



STATE OF VIGILANCE

EPISODE ONE: THE HOUNDS

Written by

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Based on a True Story

Horrorified by crime during the Gold Rush, an unapologetic Mormon minister and pioneer leads victimized citizens to create a "Committee of Vigilance" to clean up San Francisco, battles cruel and cunning thieves from New York and Australia, and then uses his clever skills and fame to become California's first millionaire.

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EPISODE ONE: THE HOUNDS

EXT. VIEW OF SAN FRANCISCO BAY - AFTERNOON

The setting sun sweeps across a harbor filled with ships, many at wharves, but dozens anchored offshore. The sun lights up more bays and a golden mountain range on the horizon.

SUPER: **San Francisco, 1849**

EXT. STEAMER "OREGON" DOCKED AT LONG WHARF - AFTERNOON

People disembark on a gangplank stretching to the dock. A large knot of people waits. A group of miners dressed in colorful clothes, speaking Spanish, carry their packs off.

The final two passengers come down the incline. In front is JOHN ALLEN FRANCIS (40; a sturdy Black man, linen three-piece suit); who carries a large bag for the lady behind him.

MARY ELLEN PLEASANT (35; a tall Black woman with regal bearing, tailored dress) glides slowly down the ramp, surveys the crowd clamoring for her attention. The two pause, in awe.

FRANCIS

Excuse me, folks. Do all y'all aim
to be hirin' Mrs. Pleasant to cook?

In the crowd, men wave hands in the air and call her name to get her attention. Mary Ellen motions to them to be quiet.

PLEASANT

Gentlemen, I am flattered that my
reputation has preceded me here
from Nantucket. And I can tell you
that I picked up a few good recipes
while living in New Orleans.

A shout of joy goes up from the crowd.

PLEASANT (CONT'D)

I have come to San Francisco as a
businesswoman, to make investments
in this promising new location. In
his North Star newspaper, Frederick
Douglass said this city might be a
place to make a new start for...
all of us. I am a free woman, so I
do what I like.

(MORE)

PLEASANT (CONT'D)

And since cooking is my biggest love, I am quite willing to hire out on a monthly basis, with an appropriate household.

BIDDER ONE

Give you Fifty in gold ev'ry month.

Mary Ellen just looks at him as the corner of her mouth turns up with a slow grin. She pauses, and looks out at the crowd.

PLEASANT

Now before we get started, I want to make my rules very clear. I am the cook, period. I do not serve. I do no washing of any kind, not even dishwashing. I expect you have people for that. Presently, my friend Mr. Francis will conduct an auction for my kitchen skills.

FRANCIS

All right fellas. Lets keep the biddin' civil now. We'll start at... One hundred...

(looks at Bidder One)

and fifty dollars. Increments of Twenty-five. Do I hear One-fifty?

There is a noticeable gasp and pause, as many hands come down. A well-dressed BIDDER TWO (30) speaks out.

BIDDER TWO

Yeah... sure... I'll go One-fifty.

A pause, then cautiously, BIDDER THREE (45) raises a hand:

BIDDER THREE

Uhh... One-Seventy-five.

FRANCIS

Thank you sir. We have One Hundred Seventy-five dollars. Going once...

In the back SELIM WOODWORTH (34; hero sailor who rescued the Donner Party) and his brother FREDERICK WOODWORTH (36; merchant) whisper quickly back-and-forth. SELIM raises his hand to serve the put-away bid.

WOODWORTH

Three-hundred a month!

The crowd erupts, positive that bid must be the final one.

FRANCIS
Three-hundred from Mister...

WOODWORTH
Woodworth... Selim Woodworth. The
Case and Heiser Company. Thank you.

FRANCIS
Looks like Mr. Woodworth wins at...

SAMUEL BRANNAN (36; a well-dressed Mormon minister and civic leader), raises hand, speaks commandingly, sure he will win.

BRANNAN
Three-hundred and Fifty Dollars!

Selim is flabbergasted. His brother Frederick kids him for losing to his friend, Sam. Selim jumps to his feet, shouts.

WOODWORTH
Dammit, Brannan! Five-hundred
Dollars per month. And I assure
you, that comes with a Scullery
Maid and full wait-staff.
Beat that, Brannan!

BRANNAN
Ha! Selim, dear Lissie will enjoy!

Brannan grandly bows and waves his arm. A hush falls across the dock; Francis turns and looks up at Mary Ellen.

PLEASANT
Well now... Our handsome sailor
seems to have won this battle.

Most of crowd applauds, except for the losing bidders. Francis and Mary Ellen continue down the ramp as Selim and Frederick come forward to meet them. Both are Abolitionists, as well, and have no problems interacting with Blacks.

FRANCIS
Congratulations, Mr. Woodworth.

Francis extends his hand, and Selim immediately shakes it.

FRANCIS (CONT'D)
Gentlemen, may I introduce Mrs.
Mary Ellen Smith Pleasant.

Mary Ellen extends the back of her hand toward Selim. He doesn't know what to do. Eventually, he reaches out and squeezes her middle three fingertips. She nods her head.

PLEASANT

Mr. Woodworth... your family is
from Massachusetts, isn't it?

WOODWORTH

Yes, ma'am. I've heard about your
cooking from some whaler captains
who sail out of Nantucket.
Glad you're here.

Mary Ellen looks around briefly at the harbor sunset.

PLEASANT

Yes, I do believe that I will be
very glad as well.
(points a finger)
My luggage. Thank you.

EXT. LITTLE CHILE NEIGHBORHOOD HILLTOP - NIGHT

SUPER: Little Chile, San Francisco

SUPER: July 15, 1849

Dusk, on a sandy hill overlooking San Francisco Bay. Astride
a white horse, LT. SAM ROBERTS (36; military stature, with a
New York accent) commands his gang, "The Regulators."

Roberts wears his old gold-buttoned Army coat, but on his
head is a top-hat with a red band. He draws a cavalry saber.

The sparks and ashes of tents and shacks waft upward in the
onshore breezes. JACK POWERS (20, from Ireland) rides up fast
and reins in his black stallion, with a showy flourish.

ROBERTS

(shouts to Powers)
Powers... today we purify San
Francisco of all these goddamn
greasers! Burn 'em all out!
Regulators... Charge!

POWERS

Yah sar, Lieutenant! Regulators!

The mob yells "Regulators" in unison, as Roberts and Powers
spur their stallions in pursuit of fleeing peasants and
miners, swords slashing at ropes guying sailcloth tents.

Roberts' ragtag militia, armed with torches, clubs and
pistols, marches in his wake, trailing destruction punctuated
with burned, bloody families, screaming in pain and anger.

EXT. LITTLE CHILE TENT CITY - NIGHT

Sam Brannan runs uphill through the thick sawgrass. He stops, in shock, transfixed at the Regulators' riot. Reflections of the flames flicker in his brown eyes.

Brannan's eyes dart from point to point, as he angrily watches the crazed mob viciously storm the Chilean camp.

Shock switches in a flash to narrow-eyed rage and determination to do something.

Suddenly, Jack Powers rides toward Brannan and shouts.

POWERS

This ain't yer fight, m'friend. Go back t'home. Be better on ye.

Brannan snatches up the closest weapon he can find... a charred timber from the embers of a smoking shack.

BRANNAN

Not my fight? Did I miss some welcome mat put out for us'n from the auld sod? You're now consortin' with them who attacked us back at Five Points in New York. Judas!

POWERS

Last ones in, keep the newest ones out, right? Less competition.

BRANNAN

Stay the hell away from them! Leave this city! God is with us!

POWERS

Aye, what everyone says, innit? The English, Scots, us. Now, Americans. I figure God made up this game that we're all playin' here, an' He's jest sittin' up there, layin' odds on his favorites. Get on, man!

A shout behind Sam raises his hackles, but he doesn't avert his icy gaze. Powers laughs, and gallops off into the dark.

HOWARD (O.S.)

Brannan! Sam, it's William... Captain Howard. Thank God you came, Sam! I'm here with my Agnes.

WILLIAM MERRY HOWARD (30; Sam's best friend, a Yankee wearing a shipmaster's cap), holding a pistol, struggles uphill with his Chilean-born wife AGNES HOWARD (26; dark hair and eyes).

Also at his side are BIANCA ORTEGA (30s; Chilean peasant woman), a baby in one arm and the hand of her young daughter in the other. Brannan doesn't look over at Howard yet.

BRANNAN

This is exactly what they did to the Mormons in Missouri, William. My sister Mary Ann was there. Those "true" Americans... treating the Latter Day Saints like pariahs. Makes me sick.

HOWARD

We have do something... and now!

Brannan slowly turns and looks over at his friend William, who stands with his wife, and three refugees from the camp.

BRANNAN

Agnes... I'm so sorry about your people. And who do we have here?

Brannan bends down to eye level with the woman.

AGNES

Señora Ortega, from Chile.

BIANCA

¡Ayuda, Señor Brannan! ¡Protégenos! Protect us from Los Galgos!

She grabs on to Brannan's arm, desperately.

BRANNAN

Los Galgos?

AGNES

The Greyhounds. That's their name for those men; they attack so fast.

HOWARD

"Hounds" fits 'em best. Disgraceful.. soldiers from the New York Volunteers, claiming they're the "Real" Americans...

BRANNAN

Now just a pack of rabid dogs.

HOWARD

But they've never done anything
like this... slaughter.
(gestures to ruins)
Robbing and burning tents,
beating... even shooting people.
This is insane!

Brannan rises, walks to the shack embers, rescues a singed
red and white cloth, with a white star on a blue background.

AGNES

La Estrella Solitaria... our flag.

BRANNAN

"The Lone Star." Why do they hate
you folks from Chile, Agnes?

