

FADE IN:

EXT. WOODS

The Rangers plunge into thick woods. Branches slap at them, but the sound of gunfire keeps them going. Captain Malcolm is still in the lead, flanked by two young men who are obviously brothers. The big, handsome one is COLE YOUNGER; the skinny one with the lopsided hair is BOB YOUNGER.

EXT. WOOD'S EDGE

They break through the other side of the woods, emerging behind a rickety set of fence-post fortifications. Instantly GUNFIRE tears apart the trees around them. The Captain's horse goes down, and the Younger brothers dive and roll to hide beneath the palisade.

The Captain, still alive, has fallen beyond the wooden shield. Cole scrambles through the savage rifle fire, grabs Captain Malcolm, and hauls him behind the fortification.

CAPTAIN MALCOLM

(bellowing)

Fall back into the woods! Out of
your saddles before you're shot out
of 'em!

The Rangers leap from their saddles as a new sound starts -- a dull roar that grows and approaches and BBRRRRAPPPPP as, unbelievably, trees EXPLODE INTO SPLINTERS and horses and men go down in a heap!

COLE

Gatling! They've got a Gatling!

BOB

Dammit, this stopped being fun
about two years ago!

Some men are crawling to the fortifications, others are staying in the woods. The Captain pokes his head up to take a look. With him WE SEE

EXT. ANOTHER HILLSIDE

At the top of which, about a hundred fifty yards off, is a three man Gatling crew. Squads of Union soldiers are beginning to make their way down the hillside. And just to their right is an EIGHT INCH CANNON with a burning fuse --

EXT. FORTIFICATIONS

CAPTAIN MALCOLM

DOWN!

BOOM! And with a whistle the cannonball TEARS THROUGH the forest and EXPLODES just behind the Rangers. Some of the men are screaming from injury and panic.

CAPTAIN MALCOLM (CONT'D)

Cole! Bob! You boys okay?

COLE

Hell, take more than a cannon to kill the Younger brothers, sir!

BOB

I think the cannon's doing a pretty good job, Cole.

A full-blooded Indian, COMANCHE TOM, crawls up next to them.

COLE

Some Indian tracker you turned out to be, Tom.

COMANCHE TOM

You pay me to find you Bluecoats. There they are.

ANOTHER ROUND from the Gatling chews up the trees and fencing, driving their heads down.

CAPTAIN MALCOLM

They're using the Gatling and the cannon to cover their advance. We're pinned unless we take them out!

Cole peers through the rails.

COLE

Those gunners are too far away...

CAPTAIN MALCOLM

Get me the James boy.

COMANCHE TOM

You want Jesse?

CAPTAIN MALCOLM

Not Jesse, the one who can shoot.

Comanche Tom rolls back to the edge of the woods.

COMANCHE TOM

FRANK!

EXT. WOODS - A FEW YARDS BACK

Among the squatting men a single one STANDS UP. FRANK JAMES is tall with a dark, thoughtful face. He looks sadder than his 23 years should allow. His hand is wrapped around a longbarrel Enfield 30.

FRANK

Jesse.

The long rider behind him turns around. He's JESSE JAMES, 20. He's too damn good-looking and he's got your best friend's eyes. There's a coiled energy to him, and right now he seems more angry than afraid. Next to him is WEB MIMMS, 15, who is terrified and trying not to show it.

FRANK (CONT'D)

Watch Web.

WEB

I don't need watchin'!

JESSE

Web, I bring you back dead and your sister'll kill me. Now shut up and lie there.

(then)

Careful, Frank. And make sure Bob and Cole are okay.

EXT. FORTIFICATIONS

Loose shots spitting up dirt and wood chips everywhere. Frank crawls up, nods to the Youngers, peers through the stacked wood. Another EXPLOSION from the cannon.

FRANK

Cannon or Gatling?

COLE

Both would be nice.

FRANK

Soon as I hit one, the other'll know and beat us up.

CAPTAIN MALCOLM

Cannon.

Frank raises his head just high enough to poke the Enfield over the stacked fenceposts. Everyone else is flinching from the suppressing fire. Frank is perfectly still. Squinting, aiming, perfectly centered ... BANG.

CUT TO:

EXT. CANNON STATION

As the Captain of the six man crew SNAPS BACK and hits the ground dead. Before the others can react, two more grab their throats and drop. The remaining soldiers bolt from the cannon.

But the Gatling crew swings the gun around and the barrels BLAZE.

CUT TO:

EXT. FORTIFICATIONS

Frank and the others hit the dirt as the Gatling shreds the fenceposts, fells trees, churns the ground, stitching a path of destruction across the bulwarks and into the woods where

EXT. WOODS

The Gatling rounds are everywhere. Rangers jerk as the Gatling tears them apart. Jesse grabs Web to his chest and swings around, shielding the boy with his own body. When the fire pauses for a moment. Jesse looks down -- he's covered in blood. He lets Web fall away. Blood bubbles up from where the boy's chest used to be.

JESSE

Hell no...

Jesse's trying to stop the blood with his bare hands.

WEB

Aw, Jesse.

(crying)

I never even got to be with a girl.

Web dies.

Jesse sighs. He's seen too much death to cry anymore. He stands up, pivots, and strides for the fencepost barrier. Rifle fire is zipping through the air all around him, but he keeps walking.

EXT. FORTIFICATIONS

Frank, the Younger brothers, Comanche Tom and the Captain are all still there. Captain Malcolm peers through the wall.

CAPTAIN MALCOLM

They're getting closer.

Jesse arrives, slaps Cole's shoulder. Cole grins grimly.

COLE

'Bout time you got here, buddy.

JESSE

What's going on?

FRANK

Every time I put my head up to hit that Gatling, they try to shoot it off.

JESSE

So we got a plan?

BOB

My plan of lying here pissing myself seems to be working mighty fine, thank you.

FRANK

I can hit those boys from here. We just need a distraction.

JESSE

(smiling)

A distraction? Well, why the hell didn't you just say so?

Jesse sprints back into the woods. Cole, Bob, and Frank exchange looks.

BOB

He's smiling.

COLE

Never a good thing.

FRANK

This ought to be interesting.

ANOTHER ROAR from the Gatling pushes their heads down, but as that sound fades, another blends in, growing louder and louder, the SOUND OF HOOFBEATS

ANGLE ON

The men at the fortification, turning to face the woods, their faces stunned as JESSE JAMES ON HORSEBACK AT FULL GALLOP EXPLODES from the woods, heading straight at his own men and at the last second LEAPS OVER THE BARRIER, and as he does Jesse leans back in the saddle to let the wind strip off his longrider coat, revealing for the first time his GUNS -- two Colts at the hip, a crossed bandolier on his chest with two cross-holstered Colts at the shoulders, and two Colts in the small of his back.

And for that one second as Jesse and the horse are in

mid-air and the longrider coat trails behind him like leather wings and his guns gleam blue in the sunlight, Jesse James is the Angel of Death.

EXT. HILLSIDE

The horse hits the ground running. The Union troops are in shock as Jesse draws both his hip Colts and starts firing.

JESSE

Come on, ya Yankee bastards!

His GUNS BLAZING, Jesse rides straight at the Bluecoats. Five, six are down before they can even react. They start firing back, but they can't draw a bead. Two more are down. Jesse's making every bullet count.

ANGLE ON

The Gatling gun as the crew swings it around and FIRES, hundred of rounds tearing straight at Jesse

ANGLE ON

Jesse who incredibly cuts the horse hard left using just his knees, still shooting as the Gatling volley goes wide, actually killing two of the Union soldiers behind Jesse.

But then the arc of fire takes Jesse's horse in the rump. The horse falls, but Jesse dives off, still firing, killing another two soldiers. Then he hits the ground, rolls, and is up and running, dropping the spent Colts and drawing the two shoulder guns in one smooth motion, never interrupting his shooting.

EXT. FORTIFICATIONS

Frank sees the Gatling swing away from him. He stands and --

EXT. HILLSIDE

-- BANG as the Gatling triggerman drops, BANG as the ammo-feeder goes down, and BANG as the third man falls before the echo of the first shot clears.

EXT. FORTIFICATIONS

Cole is the first one on his feet.

COLE

WAAAHHHHOOOO!! We're coming Jesse!

CAPTAIN MALCOLM

Charge!

With a ragged cheer the RANGERS ERUPT FROM THE FOREST, some

actually on horseback, firing at the exposed Union troops.

EXT. HILLSIDE

Soldiers are swarming Jesse, but he's moving, turning, an untouchable blur in the chaos. As he drops two more empty Colts and reaches for the last two at his back, a SOLDIER just an arm's length away BRINGS UP A RIFLE.

JESSE

Oh, you do not!

Jesse grabs the rifle barrel and drives the butt straight back into the soldier's nose. The Union boy falls, releasing the gun. Jesse swings the rifle in a smooth arc, bashing another soldier in the jaw, and then spins it effortlessly into his opposite hand and FIRES it point blank into another Union soldier.

ANGLE ON

The Rangers PLOWING INTO the Union soldiers. Rattled, the Union troops are beginning to break and fall back.

ANGLE ON

Jesse as another nearby soldier draws a revolver. Jesse snags his hand, twists it, wrapping the man's arm backward around Jesse's waist. With the other man still gripping the weapon, Jesse FANS THE HAMMER as he turns, shooting six more Union soldiers as they try to rush him. With a final yank, Jesse pulls the Colt from the man and crashes it down on his skull.

ANGLE ON

the Union soldiers in full retreat.

EXT. THE GATLING STATION

The few remaining Bluecoats break and run as Jesse reaches the Gatling. Suddenly a FIGURE LEAPS UP from behind the Gatling and FIRES his rifle. A bloody streak tears Jesse's cheek and he stumbles onto his back. With a cry, the figure jumps forward and buries his bayonet in Jesse's chest!

Jesse gasps, then, puzzled, looks down. The bayonet has lodged right in the "X" of the ammo belts on his chest, stopped by the bullets and leather. Jesse kicks. As the Union soldier is knocked back, Jesse smoothly snap-kicks to his feet and draws both remaining Colts. He pulls up short.

It's a fifteen year old boy, Web Mimms in a blue uniform. There's a deadly pause.

JESSE

You ain't even been with a girl,
have you?

The boy shakes his head. Jesse waves him off with the guns.

JESSE (CONT'D)

Git.

The boy scurries off. Jesse turns and lopes down the hill.
Instantly he's surrounded by cheering Missouri Rangers.

EXT. HILLSIDE

The Rangers move past Jesse. Jesse suddenly realizes Frank
is there. They fall into step together.

JESSE

Distracting enough for you?

FRANK

Pff. They hardly even noticed you.

JESSE

So you're saying I could have done
more to attract their attention.

FRANK

Mm-hmm.

JESSE

Such as?

FRANK

You could have worn one of those
big, floppy woman's Easter Sunday
hats.

JESSE

That would have made an impression.

FRANK

I figure.

JESSE

See, that's your problem, Frank. By
the time you finish figuring out
stuff, I'm already finished doing it.

FRANK

No, Jesse, your problem is you're
always doing stuff before I'm
finished figuring it out.

Cole, Bob, and Comanche Tom RIDE UP on their recovered
horses. Cole jumps down and picks up Jesse in a bear hug.

COLE

Wait'll we get back to Missouri,
start telling those gals about how
little Jesse James charged the whole
Union Army by himself!

COMANCHE TOM

You ride like a Comanche.

BOB

You can ride like that?

COMANCHE TOM

I said like a Comanche, not this
Comanche.

Cole mounts up, reaches down a hand to Jesse.

COLE

Ride with me, cousin?

JESSE

I could use the walk.

COLE

Suit yourself. We'll have some
horses waiting for you at the road.

(then)

Let's ride, Rangers!

Cole slaps leather and the Rangers canter off. As they
disappear we hear:

BOB

(low)

Now, I would just sound stupid
saying something like that...

Jesse and Frank watch them go, then start walking again.

JESSE

(finally)

Web's dead.

FRANK

I reckoned.

JESSE

Hell of a war.

FRANK

I'm sure it seemed like a good idea
at the time.

EXT. ROAD - DUSK

The James brothers, the Youngers, and the other Rangers ride down a dirt road toward a ragtag column of Confederate soldiers. The grey uniforms are ghostlike in the twilight. The men are obviously broken, dispirited. The column stretches down the road and around a bend as far as the eye can see.

Jesse and the other Rangers ride into the midst of the Confederates who part and flow around the horsemen like a slow-moving river.

For a moment, nobody speaks while the whole eerie procession glides past.

COLE

Where you boys going?

JESSE

There's Yankees back there. Lot's of 'em.

One grizzled Confederate VETERAN, his arm in a bloody sling, looks up at Jesse.

VETERAN

War's over, son. General Lee surrendered yesterday at Appomattox.

The soldiers move on. The Rangers stare into the middle distance of despair. Cole rubs his hands across his face.

FRANK

Yesterday.

BOB

Well, somebody better go tell THE DAMN YANKEES!

COLE

What do we do now?

Jesse seems to be the only one with a clear head.

JESSE

Home. We go home. We ride like hell to get there, and we kill anything or anyone that comes between us and our homes. And when we get there we stay there and God help any fool who tries to get me to leave my farm again.

BOB

(pause)

Best damn plan I heard all war.

Jesse jerks his reins, and the last remaining survivors of the Missouri Rangers trot off into the sunset.

MONTAGE

-- Jesse, Frank, the Youngers and Comanche Tom riding hard down country roads, past burned out farms.

THE RIDERS

Are struggling through a downpour in a pitch black night, one of the horses slipping, going down.

BLAZING SUN

On a dusty road, the Youngers sharing a horse now, everybody just trying to keep moving.

EXT. HILLTOP - DAY

Jesse, Frank, Cole, Bob, and Comanche Tom are looking down on the frontier town of Liberty, Missouri.

FRANK

Hello, Liberty Missoura!

JESSE

All this time in the saddle... We get to the farm, I'm going to shoot this damn horse just on principle.

COLE

Never thought that pissant town would look so pretty.

BOB

Anywhere nobody's shooting at me is pretty.

JESSE

Home, boys. Back to our farms.

COLE

Planting corn. Harvesting corn. Year after year.

BOB

Corn gonna shoot at me?

FRANK

Nope.

BOB

Then I love it.

They start to ride down into town.

COLE

Tom, why don't you stop at our spread before you head on out to the reservation? Figure we might have some work for you, if you want.

COMANCHE TOM

Hmm. Go back to the reservation and get drunk in a dirt shack, or work for you...

COLE

Well?

COMANCHE TOM

I'm thinking...

Cole throws a playful punch at Comanche Tom.

EXT. LIBERTY STREET - DAY

The gang is riding into the main stretch of town. They're grinning, happy to be home, until --

JESSE

We got problems.

DOZENS OF UNION SOLDIERS are walking along the boardwalk, lingering near the saloon, all suddenly staring at the riders.

COLE

What the --

FRANK

Must be a garrison in town. We're in occupied territory, boys.

Cole is returning stares.

JESSE

Hands off your hip, Cole.

COLE

You're not scared, are you?

JESSE

Pick your fights, cousin. You taught me that.

BOB

It gets worse.

There in the center of town, is a brand new scaffold. Three bodies, fresh ones, are hanging from the nooses.

