

THE PATRIOT

by

Robert Rodat

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FADE IN:

EXT. THE SWAMPS OF SOUTH CAROLINA - NIGHT

Dark. Ominous. Kudzu hangs from the swamps maples. A dark and forbidding place. A bird CRIES EERILY in the darkness. Insects HUM ominously.

SUPERIMPOSITION:

FRENCH AND INDIAN WAR

A detachment of French soldiers with several wagons makes it's way along a muddy road cut through the swamp. The soldiers are wary, scanning the underbrush, weapons ready.

In the swamp, parallel to the road, SHADOWED FIGURES, hidden among the brush, silently track the French soldiers.

As the lead wagon rolls over a muddy puddle, straddling it, a MUD-COVERED FIGURE, reaches up, grabs the wagon's undercarriage, pulls itself up and clings, unseen to the underside of the wagon. The figure, obscured by the mud, barely looks human.

As the other wagons roll over other muddy depressions in the road, three more mud-covered figures reach up, grab and cling to the underside of other wagons.

FORT CHARLES

The gates are opened. The relieved French soldiers quicken their pace and hurry into the relative safety of the fort. In the fort yard the weary detachment disperses.

UNDER THE LEAD WAGON

The first dark, mud-covered figure silently drops to the ground and draws a distinctive TOMAHAWK from his belt as the other figures drop from the other wagons.

The figures crawl through the shadows toward the sentries who are closing the main gates. THEY SPRING... the lead figure dashes forward, raises his TOMAHAWK and HACKS DOWN at a TERRIFIED FRENCH SENTRY...

The other muddy figures join the attack... stifling the screams of the French soldiers with VICIOUS KNIFE SLASHES... gaining precious seconds...

A FRENCH SOLDIER CRIES OUT... sounding the alarm... other FRENCH SOLDIERS come running out of the darkness...

The four muddy figures, make a stand at the gate, brutally killing the French soldiers as they come, holding the gates open as...

Dozens of other muddy figures race out of the surrounding swamp, tearing through the fort gates, joining the slaughter...

The lead figure, HACKS, again and again with his tomahawk...

Blood and flesh cover his arm as the vicious blade rises and falls amid the SCREAMS in the darkness...

DISSOLVE TO:

EXT. SOUTH CAROLINA COUNTRYSIDE - DAY

Beautiful sunlight. AERIAL SHOT of a post rider galloping along a road through peaceful untamed woodlands. Soaring old-growth elms arch over riverside maples along the shores of the gently curving, deep-water Santee River.

SUPERIMPOSITION:

SOUTH CAROLINA April, 1776

The post rider rides along a raised swamp road. On either side of the road, gorgeous shafts of sunlight pierce the canopy falling onto soft, swaying ferns that cover the high grounds. Hundreds of BIRDS SING. The water is clear, with fields of floating lily pads, each with a stark white flower rising from it.

EXT. FRESH WATER PLANTATION - DAY

The post rider approaches a plantation built between the banks of the river and the deep green of the swamps, passing acres of perfectly tended rice paddies. Two sturdy brothers, NATHAN, 13 and SAMUEL, 12, work alongside three adult male African freedmen, JOSHUA, JONAH, MICA, planting rice. They look up from their work as the rider passes. Nathan and Samuel take off running after the post rider.

THE HOUSE

The post rider approaches the house, built of native brick, well-constructed and well-maintained. There's a barn, a workshop and a forge. It is a home of substance rather than wealth. On the front porch, MARGARET, 11, pumps a butter churn while her brother, WILLIAM, 6, watches. They see the post rider. Margaret excitedly runs off toward the workshop while William stares at the approaching rider who is trailed by Nathan and Samuel.

INT. WORKSHOP - DAY

A perfect colonial workshop, fastidiously arranged with every conceivable tool of the period. A foot-powered lathe. A drop-forge. A lifting saw. Racks of tools, planes, hammers, augers, drills, blocks, all hanging in their places. All very well-worn.

BENJAMIN MARTIN methodically works his lathe, turning a piece of hardwood, shaving off tiny curls of wood with a razor-sharp chisel. He's in his late-forties, strong and weathered. His hands, though big and callused, handle the chisel with a surgeon's precision. Self-educated and self-sufficient, he has built himself, as he built his farm, brick by brick, from the coarse clay of the earth.

A finely-made rocking chair, missing only the dowel on which Martin is working, sits on the work table. The chair is a work of art, thin and light, a spider-web of perfectly turned wood, no nails, no glue. Sitting on the woodpile, SUSAN, 4, a silent, stone-face wisp of a child, watches her father. Margaret races in.

MARGARET

Father! A post rider!

Martin pointedly continues his work without looking up.

MARTIN

Very well.

Margaret waits, then, seeing that her father isn't going to come, she turns and races out.

EXT. FRESH WATER PLANTATION - DAY

The post rider rides up to the house. ABIGALE AND ABNER, a middle-aged African couple, step out. Abigale calls out to Nathan and Samuel as they run up breathlessly.

ABIGALE

You go tell your father, there a post rider.

They race toward the workshop, passing an excited Margaret.

INT. WORKSHOP - DAY

Martin calmly takes the piece of wood out of the lathe, carefully fits it into the chair, inserts a peg and taps it into place. Then he steps back and appraises his handiwork. He picks up the chair and hooks the top rail to a scale, countering with a three-pound weight. The chair floats.

Martin blows softly on the weight which sinks. Susan nods, so far, so good. Nathan and Samuel burst into the room.

NATHAN

Father! Father!

SAMUEL

A post rider! Mail!

Martin nods, keeping his attention on the chair.

MARTIN

Very well.

The boys wait for more. Nothing. They race out.

EXT. FRESH WATER PLANTATION - DAY

GABRIEL, 18, strong and handsome, walks out of the woods with a musket in his hand and a dozen game-birds over his shoulder. At his side walks THOMAS, 14, also carrying a musket. They see the post rider giving the mail to Abigale with the other children excitedly watch. Thomas runs over. Gabriel restrains himself and strides toward the workshop.

INT. WORKSHOP - DAY

Martin takes the chair off the scale and puts it on the floor. He walks slowly around it, checking every angle.

He takes a deep breath and starts to sit down but stops as Gabriel enters.

GABRIEL

Father, a post rider.

MARTIN

I know.

Gabriel waits for Martin to share his excitement. He doesn't.

GABRIEL

May I bring it to you?

Martin pointedly keeps his attention on the chair.

MARTIN

No.

GABRIEL

May I open it?

Martin turns with a surprised and authoritarian glare.

GABRIEL

Uh... I can wait.

Gabriel leaves. Martin exchanges a look with Susan, then turns back to the chair. He takes a deep breath and lowers himself onto the seat, gingerly adding an ounce at a time. Not a creak. He smiles and sits back with a sigh.

CRACK! THE CHAIR SPLINTERS under Martin's weight, DUMPING HIM on his ass on a pile of broken wood.

MARTIN

Damnation!

He picks up some of the wood, about to fling it across the room but stops as Susan shoots him a disapproving look.

He calms himself.

MARTIN

Sorry.

Susan gets down from the woodpile and puts the remains of the chair in the fireplace. Martin steps over to his wood rack and extracts a fresh dowel. As Susan climbs back up to her perch, Martin fits the dowel into the lathe and starts it up.

THE MAIL sits, unopened, on the hall table. Margaret, William, Nathan, Samuel, Thomas and Gabriel hover.

Abigale bustles in and shoos them away.

ABIGALE

You get away from there, now.
That's not your mail. You wash up
for supper... you leave that
alone...

The children reluctantly follow her orders, leaving the unopened mail on the table.

EXT. HILLTOP - FRESH WATER FARM - SUNSET

The loveliest spot on the farm. A beautiful view of the house, barns, river, fields and hills beyond. A gravestone stands in the shade of a soaring oak tree covered with Spanish moss. It reads:

ELIZABETH PUTNAM MARTIN 1738-1773

Above her name is a carving of the night sky, at the center of which is the NORTH STAR, steady and guiding.

Martin approaches. He gives himself a moment to look at the grave. A soft wind blows some dry leaves along the ground. Martin turns his head, as if listening to spoken words. PUSH IN on the North Star on the gravestone.

MARGARET (V.O.)

That's her, the North Star...

DISSOLVE TO:

INT. GIRLS' BEDROOM - NIGHT

Martin stands in the doorway, unobserved, while Margaret and Susan look out the window at the night sky.

MARGARET

... you start from the front two stars of the Big Dipper and count up five fingers lengths... that's right... there.

Susan gazes up at the North Star. The girls notice Martin and climb into bed. He puts a chair against Susan's bed and kisses her. He pulls a blanket up around Margaret, who whispers:

MARGARET

It helps her to know Mother's there.

Martin nods with a thin smile, kisses Margaret, picks up his candle and walks out.

INT. BOYS' BEDROOM - NIGHT

Martin enters, finding William asleep on the floor and Nathan and Samuel both asleep in their beds. He lifts William into bed, takes a slingshot from Nathan's hand.

Samuel looks up, three-quarters asleep, murmuring:

SAMUEL

Mail, papa...

MARTIN

I know.

He tucks in Samuel and walks out.

INT. FOYER - MARTIN'S HOUSE - NIGHT

Gabriel hovers near the still unopened mail. Thomas lies on the floor, deploying squadrons of lead soldiers.

Martin walks in and pours a drink.

MARTIN

Very well. Open it.

Thomas and Gabriel leap for the mail, battling, tearing into it. Martin steps to the window with his drink, looking out into the night. Gabriel scans, Thomas reads more slowly.

GABRIEL

The New York and Rhode Island assemblies have been dissolved...

MARTIN

The middle colonies?

GABRIEL

Rioting both sides of the bay, in Chestertown they burned the Customs House and tar-and-feathered the Customs Agent. He died of burns. In Wilmington they killed a Royal Magistrate and two Redcoats.

MARTIN

Foolish men.

GABRIEL

Who, the rioters or the magistrates?

MARTIN

Anything about the convention in Philadelphia?

GABRIEL

Poor Richard says they'll make a Declaration of Independence by July.

Martin extracts a delicate pair of reading glasses from a wooden pocket-box and motions for Gabriel to hand him some of the newspapers and pamphlets. Gabriel does so. Martin sits down and begins reading.

GABRIEL

Scott Higgins joined the militia.

Martin doesn't respond. Thomas looks up from his lead soldiers.

GABRIEL

He's seventeen. A year younger than I.

Gabriel and Thomas wait for a reaction. None. Gabriel sighs and sits down to open more mail. Martin's eyes drift from the page to Gabriel. Suddenly Gabriel starts:

GABRIEL

Father! The assembly's been convened! You're called to Charleston!

Martin nods, not pleased, not surprised.

MARTIN

We'll leave in the morning.

EXT. SWAMP ROAD - DAY

The Martins drive on a beautiful swamp road. The arching maples and willows form a tunnel of green. The children excitedly CHATTER AND SING. Martin, driving one of the wagons, is troubled. Gabriel, driving the other, is as excited as his siblings, but he restrains himself.

EXT. BENNINGTON OVERLOOK - DAY

The two carriages pass a view of their entire valley.

Scattered farms with a patchwork of cultivated fields and rice paddies surround the town of Bennington.

EXT. SANTEE ROAD - DAY

Passing through rolling farmland, the Martins head toward the coast. They pass a large contingent of South Carolina Militia, drilling in a field. The children, particularly Gabriel, watch avidly.

EXT. CHARLESTON - DAY

Bustling. Martin and Gabriel negotiate the carriages through the busy streets. The children watch, wide-eyed, seeing taverns, a public gallows, drunkards, street entertainers, well-dressed ladies attended by their maids, food vendors. They pull up in front of a grand house -- Charlotte's.

INT. CHARLOTTE'S HOUSE - CHARLESTON - DAY

CHARLOTTE SELTON, mid-thirties, beautiful, with a deep sadness that she keeps hidden as best she can, runs down the grand staircase of her mansion. She stops in front of a mirror and quickly primps, then hurries out the front door.

EXT. CHARLOTTE'S HOUSE - CHARLESTON - DAY

The children leap from the carriages and swarm around Charlotte, embracing her, smothering her with kisses.

THE CHILDREN

Aunt Charlotte! Aunt Charlotte!

CHARLOTTE

Welcome! Welcome! Margaret,
William, look at you...!

(to Martin)

They're huge. What have you been
feeding them?

MARTIN

They're from good stock on their
mother's side.

CHARLOTTE

Thank you. Come, come, inside,
wait until you see what I have...

THE CHILDREN

(simultaneous;
all except Susan)

Presents! For me? What do you
have?

CHARLOTTE

Inside, inside...

The children race through the door, forcing Martin and Charlotte together. They stand awkwardly, their bodies close, as the children pass. After the children go, Martin and Charlotte stand for an extra instant, then turn and see Susan standing, staring.

CHARLOTTE

You, too, Susan. There's something
for you...

Martin and Charlotte watch Susan walk inside.

CHARLOTTE

She still hasn't started talking?

Martin shakes his head. They sigh and head inside together.

EXT. CHARLESTON SQUARE - NIGHT

CHAOS. A yelling crowd of Sons of Liberty is massed around a Liberty Tree from which hang dozens of glowing lanterns. GABRIEL walks through the crowd drinking it all in, turning his head this way and that, seeing:

Drunk men. Vendors selling rum, ale, food and banners emblazoned with a coiled snake and the legend, "Don't Tread On Me." Scores of on-lookers, including respectable people, as well as street urchins, whores and drunkards, watch the proceedings.

Gabriel moves through the crowd, excited by the madness of the scene, listening in to BITS OF CONVERSATION as he goes.

Gabriel stops, noticing PETER HOWARD, a one-legged, middle-aged man about Martin's age, standing with his family on the edge of the crowd. Howard's daughter, ANNE, very attractive, around fifteen, stands a bit apart from her parents.

Gabriel makes his way over and stands next to Anne. They exchange a look. She turns back to watch the crowd.

Gabriel clears his throat and speaks with earnest, adult politeness.

GABRIEL

Miss Howard, isn't it?

She speaks without looking at him.

ANNE

You know who I am, Gabriel Martin.
The last time you saw me I was
nine and you put ink in my tea.

Gabriel straightens up and speaks officiously, trying to appear a man above such childish pranks.

GABRIEL

I believe that was one of my younger
brothers... perhaps Samuel or
Nathan.

ANNE

It was you and it turned my teeth
black for a month.

GABRIEL

I... uh...

The CROWD CHEERS AS several Sons of Liberty string up effigies of King George III and Governor Wilmington. As they light the effigies on fire, Anne's father, notices Anne talking to Gabriel. He motions for her to join him at his side. Anne nods to Gabriel, taking her leave.

Gabriel watches her go. With extreme effort, she keeps herself from glancing back at him. Gabriel turns his attention back to the crowd. Seeing a small knot of affluent men gathered in conversation, Gabriel walks over and stands just outside their circle, listening avidly.

EXT. CHARLOTTE'S BALCONY - NIGHT

Martin, his children and Charlotte watch the mob in the square below, The children are transfixed. Martin is troubled. Charlotte looks closely at Martin, gauging his expression.

THOMAS

Look! There's Gabriel!

They see Gabriel making his way through the crowd. He sees them and waves, then enters the house. A moment later Gabriel breathlessly steps onto the balcony.

GABRIEL

It's coming...

THOMAS

War? War?

GABRIEL

Harry Lee is here from Virginia recruiting for a Continental Army. He seeks a levy of troops and money. The Governor has vowed that if the Assembly votes a single shilling to Lee, he'll dissolve the body.

CHARLOTTE

Which would force our delegates in Philadelphia to vote for independence.

MARTIN

And send us to war alongside Massachusetts.

Gabriel nods enthusiastically. Martin shoots him a sidelong glance, troubled by the prospect.

Charlotte notices.

IN THE SQUARE, a pair of drunk Sons of Liberty, pull down one of the smoldering effigies, cut off its head, and start hacking at it's groin with a sword.

Martin sees his younger children's expressions as they watch.

MARTIN

Inside, all of you, right now.

They start to protest but a look at their father's face convinces them otherwise. They file into the house.

