own bed and stay out of mine.

181. EXT. REAR OF WHOREHOUSE NIGHT

McCabe stomps down the stairs, across the bridge and up the rear stairs of the saloon to his bedroom, slamming the door shut, as we

DISSOLVE:

.182. INT. McCABE'S BEDROOM DAYBREAK

He is asleep. CAMERA is at the foot of his bed. Suddenly, without apparent reason, McCabe sits bolt upright in bed. Fear has awakened him. CAMERA PANS him to the window where, standing carefully so as not to make a target, he looks out, listening intently.

183. P.O.V. McCABE

Toward "Sheehan's." There are three horses tied in front. CAMERA ZOOMS to the nearest horse. Sticking well out of the saddle boot is a very large rifle, a Sharps, its eightsided barrel glinting in the light of the rising sun.

184. INT. McCABE'S BEDROOM

They're here! The knowledge of it -- and the accompanying fear are etched on his face. He makes sure the bolt is in place on the outside door and begins to dress.

185. INT. SALOON

McCabe comes down the stairs, shotgun ready, looking everywhere at once. He moves to the front window and looks down the street. Now he begins to move himself around the saloon as he did on the street waiting for the cowboy. The bar, the stairs, the office door. From each position he tries to determine its relationship and advantage to the front door. Having decided that it's the best possible spot, McCabe moves the faro table to a corner of the room farthest from

(CONTINUED)

185 (Cont.)

the door. No windows behind him. He sits behind the table and looks the place over from here.

186. P.O.V. McCABE

The CAMERA is his eyes. He can see the doorway plainly, both in the mirror over the bar and by turning his head slightly. In one ANGLE, a poker table can be seen between him and the door.

187. ANGLE McCABE

He rises, moves the table so that it's clear of a possible line of fire, takes a final look around before moving to the front door and unlocking it. Satisfied, McCabe returns to the faro table, places the shotgun on the felt surface in front of him, lights a cigar and settles down to wait.

DISSOLVE:

188. EXT. PRESBYTERIAN CHURCH

DAY

as Danny, McCabe's bartender, arrives for work. He senses something amiss while he's tying up his animal to the rail. No one is on the street, though it's mid-morning. He moves toward the open door of "McCabe's," a certain reluctance in his step. He pauses at the threshold without entering.

189. INT. "McCABE'S" ANGLE IN MIRROR

Danny's reflection standing uncertainly at the door peering into the darkened saloon.

McCABE:

Come in, Danny.

Danny enters, not knowing what to expect. CAMERA MOVES off mirror to HOLD Danny and McCabe.

McCABE:

They're here, you know.

DANNY:

Figured it was something like that.
Ain't a soul on the street.

(CONTINUED)

189 (Cont.)

McCABE:

You can go if you want.

DANNY:

They ain't after me, are they?

McCABE:

You after them?

DANNY:

No. -- I ain't no good with a gun, you knew that...

McCABE:

Don't worry about it, Danny. I got the edge today.

DANNY:

Think there'll be any shooting?

McCABE:

Not just yet. More than likely they'll be by to look me over, though. Nobody likes to go into a gunfight blindfolded.

Danny nods "yes" without really knowing why and moves behind the bar.

DANNY:

You want me to serve them?

McCABE:

You got the idea, Danny. Serve them.

DANNY:

I hope I know what I'm doing.

McCABE:

One of them has a buffalo rifle the Indians used to call "shoot-today-hit-tomorrow."

Danny nods to this bit of information as well and starts getting the bar ready.

DISSOLVE:

190. INT. SALOON

NIGHT

They have waited all day. Danny is near the front, looking out the window, ill at ease. McCabe looks as if he hasn't changed positions all day. The cigar in his mouth has gone out. Danny moves away from the window, suddenly looking as if he is ready to wet his pants.

DANNY:

They're coming.

McCabe picks up the shotgun and COCKS it. Danny stands right in the line of fire.

McCABE:

Move away, Danny -- behind the bar. Don't let yourself get between them and me.

DANNY:

I don't mind saying I'm scared to death.

McCabe doesn't answer. Sitting there with a shotgun pointed at the door seems enough. SOUNDS of boots on the steps before the bat-wing doors swing wide open.

"DOC" BUTLER, the leader, is a big, white-haired man of sixty-plus. He has killed many times and enjoyed it. His eyes move very fast and miss nothing. Thumbs hooked in his belt, sleeves rolled up revealing enormous arms. He is unarmed.

"BREED," of either Mexican or Indian descent. He's dressed almost identically to Butler. He's wolf lean, dangerous. He, too, is unarmed. He stands just to the left and a pace behind Butler.

Next to him, "KID" stands. About eighteen, he probably hasn't killed yet and is looking forward to it. His clothes are new and clean and he wears two six-guns strapped to his legs.

Patrick Sheehan brings up the rear.

Butler walks directly toward McCabe, Breed at his side. Kid moves to the far end of the bar, sweating a lot.

McCABE:

That's far enough.

Breed moves to the wall and leans as McCabe COCKS the other hammer of the shotgun. Butler stands about six feet from the table.

(CONTINUED)

190 (Cont.)

BUTLER:

(laughing)

So this is Pudgy McCabe. Ain't that the way you're called? Pudgy?

McCABE:

It's a nomer I've gone by.

BUTLER:

Ain't you the man that killed Bill Roundtree?

McCABE:

That was some time ago.

BUTLER:

Shot him right between the eyes, I hear. He was dead before he hit the floor.

McCABE:

I shot him four times in the chest, and he died for the same reason they all die -- no doctor close enough.

BUTLER:

I'm Dog Butler and I knowed Bill Roundtree when I was a kid in Texas. He was the greatest man alive.

McCABE:

Bullshit. -- Roundtree was from New Hampshire and was never nothin' but a pennyante card cheat.

There's a long BEAT before Butler throws back his head and laughs long and loud.

BUTLER:

Don't you believe that I came here to get back at you for killing Bill Roundtree?

McCABE:

No.

Butler laughs again.

BUTLER:

You're all right, Pudgy. -- You going to buy us a drink, Pudgy?

(CONTINUED)

190 (Cont.1)

McCABE:

First drink of the day's always on me. -- Danny? Put up a bottle and glasses -- one for that scum-bag at the end of the bar, too.

McCabe and Butler size each other up while Kid brings the bottle and two glasses, pouring Bred's drink first. When he pours for Butler, the old killer takes the bottle from him. Kid returns to the bar as before.

191. ANOTHER ANGLE

Butler swallows his glass of whiskey all at once, pours another, and takes a step nearer McCabe to set the bottle on the Faro table. McCabe brings his shotgun up sharply -- to Butler's further amusement.