AGNES

Our men are smart... know already
how to find much gold. They mined
before, in Chile and Bolivia.

BRANNAN

But this seems so... personal.

AGNES

Personal to Roberts. They call him
"Lieutenant." Has a woman brought
up from Chile. Thinks her bed is
only his. Seems she does not agree.

HOWARD

Sam, I've had it! Long past time
that we destroy those Hounds.

BRANNAN

But there's no law here. What can
we do?

HOWARD

Sam... this call to arms must come
from you. Rally the merchants,
clerks... everyone they victimized.

Brannan walks to a rise; looks over the city and bay below.

BRANNAN

Can't believe the changes since we
landed the ship *Brooklyn* here...
two-hundred forty-six Saints on
board. We outnumbered the natives.

AGNES

So peaceful then... God's country.
Just three years... now its a war
zone. No place to raise children.
Let them keep their Sodom and
Gomorrah. We should just leave...
and never look back.

BRANNAN

Like the Mormons did before? And
the time before that? No! Here and
now, we make a stand for justice!

HOWARD

I know you're not a warrior Sam.
Tomorrow, all our best men will be
in the Square. We need a leader.

The minister looks away, contemplating his duty.

BRANNAN

Goin' down to my press to print the
notice. The Chileans will be safe
with you and Agnes. Stay vigilant!

AGNES

Vaya con Dios, Sam!

EXT. SAN FRANCISCO WATERFRONT DOCKS - DAY

Ships slump like beached whales, mired in mud; the waterfront
is being pushed out by landfill. One hulk has a door cut into
its hull, with a ramp leading up inside, from the muck.

A YOUNG BOY (10), canvas bag slung over one shoulder runs up
to a wooden pole, pulls out a printed paper and nails it up.

A handsome, but weather-ravaged man calls out to the boy.
"ENGLISH JIM" STUART (30s; charming leader of the "Sydney
Coves" gang, an Aussie Butch Cassidy), holds out his hand.

STUART

Oi! Give it 'ere, laddie.

Stuart grabs and reads the broadside headline out loud.

STUART (CONT'D)

"Important Public Meeting at Noon"

Stuart reads it while he walks across some rough planks laid
on the mud flats, which lead to that ship with a hull door.
Stuart ascends the ramp and enters the ship *Arkansas*.

INT. OLD SHIP SALOON - DAY

Below decks is a dank public house. Atop the bar are beer barrels, with long hoses attached to drink from them. On a back shelf are various bottles of Rum, Whisky and Brandy.

Behind the bar is MARY ANNE HOGAN (35; Irish, by way of Sydney, and takes no malarkey). She and her husband, Michael, own this pub and a flophouse where "Sydney Coves" gang lives.

Stuart stumbles in; stops to let his eyes adjust to the dark.

STUART

Top o' the mornin', Mary m'love.

MARY ANNE

I don't recall ever settin' eyes on ye at the actual top o' the mornin' before, James. You and your boys work nights. What's the occasion?

STUART

Stayed back in Sydney Cove evenin' last. Too much fuss up on the hill. Damn Yanks really did it this time. Town's all in an kerfluffle.

MARY ANNE

What's that there paper about?

STUART

Seems that the good citizens are goin' to rise up together and smite down evil in the city. So they say. Not good for business, it ain't.

MARY ANNE

Evil is the root of all money.

STUART

Me and the boys need to go up to Portsmouth Square and have a gander. Ya seen Spike Andrews about? Fingers? Jimmy from Town?

MARY ANNE

Like I said, 'tis a wee bit early fer your kind. If I sees 'em, what's the word?

STUART

Meet behind the Old Adobe at the Square, afore noon, actin' casual.

(MORE)

STUART (CONT'D)

Oh, and since I am up and about at this hour, m'love, kindly pass the rum... the one without the water.

MARY ANNE

Kiss me arse, Jimbo!

She winks, they both laugh. Pours 2 shots; they down them and look in each others eyes... with something more in mind.

EXT. "TAMMANY HALL"- THE HOUNDS' HEADQUARTERS - DAY

The headquarters/clubhouse/bar for "The Regulators" is a large awning with canvas walls. Across the top is a banner that reads "Tammany Hall", a tribute to New York City.

At the back of the tent, a brass four-poster bed holds a big lump, which is the passed-out Sam Roberts, still with his boots on, laying crossways.

Jack Powers approaches from down the street, galloping in atop a gleaming black stallion.

POWERS

Lieutenant! Roberts! Rise and shine! They're a-comin'!

Powers arrives with a flourish and dismounts, wrapping the reins around a tent post and going into the tent.

INT. "TAMMANY HALL" TENT - DAY

Powers walks over to the bed and raps on the sole of Roberts boots with his pistol butt, yelling with his Irish lilt.

POWERS

Sir... wake up! 'Tis important! And yer not gonna be a-liken it much, either. Rise and shine!

Roberts rouses himself sleepily and rotates his body to face Powers, supported by a stack of pillows.

ROBERTS

Powers, ya crazy mick, if this ain't life and death, I'm gonna cut out your tongue and stuff it down your throat! The hell is it?

POWERS

That preacher is a-comin' after us!

ROBERTS

Shit, I really did drink too much.
I could swear you just said...

POWERS

I did. And he has a posse. Damn
near three-hundred men down in the
Square. Sam Brannan's a-spoutin'
brimstone and hellfire, but this
time, the devil be us Hounds.

Roberts starts laughing uproariously.

ROBERTS

You woke me up for that? Shit, you
had me goin' fer a second, stupid
sonuvabitch! Actually think sumpin'
bad's really gonna happen? Pitiful.
Goin' back to sleep. Beat it!

Roberts plops his head deep into the pillows. Powers strides
out of the tent, but turns before he mounts his horse.

POWERS

Friend, you can go on actin' the
maggot, but I'll be a-watching out
fer me own arse, if ye don't mind.

Powers mounts his horse, which rears back dramatically, and
gallops away down the muddy street, his horse kicking clods.

EXT. PORTSMOUTH SQUARE - DAY

Hundreds of angry prople gather around the flagpole at the
Customs House at the edge of the square. Sam Brannan stands
astride the roof, with Captain William Howard at his side.

BRANNAN

Fellow citizens, if we do not act
now, all of our property... even
the precious lives of you, your
wives and your children are in
mortal danger!

*"For we wrestle not against flesh
and blood, but against powers,
against the rulers of the darkness
of this world, against spiritual
wickedness in high places."*

Yea, brothers, *Ephesians* tells us
that when evil emanates directly
from our rulers, that all good
Christians must march into that
valley of darkness...

(MORE)

BRANNAN (CONT'D)
 together as one. Reclaim the
 justice we have been denied and
 bring the devil himself down to his
 knees. So help me God, the Hounds
 shall run no more, and will be
 brought down to heel like the dogs
 they are! God is with us!
 Are you with me?

CROWD 1
 Amen, brother! Let's march!
 Onward Christian soldiers!
 March on!

CROWD 2
 You bet. End it now! Grab yer
 guns and clubs. Whatever you
 need. Let's go!

Brannan jumps from the rooftop to the sandy hill next to the
 building, followed by Howard. They pause to speak.

BRANNAN
 William... What in God's name am I
 getting myself into?

HOWARD
 Sam, "The path of the just is like
 the shining sun, that shines ever
 brighter into the perfect day."

BRANNAN
 Amen.

They run down the dune, to the front of the line of men, and
 march down Montgomery Street.

EXT. CORNER OF OLD ADOBE HOUSE - DAY

"English Jim" Stuart, bracketed by several of the "Sydney
 Coves" gang, watches the angry armed posse heading off. JIMMY
 FROM TOWN (24; skinny, well-dressed) speaks.

JIMMY
 Sure'n I wouldn't want to be on the
 receivin' end o' that mob.

STUART
 Oh, me Jimmy boy... Even if the
 Hounds get caught, they'll just pay
 off the usual alibi witnesses to
 take the stand, swearin' they saw
 'em elsewhere. No, they'll bleed a
 wee bit, but then they'll skate.
 More worried about that Brannan.

JIMMY
 How so?

STUART

Crowd's eatin' outta his hand
today, goin' hot after the Hounds.
We just need to be sure he don't
turn his attention to us Sydney
boys in the shadows.

JIMMY

Oi! "Coves" need to keep it on the
down low. Be perfect little angels.

Jimmy makes a halo over his head with both hands.

STUART

Hah! Right! And just how long
before them sticky fingers of yours
start gettin itchy, huh? Just none
o' ya be gettin' nicked now...
that's all. Off ye go then, mates.
Live to fight another day.

Stuart and the men all leave in separate directions.

EXT. "TAMMANY HALL"- HOUNDS HEADQUARTERS - DAY

The tent is now full of about 50 members of the Hounds who
have heard about the posse coming for them. Sam Roberts is
now fully awake, standing in the center of the harried crowd.

ROBERTS

Now just hold on! Hold on, dammit!
The hell is wrong with you? Are you
forgettin' who you are? Who we are?
United States soldiers! We chased
out those greasy Mexicans and took
California for the U.S. of A. Ain't
nobody west o' the Rockies that can
tell "The Regulators" what to do
now! Are you all really scared of
a... goddamn preacher?

Roberts lets out a great belly laugh and his men chime in.

Suddenly, a raucous commotion comes down the street, as a
huge crowd of men marches around the corner, with Sam Brannan
and William Howard at their head, rifles in hand.

More than two-hundred-thirty men, armed with clubs and rocks,
fill the wide street from side to side. Children run in
front of and alongside the posse, like it's a circus parade.

BRANNAN

Come on men... take back this town!