FRANK

Jesus mercy, that's Charlie
Higgins, Dave Laller ...

BOB

... Will Perry ...

COLE

They rode with Quantrill's Rangers.

The riders stop at the scaffold, take off their hats.

JESSE

Looks like Web Mimms wasn't the
only casualty this town's got.

FRANK

We better go to Doc's, see what's
going on here.

COLE

I'm cutting them down.

Cole starts to dismount. Jesse grabs his arm. The Union
Soldiers have started to form a crowd

JESSE

Not now.

COLE

What is wrong with you?

JESSE

(low)

In case we have to kill these
sonofabitches, I don't want them to
see us coming.

Cole thinks, nods. They ride away from the scaffold.

BOB

Cole, I want to get to the farm,
make sure Little Jim and the girls
are okay.

FRANK

Stop by our spread after that, tell
our Ma we're all right. We'll go to
Doc Mimms.

The Youngers and Comanche Tom split off, start to trot away.

COMANCHE TOM

I think I may just go on to the
reservation.

BOB

Tom, I'm this close to coming with
you...

EXT. MIMMS HOME - DAY

Jesse and Frank ride toward a handsome white two-story
frame house that stands in a grove of elm trees.

ANOTHER ANGLE

They dismount and walk up to the porch. A FARM HAND in a
cowboy hat is nailing a rail onto the porch.

JESSE

Scuse me, we're here for the Doctor.

The farm hand turns and pulls off his hat -- her hat. She's
a chestnut-haired beauty in her late teens, ZERELDA MIMMS.

ZEE

Jesse! Frank!

She hugs both of them enthusiastically. Jesse is obviously,
immediately smitten.

JESSE

Zerelda? Little Zee Mimms?

ZEE

You were little Jesse James when
you left.

JESSE

But you got big!

Zee arches an eyebrow.

JESSE (CONT'D)

I mean, you aged --

Zee arches both eyebrows.

JESSE (CONT'D)

I mean, I mean, in a good way you
got big and older.

Zee tilts her head. Jesse's mouth moves, but nothing comes
out, until

JESSE (CONT'D)

Frank, don't you have something to
say?

FRANK

You're doing just fine.

JESSE

(pulling it together)

Zee, we got to talk to you and your father.

DOC MIMMS, a grey-haired man wearing rimless spectacles, steps out of the doorway.

DOC MIMMS

Frank, Jesse.

(looking)

Where's Web?

ANGLE ON

A LONG SHOT of the Mimms house. We can see, but not hear, Jesse talking. A beat, then we hear Zee CRY OUT. Doc Mimms staggers, SLUMPS DOWN in the door frame. Jesse and Frank rush to help him.

DISSOLVE TO:

INT. PARLOR - A WHILE LATER

The room is comfortable and elegant in a simple way. Doc Mimms is slumped in a big chair. Zee, her eyes red, is pushing a glass of sherry into his hands. Jesse and Frank sit across from him.

JESSE

-- rode right into them, screaming like a banshee.

DOC MIMMS

My little Web did that?

JESSE

Pff. He jumped his horse clear over our heads, killed a dozen Union soldiers before they knew what hit them.

Jesse looks at Frank, urging him on.

FRANK

Whyyyy... he took down the Gatling gun and the cannon all by himself.

JESSE

Saved all our lives, Doc. None of the Liberty boys would have come home if not for Web Mimms, Doc. God's honest truth.

Doc is fighting back tears, but proud.

DOC MIMMS

Web died fighting?

JESSE

Died a hero.

ZEE

(quietly)

But still died.

JESSE

If there's anything we can do for you, Dr. Mimms. We want to help.

DOC MIMMS

Start thinking about yourselves. You, the Youngers, Clell Miller, all of you. Don't end up like Charlie. They found out Charlie rode with Quantrill's Raiders. They arrested him, tried him by military tribunal and hanged him this morning.

FRANK

I thought there was general amnesty.

DOC MIMMS

For soldiers, yes. But if you rode in one of the partisan bands, they'll hang you for treason. And you boys are in more danger, because you've got a farm.

Jesse and Frank don't understand.

ZEE

Daddy, don't start with this again.

DOC MIMMS

Zerelda, it's no coincidence. The railroad men come through, offering to buy up land. Nobody sells. Then they start hanging men who own farms for treason?

FRANK

You're saying the railroad's got the Army doing it's dirty work?

DOC MIMMS

Rich men in Washington, don't matter if they wear a tie or a uniform, they're all the same.

JESSE

All we thought about was coming home. I swore I'd kill anybody who tried to get me off my farm again. If I have to go to war with the railroad to stay, fine by me.

FRANK

Think about this. If we just come up with a story and stick to it, we should be all right.

JESSE

What kind of story are they going to believe?

ZEE

Hmm. You were in the Confederate Army with General Hood's Texas Army until... say Sharpsburg, then you were reassigned to General Jeb Stuart's cavalry until you surrendered in Tennessee.

Pause. The men stare at Zee. Up goes the eyebrow again.

JESSE

That just might work.

FRANK

Maybe, maybe...

DOC MIMMS

Now go on to see your Ma. She'll be glad to see her sons alive.

(choking)

And for her sake, stay that way.

EXT. MIMMS HOME - MINUTES LATER

We see Frank and Jesse mount up. Zee is at the door seeing them off.

FRANK

We'll be back on Saturday with Cole and Bob, give you a hand with the repairs.

ZEE

Thank you. For everything. Especially that story you told my father.

Jesse is about to object, but Zee raises a hand.

ZEE (CONT'D)

I'm going to go cry now, so I don't
have time for your lies. But I'll
see you Saturday.

Zee kisses her fingertips and extends them to the boys,
then disappears into the house.

CLOSE ON:

Frank shaking his head as they ride away.

FRANK

That Zerelda turned into a hell of
a woman, eh --

WIDEN TO REVEAL Jesse's not next to him. Frank turns.
Jesse's still staring at the door. Frank rides back, takes
Jesse's horse by the reins. As Frank turns Jesse's horse
and leads it away, Jesse's head keeps pivoting, fixed on the
door. After a moment, Jesse turns to look forward, taking
his reins.

The brothers ride away slowly.

FRANK (CONT'D)

"Big and older"?

JESSE

You can shut up now.

FRANK

You are a charmer.

JESSE

I swear I'll shoot you in your
sleep.

FRANK

Next time try "fat and haggard."

Jesse pulls down his hat and groans into it.

EXT. JAMES FARM - DAY

Jesse and Frank ride up. Out of the farmhouse bursts MA
JAMES, a big, rugged frontier woman who is absolutely
hysterical.

MA

My boys! My boys!

She hauls Jesse and Frank clean out of their saddles.

MA (CONT'D)

My boys are alive!

FRANK
(strangling)
Not if you don't ease up a bit,
Ma...

She looks at both at arm's length.

MA
Did you kill Yankees?

JESSE
A fair number, Ma.

MA
Say your prayers?

FRANK
Every night, Ma.

MA
Good. Now get inside and wash up
for dinner.

INT. JAMES HOME

Jesse and Frank enter, surprised to find Cole, Bob, Comanche Tom, and a gawky 15 year old JIM YOUNGER all eating at their kitchen table.

FRANK
Well look at Jimmy Younger. You're
all grown up.

JIM
(mouth full)
Mmmph-hmpph.

BOB
(sheepishly)
Your Ma wouldn't let us leave until
we ate something.

COLE
That was two hours ago.

MA
I don't see clean plates.

The men dutifully return to the meal. Jesse nods his head at Comanche Tom.

JESSE
(quiet)
Ma, I'm glad to see you being nice
to our Injun friend.

MA

He's a good Christian and he killed Yankees. Jesus told me that made him an all right boy.

Ma WALKS OFF.

FRANK

She's still talking to Jesus.

JESSE

What worries me is that Jesus is talking back.

EXT. JAMES FARM

We can hear the laughter from inside the lit house. Night falls and

DISSOLVE TO:

EXT. JAMES FARM - DAY - A FEW WEEKS LATER

Like a time-lapse film we see the surrounding trees have filled out, the stone fence is repaired, the shabby paint redone in sparkling white. Jesse and Cole, shirtless, are driving a post into a hole. Frank STEPS OUT of the house and joins them.

JESSE

You ever notice Zerelda's eyes?

COLE

She got two of them.

FRANK

I think one of 'em's glass.

COLE

Which one, right or left?

FRANK

The brown one.

JESSE

(to Cole)

You talk big for a man who screwed another man back in Atlanta.

Frank laughs as Cole raises the shovel to strike Jesse.

FRANK

Oh, Lord, the dance hall girl at Buntty's...

COLE

Sadie was not a man!

JESSE

She had a moustache.

COLE

She was European!

JESSE

All right, calm down. I'll agree
Sadie was a woman --

Jesse and Frank swallow their laughs.

JESSE (CONT'D)

-- if you stop saying things about
my Zee.

FRANK

Your Zee? Hmm.

(quoting)

"From women's eyes this doctrine I
derive: they sparkle still the right
Promethean fire; They are the books,
the arts, the academes, that show,
contain, and nourish all the world."

COLE

I have no idea what you just said,
but it sounded real nice.

FRANK

Shakespeare.

(pause)

He's European.

COLE

Ah.

JESSE

You want to write that down for me
so I can say it to Zee?

The post finally drops straight into the hole. Jesse and
Cole shrug into shirts and grab a pitcher of lemonade.

JESSE (CONT'D)

Thanks for the help.

COLE

After all you did on our farm?

(sips, then)

You miss it, don't you Jesse?

JESSE

The war? What, are you crazy?
(beat)
There are things I miss about it.

COLE
It was exciting.

JESSE
But it was a whole lot of killing.
Why should we miss that?

COLE
Because we were good at it? Hell,
we were great at it. Jesse, don't
tell anyone I said this, because
everybody knows I'm the toughest man
in this town, but you are one
terrifying sonofabitch with those
guns.

JESSE
(regretful, but not)
Yeah.

Frank looks at Jesse thoughtfully. Then all three notice

ANGLE ON

A BUGGY that stops at the edge of the property. Ma STEPS
OUT onto the porch next to Frank to meet:

A man in a suit, ROLLIN PARKER, and three riders who
dismount and flank Parker: two DETECTIVES and a big Scot
with a beard and no moustache, ALAN PINKERTON. Pinkerton is
wearing a suit and a gun in a high waistband. All four
advance to the house.

PARKER
Howdy, folks. How are you this
afternoon?

COLE
"Howdy"?

JESSE
Easterners.

MA
We're just fine, thank you, sir.

PARKER
I am Rollin H. Parker, personal
emissary of Mr. Thaddeus Rains,
president of the Rock Island and

Pacific Railroad. These two gentlemen are Pinkerton detectives, working for Mr. Thaddeus Rains, president of the Rock Island and Pacific Railroad, and this gentleman here is the famous Alan Pinkerton, founder of the Secret Service and now working under contract to Mr. Thaddeus Rains.

JESSE

Would that be Thaddeus Rains, president of the Rock Island and Pacific Railroad?

FRANK

You know him?

JESSE

Heard of him.

PARKER

(trying to regain control)

As you have no doubt heard from your neighbors, our railroad is moving west.

JESSE

That makes sense, as east would put you underwater.

Pinkerton coughs a laugh. Parker glares at him and continues.

PARKER

... moving west, opening the frontier for folks such as yourself. Your acreage here is on the proposed right of way.

Parker produces a piece of paper. Ma takes it.

PARKER (CONT'D)

I'm here for your signature on this land sales contract. I'm authorized to pay you two dollars an acre.

MA

Two dollars?

PARKER

That's right. That's the price authorized by the railroad's board, and approved by the Department of the Interior of the Government of

the United States of America.

MA

This land ain't for sale.

Pinkerton steps forward.

PINKERTON

Ma'am, I can understand how you might feel that way -- you've made a lovely home here. But it's really not up to me or you. Are you familiar with the legal concept of the Right of Eminent Domain?

FRANK

Yeah, I am. What about it?

Parker is surprised. Pinkerton has become interested in these farmers.

PINKERTON

Well, this land is about to be condemned.

PARKER

I'm doing you folks a favor --

COLE

Said the skinner to the mule.

PARKER

-- with a price of two dollars an acre for this one time only offer. After today the price goes down. So if I were you, I'd just sign the contract, and I'll be on my way.

Frank takes the contract from Ma and hands it back to Parker.

FRANK

Good day, Mr. Parker You can tell Mr. Thaddeus Rains to put this where the sun don't shine.

(to the boys)

Shakespeare.

JESSE/COLE

Ah.

Parker flushes with anger. Pinkerton and his men rest their hands on their guns.

PINKERTON

I don't think you understand. You

don't have a choice.

CLICK CLICK and we see Jesse's drawn and cocked two Colts from out of thin air. Frank has pulled his rifle from the doorway. Parker and the detectives are furious, but Pinkerton seems no more than curious.

PARKER

(to Ma)

Ma'am. You have to look in your heart and do what you know is right here.

MA

Let me ask the Lord.

Ma bows her head for a moment. She then nods and looks up.

MA (CONT'D)

The Lord says we can bury 'em out back in the orchard, nobody'll ever find them.

JESSE

Somebody's in a vengeful smiting mood today.

FRANK

Why don't we just let them go for today, Ma. We'll bury them out back next time.

MA

Oh all right.

Parker, and the detectives are stepping backward to the buggy.

PARKER

You people are making a serious mistake!

Pinkerton himself has lingered, taking in the group.

PINKERTON

(nodding)

Nicely played.

Parker, Pinkerton and the detectives RIDE OFF. The group at the James house watches them go, then Cole turns to Jesse.

COLE

Where the hell did you get those guns?

OFF JESSE'S SHRUG WE

DISSOLVE TO:

INT. SCHOOL HOUSE - NIGHT

Dozens of men and a few women are packed into the one room school house. Among them are Frank and Jesse. Doc Mimms is leading the meeting.

FRANK

I went up to the courthouse and looked at the right of way documents for the rail bed. The railroad doesn't even need our land, they're just taking the land on both sides for as far as they can.

JESSE

Damn. All that reading paid off.

DOC MIMMS

Floor recognizes Clell Miller.

CLELL MILLER, tall and blond, steps forward.

CLELL

They're saying we don't sell, we might end up with nothing!

FRANK

That's only if we don't stick together.

DOC MIMMS

(pointing)

Loni Packwood.

LONI PACKWOOD, a sad, scruffy man stands up.

LONI

I say this is the last straw. I came back from the war, I found my house burned down. My cows was dead. Now my wife's run off with my cousin, Jeb, that sonofabitch.

(tearing up)

Took my dog--

DOC MIMMS

Ah, Loni, about the railroad.

LONI

I forget.

(almost weeping)

Took my dog...

Another FARMER steps up.

FARMER

I signed.

FRANK

Harlan, you can't.

FARMER

I'm tired of fighting. I'm just gonna take my family and move west.

CLELL

Maybe we should hire a lawyer.

FARMER 2

That's a good idea!

FRANK

It would be, if the courts were on the up and up.

CLELL

So what do we do?

ANGLE ON

the school house door as it BANGS open and Bob Younger STUMBLES IN, bleeding from a cut on his forehead, being supported by Zee.

BOB

They got Cole.

He collapses into a seat. The crowd surrounds him.

ZEE

He came to our house, Daddy. I figured you'd all want to hear this.