McCABE:

You don't have no notion that the second drink's on credit, do you?

BUTLER:

How many men have you killed, Pudgy?

McCABE:

Counting Roundtree?

BUTLER:

Yeah.

McCABE:

One.

Butler seems to really be getting a kick out of McCabe. When he recovers from this latest knee-slapper,

BUTLER:

Give me one of them cigars, Pudgy.

McCABE:

Danny? -- Give Mr. Butler one of my cigars.

192. ANOTHER ANGLE MIRROR

While Butler turns his back on McCabe and walks toward the bar, he keeps his eyes on him in the mirror. McCabe's shotgun follows him unerringly. Butler takes a cigar and lights it.

(CONTINUED)

192 (Cont.)

McCABE:

Give Mr. Butler's friends cigars,
too.

They all take one but the Kid. Butler moves back to the Faro table, lifts a chair up with two fingers. He's still testing McCabe, and when he tenses, Butler pulls the chair back and sits in it heavily.

193. NEW ANGLE FAVOR BUTLER

He blows cigar smoke in the air and begins to recite.

BUTLER:

Let me see, now, Pudgy McCabe.
You still carry that trick
derringer in your wrist?

McCabe says nothing.

BUTLER:

(continuing)

No. -- You probably gave that up.
How about your handkerchief or
under your hat.

McCabe merely smiles.

BUTLER:

(continuing)

Oh, that's right Pudgy. You got
that special Colt in that special
holster, ain't that right?

McCABE:

You got your money on the right card.

KID:

McCabe thinks he's some pumpkins.

McCABE:

Be careful not to let your voice
crack when you're talking tough,
Sonny.

BUTLER:

He is some pumpkins, Kid. Throw a
derby or coffee in your face and go
for his gun when your hands went for
your eyes. He's a smooth talking Yankee.

(beat)

But you never went near no big towns,
no big camps, no place where you might
see a first class gunman, did you? (CONTINUED)

193 (Cont.)

McCABE:

Never did want to kill nobody again.

BUTLER:

Well now ain't that nice? Ain't that nice, Breed? Ain't it nice to be up against a considerate man like that, Kid?

They both smile, nodding their approval. Butler stands up and leans over the table, disregarding the shotgun that has tracked him.

BUTLER:

(continuing)

Well I ain't like that, Pudgy. I like to kill. Wolves and buffaloes and antelopes and Indians and men. -- You know what I do when I'm out on the prairie and there ain't nothing in sight to kill?

McCABE:

I wouldn't have no idea.

BUTLER:

Why, I wait until one of them prairie dogs sticks his head up and then I splatter that head all over the prairie. I waited a whole afternoon once.

BREED:

(beat)

I wait with him.

Butler laughs, rewarding Breed with his approval. The Kid is unsure whether to laugh or not.

McCABE:

Any of them prairie dogs ever shoot back?

Butler laughs again, pours another drink, tosses it off and sets down the glass.

BUTLER:

We ain't paying for these drinks, Pudgy.

He moves away again toward the bar, past the Kid, who steps out between Butler and McCabe. McCabe moves quickly away from the table to an angle where Butler can't escape the shotgun's blast. Danny ducks behind the bar. Butler sees McCabe's advantage in the mirror.

(CONTINUED)

193 (Cont.1)

McCABE:
What do you do, Butler? Get a new
kid for every job?

The Kid stands uncertain, ready to draw if Butler gives the word, yet knowing he'll be dead when he does. Breed, out of the limelight, stoops slightly trying to reach his boot.

McCABE:
(continuing)
Don't try it.

SHEEHAN:
(blurting)
You told me there wasn't going to
be no fight today.

BUTLER:
Maybe we changed our minds.

Butler moves further to one side of the Kid. Apparently it will all be over at any moment. The Kid moves a bit, drawing the shotgun toward him. Over the bar a sign reads: "GENTLEMEN WILL NOT SPIT ON THE FLOOR; OTHERS MUST NOT."

KID:
I just spit on your floor.

Showdown!

194. ANOTHER ANGLE

McCabe moves his shotgun off the Kid and points it directly at Butler.

McCABE:
If this young man hawks up another,
I'm going to give you a new asshole.

Butler thinks about it briefly before he moves over and puts his arm around the kid.

BUTLER:
That rifle of mine shoots eight
hundred yards, Kid. Let McCabe
think about that for awhile, --
Then we'll kill him.

He moves his head and Breed responds immediately, heading for the door. Butler and the Kid follow. The Kid goes out and Butler turns back.

(CONTINUED)

194 (Cont.)

BUTLER:

Pay for the whiskey, Sheehan.

He can't get the money out fast enough. Some change spills to the floor, but Sheehan doesn't turn back. Butler looks at McCabe, takes his cigar and throws it into a brass spittoon.

195. ANGLE SPITTOON

The cigar HISSES, makes a little steam, and we:

DISSOLVE:

196. EXT. "SHEEHAN'S" SALOON

DAY

as Butler, Kid, Breed, Sheehan move out onto the front porch. Breed slouches against the door, Kid sits down on the steps and Sheehan pulls a chair out for Butler, who sits and looks over the town.

197. EXT. THE STREET P.O.V. BUTLER

At the far end of the street, TWO MINERS are riding around the corner of the church. That is damn near the extent of the activity as only the most essential tasks are being taken care of by the population of Presbyterian Church.

198. BACK TO SCENE

Butler turns to Sheehan.

BUTLER:

Get my rifle.

Sheehan enters the saloon.

KID:

What are you going to do Butler?

BUTLER:

Unless I miss my guess, this town probably thinks McCabe backed us off last night. We're going to start converting Presbyterian Church.

Sheehan returns with the rifle. Butler takes it, checks the load and brings it to his shoulder, still seated.

199. WIDE ANGLE

The two miners have reached a spot just about parallel with "McCabe's." TWO GUNSHOTS are fired by Butler, neatly picking off the miners' hats. The shots have caused one of the mounts to rear, tossing one of the miners to the ground. The other miner immediately wheels his horse around and rides out leaving his companion in the street. He hears them laughing down at "Sheehan's" and realizing that it's just a prank, moves to pick up the hats. They have fallen near one another in the street. But as the miner reaches to retrieve it, TWO MORE GUNSHOTS ring out sending the hats skittering away out of reach.

200. INT. McCABE'S SALOON

McCabe stands looking out the door, he hasn't shaved, nor has he dressed with his usual care. Danny rises from behind the bar, where he has ducked down when the shooting began.

DANNY:

What was that?

McCABE:

I make it about two-hundred yards.

McCabe moves to the bar.

McCABE:

(continuing)

Sign ready?