The huge group yells at the top of their lungs, brandishing clubs and stones, heading right toward "Tammany Hall."

Sam Roberts grabs his saber, now snapped halfway off, and leads "The Hounds" to form a skirmish line from side to side across the street in front of their tent.

ROBERTS

Come on men, This is it! Bugler,
blow "Rally on Chief!"

The Hounds' Bugler sounds, and Brannan and Howard march their citizen posse up to within 10 feet of the Hounds' position. The two armies square off. You could cut the murmuring tension with the proverbial Bowie knife.

BRANNAN

Sir, in the name of the citizens of
San Francisco, I demand your
unconditional surrender.

ROBERTS

And under the authority of Mayor
Thaddeus Leavenworth, as Commander
of The Regulators, I order this
rabble to disperse immediately.

BRANNAN

You have neither the authority nor
the decency to command. You and
your men attacked, robbed and even
killed innocent citizens. Give it
up! Last chance!

ROBERTS

Hold fast boys! Screw you preacher!

Several of the men in the posse fire their pistols in the air, and the group, yelling and cursing, runs at the Hounds.

HOUND 1

Ain't scared of no preacher, but
I'm not stickin' here for that mob.

HOUND 2

We're outnumbered, boys!
Every man for hisself!

The Hounds scatter in all directions, leaving Roberts and his bugler. They look at each other, take off running as well.

ROBERTS

Blow Retreat! Regulators! Fall back
and regroup! Hey. Hey! She-iiit!

The bugler blows "Retreat," as the posse splits up into groups and pursues the Hounds in every direction.

SEAN MCDUFFIE (36; a tank of an Irishman) brings over four bound PRISONERS and stops in front of Brannan and Howard.

MCDUFFEE

Here they are Mister Brannan. What do we do with 'em? Ain't no jail.

BRANNAN

Take them to my warehouse for now.

MCDUFFEE

Aye sir!

McDuffee heads off with his four, and signals for the other MEN to follow him with their PRISONERS as well.

HOWARD

British locked up our captured soldiers in old cargo ships.

BRANNAN

Tons of hulks rot in the Bay.

HOWARD

Crews that headed for the gold fields aren't coming back. We can easily make one into a prison, too.

Brannan and Howard stop in front of the "Tammany Hall" tent, and study it for a moment in silence.

BRANNAN

Excuse me Captain Howard. Might I trouble you for a safety match?

HOWARD

Why I do believe I just might have a box with me, Elder Brannan. Please, do the honors.

Brannan takes a match out of the box, strikes it on the side, and holds it under the "Tammany Hall" banner. The sign catches fire and slowly, it engulfs the canvas tent.

BRANNAN

"Vengeance is mine sayeth the Lord"

HOWARD

Amen.

The men shake hands and watch the ashes of the tent fly.

INT. ALTA CALIFORNIA NEWSPAPER OFFICE - AFTERNOON

EDWARD KEMBLE (21; enthusiastic journalist) is setting type into blocks, for the *Alta California* newspaper. The front door opens and Brannan strides in.

KEMBLE

Mr. Brannan! Didn't expect you in today, after all the... excitement.

BRANNAN

This is actually the most important part Mr. Kemble. The people need to know the details of what happened today. The truth will help them feel their power. I know it did me. Did you get the whole story?

KEMBLE

The only thing I don't know is what you did with all of them after they were caught. There's... no jail.

BRANNAN

Captain Howard turned the ship *Warren* into a floating prison.

KEMBLE

We certainly do need a real one.

BRANNAN

Next fundraiser is for building our very own hoosegow. Read me your lede, Edward.

KEMBLE

"At Three PM, citizens to the number of Two-Hundred Thirty who had enrolled themselves, assembled around the flagpole on Portsmouth Square. Extraordinary exertions were immediately made to secure the offenders, which were crowned with success, for by sundown seventeen men were arrested and held securely, there being no prison at this place. The leader of the gang, Roberts, was arrested on board the schooner *Mary*, bound for Stockton."

BRANNAN

Excellent! We'll follow this trial so closely, it will be as though our readers are sitting right in the courtroom itself. This is the role our nation's founders intended for the public press.

INT. OLD SHIP SALOON - NIGHT

Standing by the bar, holding a hose that leads into the top of a wooden keg of beer, is THE PERFESSER (60s; a Dickensian character with a vest and tiny gold-rimmed pince-nez).

Mary Anne Hogan picks a pinch up of gold dust from his pouch for payment. He clears his throat, hawking up a big loogie, which he shoots into the spittoon on the floor with a clang.

The Perfesser then exhales as much he can, sticks the hose in his mouth and starts sucking, getting as much into his mouth in one "pull" as he can with one breath. Them's the rules.

PERFESSER

Urrrrppppp.....

English Jim Stuart meets at a back table with his gang, "Jimmy from Town" at his right; the Perfesser ambles over.

STUART

Boys... can't be sloppy no-more.
Heat is on. No more goin' out and
rollin' some bloke on a whim. Need
to plan things nice and scientific.
You all know how to scout, but now
we need to make a record. Take
notes. Jimmy, can you do that, lad?

JIMMY

Blimey, Stuart... Ye make me look a
fool. I ain't never larned...

STUART

Alright, who can read and write?

Stuart's gaze goes around the table, but every man it lands on shakes his head "no," until he gets to The Perfesser.

JIMMY

Now that's right up The Perfesser's
alley. Blimey, 'e's so good, 'e got
nicked for writin' multiple sets o'
bank ledgers, ain't that right sir?

PERFESSER

My singular curse.

STUART

Then all the rest of ya case your marks and bring what you seen to The Perfesser. Keep watch on those new civilian patrols... mark their routes... times the shifts change. What Frenchies call *reconnaissance*.

JIMMY

Re- what?

STUART

Bloody 'ell! Givin' it a gander, ye fool! We already do it with the shopkeeps... just add in the townie coppers. We don't make a move until we can clock em, then sap 'em with the ol' slung-shot and scoot. Right? Tick-tock!

MARY ANNE (O.S.)

Freshen you up, James?

MARY ANNE walks over seductively with the rum bottle to pour.

STUART

Well, m'love... I think we best take that up somewhere... a bit more private, eh?

Everyone laughs, and MARY ANNE winks, and fills his glass.

INT. MARY ANNE HOGAN'S BEDROOM- SANSOME ST. - DAY

Stuart and Mary Anne Hogan grab each other in a furious embrace, and kiss passionately, slamming against the wall of her bedroom. She throws back her head and laughs.

MARY ANNE

Careful, James. Don't want ta bring down th'walls o' Jericho.

STUART

Dare we use that posh brass beauty Mr. Hogan shipped up from Sydney?

MARY ANNE

If he really cared, 'e wouldn't be off somewhere in Oregon, he'd be plowing the fertile fields t'home.

Mary Anne grabs Stuart by the shoulders, spins him around and throws him backwards onto a brass bed. She hops astride him, and fluffs her dress, reaching under it to unbuckle his belt.

STUART

Oh, and who was that new fella?
Good-looking one hanging by the bar
t'other... uh, never ye mind
m'love... I... ahhh.

INT. THE PUBLIC INSTITUTE - DAY

Throngs of people fill the Public Institute, the only permanent building that could hold the trial. A dais has been set up for 3 judges, and a platform for the jury of 12.

There are tables and chairs for the attorneys and defendants. The audience stands shoulder to shoulder like groundlings.

INT. PRISONER ROOM- PUBLIC BUILDING - DAY

Seventeen prisoners, hands shackled, sit in chairs around the perimeter of the room. A uniformed GUARD (40s) stands at watch. Roberts and Powers have a heated, hushed discussion.

POWERS

Don't say I didn't try ta warn ye,
Roberts. Ya coulda made Stockton.

ROBERTS

A fat lotta good it did you. Even
with a head start and a horse, they
still found you. If you could just
ride a nag like a normal man... but
noooo... You gotta show off your
fancy stallion. So easy for
witnesses to pick out.

POWERS

Well if your jealous arse didn't
get a hissy fit 'bout some "puta",
none o' this woulda happened!

ROBERTS

You know how easy it would be for
all of us to rush this guard and
hotfoot it outta here?

POWERS

You stupid galloot. D'ya ken how much easier it is to sit here calmly and wait for our alibi witnesses to swear that we were nowhere near Little Chile on Sunday? Of course that's easy for me to say, since I don't seem to have some fat German who can point to the exact man who beat the shit out of him with pants a-floored.

ROBERTS

OK. You're right. Palms are well-greased. Our alibi witnesses will save our asses. We can just cool our heels here a while longer.

POWERS

First thing you've said that makes sense in a month of Sundays.

INT. THE PUBLIC INSTITUTE- COURTROOM - DAY

JUDGE LEAVENWORTH (60; also Mayor) sits on the dais with two Associate Justices, WILLIAM GWIM (60) and JAMES WARD (50). The jury of 12, including William Howard, sits on a platform.

The scene is narrated by the voice of Edward Kemble, reading the story he later wrote for the *Alta California* newspaper.

KEMBLE (V.O.)

"On Wednesday, July 18, 1849, the court assembled in the Public Institute. On the bench, T.M. Leavenworth, Mayor; William M. Gwin and James C. Ward, Associate Justices. Messrs. Peter Barry and Myron Norton for the Defense. The prisoners pled not guilty to the charges. Mr. Lippitt presented Opening Remarks for Prosecution."

Prosecutor FRANCIS LIPPITT (35; balding, in a three-piece suit), rises from his chair and addresses the judge and jury.

LIPPITT

On Sunday last, an armed party in military array, with fife and drum playing and banners flying, marched to a remote part of this city, and committed diverse grave assaults and outrages on the peaceable inhabitants thereof. They attacked, tore down and destroyed many tents, stole from them money, gold dust jewelry and other valuable effects. They struck and beat with clubs and stones, and otherwise maltreated their occupants.