Gabriel assumes the order doesn't apply to him but a stern look from Martin sends him reluctantly inside, leaving Charlotte and Martin alone on the balcony.

CHARLOTTE

Lee will be counting on your vote.
He'll expect you to be the first
to enlist.

Martin looks down at the mob without responding. The flames of the burning effigies light his face.

EXT. ASSEMBLY HALL - CHARLESTON - DAY

The capital building of South Carolina. A large crowd of lower-class men and women is massed in front of the Assembly Hall. As well-dressed Assemblymen walk into the building, the CROWD YELLS words of encouragement to some and berates others.

In the square in front of the Assembly Hall a squadron of blue-uniformed AMERICAN CONTINENTAL SOLDIERS drills. A recruiting table is being set up by a Continental Captain and several military clerks.

INT. ASSEMBLY HALL - DAY

Two dozen ANGRY, YELLING, MEN OF PROPERTY. Among them are ROBINSON, HAMILL and JOHNSON, who are Patriots. Opposed to them are SIMMS, WITHINGTON and BALDRIDGE who are Loyalists. As Martin makes his way to his seat, the SPEAKER OF THE ASSEMBLY POUNDS HIS GAVEL.

SPEAKER

ORDER! ORDER!

Slowly, the room quiets down.

SPEAKER

Our first order of business...

SIMMS

And our last if we vote a levy...

The ROOM ERUPTS.

SPEAKER

ORDER! ORDER! Mr. Simms, you do not have the floor.

The ROOM SETTLES DOWN.

SPEAKER

Our first order of business is an address by Colonel Harry Lee of the Continental Army.

An imposing figure makes his way to the front of the assembly, COLONEL HARRY LEE, about Martin's age and cut from the same cloth -- strong, weathered, with a powerful bearing. Lee sees Martin and offers a familiar nod, which Martin returns, stone-faced. At the dais Lee pauses, then speaks simply.

LEE

You all know why I am here. I am not an orator and I will not try to convince you of the worthiness of our cause. I am a soldier and we are at war and with the declaration of independence we all expect from Philadelphia, it will soon be a formal state of war. In preparation for that, eight of the thirteen colonies have levied money in support of a Continental Army. I ask South Carolina to be the ninth.

In the balcony, Gabriel nods in agreement. Simms rises.

SIMMS

Colonel Lee, Massachusetts may be at war, along with New Hampshire and Rhode Island and Virginia, but South Carolina is not at war.

LEE

Massachusetts and New Hampshire are not as far from South Carolina as you might think and the war

(MORE)

LEE (CONT'D)

they're fighting is not for independence of one or two colonies. It's for the independence of one nation.

WITHINGTON

And what nation is that?

Robinson, one of the Patriots, stands up.

ROBINSON

An American nation. Colonel Lee, with your permission?

Lee nods.

ROBINSON

Those of us who call ourselves Patriots are not seeking to give birth to an American nation, but to protect one that already exists. It was born a hundred-and-seventy years ago at Jamestown and has grown stronger and more mature with every generation reared and with every crop sown and harvested. We are one nation and our rights as citizens of that nation are threatened by a tyrant three thousand miles away.

LEE

Were I an orator, those are the exact words I would have spoken.

Laughter. Martin rises.

MARTIN

Mister Robinson, tell me, why should I trade one tyrant, three thousand miles away, for three thousand tyrants, one mile away?

Laughter from the Loyalists. Surprise from Lee and the Patriots. In the gallery, Gabriel winces.

ROBINSON

Sir?

MARTIN

An elected legislature can trample a man's rights just as easily as a King can.

LEE

Captain Martin, I understood you to be a Patriot.

MARTIN

If you mean by a Patriot, am I angry at the Townsend Acts and the Stamp Act? Then I'm a Patriot. And what of the Navigation Act? Should I be permitted to sell my rice to the French traders on Martinique? Yes, and it's an intrusion into my affairs that I can't... legally.

Laughter.

MARTIN

And what of the greedy, self-serving bastards who sit as Magistrates on the Admiralty Court and have fined nearly every man in this room. Should they be boxed about the ears and thrown onto the first ship back to England? I'll do it myself.

(beat)

And do I believe that the American colonies should stand as a separate, independent nation, free from the reins of King and Parliament? I do, and if that makes a Patriot, then I'm a Patriot.

Martin grows more serious.

MARTIN

But if you're asking whether I'm willing to go to war with England, the answer is, no. I've been to war and I have no desire to do so again.

The room is quiet, the Assemblymen having been thrown off-balance. Gabriel is disappointed by his father's speech.

ROBINSON

This from the same Captain Benjamin Martin whose anger was so famous during the Wilderness Campaign?

Martin glares at Robinson, then smiles.

MARTIN

I was intemperate in my youth. My departed wife, God bless her soul, dampened that intemperance with the mantle of responsibility.

Robinson looks derisively at Martin.

ROBINSON

Temperance can be a convenient disguise for fear.

Martin bristles but before he can answer, Lee steps in.

LEE

Mister Robinson, I fought with Captain Martin in the French and Indian War, including the Wilderness Campaign. We served as scouts under Washington. There's not a man in this room, or anywhere, for that matter, to whom I would more willingly trust my life.

ROBINSON

I stand corrected.

LEE

But, damn it, Benjamin! You live in a cave if you think we'll get independence without war...

MARTIN

Wasn't it a Union Jack we fought under?

LEE

A long time ago...

MARTIN

Thirteen years...

LEE

That's a damn long time...

The Speaker POUNDS HIS GAVEL again.

SPEAKER

Gentlemen! Please! This is not a tavern!

Martin and Lee ignore the speaker.

MARTIN

You were an Englishman then...

LEE

I was an American, I just didn't know it yet...

The Assemblymen and even the Speaker turn their heads in simultaneous anticipation of each rejoinder.

MARTIN

We don't have to go to war to gain independence...

LEE

Balderdash!

MARTIN

There are a thousand avenues, other than war, at our disposal...

Martin speaks slowly and firmly.

MARTIN

We do not have to go to war to gain independence.

Lee says nothing for a moment, then he speaks more seriously, quietly, grimly.

LEE

Benjamin, I was at Bunker Hill. It was as bad as anything you and I saw on the frontier. Worse than the slaughter at the Ashuelot River. The British advanced three times and we killed over seven hundred of them at point blank range. If your principles dictate independence, then war is the only way. It has come to that.

Martin is silent for a long moment. He softens and grows unsteady, speaking far more honestly than he ever wanted to.

MARTIN

I have seven children. My wife is dead. Who's to care for them if I go to war?

Lee is stunned by Martin's honesty and his show of weakness. At first Lee has no answer, then:

LEE

Wars are not fought only by childless men. A man must weigh his personal responsibilities against his principles.

MARTIN

That's what I'm doing. I will not fight and because I won't, I will not cast a vote that will send others to fight in my stead.

LEE

And your principles?

MARTIN

I'm a parent, I don't have the luxury of principles.

The other Assemblymen, both Patriots and Loyalists, stare at him, appalled. Martin, feeling weak, sits down. Lee looks at his friend with more sympathy than disappointment. In the gallery Gabriel turns and walks out.

EXT. ASSEMBLY HALL - DAY

The crowd waits. The doors open and a PAGE BOY dashes out and runs to the Continental Captain at the recruiting table.

PAGE BOY

Twenty-eight to twelve, the levy passed!

The Continental Captain motions to an assembled squadron.

They raise their muskets and FIRE A VOLLEY into the air.

Other soldiers, STRIKE UP A MARTIAL AIR ON FIFES AND DRUMS. Volunteers crowd around the recruiting table, YELLING and jostling for position.

The delegates walk out. Both Patriots and Loyalists give Martin a wide berth.

Martin sees Gabriel, standing near the crowd at the recruiting table. Martin walks up to him.

GABRIEL

Father, I've lost respect for you. I thought you were a man of principle.

MARTIN

When you have children, I hope
you'll understand.

GABRIEL

When I have children, I hope I
don't hide behind them.

Martin looks closely at Gabriel.

MARTIN

Do you intend to enlist without my
permission?

GABRIEL

Yes.

They lock eyes for a moment, then Gabriel turns from his father and walks away, joining the crush around the recruiting table. Martin stands alone in the middle of the chaos. The FIFES AND DRUMS continue to play. Martin doesn't hear them.

LEE (O.S.)

Is he as imprudent as his father
was at his age.

Martin turns and sees Lee standing next to him, looking at Gabriel.

MARTIN

Unfortunately, so. In other
measures he is his mother's son,
but in prudence, or lack thereof,
he is his father's.

LEE

I'll see to it that he serves under
me. I'll make him clerk or a
quartermaster, something of that
sort.

MARTIN

Good luck.

They shake hands. Then Lee walks over to the soldiers.

CAMERA CRANES UP as Martin takes a last look at Gabriel, then heads off through the crowded square, moving against the tide of men headed toward the recruiting table.

CRANE UP ENDS ON TABLEAU of the sunlit city of Charleston.

Bustling streets filled with civilians, Patriots streaming into the Assembly Square and fluttering flags -- the South Carolina state flag and numerous "Don't Tread On Me" flags.

DISSOLVE TO:

EXT. CHARLESTON - DAY

The same view of the city which has radically changed:

SUPERIMPOSITION:

TWO YEARS LATER

The sky is cloud-filled and dark. The flags have all been replaced by Union Jacks. Redcoats march in lock-step unison where excited Patriots and civilians ran. A fleet of British ships is visible in the harbor. Defensive emplacements, bristling with cannons, surround the city.

GABRIEL (V.O.)

... and I apologize for not having written in such a long time.

EXT. CHARLESTON STREET - DAY

A detachment of Redcoats marches past coldly staring American civilians.

GABRIEL (V.O.)

As you must know, the fall of Charleston has been a severe blow to our cause...

EXT. CHARLESTON SQUARE - DAY

LORD GENERAL CORNWALLIS haughtily turns from American General Lincoln, forcing Lincoln to present his sword of surrender to one of Cornwallis' subordinates.

GABRIEL (V.O.)

With the sting of that loss made all the worse by Cornwallis' humiliation of our General Lincoln at the surrender ceremony...

EXT. CHARLOTTE'S HOUSE - CHARLESTON - DAY

Charlotte supervises her slaves as they pack a line of wagons.

GABRIEL (V.O.)

A letter from Aunt Charlotte informed me that she closed her home in Charleston before the city fell...

EXT. CHARLOTTE'S PLANTATION - DAY

A backcountry plantation. More substantial than Martin's but not opulent. Charlotte, her hands dirty, tends a vegetable garden with a pair of female slaves, while several male slaves harvest rice in the paddies beyond.

GABRIEL (V.O.)

... and moved to her plantation near you on the Santee.

EXT. SLIGHT RISE - FRESH WATER PLANTATION - LATER

Martin stands at his wife's grave, finishing reading the letter.

GABRIEL (V.O.)

What little news we get from the North is disheartening, offering us little solace in these dark times. I pray for a turn of fortune for our cause. Then, as now, your loving son, Gabriel.

A soft wind blows. Martin turns his head, listening for a faint voice, but hears nothing. He folds the letter, takes off his glasses, boxes them, and heads down the hill toward the lights and laughter coming from the house below.

INT. MARTIN'S BEDROOM - DUSK

A trunk lid opens. CAMERA PULLS BACK to reveal Thomas in Martin's closet. He lifts out some blankets, uncovering a trove of Martin's old military gear -- a worn battle coat, a box of medals, a military sword, rusted into its scabbard, and the tomahawk seen in the opening sequence.

Thomas puts on the coat which hangs off his narrow shoulders. He stands in front of a mirror, appraising himself. He picks up the tomahawk and hefts it.
FOOTSTEPS.

Martin steps into the room and stops. Thomas grimaces, expecting him to be angry but Martin simply shakes his head, takes the tomahawk, and gently removes the battle coat.

MARTIN

Not yet, Thomas.

THOMAS

When?

Martin looks closely at his son, giving him the courtesy of really thinking about the answer.

MARTIN

Seventeen.

THOMAS

But it's already been two years and that's two more years. The war could be over by then.

MARTIN

God willing.

THOMAS

Alright. Seventeen.

Martin offers his hand. They shake. Martin puts the coat and the tomahawk back in the trunk and closes the lid.

INT. FRESH WATER PLANTATION - DAWN

All is quiet. A dawn mist hovers close over the ground.

Some sparrows feed at the base of the oak tree near the gravesite. DISTANT THUNDER. Low and rolling. The birds fly away.

INT. MARTIN'S BEDROOM - DAWN

Another roll of the DISTANT THUNDER. Martin awakes. He gets out of bed and pulls on his clothes.

EXT. FRONT PORCH - MARTIN'S HOUSE - DAWN

Martin steps out to his front porch and listens. He knows the sound, the DISTANT STACCATO BOOMS OF CANNON and the

PATTERING WAVE OF THOUSANDS OF MUSKETS FIRING.

One by one he is joined by his children. Thomas, Nathan and Samuel listen analytically. Margaret and Susan press close against their father.

Abigale and Abner join the family on the porch. Abigale gathers Susan and William to her skirts. Joshua, Jonah and Mica step out of the slave quarters and listen.

William looks curiously at the cloudless sky.

WILLIAM

Is it going to rain?

THOMAS

That's not thunder.

The SOUND BECOMES DEEPER, MORE OMINOUS. They all notice.

NATHAN

Father?

MARTIN

Six-pounders. Lots of them.

THOMAS

How far away?

MARTIN

Four, five miles.

SAMUEL

Waxhaus?

MARTIN

Just east of it.

MARGARET

We could go stay at Aunt
Charlotte's. She's west.

MARTIN

No, there'll be skirmishers on the
roads. We're safer here.

Thomas appears at the doorway with a pair of muskets. He gives one to Nathan and offers the other to his father.

MARTIN

Put those away.

THOMAS

But father, they might come this
way.

MARTIN

Put those things away!

INT. WORKSHOP - DAY

Martin works the lathe, trying to concentrate. Susan watches from her perch on the woodpile. A distracted Martin slips, CUTTING HIS FINGER.

The BLOOD, landing on the spinning dowel, makes a quick, bright red, circle around the wood. Martin continues working.

EXT. BARN - DAY

The SOUND OF A CRASH. A horse runs out of the barn, dragging a tenacious Samuel who is holding onto the horse's neck. Joshua and Jonah step out of the barn, admiring the boy's grit. Samuel's grip fails and he lands in the dirt. Seeing that he's unhurt, Joshua and Jonah laugh lightly as the horse runs off down the hill toward the river. Joshua stands Samuel up and brushes him off.

JOSHUA

You go on and get him, there, boy.

Samuel grabs a rope and heads down the hill to get the horse.

ON THE RIVERBANK

As Samuel approaches the horse he see it skittishly approaching then retreating from the water. Then he sees the cause -- the water in the river has a pale, pink hue.

Samuel stares at it, trying to figure out what it is.

ON THE PORCH

Abigale sees Samuel beyond the yard wall and snaps at Margaret.

ABIGALE

Look where your brother is... your
Papa said you stay close by this
house... you bring him up here,
right now.

Margaret heads after Samuel. Abigale re-enters the house.

MARGARET

Samuel...

He doesn't respond. William trails after Margaret.

MARGARET

Samuel, get up to the house...
Papa's gonna be mad...

Then she sees it, too. The pale pink is turning redder and redder. And then the BODIES. First one, then more,

MANY MORE. TORN APART. MISSING LIMBS. THOSE WITH WIDE-open wounds, are already drained of blood. Others are still seeping, leaving trails of deep red in the paler red of the surrounding water.

Samuel, Margaret and William stand frozen, appalled and fascinated.

MARTIN steps out of the workshop and sees the children at the river. He can't see what they're looking at.

Irritated, he walks toward them.

Then, as he nears the river, he sees the color of the water and the bodies that have hypnotized his children.

He quickens his stride, speaking calmly but firmly, careful not to frighten them.

MARTIN

Up to the house, now. All of you,
come on. Now.

EXT. MARTIN'S HOUSE - NIGHT

Quiet. Dark. Martin stands on the front porch, looking out into the night, listening, hearing nothing. He glances up at the NORTH STAR.