Jesse and Frank are next to Bob. Zee puts a hand on Jesse's shoulder. He notices.

BOB

They came up, made the same offer they made you folks. Our little brother Jim tried to chase 'em off, one of those detectives hit him in the head, knocked him out. Cole lost his temper.

FRANK

(rubbing his forehead)

Oh no...

BOB

He just lost his temper a little.

JESSE

(sighing)

How many of them did he kill?

BOB

Two.

FRANK

Damn!

BOB

They said because the detectives were working for the Department of the Interior --

FRANK

The Army can hang him.

BOB

Tomorrow.

CLELL

What do we do?

JESSE

Nothing.

The crowd stares at Jesse.

JESSE (CONT'D)

You folks are going to do nothing. You're all going to go home right now. So you're going to be able to swear on a Bible that you don't know anything about what's going to happen tomorrow.

Jesse's gaze is at once noble and terrifying. The crowd quietly begins to disperse.

DOC MIMMS

Boys...

JESSE

Go home, Doc.

(softly)

They ain't gonna hang no more Liberty boys.

Doc Mimms nods, EXITS.

Jesse walks to the other end of the school house. Bob, Frank, Clell and Loni fall in behind him. The door SWINGS

OPEN again and Comanche Tom enters with Jim Younger sporting six-guns way too big for him.

COMANCHE TOM

I couldn't lose him.

BOB

Jim Younger, I told you--

JIM

It's my fault they're gonna hang Cole. I want in.

FRANK

Jim, it was just a matter of time before they tried to hang somebody else to scare off the other farmers.

JESSE

And you're too young.

JIM

(to Jesse)

I'm the same age you were when you went off to war.

JESSE

And the same age Web was. No.

ZEE (O.S.) (O.S.)

You're wasting time.

Zee joins them.

JESSE

Zee, go home.

Zee's eyebrows go up.

ZEE

Who else was there when they hanged the others?

The men look at each other. Nothing.

ZEE (CONT'D)

You need to know how they do it. Which way they walk up. What order they do things in. And if you mess up rescuing Cole because you won't listen to a woman, then God damn you all.

Pause.

JESSE

All right. Seven of us against a Union regiment and Pinkerton detectives in broad daylight in the middle of Main Street.

Jesse smiles.

BOB

He's smiling.

JIM

Is that bad?

FRANK

Very.

EXT. LIBERTY CITY GALLOWES - THE NEXT DAY

Soldiers flank the gallows, which stand at the bottom of the stairs to City Hall. A small drum corps beats a stark rhythm.

Parker is watching this like a sideshow. Pinkerton is next to him, scanning the crowd of locals which is getting larger and surlier by the minute.

PARKER

Relax, Alan. The Army has this all in hand. And Mr. Thaddeus Rains will be very pleased with this news. Nothing like a hanging to motivate the populace to relocate.

PINKERTON

It's not my job to relax. I've put men facing out both ways down Main Street, so nobody can ride in shooting. I've got a sharpshooter up on the water tower just in case.

Pinkerton WAVES to a FIGURE in a suit atop the water tower.

CUT TO:

EXT. WATER TOWER

We see it is FRANK JAMES in the suit, who WAVES BACK and then kneels and sights down his long rifle. Tucked away behind him, out of sight from the street, is a bound-and-gagged PINKERTON SNIPER in his underwear.

CUT TO:

EXT. GALLOWES

Cole, his face swollen from a beating, is marched up the

stairs of the gallows toward the waiting hangman.

LONG SHOT

of the gallows, detectives and soldiers down the street on both sides, guns ready. The position is completely unassailable. Cole is at the platform. His hands are tied in front of him. The noose is placed on his neck.

BACK TO

The gallows. Parker leans forward in anticipation. A UNION LIEUTENANT approaches with the black hood. Cole spits in his face. The CROWD ROARS. The Lieutenant angrily motions to the HANGMAN, who grabs the lever --

The drums STOP --

But the drumming doesn't.

The drum corps look at each other, confused. The Army men and the Pinkertons squint in concentration. There's definitely some sort of rhythmic DRUMMING, coming closer...

The CROWD, sensing something, easing back from the gallows...

The drumming gets LOUDER ...

EXT. STREET

REVEAL Fifty-odd CATTLE suddenly STAMPEDING from down the street, their hooves creating the drumming!

REACTION SHOTS as the Pinkertons and Army men start to scatter, the cattle surging around them --

EXT. VIEWING STAND

ANGLE ON Parker and Alan Pinkerton running for cover, Pinkerton half-turned to watch the action.

PINKERTON

Brilliant...

Pinkerton suddenly spots something confusing. We FOLLOW his stare to see --

ANGLE ON

a HORSE in the middle of the cattle, cutting through the steer, towards the gallows.

THE HANGMAN REACHES FOR THE LEVER AGAIN, BUT JUST AS HE DOES -

Jesse -- masked -- appears from the side of the horse, where he's been hanging on Indian-style. He gets a leg up on the horse's back and LEAPS --

SLAMMING into the Hangman, bringing him down!

The cattle pass the gallows, revealing that the tight ranks of the Army and Pinkertons are now spread out --

EXT. GENERAL STORE

SMASH! From the nearby GENERAL STORE, the other masked rescuers CRASH through the big front window on horseback and ride into the Army men, FIRING AWAY.

TOTAL CHAOS! The Army men and Pinkertons fight towards the gallows. As Jesse untangles himself from the Hangman, the Union Lieutenant reaches for the lever but BANG drops as Frank opens fire.

Frank starts picking off soldiers. The detectives and remaining soldiers are completely disoriented.

EXT. GALLOWS

Jesse flashes a knife and the noose drops away from Cole's neck. Facing Cole, he cuts the rope on Cole's wrists --

Cole instantly draws Jesse's guns from his waist holster, spin-reverses them and SHOTS two Union soldiers climbing the stairs behind Jesse's back. Jesse and Cole exchange a look, then Jesse steps away --

As Bob rides by he TOSSES JESSE'S GUNBELT into the air. Jesse draws both guns from the belt as it flies by, spins and starts shooting.

EXT. MAIN STREET

The soldiers have totally broken ranks. One riderless horse led by Comanche Tom pulls up by the scaffold. Jesse LEAPS ON and Cole jumps on behind him. Jesse puts the spurs to it and the horse SURGES into a gap in the crowd.

Allen Pinkerton steps past the panicking troops, squarely in the path of the charging horse. He draws his gun and FIRES. The bullet PLOWS into Jesse just as the terrified horse lurches forward, TRAMPLING Pinkerton.

Cole holds Jesse up and the riders take off down the street. We see Frank has disappeared from the water tower.

The soldiers fire at the fleeing liberators. One of the detectives runs over to the injured Alan Pinkerton.

DETECTIVE

Sir, are you all right?
(shout)
Somebody get a doctor!

EXT. MIMMS HOME - NIGHT

WE SEE one window upstairs with a light on.

INT. BEDROOM

Doc Mimms has just finished bandaging Jesse, who lies unconscious beneath the sheets. Zee is holding an oil lamp.

ZEE
He's going to be fine, right Daddy?

DOC MIMMS
The bullet came out clean, but he lost a whole lot of blood. Praying wouldn't hurt.

The SOUND OF HOOFBEATS APPROACHES from outside.

INT. LIVING ROOM

Doc Mimms opens the door. A UNION OFFICER and a squad of soldiers push in.

OFFICER
Good evening, sir, we're looking for a fugitive.

DOC MIMMS
A fugitive? Who?

OFFICER
We don't know, but he was very badly wounded. We're checking all the houses in the area.

INT. BEDROOM

Zee hears her father protesting, then FOOTSTEPS on the stairs. Quickly she undresses, grabs a quilt from a chest and jumps into bed with Jesse. She pulls the quilt up to her neck, completely hiding him.

At that moment, the Officer barges in. Zee lets out a little gasp as if startled awake. She covers herself with the quilt.

ZEE
Sir! Who are you?

OFFICER
Oh. Sorry ma'am.

ZEE

I should hope so.

The Officer EXITS. Zee watches the door for a moment, then looks down fondly at Jesse.

ZEE (CONT'D)

Jesse, are you awake?

JESSE

(groggy)

Mmmm.

Zee gently pushes his hair off his face. Then her expression changes.

ZEE

Jesse, is that your hand?

JESSE

Nuh-huh ...

Jesse smiles in his sleep. Zee jumps out of the bed and wraps a dressing gown around herself. Doc Mimms enters.

DOC MIMMS

They're gone. What are you --

ZEE

I fooled them into thinking I was alone.

DOC MIMMS

Well, I hope the boy pulls through. We should know in the morning.

ZEE

(with a little smile)

I think he's already feeling better.

A puzzled Doc Mimms follows her out.

EXT. LIBERTY MAIN STREET - AFTERNOON - TWO WEEKS LATER

A lavishly appointed carriage rolls up to the front of the nicest hotel in town. Rollin Parker and his retinue of Pinkerton detectives scurry to the door.

The DOOR OPENS. Out steps THADDEUS RAINS, wearing an elegant suit he bought in London last year and a scowl he picked up in Boston three decades ago. The scowl fits him better.

PARKER

Mr. Thaddeus Rains, sir, it is a

pleasure to have you join us in the field.

RAINS

And it is my pleasure to be here.

PARKER

Really!

RAINS

NO! It is NOT my pleasure to have to leave my board room to come to this godforsaken piece of dirt to discover why in the name of all that is holy you cannot seem to evict a few simple farmers from their PATHETIC LITTLE MUDHOLES so that I may build the GREATEST railroad that this country has ever seen!

PARKER

I can completely understand your distress, sir.

Rains sighs. As he speaks, he checks a heavy, gold, ornate and ever-present POCKETWATCH on a GOLD CHAIN.

RAINS

Parker, tell me what's going on so I can return as quickly as possible to Boston and my whores and cigars, not necessarily in that order.

PARKER

Two weeks ago, we managed to arrange to have the Army hang one of the local farmers.

RAINS

Good.

PARKER

Unfortunately not, sir. A gang of local thugs managed to rescue him from the gallows. Not only has this inspired resistance from the other farmers, the redoubtable Mr. Alan Pinkerton was seriously injured during the incident.

RAINS

Leaving you in charge of operations until he recovers.

PARKER

(puffing with pride)

Yes sir.

RAINS

Just perfect.

PARKER

A further impediment is that the Army garrison has been ordered to move on from Liberty. We will no longer have that particular stick with which to threaten the farmers.

RAINS

You see the Army leaving and you see the loss of a tool. I see a power void to be filled. As we have the most power, we may move with impunity.

PARKER

I see. I'll get together four patrols of our detectives for action tonight.

RAINS

I'll teach these podunks what happens when they challenge the righteousness of progress.

EXT. MIMMS HOME - AFTERNOON - THAT SAME DAY

Zee is on the porch. Jesse COMES THROUGH the door, moving gingerly. Zee immediately moves to support him.

ZEE

You shouldn't be up.

JESSE

I've been on my back two weeks. I'm sick of it.

ZEE

You're sick of my company?

JESSE

No! I mean, of course not. No.

ZEE

Teasing you is completely unfair.

JESSE

What you do to me is unfair. The teasing, I mean.

ZEE

I shouldn't tease a hero.

JESSE

What?

ZEE

Everybody in the county knows it was you who rescued Cole. We're all so proud of you, Jesse. And not a single farm's been sold to the railroad since. You're everybody's hero.

JESSE

I wasn't the only one risking my neck that day.

ZEE

So you're saying I should leave you alone and go spend time with Jimmy Younger?

JESSE

Unfair. You are completely unfair.

They look at each other warmly. Frank DRIVES UP in a carriage.

FRANK

You ready to stop loafing around with this young lady and get back to farming?

JESSE

What do you think?

FRANK

Would you get in the carriage? Until Ma has you home so she can fuss over you herself, she's gonna make me miserable.

Doc Mimms COMES OUT onto the porch.

JESSE

What do you say, sir?

DOC MIMMS

Go on. You're pretty much all healed up.

Jesse and Zee exchange glances. Zee withdraws demurely into the house. Jesse straightens up and hops easily into the carriage.

FRANK

You're looking a bit more spry now

that somebody --

JESSE

(to Frank)

Shut up.

(to Doc Mimms)

Uh, Doc, I was wondering if, uh, this evening, I could come by?

DOC MIMMS

You know you're welcome any time!

JESSE

(unusually awkward)

Yesss, but I was thinking, I could come by, and then take Zee out. Some place near. With other folk. Near. Here.

(beat)

But out.

DOC MIMMS

(bemused)

It's fine by me, Jesse.

FRANK

Don't worry, sir, I'll make sure they're always properly chaperoned.

Jesse sloooooowly turns to glare at Frank.

DOC MIMMS

(grinning)

Why, that hadn't even occurred to me, Frank. I am deeply in your debt.

FRANK

Army's leaving town, so Cole can stop hiding up in the woods and come back to his farm. Everybody's getting together at the Younger place for a to-do.

Frank tips his hat, and the carriage MOVES OFF.

EXT. BARNYARD - NIGHT

Dozens of people are milling about happily in the lantern light of a Western party. Some are dancing to the small banjo-led band. A small knot of men are comparing war stories. Cole Younger is wandering among them, people clapping his shoulder, shaking his hand.

Jesse -- formally accompanying Zee -- and Frank arrive at the edge of the light. Immediately the entire group bursts into applause and crowds Jesse. Cole cuts through and bear

hugs Jesse, making him wince.

COLE

Here's Liberty's favorite son!
(quietly)
I'll never forget what you did,
cousin.

BOB

Zee, I'm pleased you came.

ZEE

Why thank you, Bob.

BOB

I'm especially pleased you came
with Jesse.
(off her look)
Seeing as right now there's a
gaggle of girls hoping to dance with
Jesse who are just going to have to
settle for the many charms of Bob
Younger.

ANGLE ON

A group of obviously disappointed, beautiful young women.
Bob runs a hand through his hair.

JESSE

You have no shame.

BOB

Not yet. But I'm hoping.

The party starts up again, and everyone is caught up in the
good times.

ANGLE ON

Jesse SWINGING Zee into a group of dancers. They join in
the Two-Step, and Jesse's as smooth as silk.

EXT. HILLSIDE - NIGHT - A WHILE LATER

Jesse, carrying a lantern, and Zee are walking. We can hear
the party still going just a little ways away. They reach a
tree at the hilltop with a beautiful view of the stars and
the river. They sit down, their backs against the tree.

JESSE

I used to come to this tree when I
was a kid and imagine what my life
would be like when I got older.

ZEE

You didn't want to farm?

JESSE

I was thinking more along the lines of being a river pirate.

ZEE

A river pirate.

JESSE

Arr. Hand over your jewels, Missy.

ZEE

Thank God you grew out of that.

(pause)

You did grow out of that, didn't you?

JESSE

Mostly. It would be an all right life, for a bachelor.

ZEE

You planning on being a bachelor your whole life, Jesse James?

JESSE

Not if I find the right girl.

ZEE

And what's this right girl like?

JESSE

Smart. Funny. Bossy. Always makes me think she's two steps ahead of me. And big buck teeth.

ZEE

Where will you find such a girl?

JESSE

Honestly, you'd do if only you had the buck teeth.

Zee fakes a monstrous overbite.