Danny draws a final line on a crude sign, after which he holds it up and we can read:

"NO GUNS WILL BE WORN INSIDE"

DANNY:

Aren't you afraid that'll bring them in here?

McCABE:

I'm afraid it won't, if the truth were known.

Danny looks like he just received a ransom note.

DANNY:

You want them to come?!

McCABE:

I'll sit on this side of the room today. -- They expect me to be over there.

(CONTINUED)

200 (Cont.)

He has moved to the opposite side of the saloon, making sure the advantage here still lies with him.

McCABE:

I don't think Butler will go for it or the Breed -- but that Kid's got a one-track mind. -- What's the matter, Danny?

DANNY:

Listen Mr. McCabe, no offense, but seeing how business is pretty slow, I'd...

McCABE:

You'd like to quit.

DANNY:

Yes, sir.

McCABE:

Well you sure don't owe me nothing, Danny. If you'd hang that sign outside on your way out...?

DANNY:

Hell yes, Mr. McCabe -- and I'll fix them steps the way you want. -- I just don't want to be in here.

McCABE:

I'll take care of it. Catch up with you some time, Danny.

Danny hesitates, delaying his exit for a BEAT.

DANNY:

Mr. McCabe? -- I got three days wages coming...

He can hardly be faulted for that. As McCabe moves to get Danny's money, thinking probably that if the shoe were on the other foot he'd do the same, we

DISSOLVE:

201. EXT. SHEEHAN'S SALOON

The group, still amused at the antics of the miner. Butler puts the rifle up.

(CONTINUED)

201 (Cont.)

KID:

If it was up to me, we'd go in there right now and get him good.

BUTLER:

You don't start nothing until I say to. Nothing Pudgy would like better than to have it out in his own saloon. Now them two miners ain't going to be taking sides with McCabe. What we're going to do is put on a little show here every day until McCabe ain't got a friend in the world. -- This is going to be done my way, Kid -- don't you forget it.

202. INT. McCABE'S BEDROOM

The bureau has been pushed against the door as a barricade. McCabe can see the front of Sheehan's place from here.

203. EXT. SHEEHAN'S SALOON P.O.V. McCABE'S

The three gunmen and Sheehan. Very soon Mai Ling and Cindy are seen climbing onto the porch. Butler remains seated as Breed, Kid and Sheehan follow them into the saloon. Butler sits calmly looking over the town.

204. ANGLE McCABE

McCABE:

Goddamn whores.

He swings his eyes to look at Mrs. Miller's bedroom window.

205. P.O.V. McCABE'S

Mrs. Miller's bedroom window shade has been drawn.

DISSOLVE:

206. EXT. SHEEHAN'S SALOON

DAY

Butler and Breed are seated on the front porch of the saloon. Kid stands on the other side of the pond, some cans and bottles on the ground beside him. Breed has a shotgun and Butler his long Sharps. The Kid throws a bottle up in the air, draws with his right hand, and smashes the bottle in mid-air.

Several small boys and a few men are watching from the livery stable, very much impressed with Kid.

Now he picks up a can, throwing it up in the air, drawing and hitting it as before except that this time his bullet has sent the can soaring higher. In the b.g. Breed sees the can in mid-air, whips the shotgun up and sends it even higher -- only to be topped by Butler who hits the can squarely with a bullet from his Sharps sending it higher still. And the procedure is repeated.

207. INT. McCABE'S BEDROOM

DAY

McCabe, red-eyed from lack of sleep and unshaven, lies on top of his bed staring straight up listening to the SOUNDS of the gunfire. The shotgun is beside him on the bed.

DISSOLVE:

208. INT. McCABE'S BEDROOM

NIGHT

He's standing at the window looking out toward "Sheehan's." SOUNDS of laughter and fun coming from inside. Lack of sleep and tension are taking their toll on him. He picks up a heavy knife, moves the bureau away from the door, and opens it carefully.

209. INT. OUTSIDE McCABE'S BEDROOM

NIGHT

McCabe has dropped to his knees and crawls out on to the stairway on all fours. He moves down the steps about halfway and, alert to the slightest sound, McCabe takes the knife and loosens one of the wooden steps. He crawls back up to the landing but, as he starts to reenter, he sees something inside his bedroom which causes him to claw at his Colt.

210. WHAT McCABE SEES

A pair of man's boots.

211. BACK TO SCENE

McCabe almost fires, until he realizes that the boots are his own. He continues into his bedroom.

212. INT. SALOON

McCabe moves down the inside stairs carefully, drum-tight. Another RIGGED STEP SQUEAKS as he moves downstairs and heads for the office. McCabe will have plenty of warning if they try for him in his bedroom.

213. INT. OFFICE

NIGHT

Just enough light leaks in from the saloon for us to see that this room, too, has been barricaded, the table shoved against the outside door. McCabe moves to the window and stares out, listening intently.

214. INT. SALOON McCABE

Moves to another of his positions of advantage, shotgun in his lap and sits. CAMERA MOVES IN CLOSE to see his eyes dart from side to side. The only SOUNDS which can be HEARD comes from the patrons of "Sheehan's."

DISSOLVE TO:

215. INT. McCABE'S SALOON

DAY

In the same position, shotgun still across his lap, McCabe is fighting sleep - and losing until the SOUND of a running horse brings him quickly to the ready. He rushes to the window and peeks out.

216. P.O.V. McCABE'S

Kid has ridden up the street and now wheels his horse around, riding back down it past "McCabe's" at a full gallop. As he crosses in front of the saloon, he draws and fires TWO GUNSHOTS toward the saloon. CAMERA HOLDS on the sign Danny put up. The "I's," in the word "INSIDE" have been neatly dotted.

217. ANGLE ON McCABE

He moves away from the window and toward the bar and a bottle. He looks like hell. No derby, unshaven, clothing

(CONTINUED)

217 (Cont.)

rumpled and dirty; a McCabe we have never seen before. He pours himself a glass of whiskey and starts to drink it, but catches his reflection in the bar mirror and stops, the glass mid-way to his mouth. CAMERA FOLLOWS his look as he moves closer to the mirror for another look. From o.s. the SOUND of the gunfire resumes with the occasional SOUND of the shotgun followed by the SOUND of the Sharps. McCabe, staring directly into the mirror -

McCABE:

Shit...

He moves toward the stairs leading to his bedroom. Again he walks on one of the steps rigged for SOUND. The SQUEAK causes him to spin around and bring up his shotgun, before he realizes what made the noise, smiles, shakes his head and moves into his bedroom.

218. EXT. STREET

Kid SHOOTS a few more bottles and cans while a handful of men and boys watch from the livery stable. After a few shots he tires of it and moves to the front porch of "Sheehan's" where he joins Butler and Breed.

KID:

Ain't we about ready to take that tin horn? I'm tired of shooting bottles.