BEHIND THE HOUSE, A FIGURE IN THE DARKNESS, carrying a musket, moves from shadow to shadow.

INT. KITCHEN - NIGHT

Margaret and Samuel and William talk, their voices low.

SAMUEL

They're going to come.

MARGARET

Quiet.

SAMUEL

We're going to have to fight them
off.

WILLIAM

Father will do that.

SAMUEL

They'll probably kill us men and
do Lord knows what to you women.

MARGARET

Samuel!

A SOUND. They all stop. Something moved behind the kitchen. Margaret silently eases the others out of the room.

SUDDENLY IN FRONT OF THEM, A BLOODY FIGURE

Big. Hulking. In uniform. Margaret SCREAMS. William and Samuel CRY OUT. The figure moves toward them...

Martin, on the porch, hears the scream, races into the house... sees the figure... Martin reaches under his vest and DRAWS A HERETOFORE UNSEEN PISTOL... cocks and aims in a fast, practiced motion... he's just about to fire when...

THE FIGURE MOVES INTO THE LIGHT... Martin sees...

MARTIN

Gabriel!

Gabriel is wounded, battered and dirty, carrying a musket and a dispatch case. He sways. Martin catches him and eases him to a seat. Abigale frantically looks at his wounds.

THOMAS

The battle, were you there?

MARTIN

Abigale, get bandages and water.
Thomas, the porch.

They hurry off. Martin checks Gabriel's wounds.

GABRIEL

Have you seen any Redcoats?

MARTIN

Not yet. What happened?

Abigale brings water and linen to Martin who expertly cleans Gabriel's wounds and applies field-dressings as they talk.

GABRIEL

It wasn't like Saratoga. There, we stayed in the trees, but this time Gates marched us straight at the Redcoats. They fired two volleys into us and we broke like straw.

(MORE)

GABRIEL (CONT'D)

I was given these dispatches... I saw Virginia Regulars surrender... as they laid down their weapons the British Green Dragoons rode into them and hacked them to bits... killed them all, over two hundred men.

Martin's appalled.

MARTIN

They had surrendered?

Gabriel nods. Martin's stunned. Gabriel tries to rise.

GABRIEL

I have to get these dispatches to Hillsboro.

MARTIN

You're in no condition to ride.

GABRIEL

I can't stay here... it's not safe for any of you and I must get to... I...

Gabriel passes out. Martin catches him and carries him to a day-bed. They hear HEAVY MUSKET FIRE, VERY CLOSE.

Martin hurries to the door and looks out into the night, the children cluster around him, seeing a strange sight.

A SKIRMISH IN THE FIELD BELOW THE HOUSE

Pitch black. Then a MUSKET FIRES, creating a FLASH OF LIGHT that illuminates a tableau of soldiers, about three dozen Redcoats and as many Patriots.

The strobe of the musket shot provides targets for an ensuing VOLLEY OF SHOTS in every direction. Then darkness, punctuated by SCREAMS OF PAIN, CONFUSED HOLLERING and the RUSTLING OF ARMED MEN IN MOVEMENT.

Then the pattern repeats itself: A MUSKET FIRES, illuminating a tableau of targets for another MURDEROUS VOLLEY OF SHOTS.

MARTIN

Margaret, take William and Susan down to the root cellar. Thomas, go to the back porch.

(MORE)

MARTIN (CONT'D)

Nathan and Samuel, the side windows.
Keep out of sight.

They hurry off. Martin steps into the house and opens his gun cabinet. He extracts two pistols and a pair of muskets. Then he steps back to the front door. He waits and watches.

EXT. LOWER FIELD - FRESH WATER PLANTATION - DAWN

First light. The morning mist lies low over the field.

Martin warily approaches the scene of the battle. He carries a Pennsylvania rifle, has another slung over his shoulder, and has a pair of pistols in his belt.

As Martin nears the field he sees, appearing out of the mist, a nightmarish vision. Young Redcoats and Continentals are scattered on the ground, dead and wounded. Many have been hideously torn apart by the massive musket balls. Blood is everywhere. Martin hurries back toward the house.

EXT. MARTIN'S HOUSE - FRESH WATER PLANTATION - DAY

The porch and yard have been turned into a field hospital.

There are about two dozen wounded, a few more Patriots than Redcoats. Joshua, Jonah and Mica unload the last wagon-load of injured men. Abigale, Thomas, Nathan, Samuel and Margaret help Martin tend the soldiers.

William and Susan watch from inside. Abner stands on the edge of the yard as lookout.

Gabriel, stronger though still weakened by his wounds, helps, treating a Patriot's arm wound, retying a tourniquet, stanching an ugly flow of blood. Thomas sees and swoons, then grows embarrassed when Gabriel notices.

EXT. MARTIN'S HOUSE - AFTERNOON

Triage completed. Margaret and Samuel give water and food. Martin kneels next to a CONTINENTAL SERGEANT and a COUPLE OF PRIVATES who are less severely wounded than the others.

CONTINENTAL SERGEANT

Thank you.

Martin nods, uncomfortable with the thanks.

MARTIN

Sergeant, there are seventeen wounded men here. Seven Redcoats and ten Patriots, counting my son. That puts me in a difficult position.

The Continental Sergeant knows what's coming. The Privates and Martin's younger children don't. A troubled Gabriel, overhearing, does know.

MARTIN

You three are the least severely wounded. I have to ask you to leave and find care elsewhere.

The Privates are stunned at the request. The Sergeant looks at Martin's children and nods.

SERGEANT

I understand.

He struggles to his feet and jerks his head for the two Privates to do the same.

SERGEANT

Come on, boys.

Nathan, Samuel and Margaret are confused.

THOMAS

Father?

NATHAN

But they're wounded.

MARTIN

There are rules, even in war.

Martin's children are not convinced. Gabriel steps over in front of Martin as the Sergeant and the two Privates gather themselves to leave.

GABRIEL

Father, no...

MARTIN

We'll be safe this way.

GABRIEL

Even now you won't pick a side?

Martin glances at his younger children then turns back to Gabriel.

MARTIN

I have.

Gabriel points to the more seriously wounded of the Privates.

GABRIEL

You stay, I'll go.

MARTIN

No. His wound is less severe than yours.

Gabriel hesitates. The Private tentatively steps up.

PRIVATE

He's right. I'll go.

Gabriel backs down. Martin hides his relief and turns to the Sergeant and the Privates.

MARTIN

Your best chance is in Bennington, seven miles east, along the river road.

The wounded men nod grimly and start off down the road.

MARTIN

Thank you.

Martin, Gabriel and his children watch them go. A troubled Gabriel heads over to help the remaining wounded.

EXT. FRESH WATER ROAD - DAY

A dirt road runs along the edge of the swamps. Beautiful country. Peaceful. The GROUND BEGINS TO SHAKE. A THUNDEROUS SOUND rises, louder and louder. HORSES HOOVES.

From around a bend, a detachment of cavalry gallops:

British GREEN DRAGOONS. The finest light calvary in the world. Hard, strong men. Excellent horsemen. Their mounts are powerful, muscled and perfectly cared for. The Dragoons themselves are all hardened veterans, marked with the blood and dirt of a recent battle. Tired and vigorous.

Armed to the teeth, each with a flintlock carbine, a brace of pistols and a sword. Some carry lances. Flags flutter.

And at their head, the most imposing man of all, LT.

COLONEL WILLIAM TAVINGTON. "The Butcher." Aristocratic.

Strong. Dark. A powerful horseman on the best mount of the entire troop. Decorated. Imperious. No temper, just hard, cold authority. His men struggle to keep up with him.

Behind them, two dozen LOYALIST MILITIA CALVARY. Nasty, local men. Civilian clothes. Riding at their head, AMOS GASKINS, grizzled, lower-class, wearing ill-fitting patrician's clothing.

AROUND A BEND

The three wounded Patriots who just left Martin's farm hear the horses coming, stand on the side of the road, raise their arms and a white cloth of surrender.

The Green Dragoons rein in. Tavington stops in front of the three men. He motions for one of his men to lower his weapon. Then he speaks calmly, quietly, to the wounded men.

TAVINGTON

You're surrendering.

CONTINENTAL SERGEANT

Yes, sir.

TAVINGTON

What unit?

CONTINENTAL SERGEANT

First Virginia Regulars under Colonel Hamilton.

TAVINGTON

Who cared for your wounds?

They hesitate.

CONTINENTAL SERGEANT

We did.

TAVINGTON

With a lace table cloth?

Tavington turns to his second-in-command, MAJOR WILKINS.

TAVINGTON

Kill them.

Tavington rides off. Wilkins and several other Dragoons calmly FIRE THEIR PISTOLS, killing the three Patriots.

The troops ride off, thundering past the bodies.

EXT. FRESH WATER PLANTATION - DAY

Martin, his family and freedmen continue tending the wounded. REDCOAT INFANTRY appear out of the woods, heading toward the house. Three dozen men. Scouts and flank units covering the main body. Martin gathers his family around him, stands and waits.

Joshua, Jonah and Mica stand among the wounded. Abigale makes her way to Martin and the children, gathering the younger ones closer to her.

The Redcoats warily eye the wounded and Martin's family.

A young REDCOAT LIEUTENANT motions his men to check out the house and barn, then does a silent count of the wounded.

REDCOAT LIEUTENANT

These men are of my regiment.
Thank you.

Martin nods. ONE OF THE REDCOATS emerges from the house carrying Gabriel's dispatch case.

REDCOAT

Rebel dispatches, sir.

Gabriel steps up.

GABRIEL

I carried those. I was wounded,
these people gave me care, they
have nothing to do with the
dispatches.

REDCOAT LIEUTENANT

I understand.

The SOUND OF HORSES HOOVES. All turn and see:

TAVINGTON and the GREEN DRAGOONS thundering down the road toward the house. It's an impressive, frightening sight.

They rein in their horses, stopping in the yard, enveloped by their trailing cloud of dust.

Tavington surveys the scene, then speaks to the young Redcoat Lieutenant.

TAVINGTON

Lieutenant, have a detachment take our wounded to our surgeons at Camden crossing. Use whatever horses and wagons you can find here.

REDCOAT LIEUTENANT

Yes, sir.

He hands the dispatch case to Tavington.

REDCOAT LIEUTENANT

We found this, sir.

Tavington opens it and quickly scans the contents.

TAVINGTON

Who carried this?

GABRIEL

I did.

TAVINGTON

(to Lt. re: Gabriel)

Take this one to Camden, he's a spy. He will be hung.

Martin quickly steps between Tavington and Gabriel.

MARTIN

Colonel, he's a dispatch rider and that's a marked dispatch case.

Tavington ignores Martin and continues speaking to the Lieutenant.

TAVINGTON

Fire the house and barns. Send the slaves to Acworth... enlist the young ones. Leave the rest of the goods.

Abigale is appalled. Joshua steps up.

JOSHUA

We're not slaves, we're freedmen...

TAVINGTON

Then you're freedmen who will enlist in the King's army.

Martin grows distraught...

MARTIN

Colonel...

REDCOAT LIEUTENANT

And the Rebel wounded?

TAVINGTON

Kill them.

The Redcoat Lieutenant and several of his men are shocked by the order. Martin is, also, but he's more concerned with Gabriel. He pushes past some Redcoats and stands at Tavington's mount, looking up.

MARTIN

A dispatch rider with a marked case cannot be held for spying.

Tavington finally pays attention to Martin. He looks down at his anguished face and offers the barest of smiles.

TAVINGTON

We're not going to hold him, we're going to hang him.

MARTIN

But...

Tavington draws his pistol and points it at Martin.

Gabriel tries to intercede but is held back by a burly Redcoat Corporal.

GABRIEL

Father...

TAVINGTON

Oh, he's your son. You should have taught him about loyalty.

MARTIN

Colonel, I beg you, please reconsider. By the rules of war, a dispatch rider with a marked case...

Tavington controls his shifting mount, keeping his pistol trained on Martin's face.

TAVINGTON

Would you like a lesson in the rules of war?

Martin doesn't answer. He looks up at Tavington coldly, taking his measure, waiting to see if he's going to pull the trigger.

Tavington walks his horse a couple of steps and shifts his aim, pointing the pistol among Martin's children.

TAVINGTON

Perhaps your children would.

The children are terrified. Thomas is more angry than frightened. Martin quickly steps between the pistol and his children and speaks quietly to Tavington.

MARTIN

No lesson is necessary.

Tavington sees the terrified expressions on the faces of Martin's children. He smiles at the effect. Then he holsters his pistol.

Martin and his children watch as one of the Redcoats ties Gabriel's hands. Thomas is beside himself.

THOMAS

Father, do something.

Thomas grows increasingly agitated. He sees that his father is going to do nothing. He gauges the distance between Gabriel and the cover of the nearby woods.

Then suddenly, Thomas SPRINGS. He RUNS, THROWING HIMSELF, into the two Redcoats holding Gabriel, KNOCKING THEM DOWN.

THOMAS

Gabriel! Run!

Gabriel is too shocked to take flight. A few of the Redcoats, including one of the ones knocked down, shake their heads with sad laughter at Thomas' ineffectual gesture. One of them grabs Thomas by the scruff of the neck and yanks him to his feet.

TAVINGTON sees the commotion. Without pausing he DRAWS HIS PISTOL AND FIRES, HITTING THOMAS IN THE BACK.

THOMAS is thrown to his knees by the shot. Stunned, confused, he looks down and sees the massive exit wound in his chest.

MARTIN, horrified, catches Thomas as he falls, easing him to the ground.

GABRIEL CRIES OUT. THE OTHER CHILDREN are stunned to silence. Abigale SOBS.

The REDCOATS are frozen in place. Tavington's GREEN DRAGOONS are impassive, having seen worse.

MARTIN holds his son, looking at the huge, incomprehensible wound. He knows that Thomas is already dead, though his body still moves.

MARTIN'S stunned agony turns to fury. He rises, his eyes trained on Tavington, then stops as...

TAVINGTON raises a second loaded pistol and a DOZEN GREEN DRAGOONS raise pistols and carbines, aiming them at Martin, Gabriel and the other children.

MARTIN FREEZES, torn between his fury and fear for his children. He locks his eyes on Tavington.

TAVINGTON calmly baths in Martin's anger. Then, with a hard yank of the reins, he jerks his horse's head around and utters a sharp command to Wilkins.

TAVINGTON

Major.

Tavington spurs his horse and rides off without looking back. His GREEN DRAGOONS THUNDER after him.

MARTIN'S CHILDREN begin to cry. Margaret tries to revive Thomas' lifeless body, gently caressing his cheek.

MARGARET

Thomas, please, Thomas...

A sobbing Abigale tries to pull her from Thomas' body.

ABIGALE

Come, child, come...

The Redcoats watch in silence. MARTIN LOOKS TO GABRIEL who is stunned, torn between shock and overwhelming guilt.

Martin turns to the Redcoat Lieutenant.

MARTIN

Lieutenant, please...

The Lieutenant wavers, but a look after the departing Tavington stiffens his resolve.

REDCOAT LIEUTENANT

I have my orders. Sergeant!

The Redcoat infantrymen scatter, some to get horses and wagons from the barn, others to torch the buildings.

MARTIN stands among the children, all of whom look to Martin with pleading eyes, waiting for him to do something.

MARGARET

Papa, look what they did to
Thomas...

NATHAN

Father, they're going to take
Gabriel...

With stone-faced fury, Martin watches the Redcoats do their work.

With leveled muskets, Redcoats motion Joshua, Jonah, Mica and Abner off. As they turn to Abigale, she rises up protectively, putting herself in front of the family.

ABIGALE

I'm not leaving these children...
you can shoot me, you damned
things...

One coarse-looking Redcoat raises his musket to oblige.

Martin intercedes with icy silence, motioning for Abigale to go. Reluctantly she moves away from the children at gunpoint.

From the barns, they hear the sounds of MUSKETS FIRING and the SQUEALS OF THE LIVESTOCK being killed.

Other REDCOATS TORCH THE HOUSE, BARN AND OUTBUILDINGS.