JESSE (CONT'D)

(dreamy)

Finally.

The two move a little closer. Eye contact.

JESSE (CONT'D)

Ahem. "From this doctrine..." No, ah... "From women's eyes this doctrine I derive, they sparkle

still like ... shiny... sparkling
rocks..."

ZEE
Sparkling rocks?

JESSE
Little ones.

ZEE
Is this one of Frank's Shakespeare
poems you're trying to quote?

JESSE
Yep.

ZEE
Were you planning on kissing me
when you finished quoting?

JESSE
I've been planning on kissin' you
for a very long time.

They kiss. It's everything it should be.

BOOM!

Jesse and Zee are startled by a flash of light and sound.
They turn to look back --

EXT. YOUNGER BARN

The partygoers are RUNNING from the YARD to the BARN, which
is ON FIRE in several different places. As the Younger
brothers and Frank get close, they see a squad of masked
riders disappearing down the road. Some of the men SHOOT at
the riders, but the distance is too great.

Jim makes a run for the BARN, but Bob grabs him.

COLE
BASTARDS! Come back here and face
me!

FRANK
Get buckets!

Some of the crowd starts to form a bucket line to the well.
Jesse and Zee RUN UP. Frank turns to him.

FRANK (CONT'D)
Pinkertons. It's the railroad.

JESSE
Ma.

Frank and Jesse bolt for their horses, swing into the saddles and GALLOP OFF.

EXT. JAMES HOUSE

From a bit down the road, looking just fine. Jesse and Frank reign in as relief rushes across their faces --

AN EXPLOSION tears the house apart like a pile of matchsticks! Jesse and Frank urge their horses into a full gallop.

EXT. YARD

Jesse and Frank leap from their mounts, trying to get close to the house. The flames are too strong.

JESSE

Ma! Ma!

Jesse's ventured so close his coat catches fire. Frank tears it from him and stamps it out. Jesse ignores him, still pacing back and forth in front of the inferno.

JESSE (CONT'D)

Ma! Please!

MA (O.S.) (O.S.)

(weakly)

Boys?

The brothers turn and nearly drop from shock. Ma is stumbling toward them, half her hair singed off, brutally BURNED.

FRANK

Jesus mercy --

They reach her just as she collapses. Jesse is cradling her, Frank with his arms around both of them.

MA

Riders --

JESSE

We know, Ma. Now we got to get you to Doc Mimms.

MA

Take care of each other, boys. You say your prayers.

Jesse is openly crying. Frank has tears silently streaming down his face.

JESSE
Doc Mimms will --

MA
Shush.

Ma's eyes turn up, and she half-smiles.

MA (CONT'D)
Well look at that. The Good Lord's
a bit shorter than I reckoned.

Ma gently stops breathing.

ANGLE ON

The boys holding Ma, framed by the roaring flames of their home. Jesse leans his head back and lets out a HOWL OF RAGE AND PAIN AND HATE that goes on and on and on...

DISSOLVE TO:

EXT. JAMES FARM - MORNING

Frank and Jesse are staring at the smoking ruins of their lives. Other townsfolk are milling nearby, including Zee and the Youngers.

FRANK
... We could move on. Rebuild. Make
a decent life someplace else.

JESSE
Don't care.

FRANK
Didn't think you would.
(turning away)
I'm going to go make the coffin.

JESSE
Make a thousand of 'em. Still won't
be enough by the time I'm through.

Frank is gone.

COLE
Our place, Clell Miller's, Sammy
Johnston, the Creeders. Will Hite.

BOB
The sheriff says it was a gang of
drunk Kansas boys.

COLE
I say we ride into town and kill us

some Pinkertons and railroad men.

JIM

I like that.

JESSE

No.

They stare at him.

JESSE (CONT'D)

This isn't a feud, this is war.
They've got more men than we do. We
kill detectives, they can replace
'em in a day.

COLE

(snapping)

So what do we do, General Lee?

JESSE

Just like in the war. Harass their
supply lines. We kill the railroad's
men, they won't care.

BOB

But if we take their money and
supplies...

JESSE

Exactly.

JIM

That's a great plan, Jesse!

Cole nods grudgingly.

BOB

I'll get us a few more men, and
Comanche Tom'll ride with us.

JIM

Where do we hit first, Jesse?

COLE

I'll pick the first job! I mean...
I know a girl down at the bank. See
if she can't get a list of towns
where the railroad keeps its money.

JESSE

Perfect, Cole.

COLE

Let's ride.

The Youngers mount up. Jesse walks to the ruined house, pulls a big iron trunk from the wreckage. He KICKS it open, reaches in, and pulls out his gun belts. Zee appears behind him in what remains of the doorway.

ZEE

I am so sorry, Jesse.

JESSE

Frank and me have to go away for a while.

Zee considers this, puts her head in close to Jesse's.

ZEE

You and I, we've started... something, you know?

(Jesse nods)

I don't know what'll happen if you do this.

JESSE

Me neither.

ZEE

Let the law --

JESSE

Laws don't touch men like Thaddeus Rains. Only justice does.

ZEE

Whose justice? Yours or God's?

(no answer)

When will you stop?

JESSE

When my name makes them cry in their sleep. When I've brought them to ashes.

Jesse kisses her gently, turns and walks to where the Youngers are standing. Zee can barely conceal her anger and heartbreak.

DISSOLVE TO:

EXT. FIDELITY BANK AND TRUST - DAY

ESTABLISHING SHOT of a Midwestern bank on a quiet street.

INT. FIDELITY BANK

There are two teller windows, a couple of male customers and a MOTHER and CHILD.

Jesse and Cole ENTER dressed for the trail, longrider coats and spurs. Saddlebags are slung over their shoulders.

JESSE

Excuse me, ladies and gentlemen,
but I have bad news. The railroad
payroll has been stolen.

The BANK MANAGER steps out from behind his desk.

MANAGER

What are you talking about? The
railroad's money is right over there
in that safe.

Jesse draws two guns, Cole produces a shotgun from his coat.

JESSE

That safe?

MANAGER

Ah.

EXT. FIDELITY BANK

Frank James, Bob and Jim Younger, Clell Miller, Loni Packwood, Comanche Tom and several new GANG MEMBERS wait along both sides of the street in this medium sized mid-western town. Some are standing next to their horses, some mounted.

ANOTHER ANGLE

An OLD MAN with a cane is walking shakily towards the bank. Frank jerks his head and Jim intercepts him.

JIM

Hold on there, sir. Bank's closed
today.

OLD MAN

Wha?

JIM

Bank holiday! Bank's closed!

Jim tries to steer the old man away. The old man starts batting at him with the cane.

OLD MAN

Get off me!

JIM

Ow! Ow!

Frank sighs.

INT. FIDELITY BANK

Jesse and the Bank Manager are having a staredown.

MANAGER

This is outrageous. Who are you people?

JESSE

The James Gang.

COLE

(annoyed)

The James-Younger Gang.

JESSE

Sorry.

COLE

Don't let it happen again.

EXT. FIDELITY BANK

The old man is still smacking Jim with the cane. Bob crosses to help.

BOB

Sir, it's a bank holiday --

SMACK SMACK and now the old man's laying the cane on both Bob and Jim.

JIM

Ow!

BOB

Ow ow!

Frank hangs his head.

INT. FIDELITY BANK

Cole turns to the Woman and Child.

COLE

Ma'am, kindly cover that child's eyes.

WOMAN

Why?

COLE

I don't want her to see me shoot this man.

The woman covers the child's eyes. Cole raises the shotgun. Jesse half covers his eyes and turns his head. The Manager swallows.

EXT. FIDELITY BANK

Comanche Tom walks over to where the old man is still SMACKING Jim and Bob.

OLD MAN

I know it ain't no durned bank holiday!

COMANCHE TOM

You're right, sir.

OLD MAN

Then why can't I go in there?

COMANCHE TOM

On account of we're robbing it.

OLD MAN

Oh. Why didn't you just say so?

COMANCHE TOM

It's a secret.

OLD MAN

Fine. I'll just wait here.

COMANCHE TOM

I'd appreciate that.

The old man settles against the wall. Comanche Tom moves back to his horse. Bob and Jim walk off, glaring at the old man.

INT. SHERIFF'S OFFICE

A lean, middle-aged SHERIFF is walking by his window. His DEPUTY is whittling at the desk. The Sherriff pulls up short.

SHERIFF

What the --

DEPUTY

What is it?

SHERIFF

Old Man Tucker is just standing quiet outside the bank.

DEPUTY

So?

SHERIFF

When have you ever known Old Man
Tucker not to be yelling at
everybody?

He takes in the group of riders, reaches for his rifle.

EXT. FIDELITY BANK

Jesse and Cole RUN FROM the bank with full saddlebags.
Everybody MOUNTS UP and starts riding down main street.

FRANK

How'd it go in there?

JESSE

Fine. How'd it go out here?

FRANK

We're gonna have to talk...

BANG! The gang flinches as a chunk of wood splinters from a
post. They turn to see the Sherriff running out in front of
them, raising his rifle --

The entire Gang draws their guns. Jesse raises a hand.

JESSE

Sir, you can do this the smart way,
or the stupid way. Only one way ends
with you still breathin'.

The Sherriff takes in the Gang's firepower. He lowers the
rifle.

JESSE (CONT'D)

(to the Gang)

Just 'cause we're robbing a bank,
no reason not to be civil about it.

The Gang turns and RIDES OFF hard.

The DEPUTY walks up to the Sherriff a beat later.

SHERIFF

Where the hell were you?

DEPUTY

I had you covered.

(beat)

From back there.

SHERIFF

Shit.

DISSOLVE TO:

EXT. CAMP - NIGHT

A bonfire burns in the middle of a rough camp in the woods. The Gang members are sitting around, relaxing and drinking coffee. All eyes are on Jesse and Cole as they finish counting the money.

JESSE

I got seven thousand.

COLE

I got three.

BOB

Ten thousand dollars! That's almost a thousand apiece!

The men HOOT AND HOLLER.

LONI

My luck is changing at last!

Cole holds up a pile of papers.

COLE

These are deeds and mortgages of farms the bank was holding for the railroad.

BOB

Better pass them over here before something happens to 'em.

Cole goes to hand the papers to Bob and "accidentally" drops them in the fire. The men CHEER again.

JESSE

All right, settle down. All this money ain't ours.

BOB

Well, no, Jesse, it was the bank's. That's why we had to go to all that trouble of stealing it.

(to Frank)

You explain it to him.

JESSE

We oughta take some of this, give it to our neighbors in Liberty. Lot of people hurting up there.

CLELL

None of them risked their necks for this.

FRANK

Now, let's think about this. We create some good will with the folks hereabouts, make it easier to dodge the law.

JESSE

See, Frank's being smart about this.

COLE

Just because he reads all those books and knows all those big words doesn't make him smart.

BOB

Uhh, yeah it does.

COLE

You stay out of this, Bob.

JIM

I think Jesse's got a good idea --

COLE

You stay out of this too, Jim.

(to Jesse)

Who put you in charge of this gang, anyway, Jesse? I did mighty fine leading us during the War.

JESSE

And I planned getting you off the hangman's deck --

FRANK

And that's why you both lead the gang. Two of you went into that bank together, right?

Jesse and Cole nod, still watching each other.

FRANK (CONT'D)

Two heads are better than one. All Jesse was doing was making a suggestion.

Jesse nods, his face giving nothing up.

FRANK (CONT'D)

So we're waiting to hear what you think of the suggestion. As the other leader of the gang.

Cole considers this.

COLE

I reckon it's the smart thing to do.

The other Gang members grumble. Cole whirls on them.

COLE (CONT'D)

Hey! We decide something, that's it! We're in this for the long haul, and this idea of me and Jesse's will help give us more places to hide out without worrying about some farmer with a shotgun sneakin' up on us in our sleep. We've got to think --

FRANK

Strategically.

COLE

-- Exactly. Because this is a war.

CLELL

This ain't no war.

The Gang is taken aback by this blatant contradiction. Then a smile spreads across Clell's face.

CLELL (CONT'D)

Nobody paid me no thousand dollars to fight in the War!

The Gang LAUGHS, and the tension is broken. Jesse and Cole slap each other's shoulders, and everyone starts counting their money and talking all at once.

INT. SALOON - DAY

The crowded saloon is alive with music, card-playing, and dancing girls. Various James Gang members are playing cards and drinking. Jesse, Cole, and Frank are at the bar.

COLE

It's not a bank.

JESSE

It's better. It's a construction depot. They'll have the strongbox and some ammo and explosives for us to take. That way we can take on a bigger job.

FRANK

And it's guarded by Pinkerton detectives.

JESSE

And I do so want to shoot some

Pinkerton detectives.

Jesse and Cole grin and slap each other on the back. Jim BURSTS in waving a newspaper. He quickly runs to the bar.

JIM
(stage whispering)
We're famous!

Jesse takes the paper.

JESSE
I'll be damned!

The other Gang members drift over to the bar.

JESSE (CONT'D)
(reading)
"The Fidelity Bank and Trust was robbed on Tuesday by a gang of twenty heavily armed men."

COLE
Twenty?!

LONI
What are the odds, another gang robbing the same place right after we did.

BOB
Yeah, Loni, that's exactly what happened.

JESSE
"The outlaws calling themselves the James-Younger Gang shot their way out of town, wounding the Sherriff and three other townsfolk."

BOB
Hey!

JESSE
"Bank officials estimate the loss at fifty thousand dollars."

CLELL
We only got ten thousand.

COMANCHE TOM
This happens all the time when you let the white man count the money.

JESSE
"The U.S. District Marshal at St.

Louis called this the first daylight bank robbery in American history."

Jim whistles.

JIM

We made history. That's something to be proud of.

COLE

The rest of this is all lies.

JESSE

That just means the next time, we'll have to set the record straight ourselves.

The Gang looks at him.

EXT. THAXTON SWITCH DEPOT - NIGHT

Half finished railroad tracks run alongside a few sheds and an office building.

ANGLE ON

The TRAIN TRACKS as the James-Younger Gang rides at full gallop. A rapid series of SEQUENTIAL EXPLOSIONS follows them, destroying the track for hundreds of yards.

EXT. THAXTON SWITCH DEPOT - MORNING

The entire work camp is DESTROYED. SMOKE still hangs over the twisted wreckage, a few wagons smolder, it looks like Omaha Beach at D-DAY plus 20. Thaddeus Rains is surveying the damage with Parker.

PARKER

They exchanged fire with the Pinkerton Guards, killing several of them. Then they raided the payroll office and blew the tracks for half a mile.

RAINS

How much did they get from the safe?

PARKER

Thirty-five thousand, sir. Coins and currency. And the delay from the miles of destroyed track --

RAINS

I'll kill them for blowing up my railway!

PARKER

To be precise, they didn't blow up
the tracks.

RAINS

THEN WHO DID?!

PARKER

We did.

Rains stares at him. Parker swallows.

PARKER (CONT'D)

... I mean, our men. Our own
workers planted the dynamite.

(beat)

They were under duress.

Rains controls his cerebral hemorrhage through sheer force
of will. He checks his pocket watch, then says through
gritted teeth:

RAINS

Where the hell is Pinkerton?

The SOUND OF HORSES makes them turn.