BUTLER:

Take it easy, Kid. Won't be long now.

Butler rises, moves into the saloon. Breed and Kid stand alone on the porch.

KID:

Goddamn! We're supposed to be making McCabe nervous, and I'm about to jump out of my skin.

Breed nods his head toward the street. Kid follows his look.

219. P.O.V. WHAT THEY SEE

The young cowboy riding around from the whorehouse and past "Sheehan's."

220. BACK TO SCENE

Breed and Kid move off the porch and all three men come together on the street. The young cowboy is packed and riding out of town, his banjo strapped to his back.

KID:

Play us a tune, cowboy.

The cowboy reins in and smiles engagingly.

YOUNG COWBOY:

Hell, I can't play this thing. --
I just tote it around.

KID:

Let me see it.

He slips it off and hands it down to Kid. He takes it, holds it as though he were going to play, then deliberately RIPS OUT the strings. He looks up toward the cowboy. Breed laughs.

KID:

Damn.

He sees the rope tied to the cowboy's saddle horn.

KID:

(continuing)

Let me see you do a rope trick.

YOUNG COWBOY:

I don't know how to do any.

KID:

What the hell can you do?

YOUNG COWBOY:

I ain't learned nothing too good yet.

Kid takes a couple of paces back from the cowboy.

KID:

Can you shoot?

BREED:

Butler won't like this.

KID:

Fuck Butler. -- Can you shoot, cowboy?

(CONTINUED)

220 (Cont.)

YOUNG COWBOY:

(smiling)

Hell, yes, I can shoot. -- I just never hit nothing, that's all.

KID:

Hell, it's probably your gun. --
(he smiles)

Let me take a look at it for you.

The young cowboy, never dreaming he is about to die, reaches for his gun to hand it over. Kid draws, fast as lightning, and puts four bullets into the young cowboy who pitches off his horse into the street, dead before he leaves the saddle.

KID:

Son-of-a-bitch tried to draw on me...

221. INT. McCABE'S BEDROOM

NIGHT

McCabe, dressing in his finest. Eyes clear, shaved, hair slicked back, gleaming collar and cuffs. He sets his derby in that jaunty angle, takes a final look at himself in the mirror and moves out of the bedroom. He is completely unarmed.

222. EXT. McCABE'S SALOON

NIGHT

He steps from the porch and moves toward the SOUNDS emitting from Sheehan's saloon.

223. TRUCKING SHOT McCABE

as he walks along, knowing he's in danger, yet determined to carry it out. When he has reached the front of "Sheehan's," he stops and takes a hard look for signs of ambush. They're all inside.

224. ANOTHER ANGLE McCABE

He strikes a match and lights a cigar. The match illuminates the dead body of the young cowboy sprawled in the street in the same position he died. McCabe needs no second look to realize he's dead. He lights the cigar and moves toward "Sheehan's."

225. INT. "SHEEHAN'S"

Mai Ling and Cindy are flirting and laughing with Kid and Breed, their backs to the door. Sheehan is behind the bar and Butler is seated at a table, a bottle of whiskey at his elbow. McCabe enters the saloon and stands in the doorway for a BEAT before anyone sees him. Butler sees him first and smiles, wondering what the hell McCabe is up to. Sheehan sees him soon after and his face is crossed quickly with fear. Seeing it, Kid turns around, reaching for his guns out of habit -- but they are not there and there is a great bruise around his eye, and his face is swollen grotesquely. Breed turns around and glides away from Kid, positioning himself against the wall to the rear of Butler.

BUTLER:

(laughing)

You got me to thank for your life, Pudgy. If I hadn't taken my Kid's guns away...

KID:

I ain't no kid of yours.

McCABE:

This conversation's for grown ups, sonny. Find something to do.

BUTLER:

He stays.

McCabe shrugs. Walks in carefully, displaying the fact that he's unarmed.

McCABE:

Guess I don't have to ask who shot down that cowboy.

Mai Ling and Cindy start to move toward the door.

McCabe tips his hat, careful to show Butler there is no gun in it.

McCABE:

(continuing)

Please stay, ladies. -- I came over to buy the house a drink.

Sheehan is greatly affected by McCabe's audacity.

SHEEHAN:

Don't believe him -- it's a trick.

McCABE:

Set 'em up.

(CONTINUED)

225 (Cont.)

Sheehan looks to Butler who nods. Sheehan sets up glasses and pours. McCabe proposes a toast.

McCABE:

(continuing)

Gentlemen, I give you Presbyterian Church.

All drink.

BUTLER:

Hell, Pudgy -- I was figuring on taking it, tomorrow.

McCABE:

I make it to be tomorrow my own self.

SHEEHAN:

I propose a toast to the departure of Mr. McCabe.

McCABE:

Sorry, boys, -- can't drink to that one.

SHEEHAN:

Hell, you don't think you'll come out of it alive, do you?

McCABE:

Everything accounted for, I'd say the odds against me were fifteen-to-one.

SHEEHAN:

Fifteen-to-one! You sure don't rate yourself too high now, do you?

The first part of this remark is directed at Kid.

McCABE:

Hell I'm bound to take somebody with me. -- I make the odds fifteen-to-one against me not getting shot. Shot good. And you gentlemen know that the mining company ain't going to send no doctor up from Bearpaw.

Sheehan calculates the odds, then looks around the room.

SHEEHAN:

Ain't it nice the man's giving up the true odds. -- Who's gonna take them?

(CONTINUED)

225 (Cont.1)

McCABE:

I am.

Butler rises, crosses to McCabe.

BUTLER:

What are the odds of you getting out
of here alive?

McCABE:

Good. Damn good. You're supposed
to make a fight out of it, Butler.
Make the Company look good. If you
don't, you probably won't get your
money.

BUTLER:

How do you know I ain't been paid
already?

McCABE:

From the Company? -- Not on your
tintype. --- Besides, if you had
any money, I believe you'd take the
bet.

(to Sheehan)

You seem to like the odds, why
don't you bet them?

BUTLER:

I'd say that at fifteen-to-one, you
all got a pretty good bet.

SHEEHAN:

Hell, I couldn't cover fifteen-to-
one -- not with all the money he
stole here.

McCABE:

Tell you what I'll do, Sheehan.
I'll take five-to-one that I get
every one of these sons-of-bitches.

BUTLER:

That's an even better bet.

SHEEHAN:

How much will you bet?

McCABE:

Five hundred dollars to your twenty-
five hundred.

(CONTINUED)

225 (Cont.2)

Cash? SHEEHAN:

Cash. McCABE:

SHEEHAN:
Hell, I don't have no sum like that
on hand. I might could scrape up
fifteen hundred dollars.

McCABE:
Get it.