The FLAMES RISE.

The Redcoats bring out Martin's wagons and carriages and begin loading the Redcoat wounded.

The Redcoat Lieutenant and several of his men walk among the Patriot wounded who start to struggle to their feet, begging for mercy. The Redcoats quickly OPEN FIRE, as if to get it over with.

The WOUNDED PATRIOTS CRY OUT. More SHOTS. Then SILENCE.

GABRIEL, his hands bound behind him, looks to his father with a combination of resoluteness and fear.

NATHAN

Father, you can't let them take him...

MARTIN

Quiet.

Martin and the children watch as a detachment of Redcoat infantry forms up and move out, leading Gabriel on a tether. Gabriel looks back but a hard jerk on the rope by one of the Redcoats turns him around.

The remaining Redcoats, cavalry, finish firing the buildings, mount up and head off, upriver, with the freedmen in the wagons.

THE INSTANT THE REDCOATS ARE OUT OF SIGHT, MARTIN speaks firmly to his weeping children.

MARTIN

Don't move.

MARTIN STRIDES to his front door and ENTERS THE BURNING HOUSE.

INSIDE, FIRE EVERYWHERE. Picking a route between the flames, Martin walks to his bedroom gun cabinet. He opens it and pulls out weapons -- a Pennsylvania rifle, two muskets, two pistols, a long-bladed knife.

Then he ducks into the closet, opens the trunk and takes out the TOMAHAWK...

Martin carries it, the guns, powder horns and ammunition pouches back toward the door.

Martin walks OUT OF THE BURNING HOUSE. Without breaking stride, he throws muskets to:

MARTIN

Nathan, Samuel...

They catch the weapons.

MARTIN

Margaret, take William and Susan to the river shed. Hide there. If we're not back by dawn, go upriver to the Richardson's house. They'll take you to your Aunt Charlotte's. Nathan, Samuel, and I are going to get Gabriel.

MARGARET

But what about Thomas?

MARTIN

Leave him. Take care of William
and Susan.

Martin runs off toward the woods, Nathan and Samuel follow. Margaret hesitates, then herds William and Susan toward the river. The house is enveloped in flames.

EXT. WOODED PATH - AFTERNOON

Martin runs, breathing hard, keeping a punishing, steady pace. Nathan and Samuel run behind, less winded than their father. Martin makes up with cold fury what he lacks in youth.

EXT. WOODED HILLSIDE - AFTERNOON

Martin runs up to the crest of a wooded hill. Slows.

Crawls the last few feet. Nathan and Samuel just behind him. Looks over the hillside.

A path runs through a glen, about fifty feet below.

Martin's eyes dart, absorbing the terrain, looking for advantage. He points.

MARTIN

Nathan, there. Samuel, there.

The boys go where they're told.

MARTIN

I'll fire first. Then, Nathan,
kill whoever is standing closest
to Gabriel. Samuel, kill the last
man in the line.

They stagger under the weight of the orders. Martin notices but continues.

MARTIN

After that, Samuel, load for Nathan.
If something happens to me, put
down your weapons and run as fast
as you can, that way, downhill.
Hide in the brush by the river,
then make your way home, get the
others and go to Aunt Charlotte's.

The boys hesitate. Martin looks at them firmly.

MARTIN

Boys... steady.

NATHAN & SAMUEL

Yes, father.

Martin disappears into the underbrush.

DOWN THE PATH

The dozen Redcoats approach. Leading Gabriel on the rope.

AHEAD OF THEM

Martin waits in the thick undergrowth.

On the hillside, Nathan and Samuel grip their muskets and exchange a frightened, troubled look.

The REDCOATS enter the glen.

MARTIN waits and waits. Then, picking his moment, he FIRES, killing the Redcoat Lieutenant with a shot to the chest.

NATHAN AND SAMUEL INSTANTLY FIRE, dropping the last Redcoat in the line and the one holding Gabriel's rope.

THE REDCOATS STOP in confusion...

GABRIEL kneels, out of the line of fire.

The REDCOAT SERGEANT takes command...

REDCOAT SERGEANT

FORM BY TWOS! BACK-TO-BACK LINES...

MARTIN KILLS the Sergeant with a shot to the throat...

Samuel finishes reloading, swaps muskets with Nathan who FIRES, DROPPING ANOTHER REDCOAT.

REDCOAT CORPORAL

READY...

Martin FIRES, killing the Corporal, the last man of rank...

Martin ducks to the side as a VOLLEY OF REDCOAT MUSKET FIRE tears into the spot marked by Martin's rifle smoke...

FROM THIS MOMENT ON, MARTIN NEVER STOPS MOVING. He strides rather than runs, staying just inside the brush, offering only glimpses of himself.

He changes his pace and direction repeatedly, ducking and weaving, firing and loading while moving. He never gives the Redcoats a stationary target, especially one marked by billowing smoke from his flintlock. It's an Indian tactic and it works.

The Redcoats TRACK HIM WITH THEIR BARRELS, about to fire... Martin suddenly STOPS DEAD, REVERSES DIRECTION, several REDCOATS FIRE AND MISS.

Six Redcoats left. Some primed, some reloading. A REDCOAT draws a bead on Martin who drops to the ground and FIRES, killing him.

Another REDCOAT aims at Martin. GABRIEL BULLS INTO HIM, causing his shot to go awry...

As the Redcoat turns on Gabriel, Martin kills him with another shot...

Samuel, WEEPING as he loads, hands a primed musket to Nathan who FIRES...

The Redcoats turn their attention to THE SPOT MARKED BY NATHAN'S SMOKE...

Martin SEES THE REDCOATS AIMING TOWARD THE BOYS. He instantly STRIDES OUT INTO THE OPEN, drawing the Redcoats' attention from his sons...

Martin FIRES BOTH HIS PISTOLS, killing two Redcoats...

One Redcoat finishes reloading... Martin rushes him, shoves aside the barrel and SLAMS him in the face with the butt of the musket...

This is a VICIOUS, SAVAGE MARTIN, killing with the same stunning brutality seen in the opening sequence...

Martin drops his own expended rifle and CATCHES THE REDCOAT'S LOADED MUSKET before it hits the ground shoves that musket into another Redcoat's belly and FIRES...

Two Redcoats left, neither finished loading...

MARTIN CHARGES, drawing his TOMAHAWK, ignores a GLANCING BAYONET WOUND to the neck, HACKS a Redcoat open...

Splattering himself with BLOOD...

The final Redcoat, an athletic but cherubic-face young man, tries to duck into the woods but Martin leaps in front of him, blocking his path.

Martin's sons, all with spent weapons, watch as the Redcoat grabs a dropped SWORD and squares off with Martin who is armed only with the TOMAHAWK.

The Redcoat SLASHES... Martin dodges the blow, ducks under another SLASH and in an unusual but practiced motion, STRIKES UPWARD WITH THE TOMAHAWK, nearly severing the Redcoat's arm...

Then, without pausing to offer quarter, Martin raises the tomahawk and butchers the Redcoat with a quick series of hacking blows...

Martin's sons are stunned at their father's savagery...

Samuel weeps. Martin, battle-focused, checks the Redcoats bodies, unaware of his sons' eyes on him.

EXT. FRESH WATER PLANTATION - DAY

CAMERA TRACKS past the smoldering remains of Martin's house to a CLOSE SHOT of several of THOMAS' LEAD SOLDIERS lying in the dirt. Martin's hand reaches INTO FRAME and picks up the soldiers. WIDEN TO REVEAL Martin, picking up Thomas' body. Martin's children watch as he carries Thomas off.

EXT. HILLTOP - FRESH WATER PLANTATION - DAY

Martin puts the last shovelfuls of dirt on Thomas' grave.

Near tears and unsure of what to do next, he turns to Elizabeth's gravestone. The soft wind blows.

He turns and sees his children looking up at him. With an extreme effort of will, he holds in his own tears, gathers the children around him, allowing them to cry.

EXT. BENNINGTON OVERLOOK - DAY

Martin and his children, walking from their home, stop at the overlook, seeing the Santee River valley spread out before them. The SMOKE from two dozen farms rises.

GABRIEL

The Morgans, the Halseys, Williams,
Stantons...

The smoke from the separate fires joins together high in the sky, forming what looks like stormclouds. They walk on.

EXT. CHARLOTTE'S FARM - NIGHT

Martin and his children wait in the cover of the woods.

They see a pair of shadowed figures coming toward them from the house, Gabriel and Charlotte.

GABRIEL

Father, it's safe.

Martin hustles the children out of the woods.

INT. BEDROOM - NIGHT

Charlotte sits, holding a sleeping Susan. The other children lie awake on pallets. Martin, still streaked with dried blood and sweat, tucks William and Margaret into bed.

MARTIN

Sleep, now.

Martin moves on to Nathan.

NATHAN

Father... I killed those men...

MARTIN

You did what I told you to do. Do not blame yourself.

NATHAN

I'm glad I killed them... I'm glad...

Martin isn't. He turns to Samuel who's cried-out. Martin reaches out to touch him but Samuel recoils from Martin's blood-streaked hand. Martin sighs and tucks him in.

INT. CHARLOTTE'S LIVING ROOM - NIGHT

CLOSE SHOT: A drink is poured. PULL BACK to reveal Martin downing the drink, pouring and drinking another.

Behind him, Charlotte prepares water and bandages at a washbasin.

THE SOUND OF HORSEMEN. Gabriel walks in, tired. He fights tears.

GABRIEL

I never should have come. It's why he's dead... it's my fault...

Gabriel turns to Martin, as if waiting for reassurance. Martin, lost in his own grief and guilt, says nothing. They stand in silence for a long moment, then Gabriel speaks softly.

GABRIEL

Gates is at Hillsboro with the Continental Army. I'll leave in the morning to join him.

Martin nods. Gabriel leaves Martin alone with Charlotte.

She pours water into the washbowl and motions for Martin to sit. She begins cleaning away the blood and tending his wounds. She looks after Gabriel.

CHARLOTTE

That poor boy...

MARTIN

How did I let this happen?

CHARLOTTE

Neither you, nor Gabriel could have known.

MARTIN

I should have known... once I would have... I used to be wary... and today I watched my son killed before my eyes... your sister civilized me and I damn myself for having let her...

CHARLOTTE

You have done nothing for which you should be ashamed.

INT. CHARLOTTE'S BARN - MORNING

A drained Gabriel finishes saddling his horse. He leads the horse out to:

EXT. BARN YARD - CHARLOTTE'S PLANTATION - MORNING

A surprised Gabriel sees Martin, standing next to a saddled horse, with Charlotte and the other children nearby.

GABRIEL

Where are you going?

MARTIN

We have some dispatches to deliver.

Gabriel simply nods, already carrying too much weight to respond strongly. Martin turns for goodbyes. He embraces Nathan and Samuel, then Margaret, William and Susan.

WILLIAM

When will you be back?

MARTIN

I don't know, William.

WILLIAM

Tomorrow?

Martin winces. Margaret puts her arm around William.

MARGARET

No, not tomorrow.

Martin kisses them both, then moves on to Susan, trying to coax a word out of the silent four-year-old:

MARTIN

Goodbye?

She just looks at him.

MARTIN

Just one word? Goodbye? That's all I want.

Susan shakes her head. He sighs, rises and turns to Charlotte. They embrace. Martin mounts up and heads off with Gabriel. Susan, unnoticed and unheard, whispers:

SUSAN

Goodbye.

Martin and Gabriel ride away.

EXT. CAMDEN ROAD - DAY

Martin and Gabriel ride past the signs of a small skirmish. Bodies. Abandoned wagons. Dead horses. A burning farm.

EXT. CAMDEN HILLSIDE - DAY

Martin and Gabriel ride to the crest of a hill. A vista spreads out before them. They see an awesome sight -- A MASSIVE SLASH OF RED approaches a MASSIVE SLASH OF BLUE.

A battle is taking place about five miles away. Gabriel starts to spur his horse but Martin GRABS GABRIEL'S REINS and YANKS, restraining him.

MARTIN

No, it's too late.

Gabriel struggles with his mount, but Martin holds fast.

Gabriel stops, turning to the scene unfolding before them.

At this distance, the moving slashes of color are beautiful. The slash of red stops. Martin and Gabriel hear only a GENTLE WIND and some nearby SONGBIRDS. Then, from a black mass on the side of the red slash, a silent eruption of white smoke.

EXT. CAMDEN BATTLEFIELD - DAY

The NOISE OF CANNONFIRE AND SCREAMS IS DEAFENING as DOZENS OF CANNONBALLS hurtle through the Continental lines...

Each eighteen pound steel ball cuts its own insane path through the walls of blue-uniformed men, leaving a trail of SCREAMING MEN, severed limbs, torn flesh and blood...

One cannonball -- crushes a skull, cuts three men nearly in half, smashes straight through a wagon, slams into a tree, killing four more men with a shower of splinters...

Another cannonball, fired low, bounces along the ground, shattering leg, after leg, after leg, after, leg...

Another cannonball, careens madly, changing direction with each bounce, passing harmlessly past scores of terrified men, miraculously touching none...

Then, something hideous: A CANNON FIRES CHAIN SHOT, a pair of cannonballs linked by chain... cutting a six-foot-wide path of bloody and mutilated men through the ranks...

A bank of CANNONS FIRE... the roar of the cannons is drowned out by the SCREAMS...

EXT. CAMDEN HILLSIDE - DAY

Martin and Gabriel see the blue slash silently quiver. A moment later the SOUND OF THE CANNONS, RUMBLES UP THE

HILL...

The RED SLASH STOPS moving. It darkens as thousands of Redcoats raise their muskets and the front rank kneels into firing position.

Martin's eyes dart. He knows what's coming.

MARTIN

Break for the trees... break for
the trees...

A MASSIVE ERUPTION OF WHITE SMOKE billows from the red slash.

EXT. CAMDEN BATTLEFIELD - DAY

Every single man in the Patriot front rank takes a massive musket ball into or through his body...

Those in the second rank who are not killed by the balls passing through the men in front, are blinded by a shower of blood, flesh and shards of shattered bone...

Chaos... no advance... no retreat... nothing to do but die...

EXT. CAMDEN HILLSIDE - DAY

Martin and Gabriel see the blue line start to break up. The SOUND OF THE BRITISH MUSKETS reaches them like the pattering of rain. The SMOKE OF INEFFECTIVE, SCATTERED VOLLEYS erupts from the Patriot lines. The red line holds firm.

MARTIN

Send them to cover! Goddamn you!

But the blue line stays in the open field.

EXT. REDCOAT COMMAND POSITION - DAY

Cornwallis, his eyes scanning, taking in every detail of the battle, sits on horseback with his staff officers, including Tavington. With speed, efficiency and surprising calmness, he gives orders to waiting riders.

CORNWALLIS

Second Foot, wheel right, advance
quick step...

Cornwallis points. The riders gallop off to deliver the order.

CORNWALLIS

Second Brigade, Horse, charge at
will...

(MORE)

CORNWALLIS (CONT'D)

(another rider
goes)

Colonel Tavington, have at their
militia.

TAVINGTON

With pleasure, sir.

Tavington smiles grimly and gallops off to join his men.

EXT. CAMDEN HILLSIDE - DAY

Martin and Gabriel watch as fast moving green and red
masses move quickly onto the battlefield. Cavalry.

GABRIEL

Father, we have to do something...

Martin shakes his head, still holding Gabriel's reins
tightly.

EXT. CAMDEN BATTLEFIELD - DAY

The British cavalry THUNDERS into what's left of the
Patriot lines. Redcoats and Green Dragoons, armed with
sabers, hack and slash at the wounded, disoriented
Continentalists...

One Patriot dismounts a Redcoat only to have another
Redcoat cut him open from behind...

Behind the cavalry, Redcoat infantry, including a BRIGADE
OF AFRICAN REDCOATS, advancing at a run, bayonets
leveled...

One after another Patriot is knocked to the ground and
trampled by the cavalry. The SCREAMS CONTINUE...

EXT. CAMDEN HILLSIDE - DAY

Martin and Gabriel see tiny bits of blue moving in every
direction, away from the masses of red and green.