ANGLE ON

A fancy carriage that pulls up. WE SEE the ground beneath
the carriage. A boot hits the ground. Then another. Then the
tip of a cane.

REVEAL Alan Pinkerton now moving toward Rains and Parker,
limping from when Jesse's horse trampled him. He has a
newspaper folded up under one arm.

RAINS (CONT'D)

Look at this, Pinkerton! They got
the payroll, and this damage will
set construction back two months at
least.

PINKERTON

(surveying)

Not to mention my men who lost
their lives.

PARKER

Your men knew the risks.

RAINS

What is going on here, man?

PINKERTON

My professional opinion is that you

have managed to piss off the wrong bunch of farm boys this time.

PARKER

They had to be dealt with!

PINKERTON

By burning down their homes?

RAINS

You wouldn't have done that?

PINKERTON

Oh no, I would have done that. But I would have made sure I killed them, too.

RAINS

I want them arrested and hanged!

PINKERTON

Would a jury around here convict their own? I think not. We're beginning an interesting game here, Mr. Rains.

RAINS

This is no game.

PINKERTON

I'm afraid our adversaries don't agree.

He hands Rains the paper. Rains' eyes bug out. He begins to read aloud.

RAINS

(reading)

"A Rock Island and Pacific Railroad depot was robbed two nights ago just outside St. Louis, Missouri. The brave and daring James-Younger Gang was heavily outnumbered by Pinkerton detectives, but the city lawmen were no match for the guns of the West."

PINKERTON

It is a nice piece of writing.

RAINS

"The gang made off with thirty-five thousand dollars and also destroyed the Thaxton Switch construction, meaning that for a few months honest farmers will be able to sleep without fearing the railroad is

coming to steal their land!"
(he slams the paper
into Parker's chest)
Who wrote this!? I'll see him
hanged every Tuesday for a month!

PINKERTON

Oh, that's the best part.

He points Rains to the bottom of the article.

RAINS

"The foregoing article was sent to
the newspaper. It was reputedly
written by the outlaw --

(exploding)

Jesse James himself!"

Rains crushes the paper in his hands, raging as he surveys
his destroyed rail tracks.

CUT TO:

INT. MIMMS HOME - DAY

Doc Mimms is reading a paper to Zee.

DOC MIMMS

"...written by the outlaw Jesse
James himself."

Zee is pacing.

ZEE

He thinks this is some kind of game!

DOC MIMMS

I'm upset too, Zee, but Jesse and
Cole know what they're doing. I'm
sure they won't press their luck.

Zee looks at him. Doc Mimms sighs.

DOC MIMMS (CONT'D)

I know. But the Lord protects
madmen and prophets, and
Jesse's...one of them. I'm just not
sure which.

DISSOLVE TO:

EXT. RAILROAD TRACKS - DAY

A freight train is coming. We can see "Rock Island and
Pacific Railroad" written across the side.

INT. ENGINE CAB

The ENGINEER nudges the fireman.

ENGINEER

Look at that.

Outside, along the railbed, members of the James Gang are holding a series of signs, each one a dozen yards after the other. The engineer reads each one as they pass.

ENGINEER (CONT'D)

(reading)

"Better... slow... down...
dynamite... ahead... too late...
you're dead!"

The engineer and the fireman look up. Ahead of them on the track is an overloaded wagon with barrels marked "TNT".

The engineer slams on the brakes. The high pitched scream of steel on steel sounds out over the avalanche of sparks flying from the wheels.

EXT. TRAIN TRACKS

The train stops juuuust in time. The front of the engine is inches away from the wagon.

INT. ENGINE

Jesse sticks his head in, guns drawn.

JESSE

That was a fine piece of driving,
yes sir.

He looks at the wagon. The engineer and fireman follow his gaze.

EXT. TRAIN TRACKS

Comanche Tom and Jim Younger climb on top of the wagon, kick over some barrels. They're empty, without even a top or bottom.

INT. ENGINE

Jesse grins as the engineer and fireman hang their heads.

INT. BANK - DAY

Jesse and Frank walk into a large bank dressed in suits.

Just inside the door, Frank notices something odd and nudges Jesse. It's a "Wanted" poster. "Frank and Jesse

James. \$5,000 reward."

They look back and forth at the artist's sketches and each other. They shake their heads "no."

Jesse walks over to the teller's window. He hands a bill to the TELLER.

JESSE

Could you change this please?

TELLER

(studying it)

Sir, this bill is counterfeit!

Jesse draws. Frank whistles and Cole, Bob and Jim burst in.

JESSE

I don't think it's counterfeit. Do you mind if I take a look at all your real bills to compare?

FRANK

It's the scientific method. It's all the rage.

INT. CONFERENCE ROOM - DAY

IN a richly paneled conference room, a group of BANKERS, POLITICIANS and RAILROAD OFFICIALS are gathered around a large table. On the table is a map with a dozen red markers.

Thaddeus Rains and Alan Pinkerton are studying the map.

RAINS

Senator, can't you do anything?

A Missouri SENATOR shakes his head.

SENATOR

The people see the James-Younger Gang as heroes against the Eastern businessmen. This is not an area where men in suits are much loved.

RAINS

Pinkerton, why can't you get these outlaws?

PINKERTON

It's early in the game yet, Mr. Rains. Jesse James and I are just learning how each other moves, feeling out each other's patterns.

RAINS

I'm losing millions of dollars and months of time while you play chess with these farmers!

PINKERTON

Hardly farmers. I've done some checking. All these were in the War. These men know sabotage, tactics, and have four years of bloody fighting experience behind them. They are disciplined, well-trained and have a charismatic leader. If I were to design the perfect outlaw band, this gang is what I would create.

RAINS

So you can't tell me anything?

PINKERTON

It's going to be a long winter.

Rains pounds the table.

MONTAGE: VARIOUS SHOTS

-- THE GANG On horseback, firing back at a posse.

-- THE GANG RIDES THROUGH A FIELD

Where dozens of sharecroppers are sweating away. They leave a wake of twenty dollar gold certificates fluttering in the furrows and hanging in the corn.

-- PINKERTON, LEADING TWENTY DETECTIVES,

RIDING HARD up to a crossroad. With a wave of his hand, never stopping, he splits one group off to head East, and he and the others head West.

WALL OF "WANTED" POSTERS

Marked the "James-Younger Gang." The James brothers and Younger brothers nod at the likenesses, which are getting better. All except Bob, who stares at his in disbelief. It looks nothing like him.

Jesse tears down his poster and autographs it for a young boy.

EXT. OPEN RANGE

The Gang is riding hard. Cole and Jesse look over their shoulders, nod to each other, and WHISTLE.

The men bring their horses down to an easy pace.

JIM

I never thought that posse was gonna give up.

FRANK

They were admirably persistent.

COLE

Jesse, we got to have a word.

JESSE

Sure, cousin.

COLE

All the posters and newspapers are calling this bunch the "James-Younger Gang."

JESSE

Yep.

COLE

Why aren't we the "Younger-James Gang"? I mean, there's three Younger brothers and only two James brothers here.

JIM

I kinda like the sound of the James-Younger Gang.

COLE

(bristling)

Whose side you on?

BOB

No, Jimmy has a point. The Younger-James Gang could be confusing.

COLE

How?

BOB

Say we bust into a bank. We yell "We're the Younger-James Gang!" People are gonna be thinking, "The younger James Gang? Is there an older James Gang? How come we never heard of the older James gang?" So people are trying to figure that out instead of raising their arms.

JESSE

Can't argue with that.

Cole rolls his eyes.

COLE

I think you boys are missing the point here...

They continue to argue as they ride off.

JIM

How about "James-Younger" for the bank jobs and "Younger-James" for the train robberies?

BOB

See, that's even more confusing, people'll think there's two gangs...

EXT. WESTERN STREET - DAY

Comanche Tom RIDES UP to the building marked Marshall's Office.

A MARSHALL and a dozen PINKERTON DETECTIVES are sitting around the porch. Tom leaps off his horse.

COMANCHE TOM

You 'um big lawman?

MARSHALL

Yeah, Injun. What do you want?

COMANCHE TOM

Great Chief of St. Louis send me.

MARSHALL

The District Marshall

MARSHALL (CONT'D)

Of St. Louis?

COMANCHE TOM

Ho-yah. Him say tell Big Lawman in Carville that badman Jesse James riding toward Rising Sun, above Great River, near Eagle Rock.

MARSHALL

East? East above the river heading for the Eagle Pass?

COMANCHE TOM

Ho-yah!

The Marshall turns to his men.

MARSHALL

I want every man in town! We can cut off Jesse James before he crosses out of my territory! Let's go!

The posse quickly mounts up. The Marshall tosses Comanche Tom a coin.

MARSHALL (CONT'D)

Go ahead to the saloon. But don't get too drunk!

COMANCHE TOM

Me get heap firewater --

The posse RIDES OFF.

COMANCHE TOM (CONT'D)

-- you cretins.

Comanche Tom flips the coin over his shoulder. From around the corner THUNDERS the James Gang. They ride up to the building marked "Bank" right next to the Marshall's office. The Gang dismounts, runs in.

An improbably short time later, the Gang members run back out with full saddlebags and mount up. Comanche Tom RIDES OFF with them.

FRANK

Nice performance, Tom.

COMANCHE TOM

I feel dirty.

INT. CONFERENCE ROOM - DAY - MONTHS LATER

The same men in suits and the same map, only now with more red markers on it. In the center of the group are Thaddeus Rains, Rollin Parker and Alan Pinkerton.

RAINS

Pinkerton. It's been eight months. I see robberies. I see hold ups. But I do not see men on the end of nooses.

PINKERTON

All of the James Gang's encounters have been with local law enforcement who, quite frankly, are no match for this group's cunning.

PARKER

What about your detectives? They haven't --

Pinkerton suddenly CLOSES on Rains and Parker. Rains doesn't back down, but we are acutely aware of the fact that Alan Pinkerton is a big, violent Scotsman. He never raises his voice here, but then again -- he doesn't have to.

PINKERTON

(to Parker)

First of all: you, shut up.

(to Rains)

Now, you've given me a thousand miles of railroad to cover. Every time the James Gang strikes, we shift a hundred detectives to that area. But there's just too much open land, too many riverbeds to ride, caves to hide in. This gang operates across four states, often riding a hundred miles between jobs.

RAINS

I can't believe this.

PINKERTON

And there are some towns in Missouri where James and his men can walk openly, as heroes.

PARKER

How can that be?

PINKERTON

They donate money to farmers, to churches. Rumor has it they gave the sharecroppers of Maddox so much money they were able to build a school.

RAINS

With my money!

PARKER

We should go burn that school to the ground, sir!

PINKERTON

(dryly)

Yes, that's the way to win the locals back to our side.

RAINS

I demand action.

PINKERTON

No, you demand results. They are not the same thing. And if you want results, you will let me do my job as I see fit. Unless of course,
(jerking his head at Parker)
You want this fool to saddle up and take another run at it?

RAINS

Can't you tell me anything?

PINKERTON

It's going to be a long spring.

MONTAGE: VARIOUS SHOTS

-- THE GANG RIDES ALONGSIDE A PAYROLL COACH, The COACH is marked with the "Rock Northern Railroad" logo.

Suddenly Pinkerton guards leap up from hiding places in the coach and start firing! The gang fires back dropping two of the men.

BANK WINDOW

Old "Wanted" posters are replaced by a new set.

THE COACH IS STOPPED

Jesse and Frank are pulling the payroll off as the rest of the Gang keeps their guns on the remaining Pinkertons. Two dead Pinkertons lie on the ground.

JESSE

See, that's a shame. If people would just hand over the money and not shoot at us --

Loni looks at something in his hand.

BOB

What's that?

LONI

Lucky Rabbit's foot. Took it off that dead fella over there.

BOB

I don't think that one's working, Loni.

Loni pockets the charm.

-- JESSE, FRANK, AND THE YOUNGER BROTHERS Sit heads bowed

in a small country church as the collection plate is passed. Jesse drops in a handful of twenty dollar gold pieces.

-- A GROUP OF BOYS SWARM AROUND JESSE,

Getting him to autograph his "WANTED! \$10,000 REWARD DEAD OR ALIVE!" Poster. The Gang is all there, admiring the new posters. The likenesses are remarkable -- except for Bob's. It still looks nothing like him. And we can see Cole is not pleased at all the attention Jesse's getting.

-- PINKERTON IN THE BOARD ROOM WITH HIS MAP,

Directing his lieutenants on how to cover the territory.

-- THE GANG CAROUSING IN A SALOON.

Jesse is off to one side, writing a letter on fancy stationery. Frank is coaching him.

AT THE MIMMS HOME,

Doc Mimms hands Zee the envelope we just saw Jesse working with. Zee takes the envelope and tosses it into the burning fireplace.

INT. WHITTLY BANK - DAY

Jesse, Cole, Frank, and Bob are in the middle of a stick-up. All the BANK PATRONS have their hands up.

JESSE

Okay, folks, I think we know how this is going to go...

BOB

One false move and I'll blow your heads off!

Jesse, Frank, and Cole look at Bob.

JESSE

Beg pardon?

BOB

You heard me, Jesse. You know how crazy I get!

Jesse and Cole turn to the HEAD TELLER.

JESSE

'Scuse us.

HEAD TELLER

Think nothing of it.

Jesse and Cole cross to Bob.

COLE

We got a problem here, brother?

BOB

(low)

Frankly, yes. I'm feeling a little left out.

JESSE

(sighing)

This is about the "Wanted!" Posters, isn't it.

BOB

Yes. I am obviously not standing out in people's minds at the robberies.

COLE

(to Jesse)

This is your fault for hogging all the publicity.

JESSE

Hold on, hold on, we all know Bob is an important part of the gang.

Frank arrives.

FRANK

Gents, we are in the middle of something here.

JESSE

Bob's upset.

FRANK

The posters?

JESSE/COLE

Yeah.

BOB

Don't say "yeah" in that voice. This is important.

Frank, Jesse, and Cole exchange looks. They turn back to the now puzzled crowd.

FRANK

Pardon the delay, folks, but we had to get Mad Bob Younger under control!

JESSE

Bob here'll kill a man for sneezing, and he's the best shot in the gang.

HEAD TELLER
Better than you, Jesse?

JESSE
Bob Younger taught me how to shoot!

The crowd MURMURS APPRECIATIVELY.

FRANK
Now, we would like to get back to the robbery.

HEAD TELLER
Of course.

The Head Teller starts filling a saddlebag with money. Bob glares at a few people, then nods at Jesse. Jesse winks back.

DISSOLVE TO:

INT. SALOON - NIGHT

The place is alive with song, gambling, and the money the James Gang is dropping. At one table, Loni Packwood lays down his poker hand. As the other players moan, he rakes in the pot.

CLELL
Damn, Loni, you're lucky.

LONI
Luckiest man in the West, now that I'm riding with Jesse James!

He raises his lucky rabbit's foot in toast to Jesse, who is at the bar nursing a bottle of whisky with Frank.

ANGLE ON

Jesse and Frank at the bar.

JESSE
This has been a good year.

FRANK
Jesse, we're outlaws.

JESSE
And we're good at it.

FRANK
It got to you, didn't it. All the

killing in the war. You need it now.

JESSE

You've killed your fair share of men.