SHEEHAN:
Where's yours?

McCabe pats his jacket pocket, moves to the table and
spreads his money on top. Sheehan moves into the back
room.

McCABE:
You wish to be included, Mr. Butler?

Butler moves to the table.

BUTLER:
I do have a little set aside for
my old age. I'll let you hold it
for awhile. Five hundred.

McCabe covers Butler's five hundred with a hundred of his
own. The Kid moves to the table.

KID:
Who's going to hold the stakes?

BUTLER:
Dealer holds the stakes, Kid.

KID:
What if he tries to run out with
it?

BUTLER:
(grins)
We'll think of something.

KID:
I'll take twenty-five.

BREED:
Me, too.

(CONTINUED)

225 (Cont.3)

Sheehan returns with his money.

SHEEHAN:

Twelve hundred in cash and three hundred in gold..

He spills it on the table. McCabe counts and stacks it expertly while Butler stands smiling.

McCABE:

Four hundred and ten.

He counts it all out, then stacks the entire Presbyterian Church wager and stuffs it into his pocket. McCabe pours a drink, tosses it off, sets his derby, smiles.

McCABE:

Gentlemen?

He turns toward the door, Butler right with him. When they reach the threshold, Butler speaks confidentially, tapping the pocket where McCabe put the money.

BUTLER:

You keep the money right there, Pudgy. So's I'll know whose body to take it off of...

McCABE:

I'll see you tomorrow.

BUTLER:

You might... You know Pudgy, I got a good look at your woman...

McCabe exits, ignoring the implication, and we,

DISSOLVE TO:

226. EXT. FOOTBRIDGE

NIGHT

As McCabe, armed now with both his pistol and shotgun, moves warily across the distance between his saloon and Mrs. Miller's. It has begun to rain and McCabe wears a slicker. He climbs the stairs and knocks at the door, at the same time twisting the knob. The door is unlocked and McCabe enters.

227. INT. MRS. MILLER'S BEDROOM

NIGHT

She is on the bed fully clothed -- as though she were waiting for him. McCabe removes his slicker, revealing

(CONTINUED)

227 (Cont.)

that he's still very well dressed. Mrs. Miller is glad; relieved to see him.

CONSTANCE:

You look nice, except for that damn pistol. And a shotgun. Jesus! Couldn't you leave it home on your...

Their eyes meet. Neither wants to complete the sentence.

McCABE:

It wouldn't do no good, Constance.

CONSTANCE:

I guess not. Especially since that bet. Why did you have to go and make that bet?

McCABE:

Don't make no difference. I'm a gambler, Constance. Might as well sweeten the pot, make it good.

CONSTANCE:

I don't know how you got the nerve to go over there.

McCABE:

Did I ever tell you about the time that I got caught by Indians?

CONSTANCE:

You are crazy.

McCABE:

They came up on me, but I had smelled them first so when they came I was smoking a cigar. They walked around me for awhile acting crazy so I raised my hand. I told them I was sorry, but I couldn't fight them right now until after I had finished my cigar, but that when I was through, I'd be crossing the river downstream about a half-a-mile. I knew them Indians wouldn't pass up no chance for an ambush, so when they went down there, I rode out the other way.

CONSTANCE:

What the hell has that got to do with anything?

(CONTINUED)

227 (Cont.1)

McCABE:

Just showing you that it ain't
easy to massacre me.

CONSTANCE:

What should I do, make a side bet?

McCABE:

I don't want you to worry none.
No matter what happens, they ain't
going to be in no shape to bother
you.

CONSTANCE:

Me? -- What the hell could they do
to me that hasn't already been done.

McCABE:

You got a worried look on you.

CONSTANCE:

You son-of-a-bitch, don't you
think I could be worried about
you?

McCABE:

This is no time for an argument.

McCabe takes out his pistol and checks it; then begins
flipping it from hand to hand.

CONSTANCE:

(shouts)

Will you, for crissakes, put that
thing away!

McCABE:

I didn't know it meant that much.

CONSTANCE:

You know I hate the goddamn thing!

He puts it away.

McCABE:

I'm sorry.

CONSTANCE:

I bet you are.

McCABE:

I mean it. I'm really sorry,
Constance.

(CONTINUED)

227 (Cont.2)

CONSTANCE:

It doesn't make any difference now. I tried all I know to get you to leave.

McCABE:

I ain't no good at saying I'm sorry. I ain't never been this close to somebody.

CONSTANCE:

I told you, it doesn't make any difference.

McCABE:

It does to me.

This last, somehow soft.

McCABE:

(continuing)

You better take them clothes off and get under the covers.

CONSTANCE:

You didn't get any invitation.

McCABE:

I'm asking for one, now. If I knew how to do Romeo and Juliet, I'd do it. --- And please turn the lights down, too.

She dims the light very low. They are little more than silhouettes, now.

228. ANOTHER ANGLE

As they undress together in the near darkness. CAMERA, as before misses their nudity, avoiding it, not coming close to it really, as IT MOVES from figure to figure as they undress together. She pauses in her undressing.

McCABE:

Please don't stop. I got things I have got to say to you.

CONSTANCE:

It's just that you never asked me anything nicely before.

She resumes undressing and slips under the covers.

229. CLOSE McCABE

He is undressed except for his long johns. Though the light is dim, we see that McCabe's hand is poised at the top button of his underwear. He begins to unbutton.

230. CLOSE MRS. MILLER

She has been holding her breath to see if he will remove his longs. He slips under the covers and snuggles against her tightly.

CONSTANCE:

John. You don't have to say another word.

McCABE:

If it were daytime, I'd go and pick you wild flowers. -- Turn the light up a little. I want to see you.

She reaches up and turns it a little brighter. His arms are around her and one hand strokes her hair. He feels something irregular.

McCABE:

(continuing)

Just here your hair feels funny. I've never felt it before.

CONSTANCE:

I was working with a whiskey wagon one winter and there was no place to sleep except outside. It got frozen to the ground and they had to chop it with an axe.

He kisses her hair right there. And then her eyes and her shoulder and her lips and her ears and she kisses him back.

CONSTANCE:

John. Now!

McCABE:

Listen to me, Constance. Listen to me. I got poetry in me if you would only listen to me. -- All my life I been walking around with a block of ice inside me. I've wanted to feel your body warm for me sometimes so bad that the ache for it nearly busts me. I never wanted to do nothing but put a smile on your face. Oh God, how I

(CONTINUED)

230 (Cont.)

McCABE: (Cont.)

hate for them bastards to put their hands on you. Jesus, how I used to hate being over there when I knew some son-of-a-bitch was with you over here. Oh, God, Constance -- you ain't nothing but the best looker I ever seen...