Sam Roberts and the other Hounds shake their heads and grumble. Some members of the audience boo and hiss when they hear the story. Judge Leavenworth hits his gavel and yells.

LEAVENWORTH

Order! Order in the court! There will be no more outbursts... from anyone! Is that clear? Continue.

LIPPITT

They even discharged firearms amongst the flying and frightened crowd, willfully and maliciously wounding several persons, including mortal wounds killing Rinaldo Alegria and Ignacio Alegria.

A gasp goes through the crowd, and several ladies swoon.

LIPPETT

If it can be proved that they have conspired, and committed treason, which led to murder, then they are all liable for the full penalty!

The prisoners jump up and begin yelling. The crowd erupts into shouting, first generally, then at each other. Affinity groups form, each taking one side or the other. The Hounds appear to have many supporters in court. Chaos ensues.

INT. SAMUEL BRANNAN'S FRONT ROOM - DAY

Edward Kemble continues reading the copy of the *Alta California* newspaper aloud to Sam Brannan and his wife ELIZA BRENNAN (30; in a Parisian-tailored dress). She is knitting.

KEMBLE

"After the general outbursts had become uncontrollable, the justices ordered the courtroom cleared. The trial continued with only the parties to the case present, and testimony was taken from one more witness, to prove the existence of the Hounds as a group."

Kemble closes the newspaper and looks at Brannan.

BRANNAN

So who was that mysterious witness?

KEMBLE

Justice Leavenworth, but sworn in to testify as Mayor Leavenworth. Lippitt got him to admit the Hounds exist, and that he even knows some.

BRANNAN

Of course he knows some... he hired them himself as his bounty hunters. That must have been incriminating.

KEMBLE

It might have been, but after he as mayor testified, Leavenworth as Judge ruled that everything he had just said as Mayor was hearsay, and he struck it from the record. The jury... nobody, will ever hear it. Is this actually fair, Mr. Brannan?

BRANNAN

Of course not Mr. Kemble. That's why we are documenting every word in the *Alta California*, so the citizens of San Francisco can make up their own minds about the truth. This is exactly why you and I hauled that printing press around Cape Horn from New York three years ago. Bless you for your hard efforts. See you tomorrow.

KEMBLE

Good night, sir. Have a fine evening, Mrs. Brannan.

Kemble tips his cap and goes out the door. Brannan turns to his wife with his arms out, as if to indicate "I was right."

BRANNAN

Well dear, I do believe we might be on our way to finding peace again.

ELIZA

That hope is about the only thing keeping me from taking Sammy and going to Europe. I hate this city. I'm not happy about how it seems to be affecting you, Samuel.

BRANNAN

I don't know what you mean, Eliza.

Eliza puts down her knitting and stands to face him.

ELIZA

Who are you now? You're not at all the Mormon elder I married in New York. It all started with that misbegotten gold strike. You started thinking more about your purse than your flock. I wish Sutter had never built his sawmill.

BRANNAN

It changed the world, Eliza. I believe that it truly did.

ELIZA

There might never be a cure for this kind of progress, Sam.

BRANNAN

Come, let's take our boy for a walk. I want to watch the golden sun set over our Pacific. I never get tired of that beauty. Sammy... Want to see something wonderful?

The two of them turn around, Brannan picks their son SAMMY (4) up from where he had been playing on the floor, and they head out the door and uphill toward the golden West.

INT. OLD SHIP SALOON - NIGHT

English Jim Stuart, the Perfesser, Jimmy and Spike are playing Monte at their usual back table. The pub is full of strangers, including a tall, handsome man at the bar.

JIMMY

Perfesser, you are one lucky son-of-a-gun playin' cards. Got me again.

STUART

Luck has nothing to do with it,
Jimmy me-boy. He cheats.

A hush falls across the table. Them's fightin' words.

STUART (CONT'D)

What? You didn't know? Oh Christ, I realized it years ago. Makes it more of a challenge. Isn't that right Perfesser?

PERFESSER

I just happen to be very good at mathematics, that's all.

STUART

Jimmy, our old friend here watches every single card that gets dealt. In that wizened brain of his, he's keeping track of every single card that has... and hasn't shown up yet. The odds change every hand. Never ever play blackjack with him!

PERFESSER

Like I said...

STUART

Yes, yes... But you also remembers other things ya see, too. Take that new bloke at the bar now, making eyes at Miss Mary Anne. No, don't look! What'cha know bout him?

PERFESSER

Just blew into town. Had a saloon up in Stockton. Came here with a partner, who thought the pickins might be easier in this city.

STUART

Name?

PERFESSER

Ummm... Whittaker.

STUART

Are we worried about him?

PERFESSER

Too soon to tell. Mrs. Hogan... she sure doesn't seem too worried.

STUART

And yet he plans to open up a business competing with her pub. Interesting. Jimmy, keep an eye on our Mr. Whittaker. Can't be too careful. All's fair...

INT. THE PUBLIC INSTITUTE - COURTROOM - DAY

The courtroom is more organized than before. Chairs have been found to accommodate the audience, who are better behaved.

A man sits at the witness stand; DOMINGO CRUZ (32; Chileno) is being questioned by prosecutor Lippitt.

Edward Kemble narrates the opening from his newspaper story.

KEMBLE (V.O.)

"The trial of the Hounds went into its third day this morning, when Mr. Lippett introduced a special witness, and requested that the court assure him that he need be under no apprehension of personal danger. The court so said, and the witness, having asserted that he had no fear, was sworn as follows:"

LIPPITT

What is your name sir, and from where do you come?

CRUZ

Domingo Cruz. I come here from Valparaiso, Chile.

LIPPITT

Will you please relate to the court, the events of July 14th.

CRUZ

I have a tent on Clark's Point. On Sunday night last, about half-past nine, about twenty persons arrived at my tent. There were then twenty Chilenos there. Twenty Americans all presented pistols to the breasts of the twenty Chilenos. They ask for liquor. Three men went behind the counter and start breaking the bottles and drinking.

LIPPITT

Did you see the prisoner, Mr.
Samuel Roberts, among them?

CRUZ

I did not. I did not hear anyone
call out "Sam." They came with a
fife and drum. After staying about
half an hour, they went to the
tents of other Chilenos, which they
destroyed, firing shots and making
much noise. It was then I saw the
prisoner, Sam, when he knocked a
Chileno down, with a broken sword,
right at the door of my tent.

LIPPITT

Did he say anything to you then?

CRUZ

He said they had an order from the
Alcalde... the Mayor... to destroy
all the tents of the Chilenos. Many
of them loaded their pistols before
they left my tent. The shots were
fired shortly after... that kill my
friends... the Alegrias...

Cruz chokes up briefly. Lippitt changes the subject.

LIPPITT

Mister Cruz, why are you so
positive about your identification
of Mr. Roberts.

CRUZ

I was a friend of his... at
Valparaiso. But, I still felt a
great deal of fear. I am not a
friend of the prisoner, and did not
exchange signs with him when I
enter the court. To me, he is now a
different person. The gold, maybe.

LIPPITT

Thank you for your courage
testifying here today, Mr. Cruz.
That will be all for me.

The courtroom suddenly breaks into applause, starting with
the Chileno community, but rippling eventually to the Anglos.

INT. SAM BRANNAN'S STORE OFFICE - DAY

We see the printed words on the *Alta California* newspaper page, as Kemble wraps up his voiceover.

KEMBLE

"The court took a short recess to allow those present to regain their composure, continuing later with the testimony."

Kemble stops reading and lowers the paper, revealing in the background, Brannan in his office chair. He sits and stares vacantly out the window, listening to Kemble.

BRANNAN

Think about their courage, Edward. People get on ships and leave behind... everything they know, take perilous voyages to move to a new land. Learn a strange language, fit into a different society, then most of the time... they are hated immediately by those who were lucky enough to arrive there before them.

KEMBLE

I feel like there's more to this story than we know yet. I want to ask around the Chileno community, see if they know what set this off.

BRANNAN

Yes, be a detective. See if you can get to the real bottom of this senseless act, Mr. Kemble. I hear it might have been something about a woman. I will head to court, to see if I can hear anything there.

Brannan gets up from his desk and they leave.

EXT. MONTGOMERY STREET - DAY

Two U.S. Cavalry officers in blue uniforms with black Stetson hats, SERGEANT RICHARD HALLECK (27) and LIEUTENANT WILLIAM TECUMSEH SHERMAN (29; yes, that one) ride their horses slowly down the muddy street.

HALLECK

Well, Lieutenant Sherman, things seem a tetch more peaceful since that posse rounded up the Hounds.

SHERMAN

Maybe for now, Halleck. I can't wait until Congress votes to make California a state. The grey area we're in now is more twisted than a Manzanita bush. Hasn't been fun since the Sutter strike.

HALLECK

Well, Cumps, you're the man who wrote "Gold Found in California" to President Taylor... and the news...

SHERMAN

Bullshit, Sergeant! You can't blame me for the 20,000 goddamn crooks and yahoos who showed up here.

Brannan walks down the planked sidewalk toward the soldiers. Sherman sees Brannan and calls out to him sarcastically.

SHERMAN (CONT'D)

Well if it isn't the Holy Man himself. Wasn't enough for you to collect tithes from the Mormon miners, huh? Now you've taken it upon yourself to be some sort of... what? Sheriff? Marshall? Alcalde?

BRANNAN

Just a good citizen who saw a wrong and tried to make it right. More than the Army seems to be doing.

SHERMAN

You know damn well our hands are tied. That's not our mission!