FRANK

If I could go back to farming --

JESSE

That's a lie. You could've bought a dozen farms with the money we've stolen.

FRANK

I can't quit and leave you alone. I can't quit until you quit. Ma would've wanted it that way.

JESSE

We're doing this for Ma.

FRANK

Maybe it started out that way. But now...

JESSE

What do you want me to say, Frank? I was killing men when I was fifteen. I like getting shot at. I like riding out of town with a posse at my back. This is a helluva better life than farming.

FRANK

A better life than the one you could have had with Zee?

Jesse HURLS the whisky bottle against the wall. At the CRASH the saloon falls silent. Every eye turns to the James boys. Frank stands up.

FRANK (CONT'D)

I'll bet you every dollar we've stolen that she hasn't read a single one of the letters you've sent her.

Jesse is boiling. His hand twitches.

FRANK (CONT'D)

You going to throw down on me, Jesse?

Jesse's jaw is grinding.

JESSE

Don't do this, Frank. You know I
love you.

Frank nods, embraces his brother. The saloon noise STARTS
UP again. Frank steps away.

FRANK
We're drunk.

JESSE
Oh yeah.

FRANK
Just do me a favor. Think about
what this is costing everybody. Not
just the railroad.

Jesse nods and Frank EXITS. Jim Younger, also drunk, steps
up.

JIM
You okay, Jesse?

JESSE
Yeah. Hey, are you drinking whisky?
You're too young to be drinking
whisky.

JIM
Not too young to shoot a man, not
to young to drink.

JESSE
(jolted)
I guess so.

JIM
I was always jealous Web Mimms got
to go off and fight with you and
Cole. Now it's my turn.

Jesse takes this in silently.

JESSE
Jim, you been with a girl yet?

JIM
Tonight? Why, I'm just getting
ready to turn on the Younger charm.

Jesse raises an eyebrow.

JIM (CONT'D)
Well, not exactly.

JESSE

You been with a girl ever?

JIM

(insulted)

Hell yeah! I been with...

(sighs)

Uh, not exactly. It's just, I don't want to get one of these paid ladies, you know?

JESSE

I think so.

JIM

You and Frank and Cole, and even Bob, get all these girls because you're good looking and famous. You don't have to pay. They just look at me like I'm the baby brother.

(then)

Don't tell anyone, okay Jesse?

JESSE

I swear.

JIM

(whispering)

Tell you something else.

(belches)

I can't drink that good neither. I'm going to go outside and throw up.

JESSE

You do that.

Jim stumbles away and OUT THE DOOR. We hear him THROWING UP ENERGETICALLY a moment later. Jesse thinks for a moment, beckons over the bartender.

INT. SALOON - A FEW MINUTES LATER

Jim stumbles back in. A pretty young woman, LYLA, approaches him.

LYLA

Excuse me. Are you Jim Younger?

Jim pulls himself together.

JIM

Why, yeah.

LYLA

I hope you don't mind, Jesse James told me your name.

JIM
(crestfallen)
Oh, you were talking to Jesse.

LYLA
Yes, but just so I could find out
who you were.

Jim brightens.

JIM
Really?

LYLA
I hope I'm not being too forward.

JIM
Not at all.

LYLA
I just thought you were awful cute.

JIM
Thank you, Miss -- ?

LYLA
Lyla Devereux.

JIM
Gosh, that's a pretty name. Buy you
a drink?

LYLA
Could we go upstairs and talk? It's
so loud down here.

JIM
(trying to stay
smooth)
Why don't we get a bottle of sherry
to sip while we talk?

LYLA
That is so gentlemanly of you.

As they head to the bar, WE SEE Jesse slide some money to
the bartender.

JIM
(crossing)
Devereux. My brother Cole dated a
European girl once.

LYLA
Really?

JIM

Don't talk about it much, though.

INT. CONFERENCE ROOM

Parker is leading Rains into the room. Rains SNAPS SHUT his ever-present Pocketwatch.

PARKER

The final route for the railroad is complete.

RAINS

I look forward to seeing it.

A group of RAILROAD MEN wait around, wearing forced smiles. Parker shows Rains the map.

REVEAL the wall-sized map of the United States. The plainly marked RAIL LINE extends due west from New York, through Philadelphia, a straight shot west --

-- until it reaches Missouri, where it takes a painfully obvious swing in a large semi-circle south of the state, then swings up again and continues due west.

Rains takes this in. Parker and the railroad men are trying to look casual.

RAINS (CONT'D)

Parker.

PARKER

Sir?

RAINS

What is that?

PARKER

What, sir?

Suddenly, viciously, Rains GRABS PARKER BY THE NECK and SLAMS his face against the map.

RAINS

(calmly)

That.

PARKER

(strangled)

Oh, that. I'll let Jenkins explain.

Rains drops Parker, who slides to the floor stunned. He turns to JENKINS, who is suddenly in an open area cleared by the retreating railroad men.

JENKINS

Sir.

RAINS

Jenkins.

JENKINS

We've done a financial study of the construction costs projected into --

RAINS

Jenkins.

JENKINS

It's cheaper to go around Jesse James, sir. Even with the detour and the extra track. It's just cheaper.

Rains turns to look at the map.

RAINS

So he's won.

PINKERTON (O.S.) (O.S.)

No.

ANGLE ON

The entire group looking at a serene Pinkerton staring at the James Gang tracking map, which is now festooned with red markers.

PINKERTON (CONT'D)

Every three months, the James Gang circles back to the vicinity of Liberty, Missouri. They always pull a job right before they return, probably to have extra money to give family and friends.

RAINS

In English, Pinkerton.

PINKERTON

There are only four banks within that travel radius which they have not robbed.

RAINS

Can you put men at all four?

PINKERTON

No need. I have another tool at my disposal which will narrow it down to one bank.

RAINS

What is that?

PINKERTON

(smiling)

Why, their intense hatred of you,
of course.

The room holds its breath. Rains begins to smile back.

EXT. WESTERN TOWN - EVENING

A populous town with the fanciest SALOON we've seen yet.

EXT. SALOON - SIDEWALK - EVENING

Out on a sidewalk, Jesse stands alone at the edge of the building. He's holding an envelope.

HIS POV reveals the address: "Miss Zerelda Mimms, Liberty, Missouri."

BACK TO SHOT

as Jesse reaches up to the street lantern and lights the envelope on fire. He drops it to the ground and watches it smolder.

Bob Younger walks up, holding a "Wanted" poster.

BOB

Finally.

Jesse looks, grins. The sketch is a dead ringer for Bob.

BOB (CONT'D)

The things a fella has to do to get
a little respect around here...

JESSE

You are a fine figure of a man.

BOB

Listen, Jesse, we've got a problem.

(off his look)

It's Cole.

JESSE

He's been full of vinegar lately.

BOB

He's planning a job.

JESSE

What?

BOB

Listen, he's my brother and I don't want to start trouble...

JESSE

Tell me.

INT. SALOON - GAMBLING ROOM

Back in a semiprivate card room, Cole is talking to the rest of the Gang.

COLE

It'll be the biggest score yet.

JESSE (O.S.) (O.S.)

What will be?

Jesse and Frank step from the shadows. Cole tosses them a newspaper.

COLE

Hyperion Bank, two day's ride from Liberty. They've got a hundred thousand dollars in railroad money just sitting there.

Jesse tosses the paper aside.

JESSE

Smells funny, it being mentioned in the paper.

COLE

If you'd read about it first, you'd have no problems.

JESSE

What are you saying?

COLE

I've robbed just as many banks as you have! I know this town, and I know this bank, and I say it's an easy job.

JESSE

You're forgetting who's in charge --

FRANK

(calming him)

Jesse.

COLE

Oh, you're in charge? We ain't partners any more, Jesse? You tell

Cole Younger where and when to ride?

FRANK

Cole, he didn't mean that.

JESSE

You taking sides against me, now,
Frank?

FRANK

No, I --

COLE

So being with me is being against
you? Well, we don't want to do that!
None of us poor idiots want to go up
against the famous Jesse James,
greatest outlaw who ever lived!

Jesse glares at Cole. The Gang is murmuring amongst
themselves.

COLE (CONT'D)

That's what the newspapers say.
Weren't for Jesse James, this gang
wouldn't be able to find a goat's
ass with a stick.

BOB

What?

Clell Miller leans forward.

CLELL

You have got mighty full of
yourself lately, Jesse.

JESSE

You think so. You all do?
(to Frank)

You?

Frank hesitates a half-second too long.

JESSE (CONT'D)

(spitting)

Beautiful.

COLE

Now the one time one of us comes up
with an idea --

JESSE

A bad idea.

COLE

I got us through the War all right.

JESSE

And almost got hanged in peacetime.

COLE

That's it.

Cole LUNGES for Jesse, and in a flash they're streetfighting, all elbows and knees and rib punches, GRUNTING and SWEARING. Frank and Bob try to break it up, but it's too fierce.

COMANCHE TOM

Let them fight it out. The poison needs to leave the wound, to heal.

Jesse lands a ROUNDHOUSE, knocking Cole away. Cole goes for his gun, and in a blur they've both DRAWN and stand facing each other with cocked six-guns. The Gang watches in stunned silence.

BOB

This is healing?

COMANCHE TOM

Sometimes a wound will kill.

BOB

Now you tell us.

FRANK

(edging in)

Boys, we don't want this.

Neither Jesse nor Cole will back down. They circle, still keeping their guns up.

COLE

(gritted teeth)

I'm the better soldier, Jesse.

JESSE

And I'm the better outlaw.

Jim steps up.

JIM

And you both hate the railroad. That's what's important. We do this job, and Thaddeus Rains won't dare come West again.

Jesse's gaze slides to Jim.

JESSE

What about that Rock Island bastard?

JIM

It's his money. He's putting up the payroll out of his own fortune. You do want to hurt Thaddeus Rains, don't you Jesse?

Jesse and Cole stare at each other again.

JESSE

Still smells fishy.

COLE

Then let me run the show, General Lee.

Jesse thumbs down the hammer of his Colt. Cole does the same. The entire Gang breathes out as one.

JESSE

Fine. We hit this bank.

COLE

You'll be smiling once you've got all that money to spend, cousin.

(to Gang)

Cole Younger's going to make everybody rich!

The Gang CHEERS. Frank watches Jesse cross to the WINDOW and sag against it, exhausted.

DISSOLVE TO:

EXT. HYPERION BANK - DAY

The James Gang rides up to the bank. A WATER TOWER can be seen behind the building opposite the bank.

Jesse, Cole and Frank dismount and move swiftly to the bank doors. Comanche Tom, Jim Younger, Clell Miller and Loni Packwood dismount and take defensive positions. The few other Gang members stay on their horses, looking sharp.

ANGLE ON

Cole holds up at the door, produces his shotgun. Frank and Jesse draw six guns. On Cole's lead, they KICK OPEN THE DOORS AND RUSH IN.

INT. HYPERION BANK

Cole and the James brothers stride in.

COLE

Nobody move! This is a robbery!

The dozen or so farmers and tellers raise their hands.

EXT. HYPERION BANK

Loni is whistling away, rubbing his lucky rabbit's foot. He squints up at the sun, turns, then stops. He slowly turns back...

HIS POV reveals a dozen men APPEARING at the edge of the opposite rooftop, aiming rifles...

Loni lets his rabbit's foot drop...

The FIRST GUNSHOTS PLOW INTO LONI! As he falls back, we see the rabbit's foot hit the dusty ground...

The Gang leaps for cover as a HAIL OF BULLETS begins to tear up the bank face around them.

INT. HYPERION BANK Jesse, Frank and Cole whirl to face the door.

COLE

What the --

JESSE'S POV in a mirror by the door reveals all twelve of the men in the bank drawing guns, shotguns, one rifle --

Jesse shoves Cole and Frank down. He KICKS a stool at the man with the rifle, dives right and ROLLS across a big oak desk. The men begin to FIRE. As BULLETS PING around him, Jesse FIRES from between his legs as he rolls across the desk. The assassins start to drop.

Jesse completes his roll at a railing separating the manager's area from the bank floor. In one smooth move he's up and RUNNING ALONG THE RAILING, defying gravity, drawing his shoulder Colts and shooting...

The gunmen are crossing into each other's line of fire, Jesse's movement confusing them. Jesse's killed another five, only four left, but he's out of railing and --

CRASH! Through a teller's cage, disappearing behind the counter. The gunmen turn and BLAST the wooden counter, some screaming in panic. CLICKS are heard as hammers fall on empty magazines.

The gunmen stare at where Jesse disappeared, panting heavily.

CLICK.

They forgot about Cole and Frank.

EXT. HYPERION BANK

The Gang is scrambling for cover. Loni's body lies in the street, his rabbit's foot lying in a pool of his blood. The Gang is returning fire, hiding behind water troughs, dead horses, barely staying alive. The ROAR OF GUNFIRE is deafening.

COMANCHE TOM

Head for the end of the street!

JIM

Look!

At both ends of the street, WAGONS ROLL into position, each manned by two armed Pinkertons. The Gang is trapped.

INT. HYPERION BANK

A shot of the open, empty VAULT.

COLE

Dammit!

JESSE (O.S.) (O.S.)

A trap.

Cole turns. Jesse is moving the surviving cowboys into the Vault. As the last one steps in, Jesse SLAMS the door closed. WE HEAR MORE GUNFIRE. Frank runs in from the back of the bank.

FRANK

Another dozen out back.

COLE

They gonna rush us?

FRANK

They're just insurance in case we run.

Jesse crosses to the front door.

EXT. HYPERION BANK

Jesse sticks his head out the door.

JESSE

Get inside, you --

Gunfire chews up the doorframe. Jesse pulls back inside.

INT. HYPERION BANK

Frank and Cole are shooting through the windows.

JESSE

They're all pinned down. Can't even
get to the door.

FRANK

Got any ideas, little brother?

Jesse thinks, then smiles.

FRANK (CONT'D)

Oh Lord.

EXT. HYPERION BANK

Jesse comes CRASHING through a window! He rolls to a stop next to one of the horses, grabs a saddlebag, then -- to the disbelief of the Gang -- he pivots and CRASHES right back into the Bank!

INT. HYPERION BANK

Jesse stumbles to his feet, yanks open the bag. Sticks of dynamite tumble out.

FRANK/COLE

Oh Lord.

EXT. HYPERION BANK

WE PAN across the trapped Gang, still under fire, to the front of the next door Saloon, and then WE ZIP

INT. SALOON

Where wary patrons have taken cover from the gunfire. Suddenly --

BOOOM! One wall EXPLODES into dust! In the hole we see the interior of the Bank and --

Jesse James running through, already readying another stick of dynamite --

EXT. ROOFTOP

Where the Pinkerton gunmen are shooting at the Gang. Some of the gunmen look curiously as the windows to the building two doors down from the bank BLOW OUT.

EXT. STREET

As the two Pinkerton detectives at the wagon barricade turn in shock as Jesse James LEAPS FROM THE SECOND FLOOR of a building he can't possibly be in, lands on the wagon, rolls

off and DASHES INTO a blacksmith shop across the street.

They suddenly notice a HISS. They stand, look in the wagon. Jesse left a burning stick of dynamite in the wagon.

ANGLE ON

the wagon EXPLODING into matchsticks.