GABRIEL

Father...

MARTIN

It's already over.

Martin turns his horse and heads down the hill, toward
the rear of the Patriot lines. Behind them, the colors
swirl and dance silently on the distant field.

EXT. AMERICAN ENCAMPMENT - NIGHT

A nightmare. SCREAMS OF AGONY. A few hundred battered, Patriot survivors treat their wounded and prepare to move out.

Martin and Gabriel ride into camp, passing nervous sentries. They dismount and walk past a field surgery which is surrounded by pools of blood and amputated legs and arms.

Gabriel notices something, stops and picks up a tattered flag, Old Glory, covered with blood and mud and nearly torn to bits. A battered, WOUNDED CONTINENTAL limps by, seeing Gabriel trying to piece the flag together.

WOUNDED CONTINENTAL

Don't bother, it's a lost cause.

Gabriel considers the words, then sees Martin near HARRY LEE, who is at a make-shift command post, barking orders, trying to pull things together. Gabriel stuffs the flag into his haversack and hurries over.

LEE

Lieutenant, detail men for outriders. We move out as soon as the wounded are ready.

LIEUTENANT

Yes, sir.

The Lieutenant rushes off. Lee notices Martin and Gabriel. He jerks his head for them to follow him into:

LEE'S COMMAND TENT

Dark. Once out of sight of the men, Lee loses his command bearing. Exhausted, he leans on his campaign table.

MARTIN

I'm sorry I wasn't here for this.

LEE

There's nothing you could have done, Gates is a damned fool.

MARTIN

We saw.

LEE

I begged him to stay in the cover of the trees but he insisted the
(MORE)

LEE (CONT'D)

only way to break Cornwallis was muzzle- to-muzzle. Too many years in the British army.

MARTIN

Where is he now?

LEE

Last anyone saw, riding hard, northeast, his staff a hundred yards behind, trying to catch up.

MARTIN

Who's in command?

LEE

I am, I think.

MARTIN

What are my orders?

Lee gives Martin a tired smile.

LEE

Why the change of heart?

MARTIN

Green Dragoons came to my home, killed my son, Thomas. It was Tavington himself.

Lee winces and looks at Martin with silent sympathy. then, taking his cue from Martin's hard expression, Lee steps over to his campaign table and ROLLS OUT A MAP.

LEE

We're a breath away from losing this war. In the North, Washington is reeling from Valley Forge, running and hiding from Clinton and twelve thousand Redcoats.

(pointing)

Here in the South, Cornwallis has broken our back. He captured over five thousand of our troops when he took Charleston and today he destroyed the only army that stood between him and New York.

MARTIN

So now Cornwallis will head north, link up with Clinton and finish off Washington.

LEE

Unless we can keep Cornwallis in
the South until the French arrive...
a fleet and ten thousand troops.

MARTIN

When?

LEE

Fall, six months at the earliest.

MARTIN

And you're sure the French are
coming?

A VOICE speaks up out a dark corner of the tent.

DELANCEY (O.S.)

Absolument.

JEAN DELANCEY steps out of the shadows. He's about
Martin's age and wears a French major's uniform.

LEE

Benjamin Martin, Major Jean
DeLancey, French Seventh Light
Foot.

DeLancey nods coolly to Martin.

DELANCEY

I know him by reputation.

Gabriel notes the comment. Martin ignores it. DeLancey
stabs the map with his finger.

DELANCEY

The bigger problem is not if or
when my countrymen will arrive,
but where. Our Admiral de Grasse
will not sail north of your
Chesapeake Bay for fear of early
storms.

(shrugs)

Navy.

MARTIN

(to Lee)

So you're going to try to keep
Cornwallis in the South until then.

LEE

Not me, you and Major DeLancey.

(MORE)

LEE (CONT'D)

I'm going north with every Continental I can find to reinforce Washington or he won't last six weeks.

Martin turns to DeLancey.

MARTIN

How many men do you have?

DeLancey motions to himself. Martin turns back to Lee.

MARTIN

You expect Cornwallis to be held here by militia?

LEE

Held, slowed down...

MARTIN

They're not soldiers, they're farmers. And you're asking them to hold a tiger in their backyard. They'd be better off letting it move on.

LEE

They'd be better off, but the cause wouldn't be.

MARTIN

How many men does Cornwallis have under his command?

LEE

Four thousand infantry and around six hundred cavalry...

(beat)

... including the Green Dragoons under Tavington.

Martin and Lee lock eyes. Martin nods. Lee quickly writes.

LEE

I'm giving you a field commission as a colonel.

He hands the order to Martin.

MARTIN

I'd like you to transfer my son, here, into my command...

GABRIEL

Sir, no I...

LEE

Done.

GABRIEL

Colonel Lee, I believe I can do
more good detailed to you...

Martin and Lee simultaneously turn to Gabriel with a double-barreled glare. Gabriel backs down.

GABRIEL

Yes, sir.

EXT. AMERICAN ENCAMPMENT - EVENING

Martin, Gabriel and DeLancey stand watching Lee and his Continental regulars move out. Gabriel turns to Martin.

GABRIEL

I've been doing this for two years.
I'm the best scout in the
Continental Army, the best horseman,
the best shot, the best scavenger.

MARTIN

Is that so?

GABRIEL

Yes, sir. I could be of better
service with the regulars.

Martin looks at Gabriel closely. DeLancey listens.

MARTIN

Where'd you learn all those things,
riding, shooting?

GABRIEL

My father taught me.

MARTIN

He teach you humility?

GABRIEL

He tried. It didn't take.

MARTIN

Well, he did teach you every deer
path and swamp trail between here
and Charleston, which is why he
asked for your transfer.

GABRIEL

Not to keep an eye on me?

Martin mounts up, having lost patience with Gabriel's personal concerns. He turns to DeLancey.

MARTIN

Can you ride?

DeLancey looks at Martin with a tolerant expression that says, with perfect clarity, "What the fuck do you think?"

DeLancey mounts up. Martin shrugs.

MARTIN

We put out the word. We'll start along the south side of the Santee...

GABRIEL

We'd cover more ground if we split up.

Martin holds his temper.

MARTIN

It's safer if we stay together.

GABRIEL

So I was right?

Martin sighs, his anger dissipating. He rolls his eyes.

MARTIN

Alright, Corporal, you take Bennington, Harrisville, Acworth and the farms along Black Swamp. Major DeLancey and I will take the north side of the river. We'll meet at Snow's Island.

GABRIEL

Yes, sir.

They mount up.

MARTIN

And, Corporal...
(beat)
... be careful.

Gabriel bristles.

GABRIEL

Yes, sir.

Martin shakes his head at Gabriel's pigheadedness and they ride off. As they go, Martin turns to DeLancey.

MARTIN

You have children?

DeLancey, stone-faced, pointedly does not answer. Martin notes that and shuts up. They ride on.

EXT. BRITISH FIELD HEADQUARTERS - CAMDEN - DAY

A massive British army field encampment. Large detachments of Redcoats march through endless rows of tents. Some are battle-worn, others are fresh troops moving out.

TAVINGTON and his GREEN DRAGOONS, covered with dirt and sweat, ride in. Tavington and Wilkins peel off, dismounting in front of an elegant mansion that has been commandeered for British headquarters. They stride in.

INT. CORNWALLIS' HEADQUARTERS - CAMDEN MANSION - DAY

British officers, clerks and aides work. They're in good spirits. Tavington and Wilkins enter. LORD CORNWALLIS, a proud man, comfortable with command, coldly notes one of his officers slapping Tavington on the back.

CORNWALLIS

Gentlemen.

Tavington rolls out a map for Cornwallis. The officers gather around.

CORNWALLIS

Colonel Tavington, this is not an adequate map.

TAVINGTON

We have better coming on the trailing supply convoy from Charleston.

CORNWALLIS

A useful place for our maps.

Tavington swallows his anger.

TAVINGTON

I'm sorry, sir. It won't happen again.

CORNWALLIS

See that it doesn't. Gentlemen, celebration is premature. We have a difficult campaign ahead of us. We are in predominately hostile country and we cannot rely on forage. As we move north, the bulk of our supplies will reach us by sea, through Charleston, which will give us a long and vulnerable supply line, one that can only be secured if the locals are loyal to the crown.

CORNWALLIS' OFFICERS

(multiple)

Yes, sir.

CORNWALLIS

Nonetheless, and I speak specifically to you, Colonel Tavington, we must remember that this is a civil war...

Tavington proudly holds Cornwallis' look.

CORNWALLIS

These colonials are our brethren and when this conflict is over, we will be reestablishing commerce with them. Surrendering troops will be given quarter and unwarranted assaults on civilians will cease.

Wilkins shifts uneasily. Tavington isn't cowed.

CORNWALLIS

I expect this war to be fought in a vigorous but civilized manner.

Cornwallis looks at his other officers.

CORNWALLIS

Have I made myself clear, gentlemen?

OFFICERS

(multiple)

Yes, sir.

Cornwallis shifts his eyes back to Tavington who was not among those who spoke. Tavington pointedly pauses a moment, then says:

TAVINGTON

Yes, sir.

Cornwallis turns his attention back to the map. His men gather around. Tavington seethes.

EXT. CORNWALLIS' FIELD HEADQUARTERS - CAMDEN - DAY

Tavington and Wilkins walk out.

WILKINS

Hmmm, that was unpleasant.

TAVINGTON

Did you know that Lord Cornwallis' father was a tenant on the estate of my grandfather?

Wilkins laughs uneasily. Tavington rides off. Wilkins follows.

INT. CHURCH - PEMBROKE - DAY

REV. OLIVER, a stern and sturdy man of the cloth, addresses his flock, among whom are Mr. and Mrs. Howard; Anne; and DAN SCOTT and ROB FIELDING, decent craftsmen.

Gabriel slips in and sits in the rear pew.

REV. OLIVER

... and so those of us who call ourselves Patriots must ask ourselves first, how best we might serve the Lord, knowing that service to Him is rendered here on earth. Ask yourself if it is possible to forsake righteousness in the pursuit of justice and freedom...

Gabriel stands.

GABRIEL

And end up like those men outside?

All eyes turn to Gabriel.

GABRIEL

Your liberty is in jeopardy, more dire than that which threatens your righteousness.

HARDWICK skeptically shakes his head and jerks his head out toward the hanging bodies.

HARDWICK

If King George can hang those men out there, he can hang any of us.

GABRIEL

If enough of you come with me and serve in the Patriot militia, you won't have to be afraid of King George.

HARDWICK

I do fear King George and know of no reason why I should test him.

A light, female voice speaks out:

ANNE (O.S.)

Liberty, that's the reason.

They all turn to see Anne. A few of the men roll their eyes at her earnestness. Gabriel looks at her appreciatively. Her father is surprised but guardedly proud as she continues.

ANNE

If we let the Redcoats take away our God-given rights, then we serve neither God, nor ourselves, we serve only King George.

Silence. Rev. Oliver locks his eyes on Anne who withers a bit.

REV. OLIVER

Anne...

ANNE

I'm sorry, Reverend...

REV. OLIVER

Don't be. I couldn't have said it better myself.

Rev. Oliver takes off his clerical robe, revealing a South Carolina militia uniform.

REV. OLIVER

As I was saying, we must ask ourselves how best we might serve here on earth.

A moment. Dan Scott stands. Another moment. Rob Fielding stands. Another moment. Hardwick stands.

Gabriel nods, pleased, then steals a quick, appreciative glance at Anne.

EXT. BRADFORD CROSSROADS - NIGHT

Martin and DeLancey ride slowly into town which is little more than a crossroads -- an inn, a trading post, a livery stable and a few shacks and tents. The people they pass shoot suspicious glares at them. As they stop in front of the Boar's Head Inn and Tavern, DeLancey looks around.

DELANCEY

What sort of recruits will you find here?

INT. BOAR'S HEAD TAVERN - NIGHT

Dark. Smoke-filled. Ominous. A dozen coarse, heavily armed, grizzled men drink at rough-hewn tables in the filthy tavern. Among them are BROTHER RANDOLPH, a Native-American; DANVERS, a one-armed hard-looking man; and OCCAM, a strong-looking, gently-eyed African.

Martin and DeLancey walk in and stop at the door, met by cold, hard glares from every man in the place. DeLancey speaks quietly to Martin, unheard by the patrons:

DELANCEY

You are sure this is the right place to recruit?

Martin steps forward and calls out loudly:

MARTIN

GOD SAVE KING GEORGE!

Every man in the place rises, glaring viciously at Martin and DeLancey. Martin turns to DeLancey.

MARTIN

We're in the right place.

INT. BOAR'S HEAD TAVERN - LATER

Martin sits at a table, writing out enlistment scripts.

The rough men are gathered around, drinking, smoking, watching.

BROTHER JOSEPH

Any bounty?

MARTIN

No scalp money, but you can keep
or sell back to me the muskets and
gear of any Redcoat you kill.
Twenty shillings a kit.

Brother Joseph nods, takes a script. JOHN BILLINGS, a
big, grizzled man about Martin's age steps up to the table.

BILLINGS

You expect to hold Cornwallis with
militia?

Martin looks up with a thin, familiar smile.

MARTIN

John Billings... been some time.

BILLINGS

Trust you and Harry Lee. Remember
that damned overland you two thought
up in '62 to hit Fort Louis?

MARTIN

It worked.

Billings nods and takes a drink. He trades bottle for
script with Martin who drinks as Billings signs. ROLLINS,
a huge, beast of a man sits with his feral, red-haired,
freckle-faced, six-year-old son at his side. Rollins
spits a huge hocker of tobacco juice onto the floor.

ROLLINS

Twenty shillings kit bounty...
that's like to get me near rich.
I'm in.

Danvers steps up, takes the bottle from Martin and drinks.

DANVERS

My brother got hanged down to
Acworth. A pissant Redcoat
lieutenant said he'll kill me if I
cut him down... he's all swelled
up.

(holds up his
stump)

I ain't no good to you, but you
can have my negro, here, fight in
my 'stead.

Occam is startled to hear that.

DANVERS

Bring him back if you can, if not,
so long's you make them pay.

Martin nods and drinks, as do the others, including DeLancey.

EXT. SNOW'S ISLAND - SANTEE SWAMPS - NIGHT

A CACOPHONY OF BIRDS AND INSECTS. Swamp maples and willows form a canopy over moss-covered mounds and pools of plant-choked water. Gabriel leads several men, riding along a dry path that snakes through the swamp. They cross a narrow land bridge onto a wooded island where Martin and a dozen-and-a-half coarse-looking men are encamped.

CLOSE SHOT: Several of Thomas' brightly painted LEAD SOLDIERS MELT in a cast-iron pan.

Gabriel steps up behind Martin and watches as he pours the lead into a bullet mold.

GABRIEL

This war is about more than Thomas.

MARTIN

How many did you get?

GABRIEL

Twelve.

Martin glances at the new arrivals as Gabriel looks over at the knot of coarse men Martin got. Occam sits apart from the coarse men, gripping a Bible. Gabriel doesn't notice him.

GABRIEL

That's not the sort we need.

MARTIN

That's just the sort we need.

Martin closes the lid of the bullet mold and dips it into a bucket of water which HISSES and STEAMS. Billings and DeLancey listen.

GABRIEL

If you're here only for revenge,
you're doing a disservice to Thomas
as well as yourself.

MARTIN

How old are you?

GABRIEL

You know how old I am.

MARTIN

God help us all when you're forty.

Martin takes the still hot bullets from the mold and puts them in a pouch attached to his weapons' belt. Gabriel shakes his head and heads off to tend his horse.

BILLINGS

What about me? Am I one of that sort?

MARTIN

You're the sort that gives that sort a bad name.

Billings considers that and takes a drink.

MARTIN

Put away the bottle. We move out in two hours.

EXT. SWAMP ROAD - DAY

A raised road through the dark swamp. Only mottled sunlight pierces the canopy. INSECTS BUZZ.

A British supply train of several dozen wagons, a herd of horses and accompanying Redcoats makes its way down the road.

In the darkness of the swamps on either side of the road, shadowed figures, obscured by the mud, water and foliage, track them...

All is still... a BIRD SCREECHES...