BRANNAN

Lieutenant William Sherman, First U.S. Cavalry... Is it not your sworn duty to defend the lawful citizens of the territory of California against... terrorists? In uniforms? Disgraced men once part of your proud fighting force?

SHERMAN

They were shitty volunteers, not career soldiers! You know damn well our desperate Army took any vermin from the New York gutters. Take it up with Colonel Stevenson if that's your beef. He's your buddy.

(MORE)

SHERMAN (CONT'D)

In the meantime, we can condone your... posse. As long as you bring the crooks to justice using the established system.

BRANNAN

Corrupt as it is.

SHERMAN

Again... not our mission. You have a vote... use it! The people voted them in... the people can damn well kick 'em out. Just don't be taking the law into your own hands. If you do... well, maybe then, you will have to answer to me... and the First Regiment of Dragoons.

BRANNAN

I am all for proper justice, gentlemen. I just want to make sure that when we do follow the law, we are also doing what is right. I am off to see justice served right now. Good day to you both.

Brannan continues to walk down Montgomery Street. The soldiers let him get out of earshot.

HALLECK

Aren't you gonna warn him about that deep mud puddle up the street?

Sherman just glares at Halleck.

HALLECK (CONT'D)

No... of course not.

SHERMAN

(wryly)

God is watching out for him.

EXT. CANVAS-WALLED FLOPHOUSE - DAY

Edward Kemble is playing detective and has found where the lowlifes live. Coincidentally, because their tents are gone, Chileans are now boarding there as well.

KEMBLE

Excuse me. I'm from the *Alta California* newspaper. We are covering the trial of the men who attacked Little Chile.

(MORE)

KEMBLE (CONT'D)

Does anyone want to tell me what they saw happen? ¿Habla Ingles? Anybody?

CRUZ

Yes, I speak English.

KEMBLE

Wait... aren't you Mr. Cruz, who testified at the trial?

CRUZ

Si. That is myself.

KEMBLE

Well sir, I must tell you that everyone was very proud of you for being brave enough to testify.

CRUZ

Well... I was very... escared. If you had seen what those animals do.

KEMBLE

We already heard your story on the stand, but I'd like to ask you about what you said at the end. You say you knew Roberts in Valparaiso?

CRUZ

Si. We work together at the docks.

KEMBLE

I thought he was one of the soldiers who came from New York.

CRUZ

Si, he was from Nueva York, but before. He join the Army when they make port at Valparaiso. All ships do, after come around Cape Horn.

KEMBLE

What was he like then?

CRUZ

Very different. He know some Español. Was good with the ladies, you know. He even bring one here with him from Chile. I think maybe she cause all the troubles.

KEMBLE

Who? How?

Cruz looks around at the other men standing near him, as if to ask "Should I tell?" They shrug shoulders... "No problem."

CRUZ

Señorita Estrella, she is very beautiful. All men in Valparaiso like her much. She get paid to... you know... with many men.

KEMBLE

She's a lady of the night? But she came here with Roberts anyway?

CRUZ

He take care of her... buy dresses, make pretty.... But he very mean sometime. Lieutenant not stay here much now... he with "Los Galgos." Estrella, she bored... lonely. Big German man come by. He nice to her. She happy. Nobody tell Roberts.

KEMBLE

Wait... the Prosecution's assault charge, the one that was just against Roberts. Those two men...

Kemble flips back his reporter's notebook to the trial.

KEMBLE (CONT'D)

Uhh... "He beat with a club one Leopold Blech--schmidt, with the intent to kill and murder. And shot a pistol at... Vincente del Campo, with the same intent." But why?

CRUZ

Roberts, he come home too early. Estrella still with German man then. Lieutenant very, very angry at him. Hits him much. Almost kill.

KEMBLE

But the other man? A Chileno? Why?

CRUZ

Vincente think it all very funny and laugh! Roberts... he not think so funny, pull out pistol and BANG! Too drunk to shoot straight. Lucky.

The group laughs. Kemble is horrified.

CRUZ (CONT'D)
You see. It sound funny now.

KEMBLE
Does anyone else know this?

CRUZ
Everyone from Chile, I think.
Americans... I don't know.

KEMBLE
So Roberts got mad at Estrella and
the other men, then he roused up
the Hounds to attack all of you?
Just to get even? Amazing. Thank
you for speaking to me. My name is
Edward Kemble, and I am going to
tell my boss, Mr. Brannan.

CRUZ
Oh, we all love Mister Sam. He
catch the bad men. Give money for
our families. He should be in
charge for all San Francisco.

Suddenly, with a flurry of colorful silks, in the doorway
appears the beautiful SENORITA ESTRELLA (30s; stunning with
long, dark hair and flashing, flirty dark eyes).

ESTRELLA
¿Quién es este gringo con el que
estás hablando?

CRUZ
Señor Edward Kemble. He write all
about last Sunday for el periódico.

ESTRELLA
I am the star... La Estrella...
that is my name. You want write all
about me? Hmmmmmm?

KEMBLE
Uhh... Si, Señorita Estrella.

ESTRELLA
You maybe want come back upstairs
with me to... talk? Hmmmmmm?

KEMBLE
Uhh... No... Gracias. Maybe another
time. Well, you have all given me
much to write about. Good day.
Uhh... Adios... Señorita... amigos!

ESTRELLA

Hasta luego, Señor Eduardo. See you again? Sometime? HMMMMMMMM?

Kemble turns quickly, stumbles a bit, then looks back.

KEMBLE

This is all going to be on the front page of the *Alta California*!

Kemble's face glows as he smiles proudly.

INT. ALTA CALIFORNIA NEWSPAPER OFFICE - DAY

Matching shot of Kemble's face, quickly disillusioned.

BRANNAN

Absolutely not!

KEMBLE

But... sir...

BRANNAN

Mr. Kemble. This is not the *Police Gazette*. It is a family newspaper. There will be no mention of that incident in the *Alta California*, whatsoever. First of all... it's indecent. Second... it would distract from our message. It really doesn't matter what the actual cause was. The important thing is that horrible incident and getting justice for those poor victims. Period. Sorry. But... start thinking about what's next.

KEMBLE

Well... here's what else I dug up..

Brannan and Kemble continue their conversation.

EXT. SHADOWY STREET SCENE - NIGHT

There are no streetlights in San Francisco, but the full moon lights the sky down the street in the distance, between two dark buildings on either side.

A WELL-DRESSED MAN (30s) walks away from us, illuminated on one side by the moon shining down a cross street. As he walks further into a building shadow, he becomes just a silhouette.

From the dark on either side, two shadow figures appear. One raises his arm up and swings something down hard on the head of the Well-Dressed Man. The other wraps his arms around the man, holding tight. The two shadows drag him into the dark.

EXT. DARK HOUSE WINDOW - NIGHT

A multi-paned sash window is closed, the full moon reflects in the glass. A hooded figure steps out of the shadows, and slides a thin strip of metal up under the top sash and flips open the latch.

Pushing up on the mullions, he raises the bottom sash, which opens the bottom half, then pulls himself quietly up and through the window, disappearing quietly inside.

Only a few tiny sounds are heard, then suddenly, a jewelry box comes out of the dark and is placed on the window sill. The shadowy figure climbs through the window, and jumps down.

The figure pulls out the jewelry box, quietly slides the lower sash closed, and as he turns, the moonlight illuminates the face of English Jim Stuart, who escapes into the night.

EXT. THE PUBLIC INSTITUTE - DAY

A crowd is gathered outside the building, waiting for the verdict. A small BOY (10) who is standing on the shoulders of a FRIEND (12), is peering through a window.

Suddenly he jumps down, and squeezes through the crowd to find his MOTHER (25).

BOY
Mama... the jury's back!

She turns to a MAN (30) near to her and shouts.

MOTHER
The jury's come back. A verdict!

The message passes like wildfire through the crowd, who all jostle to get even closer to the courtroom doorway.

INT. THE PUBLIC INSTITUTE - DAY

The foreman of the jury, Captain William Howard, is standing, and holding a piece of paper.

HOWARD

For Samuel Roberts, as to the charges of Assault with Intent to Kill, Robbery, Riot, we find the defendant... guilty as charged.

A wave of murmuring goes through the courtroom. Many of the Chilean spectators applaud. The Judge gavels them to silence.

LEAVENWORTH

Order in the court. Please hold your reactions until all the findings have been heard. Please continue Mr. Foreman.

HOWARD

For the other sixteen defendants, as to the charges of Riot and Robbery, we also find them all guilty as charged.

Another ripple of comment goes through the courtroom, and again Leavenworth bangs his gavel.

LEAVENWORTH

People! We must have order!

HOWARD

For all seventeen defendants, as to the charge of conspiracy to murder, we're hopelessly deadlocked. Have no verdict, one way or the other.

LEAVENWORTH

And you have exerted every effort?

HOWARD

Yes, your honor. Because that charge is rather vague, there is reasonable doubt. We were unanimous about all of the other verdicts.

LEAVENWORTH

The court thanks you and the jury for your efforts. I believe that, if there is no objection, we can move immediately to the sentencing. Mr. Prosecutor, do you have any recommendations?

LIPPITT

Because these are not capital offenses, the prosecution finds itself in a quandary, due to the lack of any kind of prison in this city, or elsewhere in California.

LEAVENWORTH

Very well, since confinement is impossible, the very least the Court can order is Banishment from the City of San Francisco. If any of you felons are ever caught setting foot in this fair city again, I will make damn sure you are charged with a capital offense, and you'll need to make peace at the end of a rope. Is that clear?

The Defendants all nod their heads, relieved that they got off so easily. The rest of the spectators are angry, especially the Chilenos. Animated conversations happen all throughout the courtroom.