INT. BLACKSMITH SHOP

The blacksmith is gone, but there's a fire in the FORGE. Jesse leaps and KICKS OVER the forge --

ANGLE ON

The white-hot coals IGNITING everything.

EXT. ROOFTOP

The Pinkertons firing on the gang notice SMOKE rising from below them. They look down ...

REVEAL bellowing FLAMES and SMOKE enveloping the entire row of buildings below them.

BACK TO

The roof as a PINKERTON COMMANDER runs to ledge and looks at the rising flames himself.

A HUGE EXPLOSION is heard O.C. A large SHADOW creeps over the snipers. They turn and look up --

-- at the Water Tower TOPPLING towards them!

The Pinkertons dive out of the way as the tower SMASHES onto the roof, unleashing a TIDAL WAVE of water!

EXT. STREET

UPSHOT of the sniper's ledge as the Pinkertons leap off, followed by a WALL OF WATER --

WIDEN to see the water POURING into the building from above --

Cowboys FLY out the windows, followed by TORRENTS of water --

One Pinkerton SWEPT UP and carried off the roof, BOUNCES off a second floor balcony and lands in a puddle on the dirt street below.

FOLLOW the water rushing across the dirt street to the feet of --

EXT. HYPERION BANK

Jim, Tom and the Gang staring in disbelief at the total destruction Jesse has wrought.

EXT. STREET

Jesse rides out from a stable leading a team of horses. He reaches the bank.

JESSE

No time to gawk, boys, we got
somewhere else to be!

Frank and Cole rush out from the bank. The Gang leaps onto the horses and put the spurs to them hard.

ANGLE ON

the Gang galloping past the shattered wagon barricade, heading for the edge of town.

Pinkerton riflemen run out of the bank and from behind the other barricade. One SHARPSHOOTER with a rifle drops to one knee, lines up...

HIS POV shows Jesse in his sights. He tightens on the trigger, and just as he pulls --

-- Jim Younger rides into the line of fire! With a CRACK the bullet hits Jim square in the back. He slumps forward on his horse. Comanche Tom leaps from his horse onto Jim's and urges it on.

ANGLE ON

The James Gang disappearing past the edge of town. The Pinkertons stand stunned amongst the ruin of their ambush.

Alan Pinkerton himself walks up, shaking his head.

EXT. HILL COUNTRY - EVENING

The Gang rides up onto a wooded hill where huge rocks jut from the earth. They all dismount, Jesse and Cole supporting Jim's limp form as they pull him from the saddle. Jim is drenched in blood.

JESSE

Okay, you're gonna rest here.

COLE

Clell, Tom, go get Doc Mimms in
Liberty!

CLELL

That's a long ride, Cole. We won't
be back 'til morning.

JESSE

Then you better get going!

Cole and Jesse are united again in their grief over Jim.

COLE

Bob, rip up some bandages.

JESSE

Pass me some whisky.

Jim's eyes flutter open for the first time.

JIM

... too young for whisky...

JESSE

This time we'll make an exception.

JIM

Jesse, you explain to Lyla. My
girl, you know, from that time...

JESSE

You're gonna tell her when you're
resting up in bed with her, Jimmy.

COLE

Jim, I'm sorry, I'm so sorry.

JIM

Best time of my life.
(weakly)
I was famous, y'know...

Jim dies. Cole cradles the body, begins rocking. Comanche
Tom puts a hand on Bob's shoulder as Bob slumps against a
rock.

Jesse stands, walks away heavily.

EXT. HILLTOP - A WHILE LATER

Sunset is heavy in the sky. Jesse stares off at it. His
anguish is palpable. Frank comes over.

JESSE

Shoulda learned with Web. Made it
look fun, made it look like an
adventure. Got Web killed. Now Jim.

FRANK

Jim was old enough...

JESSE

(snorts)

He was a boy riding with the most famous outlaws in the West. How was he supposed to say no to that?

FRANK

Railroad burned him out too. You couldn't have stopped him.

JESSE

You're a piss-poor liar for the smartest man I know.

FRANK

Yeah.

JESSE

A war against the railroad. What the hell were we thinking?

FRANK

I'm sure it seemed like a good idea at the time.

Jesse remembers the first time Frank said that. He crosses

BACK TO

the Gang.

ANGLE ON

the Gang -- what's left of them -- waiting by the horses. The unspoken knowledge of whose fault this is hangs in the air.

Cole is covered in Jim's blood.

COLE

We'll make them pay for this.

JESSE

I'm out.

COLE

WHAT?! We follow you for a year, and now that our blood's been spilled, you're gonna quit?!

JESSE

Who's next? You? Me? Bob?

Cole can't answer.

CLELL

We can't exactly go back to our lives, Jesse.

JESSE

I'm not telling you what to do. You want to keep on following Cole, fine by me.

BOB

Frank?

Frank nods. He's leaving too.

COLE

Go ahead. Ride on. But don't come back when you figure out you can't farm with a six-gun.

Bob embraces Frank. Jesse goes to shake hands with Cole, but the guilt and rage make his once-best friend unapproachable. Jesse smiles sadly and walks away.

EXT. MIMMS HOME - EARLY MORNING

Zee is letting a dog out. She looks up, freezes. Entranced, she walks out onto the porch.

ANGLE ON

A figure appearing out of the early morning fog. It's Jesse, riding slow. He reins his horse in at the porch, dismounts. He stands staring at Zee.

JESSE

Zee.

ZEE

Jesse. What are you thinking? There are bounty hunters and lawmen all over this county!

JESSE

I had to see you. I'm getting married.

Zee is shocked. Jesse looks serious.

ZEE

I don't understand.

JESSE

She's the most wonderful woman in the world. Can't get her out of my mind.

ZEE

That's... wonderful. It's just... I thought...

JESSE

She's beautiful. Smart. And has the biggest... buck teeth in all of Missouri.

It takes Zee a second. Before she can process it all, Jesse drops to one knee.

JESSE (CONT'D)

I've quit my outlaw ways. Come live in my home and in my heart.

Zee takes the hat off Jesse's head, tosses it into the yard and smiles. Jesse stands up and they kiss.

DISSOLVE TO:

EXT. HORSE DRAWN TAXI - DAY

Victorian wooden houses with tin roofs and palm trees line the street.

Jesse and Zee ride in the back of the open carriage. They can't take their eyes off each other.

ZEE

I would never have imagined us in a place like this.

JESSE

That's why I picked it. We can start a whole new life down here.

ZEE

Are you going to be happy here, Mr. James? Without all that excitement?

JESSE

I've got you. You keep me busy. I figure we'll get over to the hotel... get checked in, cleaned up... then I'd like to do something I've been thinking about for a long time.

ZEE

Now wait a minute. There are certain things that have to wait until after the wedding.

Jesse leans forward to the DRIVER.

JESSE

Driver, change of plans. Take us to the nearest church.

DRIVER

What religion?

JESSE

Whichever one has God in it, that'll do fine.

INT. CHURCH RECTORY - DAY

A PASTOR sits at his desk while Jesse finishes filling out a marriage license.

PASTOR

This is unusual. Most of our marriages are members of the congregation.

JESSE

You don't think God'll mind, do you?

Jesse slides him two twenties with the license.

PASTOR

The Lord is remarkably tolerant of the charitable.

(reading the license)

"Jesse Woodson James." Jesse James?
The Jesse James?

JESSE

I could have lied I suppose, but I want this marriage to be legal. I just want you to know, I'm trying to start a new life here. I'm depending on your...

PASTOR

Discretion? Sir, I am a man of the cloth.

JESSE

Thank you.

PASTOR

Who needs to repair a leaky church roof.

Grinning, Jesse slides over another forty.

PASTOR (CONT'D)

Now let's have a drink.

JESSE
Right here in church?

PASTOR
Communion.

The Pastor pours. They drink.

EXT. CHURCH - DAY

The BELLS RING as Jesse and Zee walk out the front door arm in arm. The Pastor and his wife appear in the doorway, waving. Jesse and Zee hop in a waiting carriage.

DISSOLVE TO:

INT. BANK - DAY

Various townsfolk are lined up at the TELLER'S window. Cole, Bob, Comanche Tom, Clell and some NEW GANG MEMBERS BURST IN.

COLE
Nobody move! This is a robbery.

Everybody's hands reach for the ceiling. Cole gestures to the Teller.

COLE (CONT'D)
The safe. Now.

TELLER
Of course!
(pause)
Uh, sir?

COLE
What?

TELLER
Where is Jesse James?

COLE
This here is the Younger Gang!

A MAN speaks out timidly.

MAN
But the Youngers ride with Jesse James.

COLE
Did ride. No more.

The crowd grumbles, plainly disappointed.

COLE (CONT'D)
OPEN THE DAMN SAFE!

TELLER
All right, all right.
(muttering)
Jesse James never yelled at folk...

Bob and Comanche Tom exchange looks behind a fuming Cole.

INT. SALOON - NIGHT

The new Gang is spending its booty. Cole is putting a healthy dent in a bottle of rotgut. Bob is consoling him.

BOB
This is the best score yet.

COLE
It's still taking too long. The people used to snap to.

BOB
That was because of... the reputation the gang had.

COLE
As long as people think Jesse's still riding, we will never get the respect we deserve.

BOB
Cole, we're outlaws. Not exactly the most respectable job, if you know what I mean.

COLE
Leave me alone, Bob.

Even Bob can't reach Cole now. He walks sadly away.

DISSOLVE TO:

EXT. BEACH - DAY

A deserted Keys beach -- coconut palms and Australian pines. Clear water like glass stretching off forever.

Jesse and Zee are having a picnic on the white sand. Both are in the latest in beach attire. He's in a one-piece that goes from his neck to his knees. Zee's in what is basically a dress with long pantaloons.

Zee is reading. Jesse is stretched out on the sand.

ZEE

Hmm.

JESSE

"Hmm" what?

ZEE

(reading)

"But the life of the James Gang wasn't all robbing and shooting and killing, for these young Missouri bucks had a taste for the ladies... especially the handsome and charismatic Jesse James."

Jesse sits up.

JESSE

I beg your pardon?

ZEE

(showing him the cover)

"Blazing Guns of the West. True Stories of Jesse James." Only a dime in the hotel lobby.

JESSE

Let me see that.

ZEE

Oh, I'm not finished.

(reading)

"When he sauntered into a saloon, his spurs jangling and his pockets full of gold, the ladies flocked around him like flies to a candied apple."

(looking at him)

As I said. Hmm.

JESSE

Now, sweetie, y'all wouldn't go believing one of them silly dime novels, would you?

ZEE

Jesse, have you ever noticed that when you're trying to charm your way out of trouble, your accent gets all farm boy?

JESSE

Aw, shucks, ma'am...

ZEE

Stop it. This is just sad.

JESSE

Swimming. Swimming is good.

Jesse jumps up and OUT OF FRAME. A second later, he reaches down and PULLS a chuckling Zee up out of the sand.

EXT. OCEAN - DAY

Jesse chases Zee out into the surf. They splash around until the water gets shoulder-deep, then both submerge. They reappear, locked in a kiss. CLOSE ON Zee's face as they break the kiss and embrace. She's in heaven. She opens her eyes, facing the beach. Something passes over her face.

ANGLE ON

the beach, where fifty Pinkerton detectives with rifles are lined up like a firing squad.

BACK TO

Zee's face. She squeezes Jesse tighter.

ZEE

Don't turn around.

JESSE

What?

ZEE

If you don't see it, it's not real...

Jesse turns around to see --

EXT. BEACH

A familiar figure walking along the sand. When the figure reaches the center of the line of detectives, he turns to the couple and --

PINKERTON

Jesse James, you are under arrest!

Jesse takes one longing gaze at the open ocean. He heads for shore.

DISSOLVE TO:

INT. SALOON

Cole and the Gang are killing time. Bob runs in.

BOB

They arrested Jesse!

He throws the paper to the other Gang members, but walks straight to Cole. The two brothers stare at each other.

COLE

How'd they --

BOB

What have you done?

COLE

I ain't done --

BOB

WHAT HAVE YOU DONE?!

Bob draws on Cole. Cole is shattered.

COLE

Bob. I didn't...

BOB

Swear.

COLE

I swear --

BOB

Swear on Jimmy's grave.

Cole hesitates. Bob thumbs back the hammer. Comanche Tom's hand closes over Bob's gun.

COMANCHE TOM

Bob. You know Cole would never do such a thing. He and Jesse are best friends. They are cousins, blood brothers.

Bob considers it, lowers the gun.

BOB

I'm sorry, Cole.

COLE

You're just upset about Jesse. We all are.

Bob walks off. Comanche Tom speaks, but keeps his eyes on Bob.

COMANCHE TOM

My people know that when a brother kills a brother, a great curse comes down on that man, and when he dies

he walks the desert as a dark spirit. I like Bob too much to let that happen.

(looking at Cole)

If I find out you turned in Jesse, I'll kill you myself.

Comanche Tom moves off. Cole's thoughts are his own.

DISSOLVE TO:

EXT. FORT JEFFERSON - NIGHT

An establishing shot of the Florida fort being lashed by rain.

INT. CELL

A dank, black cell far in the bowels of Fort Jefferson. WE HEAR CLANKING.

WIDEN TO REVEAL Jesse doing push-ups. They come easily, despite Jesse being chained up like the Frankenstein monster.

The DOOR OPENS. Jesse looks up in mid-push-up. Alan Pinkerton is looking down at him.

Jesse moves to the bed. Pinkerton, flanked by two guards, ENTERS. He sits on a stool provided by one of the guards.

PINKERTON

We're moving you tomorrow.

JESSE

But I like the presidential suite.

PINKERTON

Oh, it's a similar room. But the hotel is in Washington D.C. You're not going to get a fair trial down here, in front of a jury of Jesse James sympathizers.

JESSE

So I'll get a fair trial in front of a jury bought off by Thaddeus Rains?

PINKERTON

That's the idea.

Pinkerton produces two cigars, presenting one to Jesse.

JESSE

Did you order our houses burned down?

PINKERTON

Not that day. I am guilty of many things, but that was Mr. Thaddeus Rains and Parker, that day.

Jesse takes the cigar, and Pinkerton lights both. They puff for a moment.

PINKERTON (CONT'D)

(tapping bad leg)

Was this you, by the way?

Jesse exposes his scar.

JESSE

You almost ended my career before it began.

PINKERTON

Pity.

Pause.

PINKERTON (CONT'D)

How did you spot the ambush in Torrell?

JESSE

Last February?

PINKERTON

Mmm.

JESSE

You had all those cattle there, so I'd think the extra men were in town from the cattle drive?

PINKERTON

Yes?

JESSE

The cows had a brand from a farm just five miles out of town.

PINKERTON

Damn.

Pause.

JESSE

Almost got me in Billings. I saw you there, shooting at me.

PINKERTON

I went myself to oversee the operation. Didn't help much.

JESSE

No, that one was close. A couple fellas quit after that one.

PINKERTON

Oh. That's nice to know.

(then)

We're going to hang you, you know.

JESSE

I figured.

PINKERTON

Was it worth it?

JESSE

Should have just killed Thaddeus Rains and been done with it.

PINKERTON

That's what I would have done.

JESSE

I'm not hanged yet.

PINKERTON

(shaking his head)

You cocky little bastard.

JESSE

Ahh, you'll miss me.

PINKERTON

No, I'll hang you.