BOTH SIDES OF THE ROAD ERUPTS IN MUSKET FIRE...

Perfectly aimed SHOTS... fired by unseen men hidden deep within the swamp...

First the REDCOAT MEN OF RANK FALL, a captain, a lieutenant, two sergeants... then the corporals...

Then, the SLAUGHTER of the privates begins...

They try to gather themselves for a volley but the WITHERING CROSSFIRE is relentless...

A few Redcoats get off SHOTS to no effect and those who fire are immediately targeted and KILLED...

It's a battle with ghosts, that cannot be won by the exposed Redcoats...

Down to a dozen Redcoats, most with spent muskets...

No chance... they ABANDON THE WAGONS AND FLEE, back down the road...

Only to find their way suddenly BLOCKED by...

MARTIN AND A PHALANX of the roughest of his men, standing directly in their path in the middle of the road...

Martin raises his tomahawk and CHARGES, followed closely by Billings, DeLancey, Brother Randolph and others...

They wade into the terrified Redcoats, FIRING at POINT BLANK range, HACKING at them with tomahawk and sword and knife...

At the wagons, Gabriel, Rev. Oliver, Scott and others scramble up onto the road...

Watch, stunned, at the viciousness with which Martin and his cohort SLAUGHTER the Redcoats...

Two Redcoats left... about to throw down their weapons...

DeLancey and Billings race up to them and HACK THEM TO DEATH, DeLancey using his sword, Billings his massive hunting knife...

Gabriel and Rev. Oliver are appalled.

REV. OLIVER

Stop...!

Too late... the REDCOATS FALL... ALL DEAD...

SILENCE... everyone stops where they stand, catching their breath... surveying the scene through a hovering cloud of musket smoke...

GABRIEL

Father! Those men were about to surrender.

Billings laughs. DeLancey shrugs.

DELANCEY

Perhaps. We shall never know, shall we?

That angers Gabriel, Rev. Oliver and the civilized men near them.

REV. OLIVER

That was murder!

Martin looks around at the carnage.

MARTIN

A delicate distinction...

He sees that his brigade has divided into two hostile groups.

MARTIN

... but in the future wounded and surrendering British soldiers will be given quarter.

DELANCEY

I piss on your delicate distinction...

The men all stop.

DELANCEY

A British man-of-war made no such "distinction," when it fired on a packet carrying my wife and daughters...

All eyes turn to DeLancey.

DELANCEY

I stood on a bark, two hundred yards off, watching as they were burned alive.

Silence.

MARTIN

You have my sympathy, but the order stands.

DELANCEY

Piss on your sympathy. Who are you to give such an order? I know what you and your men did at Fort Charles to my countrymen.

Gabriel notes the comment.

MARTIN

I'm the commanding officer of this brigade. This is militia, not regular army. Every man here comes and goes as he pleases, but while he's here, he follows my orders.

DeLancey calmly leans down and uses the coat of the man he just killed to wipe the blood from the blade of his sword.

He stands.

DELANCEY

I serve at my pleasure. I do not serve under you.

He grips his sword. All eyes shift to Martin for his response. Martin, holding his bloody tomahawk, locks eyes with DeLancey. A tense moment.

A COMMOTION OF BARKING DOGS AND YELLING MEN draws their attention. The stand-off breaks. DeLancey nods.

DELANCEY

And it is my pleasure to give quarter to wounded and surrendering British soldiers... for the time being.

That's good enough for Martin. He strides over toward the wagons where he finds Billings cowering before TWO HUGE GREAT DANES, standing guard at one of the wagons.

BILLINGS

Shoot them! Shoot the damn things!

Rollins prepares to do so.

MARTIN

Put that pistol down!

SCOTT

They followed us from the bridge. They won't let anyone near the wagon.

Martin steps forward, speaking softly but firmly to the dogs.

MARTIN

Stay... stay... stay...

The dogs waver between obeying Martin and ripping out his throat.

MARTIN

Don't you growl at me!

The dogs decide to obey. Martin lets them sniff his hand, then firmly pats them.

MARTIN

Now let's see what's in this wagon.

Several of the men check out the wagons. Billings eases past the dogs. Scott opens a large case and finds it filled with bottles.

SCOTT

Rum, French Champagne, Madeira,
Port...

BILLINGS

No wonder they were guarding it.

Gabriel opens a trunk and finds it filled with powdered wigs, all perfectly coifed and stored on head-shaped wig-stands. Rev. Oliver opens one of several identical cases and finds it filled with papers.

REV. OLIVER

My heavens, personal correspondence
of... Lord Cornwallis.

Martin grabs some papers, scans them, then finds matching cases on nearby wagons.

MARTIN

These four wagons must be his.

GABRIEL

And the dogs, too, I'll wager.

BILLINGS

I say we drink the wine, shoot the
dogs, and use the papers for musket
wadding.

MARTIN

His journals, letters, maps,
books...

Scott calls from another wagon.

SCOTT

Colonel, we got a wagon full of
officer's uniforms and more powder
and muskets here.

Ignoring Scott, Martin grabs another handful of the papers
and starts to read.

EXT. SNOW'S ISLAND ENCAMPMENT - NIGHT

CAMERA MOVES through the encampment as Martin's men take
inventory of the British wagons. The coarse men are
drunkenly celebrating: drinking Cornwallis' champagne
and fine wine; trying on his magnificent dress uniforms;
wearing his wigs askew; sniffing his perfumes; playing
catch with a crystal vase.

Gabriel sits at a different campfire, ham-handedly trying
to repair the TATTERED OLD GLORY with a needle and thread.
The civilized men and DeLancey take inventory, casting
side-long glances at the coarse men. DeLancey is mostly
interested in the weapons.

DELANCEY

... two-hundred-sixty-six Brown
Bess muskets, forty-one casks of
powder, balls, tamping...

Rev. Oliver writes it down.

BILLINGS

We have enough arms for an army.
Now all we need is an army.

Rollins, clutching a bottle of champagne, wearing a
powdered wig askew, staggers over, jerking his head toward
DeLancey.

ROLLINS

That's his job... French army,
sometime 'fore this is all over,
huh?

DELANCEY

In time, trust me, in time.

Martin sits apart from the men at Cornwallis' ornate,
folding campaign desk, reading Cornwallis' journal,
surrounded by Cornwallis' field gear which includes
furniture, music boxes, oil paintings and an elaborate
folding commode. Martin's old boots stand empty while he
wears a new, distinctive pair, apparently from Cornwallis'
baggage. The TWO GREAT DANES sit nearby, eyeing Martin
warily.

EXT. SNOW'S ISLAND - DAWN

The men are beginning to stir, gathering around the campfires, cooking, using pots, pans and other gear from the stolen British wagons.

Martin hasn't moved. He still reads Cornwallis' journal.

Finally, he looks up, sees that it's dawn, stretches and walks over to a campfire where Billings, DeLancey and Rev.

Oliver cook. The dogs follow at a distance.

Gabriel sews, having made a bit, but only a bit, of progress with the badly damaged Old Glory.

BILLINGS

Well?

MARTIN

I've just been inside the mind of a genius. Lord Cornwallis knows more about war than I could in a dozen lifetimes.

BILLINGS

Cheerful news to greet the morn.

MARTIN

His victories at Charleston and Camden were perfect, strategically, tactically, logistically. But he has a weakness.

They all turn to Martin.

MARTIN

Lord Cornwallis is brilliant. His weakness is that he knows it.

GABRIEL

Father?

MARTIN

Pride is his weakness.

The men consider that.

DELANCEY

Personally, I'd would prefer stupidity.

MARTIN

Pride will do.

BEGIN MONTAGE: Series of shots as follows:

- A VOLLEY OF MUSKET FIRE erupts from some thick underbrush, cutting down half of a squadron of Redcoats on the march. The surviving Redcoats FIRE BACK into the trees at unseen targets to little effect.
- Martin rides with about fifty men.
- A British supply convoy makes its way through the woods. Suddenly, Martin's men appear, rising up from the ground as if by magic, having been camouflaged by leaves and brush. They OPEN FIRE on the convoy escort, which holds for a moment, then flees.
- Martin rides with about seventy-five men.
- Cornwallis finishes reading a dispatch and furiously flings it across the room.
- Martin rides with about one hundred men.
- A Redcoat nails a wanted poster to a post. It reads: "Reward Offered: For the capture or death of the rebel known as 'The Swamp Fox'".
- Snow's Island. Martin and his men do an inventory of a large haul of stolen British supply wagons. The booty includes dozens of BRASS MUSICAL INSTRUMENTS, some of which Martin's men BLARE in celebration.
- A column of wounded Redcoats limps into a village, past the watchful eyes of some townsmen, among whom are DRAKE AND CHRISTOPHER. The two Americans exchange a look.
- Martin rides with about one-hundred-fifty men. Among them, now, are Drake and Christopher.
- The wanted poster is torn off the post. PULL BACK to reveal Martin, crumpling it up and throwing it onto the ground.
- Martin, Gabriel, and some of the other men watch as the flaming supports of a BURNING WOODEN BRIDGE collapse into a river.
- A seething Cornwallis stands at the same spot, looking at the charred, now cooled, remains of the bridge. Cornwallis angrily mounts up and rides off. His

contrite staff officers mount up and follow.

-- Snow's Island. Martin sits with his muddy feet on Cornwallis' campaign desk, reading Cornwallis' journal, with Cornwallis' Great Danes at his side.

EXT. CAMDEN PLANTATION - NIGHT

A gorgeous plantation built on the edge of a river. A ball is beginning on the terraced lawn. Beyond, on the banks of the river, Cornwallis' army is encamped. Two ships are docked. One, the YORK, is being unloaded. The other, the BRISTOL, waits.

At the house, a line of OPULENT CARRIAGES discharges well-dressed passengers. Ladies in their finery. Patrician husbands. Redcoat and Green Dragoon officers in magnificent dress uniforms.

INT. CORNWALLIS' PERSONAL QUARTERS - EVENING

A valet scurries. A distressed, half-dressed Cornwallis looks at his reflection in a full-length mirror.

Tavington watches, hiding his amusement. A SECOND VALET hurries in with an elaborate dress coat.

VALET #2

Finished, sir! I took it in at the back... added wider epaulets... a court sash here... cross braiding to the waist... lion buttons... looped gold braid on the cuffs...

Cornwallis examines the coat.

CORNWALLIS

A horse blanket.

TAVINGTON

It's really quite nice, sir.

CORNWALLIS

It's a nice horse blanket.

(sneering)

Where did you get that braiding?

The nervous Valet grips the coat and stumbles over his answer. The other valet begins powdering Cornwallis' wig.

CORNWALLIS

Colonel Tavington, why am I here?

TAVINGTON

For the ball, sir? I believe you find them amusing.

CORNWALLIS

Why, after six weeks, am I still here to attend a ball in South Carolina. By now, I should be attending balls in North Carolina.

TAVINGTON

Our supply line, sir?

CORNWALLIS

Excellent guess, Colonel.

Tavington bristles.

CORNWALLIS

First my personal baggage, then half the bridges and ferries between here and Charleston burned, a dozen convoys attacked. Colonel, if you can't secure our supply line against militia, how do you expect to do so against Colonial regulars or the French when they come?

TAVINGTON

Sir, they're not like regulars, we can't find them and we don't know when or where they're going to strike.

CORNWALLIS

How impolite. And who leads these clever, secretive fellows?

TAVINGTON

We don't know, sir. He's called, the Commander by some, the Swamp Fox by others.

CORNWALLIS

Colonel, I'm a civilized man but I'm finding it difficult to remain civil. Secure my supply line.

TAVINGTON

Yes, sir.

Cornwallis gazes at his half-dressed reflection.

CORNWALLIS

Somewhere in the wilderness a well-dressed Colonial stands, looking at his magnificent reflection in the still waters of a rustic pond, thumbing his nose at me.

(sighs)

Give me that horse blanket.

EXT. CAMDEN PLANTATION HOUSE - NIGHT

CORNWALLIS steps to a CURTAIN-EDGED DOORWAY, attended by his staff officers. He looks out at the ball, lit by hundreds of candles, torches and lanterns which bath the scene in soft, golden light.

Among the guests is a patrician, his face unseen, standing casually within earshot, looking the other direction, wearing a distinctive pair of boots.

Two of Cornwallis' subordinate officers walk by with lovely Colonial women on their arms. Both of the officers wear dress uniforms that put Cornwallis' slap-dash creation to shame. Cornwallis deflates, then sees the ships being unloaded.

CORNWALLIS

Major Halbert, our supply ships are docked. Why am I wearing these rags?

Cornwallis shoots a glare to Halbert.

MAJOR HALBERT

I, uh, understand and it has the loveliest creations for you from the finest Charleston tailors.

CORNWALLIS

The finest Charleston tailors, how encouraging.

Cornwallis notices the BRAIDING ON THE CURTAIN next to him. To his horror, it matches the braiding on his dress coat, and worse, a two-foot portion of the curtain's braiding is missing. Cornwallis grimaces and skitters away from the curtain in as dignified a manner as he can muster.

As he goes he comes face-to-face with the patrician who turns, revealing Martin. They have an instant of eye contact before Cornwallis moves on. Cornwallis senses something familiar about Martin's boots and looks back curiously, then continues off.

MARTIN steps over to a low balustrade and looks out at the docks, seeing the York tied up on the right side of the dock. He lifts a lantern and places it on the right side of column.

EXT. CAMDEN RIVER - NIGHT

SPYGLASS IMAGE of Martin placing the lantern. The spyglass is lowered and we see Billings in a small rowboat with several of Martin's men including Gabriel, DeLancey, Rev. Oliver, all dressed in Redcoat uniforms. Billings points to the ship on the right, the York. They row in that direction.

Some sentries on the ship glance at them, see their uniforms, then move on.

The rowboat pulls up alongside the ship, now unseen in the shadows below the curve of the hull. Gabriel takes a leg up from Rev. Oliver and pulls himself into an open cannon port. DeLancey hands him a gunpowder cask. Gabriel disappears inside the ship.

EXT. CAMDEN PLANTATION HOUSE - NIGHT

Cornwallis speaks with some staff officers and loyalist civilians, among whom are Simms and the spectacular MRS.

TALBOT, and her toady of a husband, MR. TALBOT.

MRS. TALBOT

No! The beasts took your dogs, as well?

CORNWALLIS

Fine animals, a gift from His Majesty. Dead now, for all I know.

MRS. TALBOT

Is there no decency?

Cornwallis sadly shakes his head.

SIMMS

And the rebels still bedevil your supply line?

Cornwallis puffs up a bit.

CORNWALLIS

A minor irritation... merely militia. I have already...

A MASSIVE EXPLOSION LIGHTS UP THE NIGHT as the York erupts in a huge FIREBALL. British officers, including Tavington, RUSH OVER.

MAJOR HALBERT

Good God!

Simms turns to an astonished Cornwallis.

SIMMS

A minor irritation?

Cornwallis looks out at the fireball with silent fury.

EXT. CAMDEN RIVER - NIGHT

Martin's men row away from the burning ship. A SECONDARY EXPLOSION bursts from the York in the background.

EXT. CAMDEN PLANTATION HOUSE - NIGHT

More British officers and Loyalist civilians crowd the balustrade, watching the York. Yes ANOTHER EXPLOSION on the York sends up a FIREBALL which arches over the docks and disappears into the open hatch of the Bristol. An instant later, the BRISTOL EXPLODES.

CORNWALLIS sees that and nearly explodes himself. He turns to Tavington and barks:

CORNWALLIS

Colonel Tavington, to horse. See if you can run down these insolent bastards!

TAVINGTON

Yes, sir.

Tavington hurries off the balcony, passing an oblivious Loyalist woman who steps out from the house, sees the fireball and smiles gleefully.

LOYALIST WOMAN

Oh, fireworks! Lovely!

Martin, with a thin smile, walks unnoticed past a seething Cornwallis and disappears into the shadows.

EXT. PEMBROKE - DAY

Martin and his brigade ride into Pembroke. Townspeople greet them. Gabriel scans the crowd as he dismounts, looking for someone.