EXT. THE PUBLIC INSTITUTE - DAY

Sam Brannan and William Howard walk out of the front door after the crowds have dispersed. Neither looks happy.

BRANNAN

You did your level best, William. You brought convictions. Sentencing was up to Leavenworth. That's where it all went downhill.

HOWARD

What kind of justice system is this? When animals like that can just... walk free? It isn't right. We need to do... more.

BRANNAN

Of course, I agree, but you realize what you are suggesting?

Howard stops and angrily turns and points at Brannan.

HOWARD

Look, Sam... We stayed within the lines... played by the rules. Then we got played... for fools. The whole damn system is corrupt!

Brannan sighs. He looks up, and closes his eyes for a moment. Then he looks coolly at Howard, with his jaw set.

BRANNAN

Alright. Maybe, then... it's time
for us to... move the lines.

INT. OLD SHIP SALOON - NIGHT

The Sydney Coves are at their usual table in the back. English Jim Stuart is talking about their finances.

STUART

All right boys, we've all done a decent job stayin' outta sight, but our take has been way down. We need a big score. Now you been out there around the town. Any good ideas?

JIMMY

I figure, go where the money is?

STUART

You know the rule, Jimmy. No banks.

JIMMY

Naw, I'm talkin about them new fancy casinos they built. Prob'ly more there any given night than most banks. But they're not guarded as well. Like Dennison's Exchange, down on Portsmouth Square. If we hit it all together, each with our own "speshiality", it could make for a huge haul.

STUART

Some of will could mingle with the gamblers out front, while a few do the old B and E out back. Create some kind of distraction, so the third group can crack the money room. But we need an exact plan.

PERFESSER

I need details from all you that case the place. Better pull it off before everyone spends their cash for Christmas.

STUART

Then the game... is afoot!

INT. SELIM WOODWORTH HOUSE- DINING ROOM - NIGHT

Samuel Brannan and wife Eliza sit at a dining table with Selim Woodworth and his wife LISSIE WOODWORTH (25).

BRANNAN

I have to compliment you folks... that is the finest food I have ever eaten in this city... and we're not even at the Parker House. Will you please introduce me to the chef you outbid me for.

WOODWORTH

Oh, she hates that word. She says she's "just a cook."
Mrs. Pleasant? Could you come in the Dining Room please?

ELIZA

Now don't try and steal her, dear!

BRANNAN

Missed my chance. Fair is fair.

Pleasant strides into the Dining Room. The men stand.

WOODWORTH

Mrs. Pleasant, you now have two new aficionados here. May I present Mr. Samuel Brannan and his lovely wife Eliza. This is Mrs. Mary Ellen Smith Pleasant, from Nantucket.

BRANNAN

So nice to meet you.

ELIZA

Your food is absolutely divine Mrs. Pleasant. I'm from New York, you know. We appreciate fine cuisine.

BRANNAN

Mrs. Pleasant, if I might be so bold... that long voyage you took is quite a commitment for someone to make, just to come to San Francisco and cook.

ELIZA

Samuel!

PLEASANT

No, that's alright. Of course you are correct. I am a capitalist first. Husband One, Mr. Smith, left me in an advantageous situation when he passed. I have invested his estate in the best ways possible. I make my money work for me you know.

WOODWORTH

She's as smart as you, Sam, just not as obvious. Tell him your plan.

PLEASANT

Well, I have an agent, Mr. William West. Of West and Harper? Knew him from home. He loans out my money at ten percent interest. I trade the profit for gold, then exchange back into silver when it's low. Then back to gold when silver is high. My holdings, I bank safely with Mr. Wells and that nice Mr. Fargo.

There is a short silence at her astute financial methods.

BRANNAN

Excellent. But now that you're in San Francisco, there's a commodity that can bring vastly greater income than the precious metals men keep digging out of the land. It's an investment with which I can help you personally.

PLEASANT

And just what is that, Mr. Brannan?

BRANNAN

Land, Mrs. Pleasant. The land. They're not making anymore of it.

Brannan finishes up with a big smile, which Mary Ellen then gets on her face as well.

INT. DENNISON'S EXCHANGE CASINO - NIGHT

SUPER: December 24, 1849

The casino floor is filled with card tables, featuring Monte and Blackjack. Roulette wheels spin, with circles of watchers, while at the back, a big Wheel of Fortune clicks.

Stuart, well-dressed, is blending in with the slick crowd, egging on the current roulette player who's on a hot streak, cheering with everyone else when the player wins.

The Perfesser is at a Blackjack table, but is actually playing, watching the cards that come out very carefully.

DEALER

All right, you've got a nine up.
What's it gonna' be, friend?

PERFESSER

Well then suppose I... double down.

The crowd around the table oohs and aahs a bit.

DEALER

You been pretty lucky so far,
friend. Wanna' push it, huh?

PERFESSER

My decision is sound. Hit me!

The dealer starts to flip a card off the deck, when suddenly a cry comes from the door that leads into the back room.

JIMMY

Fire! Everybody out! Right now!
Goin' quick! Out while you can!

Stuart takes up the alarm, trying to panic the herd as quickly as possible, as smoke starts to fill the room. The Perfesser heads outside, herding patrons as he goes.

STUART

I don't wanna' die! Get me out of
here! Hurry up... outta my way!
Everyone get outside, quick!

JIMMY

No time to waste, folks! It's
spreadin' fast! Save yourselves!

The two men keep shooing people out, then look at each other and smile at all of the cash on the tables left in the panic.

Suddenly, actual flames shoot through the back door, and catch the velvet drapes on fire. Flames move swiftly, and Stuart and Jimmy realize they really do need to get out.

STUART

Christ on a crutch. This was just
supposed to be a wee distraction.
What the bloody hell is this?

JIMMY

I guess the boys were... a bit generous spreadin' the alcohol. We better save our own skins. Let me just scoop...

STUART

Leave it, ye fool! Plenty 'nuff from the safe. Get t'hell out!

Stuart and Jimmy head toward the front door as the fire rushes to cut off their exit. They pull their jackets over their heads, duck down and run through the flames.

EXT. DENNISON'S EXCHANGE CASINO FRONT - NIGHT

Stuart and Jimmy blast through the fiery front door, flames licking at their heels. Once they get out on the street, they see the fire is spreading to the buildings on either side.

Brannan and Kemble run over from the Alta newspaper office on the end of the block. All the owners of the businesses on the street start to show up. The crowd looks on helplessly.

BRANNAN

Oh my Lord, Edward. This is bad. We have no way of fighting something like this. No fire department. No real equipment. We need to start a bucket brigade up from the water.

KEMBLE

(yells to crowd)
Buckets? Does anybody have any buckets? We need water here, fast! This whole block could go up!

Captain William Howard runs up, out of breath. His store is nearby and is also threatened.

BRANNAN

William, do you have any buckets at your store? We need all we can get.

HOWARD

Enough to get us started, but we need too many. This is a disaster.
(yells to crowd)
Can I get some men to follow me to my store and bring back buckets, pans... anything that holds water.

Kemble runs off with Howard, followed by a dozen men. Brannan runs over to three men, just standing and watching the fire.

BRANNAN

Does anybody know how this happened? Where it started?

The men turn... it's Stuart, Jimmy and the Perfesser!

STUART

Somewhere in the back it appears. We were inside the establishment, patronizing the games of chance.

JIMMY

The fire just ripped through there... almost trapped us!

PERFESSER

We believe that all the customers escaped safely... from the front, at least. Can't say what happened around back. We... haven't spoken to anyone who might have been there tonight... yet.

STUART

It's all some kind of... horrible accident. On Christmas Eve no less.

BRANNAN

I don't believe I've ever had the pleasure, Mister...

STUART

Carlisle, James Carlisle. And you?

BRANNAN

Samuel Brannan, publisher.

STUART

Yes, I've heard... things about you. If you would excuse us, Mr. Brannan. Gents, we must go... locate some other men. To fight the conflagration. Another time, sir?

The three hustle off. The flames are now getting completely out of control, spreading down the block and heading in the direction of the rest of the city.

Brannan moves on to another cluster of four MINERS (20s-30s; dressed like workmen.)

BRANNAN

Excuse me, might any of you be in the mining trade?

They turn and look at him, and one MINER (35) speaks.

MINER 1

Yes we all are. Why do you ask?

BRANNAN

Do you know where there might be some dynamite... immediately?

MINER 2

We got a small supply in a shed on our barge, tied up at the end of the dock. Whatcha need it for?

BRANNAN

We'll never put out this fire with water. The only way we can stop it, is to give it less to burn. We must dynamite the shacks and tent cities between the fire and the rest of San Francisco. We need to plan exactly where to place the charges.

The Miner sends his crew to the powder-house, while he and Brannan decide where to create the fire breaks.

BRANNAN (CONT'D)

OK, the whole south side of Washington is a goner, between Kearny and Montgomery. We need to blast and pull down everything on all four sides of it, to keep the fire from jumping more.

MINER 1

Yes sir, my men can do that. Sure hope it works.

BRANNAN

Our newspaper printing press is right around the corner. The city needs us to be protected. God, we all need the city to be saved.

INT. OLD SHIP SALOON - NIGHT

Stuart and The Perfesser sit at their usual table with Mary Anne Hogan, who is sitting down as well, pouring shots.

MARY ANNE
The bloody hell happened, James?

STUART
Spike was just supposed to start a smoke bomb inside a waste can, to distract everyone and give Fingers time to crack the safe. Somehow, it got out of control. We won't know much till they get back, at which time I'm gonna bash their heads in.

Jimmy from Town, covered in soot, with his clothes torn and burns on his arm, staggers into the pub. He drags himself over to the table, with a mournful look on his face.