But the words, THE words, just don't come. He's trying to say "I love you" and trying not to say it too. Constance reaches up and dims the light again.

CONSTANCE:

Love me, John. Love me...

and they begin, CAMERA MOVING AWAY from them, FLOATING, MOVING to the window and the pouring rain and the rain's SOUND mixed with those of McCabe and Mrs. Miller...

DISSOLVE TO:

231. INT. MRS. MILLER'S BEDROOM

NIGHT

It is still raining. McCabe stands at the window looking out toward his saloon thoughtfully. He's fully dressed including slicker and carries his shotgun. Behind him, Mrs. Miller is asleep on the bed. He turns and looks at her for a time, then opens the door and steps out into the rain. CAMERA TRUCKS with McCabe as he moves carefully down the steps, ducking under them when he gets to the bottom and looking intently through the rain toward his saloon. He stares for a long time trying to determine if everything is as he had left it.

232. P.O.V. McCABE'S

Through the steps, CAMERA is McCabe's eyes. A light shines behind the shade in his bedroom. Other lights have been left burning within the saloon. No movement can be seen behind any of the windows. CAMERA searches for signs of ambush and finds nothing.

233. ANGLE McCABE

Moving out and toward the foot bridge, its wetness reflecting the tiny amount of light from the saloon. McCabe decides not to use it and he slides down the side of the muddy ditch, filling now from the steady rain, and scrambles up the bank on the other side.

234. ANOTHER ANGLE

McCabe runs silently to the dark wall between the office door and the stairway leading to his bedroom. He stops there and stares up toward his bedroom door trying to look through it. Finally he moves to the stairway, but stops just short of stepping up to move around on the ground and check the STEP he had raised the other day. It has been depressed. The weight of something has forced it almost back to the step's original position. McCabe moves away back to the step's original position. McCabe moves away from the stairway, CAMERA PANNING, and reenters the ditch.

235. INT. "McCABE'S"

236.

237.

THREE CUTS. OF KID, waiting in the saloon, dividing his time between watching the door for McCabe's entrance -- and watching himself in the mirror above the bar. OF BREED, standing to one side of the office window, shotgun pointed toward the door. OF BUTLER, seated on McCabe's bed, the long Sharps between his legs, its butt resting on the floor.

238. THE DITCH

As McCabe moves away from the saloon, the town's main bridge spans the ditch some yards from "McCabe's." He moves under it in the muddy water and scrambles up the slippery bank on the other side.

239. ANOTHER ANGLE

McCabe crouches at the corner of the Main Street side of the bridge. His saloon is behind him now, down to his right. He looks around carefully, then moves out.

240. NEW ANGLE FROM THE CHURCH

as McCabe crosses the street on the dead run, opens the church door and enters quickly.

241. INT. CHURCH McCABE

Out of breath, feeling hunted, he leans back against the door listening for the slightest sound of danger. Nothing. Now he begins to look around the inside of the church and a look of amazement crosses his face.

242. ANOTHER ANGLE

Elliott's church is nothing more than a shell, a facade. There is no floor, no pews, no pulpit. Absolutely barren, except for a ladder. The ground has not even been cleared. Stumps and boulders are still there and in one corner a messy area can be seen where Elliott sleeps. McCabe moves to the ladder and looks up.

243. P.O.V. McCABE'S

The ladder leads to the bell tower.

244. BACK TO SCENE

If McCabe has thoughts about Elliott's church, they will have to be examined later. He starts to climb the ladder, but finds it impossible to negotiate carrying the cumbersome shotgun. He leans it against the bottom of the ladder and climbs.

245. BELL TOWER

The highest point in the town of Presbyterian Church. From here, McCabe can see the town as he has never before seen it.

246. P.O.V. McCABE'S WHAT HE SEES

His saloon and the other buildings along Main Street are facing him. Across from them, the abandoned mines, the government building at the far end. "Sheehan's" saloon can be seen across the pond at one end of Main Street. Following along the back street up from "Sheehan's" he sees the livery stable, a few dwellings and shops, the rear of Mrs. Miller's "house" separated from "McCabe's" by the ditch. The bath house, the mines beyond it, and the shacks of the Chinese section down the slope. There is no movement of any kind.

247. WITH McCABE

Most of his energy is concentrated on his place. It's beginning to grow lighter. Rain has slowed. Gray day.

248. INT. McCABE'S BEDROOM

Butler grows impatient. He stands, moves toward the door leading to the saloon.

249. INT. SALOON WITH KID

He has just drawn and shot down several imaginary foes in the mirror. Butler appears at the top of the stairs, watching.

BUTLER:

Any of them faster than the cowboy?

He moves down into the saloon.

BUTLER:

(continuing)

Breed!

He appears from the office.

BUTLER:

I'm tired of waiting for the prairie dog to poke his head up.

KID:

I knew he'd leave town when he got that money.

BUTLER:

(ignores him)

He's here somewhere. I know it. We're going to have to get out and find him. But first I want to shoot up the place.

Without a word, Breed steps to the center of the room and fires his SHOTGUN into the mirror, destroying it. Kid, following his lead, puts on a brilliant SHOOTING exhibition using the bottles on the back bar for his targets. Butler sits calmly watching them as they systematically shoot up and destroy "John Q. McCabe's."

250. EXT. BELL TOWER McCABE

Listens stoically as his place is shot to pieces. When the firing stops, McCabe looks down toward his saloon.

251. EXT. McCABE'S SALOON

DAYBREAK

The three men move out onto the street.

BUTLER:

We'll split up. Move around the town from different directions.

252. P.O.V. McCABE'S

He's too high up to hear, but Butler's gestures make it plain that they are splitting the town up between them for the search. Butler and Breed leave Kid on Main Street and walk across the bridge, splitting up on the other side of it. Breed will begin his search at Mrs. Miller's, and that whole street, and Butler apparently will begin his in the Chinese section.

253. ANGLE McCABE

His eyes follow the direction we have seen Butler take. Now they move in the opposite direction..

254. P.O.V. McCABE'S

Breed, as he moves down from Mrs. Miller's street, beginning his search on the opposite side of the street, gliding in and out of shadows, shotgun ready, missing nothing. CAMERA MOVES OFF him, PANS TO MAIN STREET where Kid can be seen beginning his search. CAMERA ZOOMS TO KID as he moves away from CAMERA, his back to us.

255. BELL TOWER McCABE

He's looking in the direction of Kid calculating the risks of getting him first. He makes up his mind and steps down onto the ladder.

256. BOOM SHOT WITH McCABE

as he climbs down the ladder and into the eerie hollowness of the church itself. He reaches the bottom and reaches around for the shotgun.