EXT. ANNE'S HOUSE - EVENING

CLOSE SHOT: A hand knocks on a door. PULL BACK as Mr. Howard, Anne's father, on his crutches, opens the door and finds Gabriel standing there with a bouquet. Anne, behind her father, looks up from cooking, embarrassed and pleased to see Gabriel.

MR. HOWARD

Gabriel.

GABRIEL

Mr. Howard. I've come to call on Anne.

Mr. Howard looks Gabriel up and down, keeping him on the spit for a moment. Then he nods for Gabriel to enter.

INT. KITCHEN - HOWARD HOUSE - NIGHT

Gabriel holds his hands out for Anne's mother to wind her yarn while Anne sits nearby, searching for conversation under the watchful gazes of her parents.

ANNE

Is it getting warmer?

GABRIEL

Yes. I think it is. I think it will be an early spring this year... unless it's late.

Silence. Anne self-consciously pours tea for her parents and her guest. She serves her parents first, then Gabriel.

GABRIEL

Thank you, Anne.

He takes a sip. Savors it and nods appreciatively.

GABRIEL

It's very good.

ANNE

I'm pleased that you like it.

He smiles, revealing a mouth full of black teeth.

INT. ANNE'S BEDROOM - HOWARD HOUSE - NIGHT

Gabriel lies stiffly on one side of Anne's bed while her mother carefully sews him into a body-sized "bundling bag," a courtship ritual of the period.

With Anne looking on, embarrassed, her mother finishes the last few stitches, completely enclosing Gabriel, with only his head sticking out of the heavy, canvas bag.

Anne's mother gathers up her sewing kit and joins her husband who looks on sternly from the doorway.

ANNE

You needn't worry, father.

MR. HOWARD

I know.

MRS. HOWARD

Dear, come.

Anne's parents leave them alone, taking their candle, plunging the room into near darkness.

Gabriel stiffly lies back on the bed. Anne stiffly lies next to him. Silence. They look at the ceiling. They both choke back titters of laughter. Then the dam breaks.

They laugh together at the craziness of the ritual.

INT. ANNE'S PARENT'S BEDROOM - NIGHT

Dark. Anne's parents lie in bed listening. Through the wall they can hear the MURMURED JABBERING of Gabriel and Anne talking and laughing a mile a minute in the adjacent bedroom. They exchange a look. Mr. Howard is worried.

MRS. HOWARD

Don't worry. I sew better than my mother did.

Less than reassured, Mr. Howard eases down into his bed with his wife.

EXT. PEMBROKE VILLAGE SQUARE - DAY

Martin's men water their horses and take supplies from the townspeople while Martin, with the two Great Danes at his side, talks with Mr. Howard.

MR. HOWARD

... four baskets of apples, salt pork, sweet potatoes, jerky, hard tack, salt and powder, gun and baking.

MARTIN

We can't pay for this...

MR. HOWARD

You pay me what you can, when you can.

Martin thanks him with a handshake. They see, on the other side of the square, Gabriel and Anne talking intimately, apart from everyone. Howard smiles and gives a little rough laugh.

MR. HOWARD

He reminds me of you before you got old and ugly.

MARTIN

No, he takes after his mother...

Howard is taken aback by the gentleness of Martin's words.

MARTIN

... the younger ones barely remember her but Gabriel spent more time with Elizabeth... she taught him well, guided him, she was his North Star and mine...

(beat)

... Gabriel's already a better man than I could ever hope to be...

MR. HOWARD

You ever told him that?

Martin looks at Howard as if he were crazy. Then he shakes himself out of it and adopts a coarse, joking tone.

MARTIN

What do you mean, old and ugly?

MR. HOWARD

You got me beat on both accounts.

MARTIN

The hell I do.

Martin mount up, grateful to leave the sincerity behind.

Gabriel and Anne sees Martin and his men starting to ride off. He grabs Anne by the arm, pulls her behind a tree and gives her a goodbye kiss... a real kiss.

Then, leaving Anne breathless, he RUNS TO HIS HORSE, MOUNTS WITH A DRAMATIC LEAP and GALLOPS OFF, taking his place at his father's side.

Martin looks over. Gabriel smiles, revealing his blackened teeth. Martin looks at the teeth curiously as they ride away.

ANNE and the other townspeople watch them go. Anne smiles, revealing her own teeth, blackened from Gabriel's kiss.

EXT. CHARLESTON ROAD - DAY

Martin his men sit on their motionless horses in the middle of the road. They hear a SOUND APPROACHING, then see two British wagons round a curve with a guard of only SIX REDCOATS, commanded by a REDCOAT SERGEANT. The Redcoat Sergeant signals stop.

REDCOAT SERGEANT

Halt. Look alive, boys.

The young Redcoat privates nervously UNSHOULDER THEIR MUSKETS.

MARTIN

Sergeant, this road is closed.
Those wagons now belong to the
Continental Army.

REDCOAT SERGEANT

Ready arms! By twos!

Martin's surprised by the Sergeant's order.

MARTIN

Sergeant, there's no reason for
you and your men to die. Just
leave the wagons and go.

REDCOAT SERGEANT

Steady, boys...

Martin sighs and lets loose with a PIERCING WHISTLE. The underbrush parts and more of Martin's men show themselves, MUSKETS LEVELED at the outnumbered Redcoats.

REDCOAT SERGEANT

This is the King's highway and I
advise you and your men to make
way.

(to his men)

Prepare to fire.

Martin exchanges a look with Rev. Oliver who, like Martin, doesn't want to kill these men. Seeing no other option, Martin turns to give the order, then stops, hearing a

FAINT BARELY DETECTABLE, RUMBLING SOUND...

A moment later Brother Joseph hears it as well... HORSES HOOVES, LOTS OF THEM, growing louder by the second, THUNDERING toward them from the road behind the British wagons...

Then, the SOUND OF MORE HORSES, coming in fast on both flanks.

MARTIN

It's a trap...

The canvas sides of the British wagons are THROWN UP and DOZENS OF REDCOATS, armed with muskets, spill out...

Martin's unmounted men run to their horses, LEAPING into their saddles...

Then GREEN DRAGOONS appear, galloping down the wooded slopes on both flanks, astonishing horsemen, weaving through the trees without slacking their pace, SWORDS DRAWN, PISTOLS PRIMED...

REDCOAT SERGEANT

FIRE!

A THUNDEROUS VOLLEY ERUPTS from the Redcoat infantry, KILLING several of Martin's men...

Martin's men FIRE BACK from their BUCKING MOUNTS, most of their shots going awry...

Behind the British wagons, a huge detachment of GREEN DRAGOONS appears, TAVINGTON among them...

MARTIN SEES THE DRAGOONS BUT NOT TAVINGTON HIMSELF...

MARTIN AND HIS MEN spur their mounts, taking off down the road in the opposite direction...

The FLANKING BODIES OF DRAGOONS gallop out of the woods, JOINING THE MAIN BODY, riding in hard pursuit...

EXT. WOODED ROAD - DAY

Martin and his men GALLOP down the road. The much larger body of Green Dragoons THUNDER after them.

EXT. BLACK SWAMP ROAD - DAY

Martin and his men ride along a raised road that drops off into Black Swamp on either side...

They ROUND A CURVE AND STOP, reining back their horses in confusion as they see:

FIFTY GREEN DRAGOONS heading straight toward them...

THE DRAGOONS OPEN FIRE from both directions, KILLING several more of Martin's men, WOUNDING others...

Martin's men FIRE BACK as best they can, caught in the CHAOS OF BUCKING AND FALLING HORSES and WOUNDED AND DISMOUNTED MEN...

Martin and his men head off both sides of the road INTO THE SWAMP...

ON THE ROAD a dozen-and-a-half of Martin's men are surrounded by Green Dragoons... they surrender...

The rest of the Green Dragoons, including Tavington, spur their horses into the swamps, racing after Martin...

EXT. BLACK SWAMP - LATE AFTERNOON

MARTIN AND HIS MEN RIDE HARD along a circuitous, barely visible trail that is covered with shallow water. Several of the men are badly wounded, barely clinging to their saddles. Other men share mounts.

They get to a fork, SPLIT UP. As they disappear into the swamp, the sounds of their horses are swallowed up in the LOUD BUZZING OF SWAMP INSECTS and the CRIES OF THE SWAMP BIRDS...

A moment later, Tavington and the vanguard of Dragoons ride up. Tavington signals stop at the fork...

Looks... nothing. Listens... nothing. Chooses a path, the one Martin took. Rides off, the Dragoons following...

EXT. SWAMP MORASS - EVENING

Tavington and fifteen of his Dragoons struggle through a nearly impassable morass of swamp-grass, reeds and swarming mosquitoes...

The exhausted Dragoons are wet, covered with mud, and bleeding from swamp briars. The horses are spent and foaming...

Tavington struggles harder than any, but finally even he has had enough. He reins back his horse.

TAVINGTON

HALT!

TAVINGTON GLARES INTO THE IMPENETRABLE DARKNESS OF PLANT-choked water and swamp...

TAVINGTON

Enough of this. There are other ways to run down a fox.

Tavington yanks on his reins, turns his horse and starts back the way they came. His grateful men turn their horses and follow.

IN THE UNDERGROWTH, Martin and about ten of his men, calm their horses. Several of the wounded men are on the ground, being tended by Gabriel and others.

They can hear, but not see the Dragoons. Then, through the thick undergrowth, MARTIN CATCHES A GLIMPSE OF TAVINGTON...

Gabriel sees his father lock his eyes on Tavington...

Martin quickly opens his weapons pouch and pulls out one of the bullets he made from Thomas' lead soldiers.

Walking to his horse, Martin loads...

Martin mounts, scanning the terrain, planning a route...

GABRIEL

Father, no...

As Martin spurs his horse to ride after Tavington, Gabriel grabs the bridle. He YANKS HARD, stopping Martin's horse dead. THE HORSE BUCKS, nearly throwing Martin...

MARTIN

That's him. Tavington.

MARTIN SPURS THE HORSE which tries to respond but is JERKED BACK AGAIN by Gabriel. Martin angrily turns on his son...

MARTIN

Damn you! Let go!

Gabriel looks up at his father, never loosening his iron grip on the bridles but speaking softly, almost pleadingly:

GABRIEL

Father, please...

Martin looks down at Gabriel, then over at Rev. Oliver and the wounded men... one bleeds from an ugly neck wound, another is unconscious...

their shared mounts are nearly spent...

Martin takes a last look in the direction of the departing Tavington. He drops the reins, giving control of the horse to Gabriel, and sighs with more anger than resignation.

MARTIN

You should have let me kill him.

GABRIEL

At the expense of your men? Or when he killed Thomas at the expense of your family?

MARTIN

No...

GABRIEL

Or perhaps tomorrow at the expense of our cause.

Martin is silent. Then he dismounts and heads over to help the wounded. Gabriel watches his father for a moment, then joins him with the wounded.

EXT. FORT CAROLINA - DAY

A REDCOAT SENTRY sees a lone figure on horseback ride out of distant woods. It's Martin, carrying a white flag and a dispatch case, trailed by the two Great Danes. The sentry calls to the Commander of the Watch.

REDCOAT SENTRY

Sir.

INT. CORNWALLIS' HEADQUARTERS - FORT CAROLINA - DAY

A temporary HQ has been set up in a grand commandeered plantation house. Cornwallis stands uncomfortably while a incompetent-looking, provincial tailor measures him and marks alterations on a partially completed uniform. Major Halbert enters and hands Cornwallis Martin's dispatch case.

MAJOR HALBERT

General, a rider is outside. He claims to be the commander of the rebel militia. He has a pair of Great Danes with him.

A surprised Cornwallis takes the message and reads it.

CORNWALLIS

It seems our Swamp Fox wants to
have a formal parley.

Cornwallis smiles confidently.

EXT. FORT CAROLINA - DAY

The gates are opened and Martin rides in, trailed by the Great Danes, flanked by half-a-dozen Redcoat cavalry.

Redcoats and Green Dragoons stop in their tracks. All eyes are on Martin as he is escorted to the plantation house.

From the far side of the assembly yard, Tavington watches Martin curiously, not recognizing him.

INT. CORNWALLIS' HEADQUARTERS - DAY

Major Halbert ushers Martin in. The Great Danes follow sniffing, sensing something or someone.

MAJOR HALBERT

Lord Cornwallis will be with you
presently.

Major Halbert gives Martin a derisive glance and leaves.

MARTIN ALONE, EXCEPT FOR THE DOGS, allows himself a fleeting smile. Then he looks around the room. He notes a rocking chair. Curious, he hefts it. Too heavy. He puts it down, sits and rocks.

The dogs walk over to him. One of the dogs lays its head in Martin's lap. He scratches it behind the ears. The other dog wants to play. Martin stands. The dog jumps up, putting its front legs on Martin's shoulders and licks his face just as Cornwallis walks in. Cornwallis is taken aback by the display of affection, but overjoyed to see his dogs.

CORNWALLIS

Jupiter! Mars!

The dogs just look at Cornwallis. He holds out his arms, waiting for them to rush to him. They look up at Martin who nods to them.

MARTIN

Go.

The dogs run to Cornwallis and nuzzle him in a friendly but not enthusiastic manner.

Cornwallis pats them vigorously, too vigorously for the moderate level of joy the dogs are showing at their reunion.

CORNWALLIS

My boys... my boys... you seem to have been well fed. Thank you for that, Colonel.

MARTIN

My pleasure, sir.

CORNWALLIS

Please forgive me for keeping you waiting.

MARTIN

Apology accepted.

CORNWALLIS

Thank you, Colonel... I'm afraid I don't know your name.

MARTIN

Colonel will do.

CORNWALLIS

As you wish.

TAVINGTON ENTERS with four Dragoons, all armed...

Martin freezes...

Martin and Tavington lock eyes. Martin searches for some sign that Tavington recognizes him. There's none.

CORNWALLIS

Colonel... Colonel William Tavington.

Tavington nods.

TAVINGTON

Colonel.

Martin, like ice, looks Tavington up and down. Then he slowly turns and looks at the four Dragoons, two on either side of Tavington. Martin measures the odds and finds them wanting.

With a supreme effort of will, Martin forces himself to turn from Tavington to Cornwallis and the matter at hand.

MARTIN

Shall we proceed?

CORNWALLIS

Let us. Unless you object, I would like to deem this meeting a formal negotiation and, as such, there are certain customary practices. Perhaps I could explain them to you...

MARTIN

I'm familiar with how a formal negotiation is handled.

CORNWALLIS

Oh?

MARTIN

I served in His Majesty's army in the French and Indian War.

CORNWALLIS

Oh. Very well, then. Would you, as the initiating party, like to begin?

MARTIN

Unless you would like to claim aggrieved status.

Cornwallis is surprised. He exchanges a look with Tavington.

CORNWALLIS

You are familiar with how these things are done. In fact, I would like to claim aggrieved status.

MARTIN

Very well, proceed, sir.

CORNWALLIS

First, you have in your possession certain belongings of mine, including clothing, private papers, furniture and personal effects of a non-military nature which I would like to have returned to me.

MARTIN

I will do so as soon as possible.

Cornwallis is surprised.

CORNWALLIS

Thank you.

MARTIN

Please accept my apology for not having done so sooner.

CORNWALLIS

Apology accepted. Now, on the matter of the specific targeting of officers during engagements, this is absolutely unacceptable.

MARTIN

That one is a bit more difficult.

CORNWALLIS

Certainly you must know that in civilized warfare, officers in the field must not be accorded inappropriate levels of hostile attention.

MARTIN

And what are inappropriate levels of hostile attention?

CORNWALLIS

Colonel, imagine the utter chaos that would result from un-led armies having at each other. There must be gentlemen in command to lead and, when appropriate, restrain their men.

MARTIN

Restrain them from the targeting of civilians, including women and children?

CORNWALLIS

That is a separate issue.

MARTIN

I consider them linked.

CORNWALLIS

I beg to differ. One is a command decision on your part. The other represents nothing more than the occasional over-exuberance of field officers attempting to carry out their duty in difficult circumstances.

MARTIN

As long as your soldiers attack civilians, I will order the shooting of your officers at the outset of every engagement.