STUART (CONT'D)
Well, did you talk to those buggers yet? Where the hell are they?

Jimmy just looks at Stuart, and slowly shakes his head. The others are never coming. They all sit in stony silence, then MARY ANNE silently pours shots for everyone. Stuart lifts his to the air, and the others follow. He quotes Wordsworth.

STUART (CONT'D)
"We will grieve not, rather find strength in what remains behind."

They all drink, then smash their glasses on the floor.

EXT. PORTSMOUTH SQUARE - NIGHT

CGI: Flames have enveloped many blocks. Suddenly, a series of explosions occurs, happening in a ring around the blocks that are on fire. Dust rises from the explosions and mixes with the smoke from all the fires. It looks like Hell.

EXT. PORTSMOUTH SQUARE - DAY

CGI: A matching shot in the daylight. Fires smolder; you can plainly see the destruction. Whole city blocks have completely disappeared. People scurry around, pulling apart the debris and hauling it away on horse-drawn wagons.

INT. ALTA CALIFORNIA NEWSPAPER OFFICE - DAY

Brannan reads a front page out loud as Kemble listens.

BRANNAN

"My strength is worn out in nightly watches. The remedies I am about to suggest may not be strictly in accordance with law. However, I believe we must be a law unto ourselves, and there are enough good men and true who are ready to take hold."

(looks up at Kemble)

This was a letter to the editor?

KEMBLE

From a reader, who only signed it "Justice."

BRANNAN

"I propose first to create a Committee of Safety, to board, or cause to be boarded, every vessel coming in from Sydney, and inform the passengers that they will not be allowed to land unless they can satisfy this committee that they are respectable and honest men."

KEMBLE

Much like closing the barn doors after the horses have escaped. Or rather, closing the Cove after the Ducks have landed.

BRANNAN

But here... note this. "Appoint a Committee of Vigilance, say of twenty men in each ward. Their duty would be to hunt out these hardened villains. Having been identified, the villains would be summarily banished from the city, on pain of death. If they proved to be recalcitrant, they must be shot down, like dogs." Well... harsh words coming from one who calls himself "Justice."

KEMBLE

It is extreme, but in general, he's not wrong. Something must be done. Nobody can prove that Casino fire was the work of the Sydney Coves, but they seem to be using arson now to distract from their burglaries.

BRANNAN

Quite a notable item for a Sunday issue. Should get some attention. I spoke with George Oakes and James Neall this morning about this very thing. I've had Wardwell, my assistant draw up a list of reliable men. I invited them to a secret meeting tomorrow evening at my warehouse. You must come. It will certainly be worth reporting. Till then.

INT. SAMUEL BRANNAN'S FRONT ROOM - DAY

Brannan and wife Eliza stand face-to-face, talking heatedly.

ELIZA

Why Samuel? Why? Is this your new flock you are going to preach to? Aren't you leading them straight into sin, rather than out? What is it that you crave so dearly? Adulation of your leadership? Public praise? Please educate your naïve wife.

BRANNAN

Eliza, darling. I am protecting you and our son, that's all. Helping other men find the courage and the means to protect theirs. We started this city; you and I and all the others on the *Brooklyn*. Yes, I was disappointed when Brigham Young stayed in Utah, I admit it. Now I can see that the hand of Jesus had shielded the Saints from this tragic future.

ELIZA

So now it's your mission to fix it?

BRANNAN

To make a start, at least. I refuse to be chased out by any gang. We can reclaim our paradise... with strength in numbers. I make you this solemn vow, right here and now. Once it is under control, I'll hand off the reins to others. But For now, I need to drive the team. I must be the law.

ELIZA

You? Personally? That's insane! I swear, you're possessed. I am taking Sammy to Switzerland, where we will be safe, live in civilized society. He will get the best education. You can certainly afford it now. Come with us, and all will be forgiven. But if I leave without you, I might never return. It's your choice, Samuel. Them... or your own flesh and blood.

The two look into each others eyes for the longest time. His reply implies his choice.

BRANNAN

Eliza... I truly love you. But...

At that, she turns and runs into the bedroom, breaking into sobs and tears. Brannan just stands there, torn and helpless.

EXT. MINING CAMP OUTSIDE PLACERVILLE - DAY

A group of Californio miners sit around a campfire preparing dinner. A woman in a colorful dress, ROSA FELIZ (25) stirs a hanging cookpot. A group of riders heads toward the camp.

Three men stand to meet the strangers. JOAQUIN MURRIETA (27) and his brothers ANTONIO (25) and JESUS (30). The riders come to a halt, and when the dust settles, we see Sam Roberts, a Colt revolver in his hand, and the other two RIDERS as well.

JOAQUIN

Hola, gringos! Buenos tardes.

ROBERTS

Speak English, greaser. I know you can. What are you doin' out here?

JOAQUIN

What everyone does, Señor. Dig for gold. We camp here many month.

ROBERTS

Guess you haven't heard. New law. Only Americans can mine for gold in California. Time for all you to vamoose. Give us everything you already took out. Now!

The Murrieta brothers look at each other, figuring the odds, but their guns are too far away, and the three gringos all have their Colts pointed at the family, including Rosa.

JOAQUIN

We no want trouble. I have a family. My brothers will get you the gold. Don't shoot! Por favor! Jesus... Antonio... Trae el Oro.

Jesus and Antonio go into their tent and one rider dismounts to open his saddlebags. The other rides over to where the miners' horses are tied, undoes the reins, and runs them off.

ROBERTS

You been right cooperative... so far. Now we're gonna check back here soon, and if you ain't gone... we won't be quite so friendly to your family. ¿Lo entiendes?

JOAQUIN

Si. I understand.

The Rider finishes loading the gold, remounts, and the trio ride back down the trail. The family gathers into a circle and Rosa hugs Joaquin.

JOAQUIN (CONT'D)

Rosa, the gringos are crooks... all of them. We will take back all they stole, and more. We must become stronger, to defend all of us Californios. They will regret stealing from Joaquin Murrieta.

INT. SAM BRANNAN'S WAREHOUSE OFFICE - DAY

Mary Ellen Pleasant sits across a desk from Brannan, looking at a large street map of the city.

PLEASANT

But this is all merely land speculation, Mr. Brannan. Up until now, my metals exchanges have been incremental and my loans very conservative. I see your point about rising land values, but merely buying and reselling it doesn't improve the city at all. It just... makes money.

BRANNAN

Not a bad thing...

PLEASANT

But what do the people need? I see men sleeping in the mud, honest souls who just need a dry room in a boardinghouse. A place that cooks inexpensive meals, for ordinary folk, not just the rich.

BRANNAN

I've been trying to help my flock here for 3 years. We're overwhelmed by how fast it's changing. Crime is rampant, and prices are soaring, for the simplest things.

PLEASANT

I've heard that it costs a whole dollar just to get a shirt washed, and they have to ship them all the way to China and back! It sounds like a bad fairy tale. There are real needs out there. What can I invest in that will help ordinary people, and still make money?

BRANNAN

Well, have to rebuild blocks and blocks that burned at Christmas. Personally, I suffered huge losses. The good news is that my printing press was safe... this time. But from now on, we use solid brick. Fireproof construction. It sounds like you and I need to go in together on some well-needed civic improvement projects.

PLEASANT

Just one condition, though... please keep my name out of it. We're silent partners. I just want to be that nice woman who cooks a mean gumbo. Is it a deal?

Mary Ellen sticks out her hand to shake. He shakes.

BRANNAN

Deal.

INT. OLD SHIP SALOON - NIGHT

Stuart has gathered the Sydney Coves at their back table. There are new members, replacing ones killed in the fire.

A big Englishman named SIMPTON (40); tall, muscled) tells how he cased a mark down at the waterfront.

SIMPTON

'E's a shippin' agent named George Virgin, and he brings 'is cash box in, off the steamboat, every night at exactly the same time, and locks it in the strongbox in 'is office. I been in there a few times, askin' 'bout buyin' a boat ticket, so I knows where it's at. After 'e's gone, I can just take the whole bloomin' safe... ain't too big.

STUART

Simpton? You bloody well plan to carry a strongbox all the way from Long Wharf to Sydneytown? That's just beggin' to get nicked, it is.

SIMPTON

Aye, I thought o' that, so I'm gonna take a short cut across the water. Tie up a skiff to the end of Long Wharf, zip across to the Cove, and Bob's yer uncle.

STUART

Hmmmmmm. Anybody see anything wrong with that plan?

JIMMY

Well carryin' a safe ain't nothin' I'm ever gonna' try...

Everyone laughs.

JIMMY (CONT'D)

But if anyone can do it, Simpton can. Be sure its a foggy night.

STUART

Oi, it's summer in San Francisco... ain't it always foggy? OK, it's on! We'll all be waiting for ye at the Cove... to relieve your burden!

Stuart laughs and motions to MARY ANNE, indicating a bottle. She heads over to the table to pour shots to celebrate.

INT. BRANNAN'S WAREHOUSE - NIGHT

A dark, cheerless place, long and narrow, low ceilinged, with white cotton cloth hung to cover the rough wood walls.

Brannan and his assistant WARDWELL (20s, eager and snide) sit at a table with two chairs behind, and seats for 100 fill the room, which are completely occupied.

BRANNAN

Gentlemen, several of us have drafted a proposed constitution for this organization, along with several paragraphs stating the objects of our association. Of course, everything is open for democratic discussion. Let's hear.

WARDWELL

"The name and style of the association shall be 'The Committee of Vigilance for the protection of the lives and property of the Citizens and residents of the City of San Francisco'."

BRANNAN

Certainly a mouthful. Discussion? No? Continue, Mr. Wardwell.