257. ANOTHER ANGLE CLOSER

McCabe crouches down feeling the dirt floor to see if it has fallen. He can't find it. His face clouds, expression puzzled. He rises, CAMERA MOVING WITH HIM. As McCabe turns away from the ladder, ANGLE WIDENS TO REVEAL the SHOTGUN, held by someone unseen. It is pointed directly into McCabe's face, about three inches away. McCabe cannot tear his eyes from the yawning holes of the double-barrelled shotgun. McCabe's life begins to flash in front of him. When we can no longer stand it, and the gun is not fired, nor a word spoken, McCabe raises his eyes.

(CONTINUED)

257 (Cont.)

McCABE:

Give me that shotgun, you bible-back son-of-a-bitch. What the hell do you think you're doing?

258. ANOTHER ANGLE

To see that Elliott is holding the shotgun - and wanting to pull the trigger. He doesn't relinquish it.

McCABE:

Listen Elliott, I need that gun. Those men will kill me if I don't have that gun. I mean it, I can't get close enough to them if I don't have that gun. Goddammit, what are you going to do?

Elliott pushes the shotgun closer to McCabe, who moves back against the wall.

259. ANGLE ON McCABE

Shotgun barrel in the f.g.

McCABE:

If you pull that trigger, it's going to bring this fight right in here. I'll be dead, but those three men will come shooting. They'll put holes in your church, Elliott. Shoot out the windows, bullets will tear up the door. They already done the same thing to my place when they knew I wasn't in there. What do you think they'll do if they think I'm in here. Give me the gun. -- I'll take the fight away from here. They won't shoot it up if I'm gone -- can't you see that? -- For crissakes Elliott, give me the gun!

260. ANOTHER ANGLE

Elliott pushes the barrel into McCabe's face, forcing him toward the door. When both men have moved near it, Elliott gestures with the shotgun for McCabe to leave.

McCABE:

This is the same as killing me. I can't go up against them without the gun... It's murder. That's a sin...

(CONTINUED)

260 (Cont.)

The next gesture Elliott makes with the gun is one that convinces McCabe that he better leave while he can. He makes a gesture with his hands as if warding off something, turns and exits quickly.

261. CLOSE ELLIOTT

as he raises his eyes toward heaven with great triumph.

262. EXT. CHURCH

McCabe allows himself a moment of great relief, but only a moment. His slicker makes too much noise now that the rain has diminished some. He shucks it off, moves to the corner of the church and takes his gun from his holster. He looks at it for a beat; the hand gun is all he has.

263. WIDE ANGLE

McCabe peeks around the corner and looks down the street toward Kid, whose back is to McCabe as he stands peering between two buildings, having moved only scant yards from where we last saw him. McCabe carefully sights his Colt in Kid's direction.

264. CLOSER ANGLE McCABE

He would like to put a bullet in the kid's back, but the distance is too great. He looks o.s. toward the corner of the bridge.

265. WIDE ANGLE

Kid doesn't turn around as McCabe is seen in the far b.g. running across the street to gain the cover of the bridge. Kid moves off down the street a few paces.

266. ANGLE McCABE

Again he has sighted Kid's back, but the few paces he has moved down the street again increased the distance too much for a shot.

267. P.O.V. GUN BARREL

as it is sighted on the Kid's back. McCabe raises the barrel, sighting over the Kid; an impossible shot.

268. ANGLE McCABE

Realizing that he must again close the distance between them. He looks long at the Kid trying to anticipate his moves.

269. ANGLE KID

His guns are drawn and he nervously cocks and re-cocks them.

270. ANGLE McCABE

It is the SOUND of the guns being cocked that helps McCabe make up his mind to try and cross behind him.

271. WITH KID

Standing still now, watching, cocking and re-cocking, tensed to spin around at the slightest sound. Behind him, McCabe runs from the cover of the bridge, trying to cover the SOUND of the mud sucking at his boots by timing his steps to the SOUND of the Kid's fiddling with his guns. When McCabe takes one too many steps and the SOUND of the mud sucking after his boots is startling. Kid hears it. He cocks both his guns, but there's a moment when the Kid is afraid to turn around -- and afraid not to.

272. WIDE ANGLE

McCabe has his gun out at arm's length in front of him. When he cocks it, the SOUND triggers Kid into spinning around, but his eyes don't find McCabe in the rain before McCabe fires.

273. ANGLE KID

Hit in the stomach by McCabe's bullet. He falls backward.

KID:

(groans)

Oh.

Both his guns fire as he hits the ground and he tries repeatedly to get back up.

274. WIDE ANGLE

McCabe is running as fast as he can toward the barber shop, the mud sucking at his boots, the only SOUND since the gunfire.

275. ANGLE BUTLER

In the Chinese section as he hears the shots and runs in the direction of them.

276. ANGLE BREED

Stepping from the shadows on the other street, darting across it at the side of the whorehouse and running across the foot bridge.

277. ANGLE McCABE

He has reached the boards in front of the barber shop, but just as he steps up, the mud nearly pulls his boots off. In the near b.g., Kid, covered with mud, hat off, propped up on one elbow steadying his gun hand with the other, FIRES. The bullet hits McCabe in the leg. He falls, gets to his feet, forces the lock off the barber shop door and literally falls inside.

278. INT. BARBER SHOP McCABE

He crawls to the barber chair, pulls himself up into it and holds his leg, grimacing with pain. Blood pours from the wound.

279. EXT. STREET BUTLER

Runs across the bridge. He stops to look down the street, then runs to the corner of the church. Covered now, Butler peeks around the corner for a look.

280. P.O.V. BUTLER'S THE STREET

About half-way down, Kid lies moaning in the street. Breed comes in sight and starts to move across the street.

281. ANOTHER ANGLE

Butler sees him.

BUTLER:

(yelling)

Stay on that side, you son-of-a-bitch!
He's on this street, I know it. --
I'll take the other side.

282. ANOTHER ANGLE BUTLER

At the front of the church as Elliott, attracted by the shouting, blunders outside. A lantern is in his hand and the shotgun. Butler turns and FIRES immediately, one shot.

283. CLOSE ELLIOTT

Butler's bullet has struck him vitally. As life drains from his eyes,

ELLIOTT:

You fucking son-of-a-bitch.

You fucking son-of-a-bitch.

You fucking son-of-a-bitch.

You fucking son-of-a-bitch.

He falls backward against the door of the church, his lantern smashing against it, and kerosene-fed flames licking at the wooden timbers.

284. WIDE ANGLE

Butler leaves the church without looking back, running down Main Street on the opposite side of "McCabe's", where Breed can be seen cautiously passing the shot-out windows. Butler waves him further down.

285. ANOTHER ANGLE KID

In the f.g., his leg kicking uncontrollably.

KID:

God help me. Please God, help me...