(then)

But I may miss you just a bit.

As Jesse and Pinkerton smoke and discuss the past year...

EXT. TRAINYARD

Two guards are leading Jesse, who is in heavy arm irons, toward a prison car at the end of a waiting train. Pinkerton, Thaddeus Rains, and Parker walk up.

RAINS

This is him.

PARKER

I remember you.

JESSE

You're Parker. I remember you, too.
You killed my Ma.

Parker is set back by Jesse's voice. To cover his fear --

PARKER

How did you know?

RAINS

Not such a menace now, is he,
Pinkerton?

PINKERTON

If you feel that way, I could
always take off the irons.

Rains glares at Pinkerton, then turns back to Jesse.

RAINS

You stole thousands. You cost me
tens of millions of dollars, months
of lost construction. I wish I could
hang you every single morning for a
century.

Rains checks his Pocketwatch, spots Jesse eyeing it.

RAINS (CONT'D)

You like that? Solid gold, my
father had it made when he started
this railroad. He gave it to me when
I took over, I'll give it to my son
when he runs this company, and he'll
give it to his son -- The right type
of men will always run this country,
Jesse James, and little men like you
will always suffer. You have stopped
nothing.

JESSE

Made you think twice about burning
folks' homes down now, didn't I?

Jesse winks.

With that Parker reaches back and SUCKER PUNCHES Jesse.
Rains gloats as Jesse gets his breath back.

RAINS

We'll speak again in Washington,
you insect.

JESSE

You're coming on the same train?

Rains involuntarily looks behind Jesse. Jesse cranes his

head and spots a CLUB CAR at the front of the train, several cars away from his prison car. The other cars are packed with Pinkerton detectives.

JESSE (CONT'D)

Well, tell you what. I'm going to have to pay you a visit.

RAINS

Big words.

JESSE

It's a promise.

Everyone is a little shaken by the steel in Jesse's voice. The guards DRAG JESSE OFF.

INT. PRISON CAR

The guards turn Jesse over to a BURLY DETECTIVE. Pinkerton enters just behind him. There are ten detectives in total in the car.

PINKERTON

Hook him up.

The Burly Detective brings Jesse's arms above his head. He loops Jesse's chain over a rail that runs the length of the car. Two other detectives walk Jesse down the car, Jesse's hands suspended over his head. Jesse can just barely sit down.

PINKERTON (CONT'D)

Now the guns.

BURLY DETECTIVE

I don't like it. We can handle him.

PINKERTON

In the ten seconds we have been in this car, I have seen you get close enough for Jesse James to grab your guns at least three times. And I assure you, if he gets his hands on one of your guns, you are all, and I mean all dead men.

BURLY DETECTIVE

He's chained up.

PINKERTON

I'll put that on your tombstone. The guns.

Grumbling, the detectives deposit their pistols in a box near the front of the car. Pinkerton walks out.

The Burly Detective slides a Colt into his waistband.

ANGLE ON

Jesse, alone, surrounded by ten Pinkerton guards. The train LURCHES, and they're off.

EXT. COUNTRYSIDE - DAY

The prison train highballs through the wooded, rolling hills. We see the engine, the coal car, a detective car, then the private salon car, two more cars of guards, and then the prison car.

INT. PRISON CAR

Five guards are playing poker. Five others are standing along the length of the car. Jesse looks at the gun box waaay down the other end of the car.

Things shift, and we (and Jesse) realize the train is going downhill.

JESSE

Hey, fatty.

The Burly Detective looks up.

BURLY DETECTIVE

What?

JESSE

You, ya barrel of pork lard. Here piggy piggy!

The detectives close on Jesse. Jesse stands as the Burly Detective moves right up on him.

BURLY DETECTIVE

What you sayin' boy?

JESSE

I think I recognize you.

BURLY DETECTIVE

How?

JESSE

I think I saw you leavin' by the front door just as I was coming in the back.

The other detectives try to hide grins.

BURLY DETECTIVE

You shut up now, boy.

JESSE

No, really. You're wife said she needed some help, seeing as you were so fat you couldn't find your --

Burly Detectives BACKHANDS Jesse. Jesse spits blood and grins.

JESSE (CONT'D)

Yeah, she said you did that to her too.

Burly draws, points the gun right at Jesse's face. The other detectives GASP. Jesse stares down the barrel, then raises his eyes and speaks in a voice that is low and terrifying.

JESSE (CONT'D)

Y'know, I could do this without the gun, but it just makes things easier.

SLAM as Jesse KICKS Burly in the crotch! The gun FIRES, missing Jesse's head only because he jerks it like a mongoose.

Jesse BACKHANDS the detective with the heavy chain! The gun drops right into Jesse's hands --

The guards are running for the gun box --

Jesse flips the chain TIGHT, TUCKS UP and KICKS OFF from the back wall and SLIDES THE LENGTH OF THE RAIL over the detectives' heads! As he reaches the end he FIRES the gun, blowing open the gun box. Jesse then SHOOTS the rail's ceiling strut, and then KICKS at the roof.

The rail WRENCHES FREE, dropping Jesse to the floor. In a blur he's up, reaching into the gun box. He tosses one gun INTO THE AIR, then FANS THE HAMMER of another.

Half the guards drop, but the other half are right on top of him and nobody's that fast --

Jesse drops the spent gun, CATCHES the other gun in the opposite hand and FANS THAT HAMMER all in a single breath!

As the smoke clears, the last of the detectives falls with a THUD.

EXT. TRAIN

Jesse pops open the door to his car. He's improvised a gunbelt like his old one, holding six Colts. He's still holding the chain from his restraints. Now that they're no

longer wrapped around Jesse, we see they're at least a few yards long.

INT. THIRD TROOP CAR

Some Pinkertons LOOK UP as a BANG sounds from on top of the car.

EXT. TRAIN

And Jesse JUMPS OFF THE ROOF and --

CLANK as the chains -- fastened to the roof -- go taut and Jesse is at window level and he's FIRING AND FIRING into the car!

INT. THIRD TROOP CAR

Pinkertons falling, drawing their guns, not able to get a bead on Jesse because --

EXT. TRAIN

Jesse is running along the side of the car, supported by the chain! Still shooting, he reaches the end, KICKS UP and is on the roof again.

ANGLE ON

one Detective, barely alive, stumbling through the door, opening the door to the next

INT. SECOND TROOP CAR

The detectives inside start as the wounded man falls into the doorway.

EXT. TRAIN

Jesse looks down and sees heavily armed Pinkertons coming out of the doorway.

JESSE

Shit.

But there's no turning back and he jumps to the top of the

EXT. SECOND TROOP CAR

Jesse's running and the Pinkertons start SHOOTING THROUGH the roof. Jesse miraculously is untouched, almost to the CLUB CAR...

INT. CLUB CAR

Pinkerton is already moving as Parker and Thaddeus Rains

look around.

RAINS

What the hell is that sound?

PINKERTON

Vengeance.

INT. FIRST TROOP CAR

Pinkerton bursts in. The men snap to.

PINKERTON

Outside! Get up on top! Go GO!

EXT. CLUB CAR

Jesse JUMPS onto the club car, but pulls up short as detectives appear ahead of him. He turns to see other detectives climbing up behind him. He's trapped.

BUT WE HEAR A LOW WHISTLE AND

EXT. TRAIN ENGINE

The engine EXPLODES! Sparks fly as the twisted engine GRINDS onto the tracks!

EXT. TRAIN

The momentum carries everyone off their feet! Some detectives are torn from the train. Jesse slides across the roof of the Club Car --

CUT TO:

EXT. TRAIN TRACK

CLOSE ON a smoking CANNON sitting on the tracks. WIDEN TO REVEAL Frank and Cole on horseback shading their eyes. Zee is daintily blowing out a fuse lighter.

FRANK

Nice shot.

ZEE

Thank you. Now go get my husband.

The two men start to gallop toward the train.

EXT. TRAIN

Jesse, Pinkerton, and the detectives look down the track and see...

EXT. TRAIN TRACK

Frank and Cole riding toward them. From the woods ride Comanche Tom and Bob Younger, folding into perfect formation. The four THUNDER toward the train.

INT. CLUB CAR

Pinkerton rushes back in. Parker and Rains are looking out the window.

PARKER

There's only four of them...

PINKERTON

Move you fools!

He grabs the two businessmen and heads them to the rear of the train.

EXT. TRAIN TRACK

Frank draws a gun and FIRES.

EXT. WOODS

TWO DOZEN RIDERS pour out of the woods, all firing at the Pinkerton! The Pinkertons return fire, taking shelter in the train cars as the riders strafe the train.

EXT. TRAIN

Jesse swings over the edge of the train, looks through the window. Rains is gone. He turns and starts running back along the top of the train.

EXT. PRISON CAR

Pinkerton, Rains and Parker tumble out of the door and run for the woods.

Jesse LEAPS DOWN from the top of the train onto Pinkerton! They wrestle, separate. Pinkerton stands, reaching for his gunbelt.

Empty.

With almost a resigned sigh, he looks up. Jesse's pointing the gun at Pinkerton's head.

PINKERTON

Do it.

Jesse FIRES.

ANGLE ON

Pinkerton, stunned to realize he's still alive. He turns to see Parker, fall to the ground, his own gun half-drawn, Jesse turns the gun on Rains.

JESSE

That was for my Ma. Now this is for everybody else.

PINKERTON

He's too important, James. They'll set the army on you. You and your wife.

Jesse stares at Rains, Rains stares back, the tension building...Jesse's about to shoot...and says:

JESSE

That is a nice watch you got there.

Rains looks down at the fob, back up. The tension isn't broken.

JESSE (CONT'D)

I tell you what, I'll buy that watch from you, for the fair market price approved by the Department of the Interior: one dollar.

Rains hesitates. Jesse thumbs the hammer back

JESSE (CONT'D)

If I were you, I'd sell. After this, the price goes...down.

Rains tosses the Watch to Jesse as Jesse simultaneously FLIPS Rains a dollar coin with his free hand. Jesse holds up the Watch.

JESSE (CONT'D)

Now every time you go to look at this watch and it's not there, you'll remember: You can be stopped. Pass that down to your son, instead.

Jesse thumbs the hammer forwards, lowers the gun. Rains falls to his knees, numb from the tension.

Frank rides up. Jesse empties Pinkerton's gun and hands it to him. Pinkerton holds him for a second.

PINKERTON

(low)

Tennessee.

Jesse doesn't understand.

PINKERTON (CONT'D)

The railroad has no business in Tennessee. Therefore I have no interest in the state of Tennessee.

JESSE

Thanks.

PINKERTON

I'd just as soon kill you, Jesse James. But chasing you takes up too much of my time.

JESSE

Fair enough.

Zee RIDES UP. Jesse SWINGS UP onto her horse, and then they RIDE OFF with Frank.

We PULL UP AND AWAY, centering on Pinkerton, Rains, and revealing the smoking, burning wreckage of the train.

EXT. HILLSIDE FIELDS - DAY

Most of the Gang is mounted. Frank, Cole and Bob are standing there, watching.

ANGLE ON

Jesse and Zee riding up on one horse.

ZEE

You get arrested again, I'll kill you.

JESSE

Yes ma'am.

ZEE

I can't believe I had to blow up a train for you.

JESSE

You are a hell of a woman.

ZEE

Don't swear.

JESSE

Yes ma'am.

They reach the Gang. Jesse SWINGS OFF his horse, gets one of Cole's BEAR HUGS.

COLE

Missed you, cousin.

JESSE

Missed you too, cousin.

Jesse notices Cole is oddly emotional, but can't quite figure out what's going on.

COLE

You know, you gettin' caught, right after leaving us, some people thought --

JESSE

Pff. All we been through, the thought never crossed my mind.

The two clasp hands.

BOB

Things changed when you quit the gang. For example, I'm now the one who says "Let's ride."

COLE

He's not bad at it.

BOB

It's tougher than it looks.

JESSE

Where'd you get all these riders?

COLE

We didn't. Zerelda did. Turns out your wife makes a hell of an outlaw.

BOB

So what's the plan?

Jesse looks at Zerelda and Frank.

JESSE

I think my wife and I might go down Tennessee way, buy a farm.

(pause)

Goodbye, boys.

The Youngers smile sadly, but NOD. As the Younger brothers SADDLE UP, Comanche Tom leans down from the saddle and shakes Jesse's hand.

COMANCHE TOM

You stay out of trouble, Jesse. Nobody has as much luck as you used up today.

ANGLE ON

Jesse getting back on his horse with Zee. Frank stands there and watches them.

FRANK

I'll meet you down there in a few weeks.

JESSE

See you soon. Oh, and I appreciate the distraction back there.

FRANK

Hell, they hardly even noticed us.

Jesse and Frank grin.

BOB

Let's ride!

Jesse flips the reins and he and Zee RIDE OFF, the GANG with the Youngers RIDES OFF in the opposite direction.

Frank watches them ride away. WE HEAR faintly:

ZEE

Tennessee?

JESSE

I'll explain on the way.

Then it's Frank alone on the hill. WE CIRCLE around behind him, come around, see he's AGED a little, CIRCLE AGAIN and now he's AGED MORE, we come around one more time and...

EXT. HILLSIDE NEAR LIBERTY - DAY - TWENTY YEARS LATER

...we COMPLETE THE CIRCLE and see young Frank James is now an older FRANK JAMES. Still lean, a few wrinkles, a little grey in the hair, dressed in expensive turn-of-the-century western clothes. A young man who looks remarkably like Jesse, JIMMY JAMES, 16 years old, is waiting patiently. The two are looking down on the town of Liberty, Missouri, which is now swollen five sizes larger. The Wild West is disappearing under roads and telegraph wire.

JIMMY

Y'know, Uncle Frank...

FRANK

Yeah, Jimmy?

JIMMY

(genially chiding)
...every time you tell that story,

you stop there. That's not how it ended. I was five when my dad got shot.

FRANK

I know. But that's how it should have ended. Your Dad and Mom, riding off into a new life, growing old together, happy.

They start to walk back to the edge of town.

FRANK (CONT'D)

Allow a man his version of the past. When you get to be my age, you've got enough painful memories, you're allowed to soften a few of the edges up.

JIMMY

Sounds like he was a hell of a man.

FRANK

(chuckling)

That he was.

JIMMY

They're making him a hero now.

FRANK

Saved a lot of folk from the railroad.

JIMMY

But he killed a lot of men, too.

FRANK

Can't argue that.

JIMMY

So what was he?

FRANK

I think... he was just a real interestin' fella to have around.

Frank chuckles again at the memories, claps his hand on Jimmy's shoulder.

FRANK (CONT'D)

Come on, your Ma's probably holding dinner for us. Once saw the woman blow up a train, don't want to tick her off...

Jimmy grins and the pair walk down the hill. We stay ON

THEIR BACKS as they continue talking.

JIMMY (O.S.) (O.S.)
Uncle Frank?

FRANK (O.S.) (O.S.)
Yeah Jimmy?

JIMMY (O.S.) (O.S.)
How much of that story is true?

FRANK (O.S.) (O.S.)
Everything but the boring parts.

FADE OUT:

END

OVER CREDITS:

SEPIA TONED PHOTOGRAPHS of JESSE and ZEE enjoying their years as farmers, with VISITORS like FRANK, and the YOUNGERS also included.