WARDWELL

"We are determined that no thief, burglar, incendiary or assassin shall escape punishment, either by the quibbles of the law, the insecurity of the prisons, the carelessness or corruption of the Police, or a laxity of those who pretend to administer justice."

COMMITTEE GROUP

Hear, hear! Capital!

HOWARD

Hah! Quibbles of the law, indeed!

WARDWELL

"There should be a room where a member or members should be in attendance day and night, to summon the Committee at large if any situation warranted such action."

BRANNAN

I am happy to make this space available, until we have acquired the funds necessary to lease a proper headquarters.

WARDWELL

"When said Members On Duty shall decide to call upon the whole Committee, they should do so by striking two stokes upon a bell, followed by the pause of one minute, and then two more strokes, and so continuing."

BRANNAN

The fire bell at our new volunteer station has arrived just in time.

WARDWELL

"Those members of the Committee whose names are hereunto attached, do pledge their honor and hereby bind themselves to defend and sustain each other in carrying out the determined action of this Committee... at the hazard of their lives and their fortunes."

Wardwell concludes, and the enormity of that wording sinks in for a moment. One hand goes up: SELIM WOODWORTH. He stands.

BRANNAN

Selim Woodworth? Question?

WOODWORTH

Just one. Where do I sign?

The room erupts in cheers! Brannan smiles broadly.

BRANNAN

Mr. Wardwell has prepared this numbered ledger with spaces for your name, your place of business and your place of residence. If there are no objections, I move Brother Selim be the first to sign.

WOODWORTH

No... Sam... it should be you. This was all your doing.

BRANNAN

Nonsense. There is no personal ownership of this committee. We are all brothers. Please do the honors.

In a solemn ceremony, worthy of a hall in Philadelphia, first Woodworth signs, then Brannan does sign second. The men line up around the room to put their names on the document.

EXT. STREET NEAR GEORGE VIRGIN'S OFFICE - NIGHT

GEORGE VIRGIN (55; portly) trudges up the long stairway leading to his office on the second floor, windows overlooking the water. He carries cash box in one hand and an oil lantern in the other.

Simpton watches him from a darkened streetcorner, waiting for him to put his box in the safe and go home, like always.

Through the windows, we can see the light of the lantern go into the office, stop for a while, then come back out, with Virgin then descending the stairs.

When the boatman is safely out of sight, Simpton heads toward the stairs, carrying a large coffee sack.

EXT. GEORGE VIRGIN'S OFFICE DOOR - NIGHT

Simpton kneels in front of the door, quietly working to jimmy open the lock on the door. Suddenly, the lock gives way and the door pops open. Simpton quickly goes inside and closes the door behind him.

INT. BRANNAN'S WAREHOUSE - NIGHT

The men are still signing the book. Next up is COLONEL J.D. STEVENSON (50s; bearded, military bearing) and DAVID ARROWHEAD (30s; a young dockworker). Wardwell offers Col. Stevenson the pen.

WARDWELL

Here you are Colonel Stevenson.
Just put your John Hancock here on
line Eighteen.

Stevenson signs with a huge signature, just like Hancock.

WARDWELL (CONT'D)

And so he did... number Eighteen
and Nineteen. Impressive, Colonel.

ARROWHEAD

Sorry, but can I jump the queue?
David Arrowhead. It's gettin' late.
They're expecting me at the docks
by Eleven to load for a Dawn sail.

The man behind Stevenson graciously lets him cut ahead in line, so he signs quickly, and runs out the door.

EXT. SHADOWY STREET SCENE - NIGHT

George Virgin walks home lighted by the moonlight. He pulls a pipe out of his pocket and puts it in his mouth, then reaches into another pocket for matches, finding none. He pats his jacket, finding no box of matches anywhere.

Virgin stops, looks frustrated, then turns around and heads back in the direction he came from... his office.

EXT. STAIRWAY TO GEORGE VIRGIN'S OFFICE - NIGHT

George starts up the stairs just as Simpton is coming down, carrying what seems to be a very heavy load in a sack slung over his shoulder.

Virgin nods his head and tries to look friendly. Simpton just lowers his head and averts his gaze, to avoid identification.

Virgin disappears into his office, Simpton reaches the ground and exhales; drops the sack with a thud. He looks around, sees nobody, picks up the sack and lugs it toward Long Wharf.

Suddenly Virgin appears at the top of the stairway, yelling.

VIRGIN

Stop! Thief! Help... someone help
me! I've been robbed! Stop that big
man with the sack!

A number of boatmen who work late, rowing people out to boats and back in, hear the alert from Virgin and join the chase.

EXT. END OF LONG WHARF - NIGHT

Simpton reaches the end of the dock where his rowboat is tied, leans out and drops the sack with the safe in the boat.

VIRGIN (O.S.)
Catch him boys. He's at the end of
the wharf, gettin' into a rowboat.
Head him off, somebody!

Simpton climbs down into his boat and starts rowing the quarter-mile to Sydney Cove. He has a huge head start on any of the boatmen.

Suddenly, JOHN SULLIVAN (29), who is rowing back in from a ship, takes up the chase, in position to head off Simpton.

EXT. ABOARD SIMPTON'S ROWBOAT - NIGHT

Simpton rows as hard as he can, but Sullivan's boat is able to cross his bow and block his way. Other boatmen follow behind. Simpton has nowhere to go. He rises up to his full height and yells at Sullivan.

SIMPTON
Ya think ya can take me laddie? I'd
like to see ya try!

Sullivan looks scared for a moment, but then he unships one of his oars, picks it up and prepares to swing it hard.

SULLIVAN
You big Aussie oaf. I'll knock your
block off. Don't test me.

Simpton picks up the sack with the safe, and drops it right into the shallow waters of that part of the harbor. The other boatmen catch up and surround him on all sides. Some take long clam tongs, and begin to fish for the sack.

INT. BRANNAN'S WAREHOUSE - NIGHT

Wardwell closes the ledger as Brannan and Woodworth look on.

WARDWELL
The total is one-hundred and four.
Sorry, a hundred-three. Colonel...
Stevenson... you know.

BRANNAN
Thanks for your hard work tonight,
Wardwell. Go on home now.
I can lock up.

As Wardwell gets up to leave, Woodworth leans over and speaks quietly to Brannan.

WOODWORTH

Sam, I've known you a while, and I have never seen you this... driven, before. You seem... engulfed by this project. I don't believe I've even seen you smile once, in ages. Something else going on?

Brannan looks straight ahead, with no visible emotion.

BRANNAN

She's gone Selim. Eliza took Sammy away from me and moved... to Switzerland. Nothing I could say...

He tries to keep going, but chokes back the tears.

WOODWORTH

I'm so sorry, Sam. If there's anything I can...

BRANNAN

I was baptized by Joseph Smith, the Prophet himself... Me! Worked as the right hand man to Brigham Young. Been a devoted Latter Day Saint, serving Jesus Christ. Chartered a ship and brought a boatload of pilgrims here, to what we believed was our New Zion. What happened to our Heaven on Earth? What has become of this shepherd, who has forsaken his flock? For what? Gold? Land? Now, I am getting ready to go to war, Selim. War! Guns, killing. Hangings? I know not... what I do...

The door flies open, and Arrowhead and Sullivan, the boatman, enter. Between them they march in Simpton, his hands and arms tied with sailor's knots. Storming after them is Virgin.

ARROWHEAD

Hey, I know it's kind of quick, but we just caught this here fella robbin' someone down at Long Wharf.

VIRGIN

That someone is me, and this man broke into my office and carried away my whole strongbox.

SIMPTON

Can't prove twas me. Any evidence?

VIRGIN

You fool. Ain't even a fathom of water at that spot. Oystermen will fish it out in no time.

The Committee members who are still present look at each other, then break into action.

BRANNAN

Oakes, grab a billet of wood, run over and sound the alarm. You two, seat the prisoner at this table.

Oakes runs; Sullivan and Arrowhead tie Simpton to the chair.

WOODWORTH

What's your name?

Simpton thinks about it for a second, then lies.

SIMPTON

Uhh... Jenkins. John Jenkins.

BRANNAN

Don't even have to ask where he's from. You are one of the Sydney Ducks, aren't you?

SIMPTON

Don't know what yer talkin' about.

Outside, a loud bell is heard. First one strike, then two.

BRANNAN

McDuffee, you're Sergeant-at-Arms. Take charge of the prisoner.

EXT. SAN FRANCISCO STREET SCENES - NIGHT

SCENE: John Oakes hitting the FIRE BELL twice, again.

SCENE: A member opens his front door, leaves his house.

SCENE: Two Committee members walk down intersecting streets, meet up, then march together to the headquarters.

SCENE: Committee members stop at the door, give the password.

SCENE: Some non-members complain, turned away from the door.

SCENE: Committee members enter the building.

INT. BRANNAN'S WAREHOUSE - NIGHT

Committee members gather in small discussion groups as more enter the door. The congregated members number about eighty.

Brannan breaks out of a group of men and walks to the front.

BRANNAN

All right men, come to order. I've spoken to most of you.

(pauses)

Seems like you're my new congregation, now. Some are for taking the prisoner to the police, some for a delay, and some want to start a trial right now, though it's midnight and we're not agreed.

Suddenly, through the door storms Captain William Howard, who marches straight to the table, takes off his ship captain's hat and slams it down on the table dramatically.

HOWARD

Men... as I understand it, we came here to hang somebody!

A hush goes across the room. Simpton looks terrified. Brannan gets a very cold, hard look on his face. He speaks quietly and very matter-of-factly.

BRANNAN

Very well then. Let's begin.

FADE TO BLACK.

END EPISODE ONE