Butler moves in near him, looking everywhere at once. Behind them the church is beginning to show signs of fire.

BUTLER:

Where is he, Kid?

KID:

Help me. Help me.

BUTLER:

Sure. Sure. Where is he? Just point.

KID:

Get me a doctor. It hurts.

(CONTINUED)

285 (Cont.)

BUTLER:
Just show me where he went.

KID:
Help me. Help me.

BUTLER:
Shit...

His pleas for help continue, grow fainter, then vanish over the following:

286. ANOTHER ANGLE

Butler moves to a building for cover. He watches Breed, moving down the street on the other side.

287. P.O.V. BUTLER'S

Breed is one building away from the barber shop and moving slowly toward it.

288. INT. BARBER SHOP McCABE

He has lost an enormous amount of blood. It drips steadily on the floor beneath the barber chair where he is still seated. Outside, the day is very gray without sunlight and McCabe can see the fire of Elliott's church reflected in the windows across the street. Something else he sees causes McCabe to spin the chair around.

289. P.O.V. McCABE'S

CAMERA HOLDS, then ZOOMS TO THE WINDOWS ACROSS THE STREET. And Breed's reflection in the glass as he approaches the barber shop. He takes several steps, then stops. Several more, then stops.

290. INT. BARBER SHOP WITH McCABE

He's waiting. Gun pointed through the glass where Breed must pass.

291. EXT. STREET WITH BREED

He has gained the corner of the barber shop -- then suddenly

(CONTINUED)

291 (Cont.)

he seems to lose his place. He walks along right in front of the glass, looking down at the footprints and McCabe's blood spilled at the doorway. -- Then he realizes, too late, that he is standing in front of the window. He turns, as though to face the bullets that McCabe pumps into him, sending him staggering out into the street.

292. INT. BARBER SHOP

Hobbling, bleeding badly, McCabe struggles for the back door, finding it locked from the outside. McCabe throws his weight against it and it gives.

293. EXT. BARBER SHOP REAR DOOR

as it splinters, and McCabe loses his balance and pitches into the mud, the pain more than he can bear, and groans out loud with it. He struggles to his feet, dropping his gun.

294. EXT. STREET BUTLER

Hearing the door and able to pin-point McCabe because of it. He races up the street toward the bridge.

295. EXT. DITCH AREA McCABE

He and Butler are moving in the same direction. The ditch is more shallow here than it is behind his place.

296. ANOTHER ANGLE

McCabe running, falling, bleeding, almost unrecognizable except that his derby has somehow remained on his head. In the b.g. the burning church can be seen and the reflection of it dances in the ditch water.

297. WIDE ANGLE

Include the bridge, the church, the footbridge, "McCabe's" -- and McCabe struggling to stay alive. Butler appears on the bridge, the fire behind him making him look omnipotent. He brings his Sharps to his shoulder and FIRES. McCabe pitches into the ditch and lies still in the shallow water of it. Butler can't see him well enough to fire again and runs off the bridge toward him.

298. ANOTHER ANGLE

Butler runs to the spot where McCabe pitched into the ditch. Nearing the edge, he keeps his rifle ready, but looking down, decides it isn't necessary. Patrick Sheehan appears on the bridge in the b.g. and runs toward the ditch, when Butler sets down the Sharps.

299. ANGLE ON McCABE

Derby floating upside down in the dirty and reddening water, McCabe is grotesquely sprawled in the filthy ditch, apparently lifeless.

300. ANOTHER ANGLE BUTLER, McCABE

as he steps down into the ditch, laughing. He turns McCabe over in the ditch so he can reach the pocket where he knows the money is. Butler sees the instrument of his death a moment before it kills him. The sleeve of McCabe's right arm has concealed, until now, a tiny derringer held in a device often used by gamblers. The bullet from it enters Dog Butler's brain through the eye and he dies with the smile on his face.

301. ANOTHER ANGLE WIDER

Sheehan rushes to the ditch, as McCabe starts to pull himself out of the mud. He can't believe McCabe is alive.

McCABE:

Sheehan -- You never was much of a gambler.

Sheehan, in a frenzy, picks up the Sharps and fire it into Pudgy McCabe.

302. INT. WHOREHOUSE UPSTAIRS

as Cindy knocks repeatedly on Mrs. Miller's bedroom door. Finally she opens it and looks in, then closes it and moves down the hall. Blanche sticks her head out the door of her bedroom.

CINDY:

Where's Mrs. Miller?

BLANCHE:

She isn't here.

(CONTINUED)

302 (Cont.)

CINDY:

Somebody ought to tell her McCabe
is dead.

BLANCHE:

She isn't here.

She closes the door.

303. EXT. CHINESE SECTION .

DAY

A Chinaman moves into a half-wood, half-tent building.

304. INT. BUILDING

It is a crude version of the kind of opium den we saw earlier
in Bearpaw. The Chinaman addresses the "Chef:"

CHINAMAN:

(in Chinese)

You will have a lot of customers today.
McCabe got killed a little while ago.

Of the foregoing, the only word we have understood, is
"McCabe." The "Chef" nods and moves with a lit pipe toward a
bed, CAMERA FOLLOWING. It's Mrs. Miller's second pipe of the
day, at least, for she is oblivious to her surroundings.

CUT TO:

305. INT. BARBER SHOP

as Sumner Washington carries in the filthy and shattered body
of John Quincy McCabe and sets him in the barber chair.
Several men have followed him in, AD LIBBING their garbled
account of what happened. ANOTHER MAN rushes in from the
street.

MAN:

What are you going to do?

SUMNER:

I am going to give Mr. McCabe a
fresh shave.

MAN:

Throw a bucket of water on him, for
crissakes. They want him over to
'Sheehan's' for pictures.

306. EXT. "SHEEHAN'S SALOON"

McCabe is propped up in a chair in the f.g. CAMERA PULLS BACK TO REVEAL a PHOTOGRAPHER working inside a black cloth.

PHOTOGRAPHER:

Hold still.

307. ANOTHER ANGLE PAST McCABE TO SHEEHAN

A small group of townspeople are gathered.

SHEEHAN:

Nobody's gotta worry no more.
This sin't gonna be no one-man
town like it was. Company'll be
coming in and there's gonna be the
good life like it was before he
came.

(beat)

I'll be acting for the Company and
you know you can always get a square
shake from Patrick Sheehan.

(beat)

When you done with the pictures, a
bunch of you carry old Pudgy over to
the ice house. We gonna run him down
to Bearpaw and make some money come
winter...

308. CAMERA MOVES OFF RISING, PANNING until it stops once
again to view the remains of yet another corpse as it
was when first we saw it. Presbyterian Church.

FADE OUT.

THE END