(beat)

And my men are excellent marksmen.

Cornwallis sighs.

CORNWALLIS

Very well, let us move on to...

MARTIN

Prisoner exchange.

CORNWALLIS

Sir?

MARTIN

You have eighteen of my men. I want them back.

CORNWALLIS

I do have eighteen criminals under sentence of death, but I hold no prisoners-of-war.

MARTIN

If that's your position, then eighteen of your officers will die. Nineteen, if you hang me with my men.

CORNWALLIS

What officers?

Martin steps to the window, checks the view. A wooded hillside is visible in the distance. Martin reaches into his jacket...

The Dragoons move on him...

Martin extracts not a weapon, but a spyglass, which he hands to Cornwallis.

MARTIN

In the clearing, just down from the crest, to the left of the dark pines...

Cornwallis looks through the spyglass.

VIEW THROUGH THE SPYGLASS

Though difficult to see clearly through the shimmering haze, Cornwallis can just make out a row of bound Redcoat officers, with Patriot soldiers holding muskets at their heads.

CORNWALLIS turns coldly to Martin.

CORNWALLIS

Their names, ranks and posts?

MARTIN

They refused to give me their names. Their ranks are nine lieutenants, five captains, three majors and one fat colonel who called me a cheeky fellow. Their posts? We picked them up here-and-there last night.

Cornwallis glares at Martin.

CORNWALLIS

You are not a gentleman.

Martin can't help but laugh at the insult.

MARTIN

If your conduct is the measure of a gentleman, I take that as a compliment.

(coldly)

Get my men.

Cornwallis turns to Colonel Huntington.

CORNWALLIS

Arrange the exchange.

Colonel Huntington leaves to do so.

MARTIN

Thank you, General. I'm sure your officers will thank you, as well.

Martin salutes Cornwallis who doesn't return the salute.

THEN MARTIN TURNS TO TAVINGTON. He walks up to him and looks him in the eye.

MARTIN

You don't remember me, do you?

Tavington examines Martin's face, finding him familiar, but unable to place him... then Tavington remembers...

TAVINGTON

Ah, yes, that boy.

Tavington calmly holds Martin's glare.

TAVINGTON

Ugly business, doing one's duty.

MARTIN

Yes, ugly business, doing one's duty.

Martin takes a step closer to Tavington, then speaks very softly, very slowly, very clearly.

MARTIN

If you are alive when this war is over, I'm going to kill you.

Martin locks his eyes on Tavington to make it perfectly clear that he means what he says. Tavington tries to cover his reaction but it's apparent that he's taken aback by Martin's icy words.

Martin turns and walks out. The two Great Danes start to follow, but Cornwallis SNAPS A COMMAND:

CORNWALLIS

Jupiter! Mars!

THE DOGS FREEZE, looking after Martin, who doesn't turn back. The dogs reluctantly sidle over to Cornwallis' side.

EXT. ASSEMBLY YARD - FORT CAROLINA - DAY

Redcoats glare at Martin who sits, mounted, waiting. His eighteen men are led out of the prison blockhouse and directed to waiting horses. Surprised to be freed, they mount up.

CORNWALLIS AND TAVINGTON step out onto the front porch of Cornwallis' headquarters and watch as Martin and his men ride toward the gate.

THE TWO GREAT DANES, watch Martin from Cornwallis' side.

Cornwallis motions to the Redcoat Sentries to OPEN THE GATES. They do so and Martin and his men, without hurrying, ride out.

Then, just as the gates are closing behind him, Martin, without turning around, lets loose with a PIERCING WHISTLE...

THE TWO GREAT DANES INSTANTLY RACE AFTER MARTIN, making it through the gates just as they're closing.

CORNWALLIS, seeing his dogs run after Martin, SPUTTERS, then turns and storms back into his quarters.

TAVINGTON, still off-balance from Martin's parting statement, watches Martin ride away. Then he turns to Major Wilkins who stands nearby.

TAVINGTON

Take a detachment and go get our officers.

Wilkins hurries off.

EXT. HILLSIDE CLEARING - ABOVE FORT CAROLINA - DAY

Major Wilkins and a detachment of Green Dragoons ride up the wooded slope toward the bound Redcoat officers that Cornwallis saw through the spyglass. As the Dragoons ride out of the trees into the clearing they stop dead, seeing that:

THE "REDCOAT OFFICERS" are not real -- they're nothing more than SCARECROWS IN REDCOAT UNIFORMS. There's no sign of Martin or his men.

INT. CORNWALLIS' HEADQUARTERS - FORT CAROLINA - DAY

CLOSE SHOT: One of the "Redcoat Officers," stuffed with straw is thrown onto Cornwallis' desk by Tavington.

Cornwallis looks at the scarecrow, then turns to Tavington.

CORNWALLIS

This fox believes himself clever.

Cornwallis grows eerily calm and turns to Tavington.

CORNWALLIS

Colonel, how can we end this madness?

TAVINGTON

Difficult, sir. This is, as you pointed out, a civil war.

Cornwallis takes a moment, then speaks simply.

CORNWALLIS

Civility is a secondary virtue.
It is superseded by duty.

TAVINGTON

I understand, sir.

Tavington smiles grimly and strides out.

EXT. FRESH WATER PLANTATION - DAY

Tavington and Wilkins wait while Green Dragoons and Loyalist militia search the remains of Martin's house and barn. Gaskins, filthy from the ashes, walks up to Tavington.

GASKINS

Nothing.

WILKINS

No one's been here for months.

TAVINGTON

But now we have a name for our
Colonel... Benjamin Martin. And
with a name will come a family.

EXT. CHARLOTTE'S PLANTATION HOUSE - NIGHT

A thick ground fog surrounds Charlotte's house. The soft lights of candles glow in the windows. All appears peaceful.

Then, the SHADOWED FIGURES of THREE DOZEN GREEN DRAGOONS appear out of the mist, silently approaching the house on foot.

INT. CHARLOTTE'S PLANTATION HOUSE - NIGHT

A fire crackles in the fireplace. A curtain blows in the open window. THE DOOR BURSTS OPEN. WINDOWS BREAK. Green Dragoons pour into the house, muskets brandished. No sign of occupants. Tavington and Wilkins stride in.

TAVINGTON

UPSTAIRS!

The Dragoons THUNDER UP THE STAIRS... Tavington watches the search... the parlor... nothing... The kitchen... food is cooking...

The dining room... the table is set, half-eaten food is on the plates, abandoned in mid-meal.

TAVINGTON WALKS INTO THE DINING ROOM, touches some of the food, gauging its warmth.

TAVINGTON

They can't be far. Check the outbuildings and the woods.

The Dragoons race outside.

EXT. CHARLOTTE'S PLANTATION HOUSE - NIGHT

A TORCH BURNS. A dozen Dragoons light torches off of it and fan out to search. The thick fog turns the torches into diffused, floating balls of light, turning the Dragoons into ghost-like apparitions.

CAMERA FOLLOWS ONE OF THE TORCHES, carried by a particularly rough-looking Dragoon who skirts the edge of the underbrush closest to the house. As the torch moves, its flame sends long shadows and shafts of light into the underbrush...

In the brush, TWO FACES, GABRIEL AND CHARLOTTE, dark, motionless, watching the search. Behind them, MARTIN'S OTHER CHILDREN, Nathan, Samuel, Margaret, William and Susan...

Around them, SEVERAL MORE OF MARTIN'S MEN, weapons ready.

NATHAN

Gabriel, where is father?

GABRIEL

Sshhhh...

AT THE FRONT OF THE HOUSE, the torches converge, illuminating Tavington who gives the unheard order. The torches fan out and begin SETTING FIRE TO THE HOUSE, BARN AND OUTBUILDINGS.

MARGARET grips Charlotte's arm. The rough-looking Dragoon gets closer, about to discover them... Nathan, looking the other way, doesn't notice, being more concerned with:

NATHAN

Gabriel, where is father...?

SUSAN'S EYES GROW WIDER... the others notice, turning their heads to see what she sees, which is:

MARTIN

A hundred yards away, on his rearing horse, lit by the flickering light

(MORE)

MARTIN (CONT'D)

of the burning house, surrounded
by a dozen of his men. Martin
FIRES HIS PISTOL into the air,
drawing the attention of the Green
Dragoons.

Several Dragoons FIRE, missing their marks. The others,
including Tavington, race to their horses and mount up,
giving chase as Martin and his men, turn their mounts and
GALLOP OFF.

IN THE UNDERBRUSH, Charlotte, Gabriel, the children and
the handful of Martin's men watch as Martin draws off the
Green Dragoons. Then, Gabriel motions and they all ease
back, disappearing into the brush.

EXT. SHANTY TOWN - NIGHT

A compound of rude shacks, built of scraps of lumber and
rough-hewn logs, stands on the side of the Magpie River.

Martin's men wait with the children while Charlotte and
Gabriel, flanked by Aaron and Abigail talk with several
stern-looking, middle-aged, black FREEDMEN.

Joshua looks on, a shattered man, now with one arm and a
terrible facial scar. He wears the remnants of a British
army field jacket.

The conversation, which is out of the children's earshot,
is testy, with one of the middle-aged freedmen particularly
troubled.

Martin's stone-faced children look around, appraising
their surroundings, registering the poverty of the shanty
town.

THE DISCUSSION BETWEEN THE GROWN-UPS ends with a guarded
exchange of handshakes. Gabriel, Charlotte, Aaron and
Abigail rejoin the children and Martin's men.

GABRIEL

It's all set.

They follow Aaron, down an alley to A SHACK. Small.

Barely standing. The children stop in their tracks,
knowing this is to be their new home.

Charlotte sees their hesitation. She walks up to the
little structure, examining it with a critical eye.

She looks in the doorway, seeing a single room, a dirt floor, wax-paper instead of glass in the windows, a rude, chimney-less fire-pit against the back wall. She smiles.

CHARLOTTE

This will do very well.

She turns to Aaron and Abigail.

CHARLOTTE

Thank you.

Charlotte walks inside without looking back. The children hesitate, then follow her inside.

INT. SHACK - SHANTY TOWN - NIGHT

The children help Aaron and Abigail make beds out of armloads of hay. OUTSIDE, Charlotte and Gabriel talk quietly.

CHARLOTTE

It's him, the one they talk about,
the Swamp Fox.

GABRIEL

Yes.

CHARLOTTE

I knew... the bits and pieces we
heard, a veteran, fought in the
French and Indian War, knows the
swamps, it had to be him.

GABRIEL

They won't stop looking for you
and the children.

CHARLOTTE

We'll be alright, here, for now.
(beat)
How is he?

Gabriel searches for an honest answer.

GABRIEL

I don't know... I'm his son.

Gabriel steps over to his saddlebags, opens his pack and pulls out a stack of letters which he hands to Charlotte.

GABRIEL

These are for you and the children.

They sense someone behind them.

SUSAN

Why didn't father come?

Gabriel is astonished to hear words coming from his heretofore silent sister. Charlotte nods, smiling.

CHARLOTTE

Speaking for months now.

SUSAN

Why didn't he come?

GABRIEL

He wanted to, Susan, but he couldn't leave his men.

SUSAN

He left us.

GABRIEL

I know he did and he's sorry.
He'll come back as soon as he can.

Susan says nothing. Gabriel continues, hopefully.

GABRIEL

There are some letters here from him. Some are just to you.

SUSAN

I don't care. I hate him.

GABRIEL

You don't hate him.

SUSAN

Yes, I do.

Gabriel kneels down and embraces her.

GABRIEL

Oh, Susan...

She stands coldly with her arms at her sides.

SUSAN

I hate him and I hope he never comes back.

EXT. SMALL FARMHOUSE - SUNSET

Tavington lounges in the grass on a slope in front of a farmhouse, looking out at a lovely sunset, absentmindedly picking at the petals of some wildflowers. A HIDEOUS SCREAM pierces the calm.

Tavington analytically evaluates the tenor of the scream, then rises, passing several Green Dragoons who wait with their horses in front of the farmhouse.

TAVINGTON

I believe they are almost ready.

IN THE FARMHOUSE

Blood is smeared on one wall, where half-a-dozen corpses lie in a jumbles mass on the floor.

In the parlor, Tavington walks past more bodies, including a dead woman who lie protectively but ineffectually over the bloody bodies of her two young children, both under eight-years-old.

In the kitchen, Tavington finds Wilkins and some Green Dragoons.

Rob Fielding, one of the craftsmen in Martin's force, is tied, spread-eagle to the table, showing the terrible effects of PROTRACTED TORTURE. Wilkins is apologetic as Tavington walks into the room.

WILKINS

I'm sorry, sir. He died.

Tavington sighs, irritated.

TAVINGTON

Very well, get one of the others.

Several Green Dragoons step into an attached woodshed where Billings sits, bound. They roughly grab him and drag him into the kitchen.

BILLINGS

Damn your eyes. Do your worst.

TAVINGTON

I intend to.

They tie Billings to the table.

EXT. MARTIN'S ENCAMPMENT - DAY

An astonished Martin talks to Gabriel.

MARTIN
She talked? Susan talked?

GABRIEL
Full sentences. As if she had
been speaking all along.

MARTIN
And I wasn't there for it...

The cloud passes quickly.

MARTIN
Tell me everything she said, word
for word.

Gabriel hesitates.

GABRIEL
She said... she loves you and misses
you but she understands why you
can't be there with her.

MARTIN
She said that? Oh, my Lord, she
said that?

Gabriel nods.

MARTIN
Isn't that something.

Martin shakes his head at the thought, smiling to himself.
Gabriel, uncomfortable with the lie. They turn as REV.

OLIVER GALLOPS up, reins back his lathered horse and speaks
to them without dismounting.

REV. OLIVER
Billings and Rob Fielding are dead,
tortured, Tavington has a list of
our men, most are on it. A regiment
of dragoons is going to the homes
on the list, burning them, killing
whomever resists, women and
children, as well.

MARTIN
Where?

REV. OLIVER
Seven homes along the Black River
so far...

Rollins hears and doesn't pause. He rushes to his horse, mounts up and rides off. Martin and the other men mount up and ride off fast after him.

EXT. BLACK RIVER ROAD - DAY

Martin and his brigade catch up to Rollins and ride on with him.

EXT. ROLLINS' FARM - DAY

The small farm. Very rudimentary. The house smolders.

No sign of life. Gabriel, Occam and a few other men warily ride the perimeter of the cleared area around the house.

Martin, at the head of the rest of the brigade, waits next to an increasingly frantic, Rollins. They see Gabriel wave, signaling all clear.

MARTIN, ROLLINS AND THE OTHER MEN RIDE to the house.

Rollins is the first to see THE BODIES. Horrified, he reins back and dismounts, almost falling.

His young SON, WIFE, an OLDER MAN and WOMAN, lie dead in the dirt. Martin's men silently watch Rollins' agony.

Weeping and confused, he moves in a mad, staccato manner, as if he were a marionette, whose strings were being jerked by a drunken puppeteer, repeatedly drawn back to the body of the boy.

Martin DeLancey and Rev. Oliver dismount and move toward him. Rollins sees them coming. He hardens and strides to his horse, pulling his FLINTLOCK PISTOL from his saddle holster. Rev. Oliver reaches out to embrace Rollins.

REV. OLIVER
It's not time for vengeance, it's
time to mourn and...

ROLLINS PUTS THE PISTOL TO HIS HEAD AND PULLS THE TRIGGER, BLOWING HIS BRAINS OUT.

Every man freezes in place. For a long moment no one moves, no one speaks. Then Martin pulls himself together and addresses the men:

MARTIN

Five day furlough for all men.
Occam, Dan, Reverend, spread the
word. Any man who doesn't come
back won't be thought a coward or
uncommitted to the cause. Attend
to your families.

The men mount up. DeLancey stands alone as Martin, Gabriel and the rest of the men ride off. He sighs and heads over to tend to the dead.

EXT. SHANTY TOWN - NIGHT

Dark. Shadowed. No one visible. Martin and Gabriel, wary, slowly ride among the shacks. Their HORSES HOOVES, the only sound.

EXT. SHACK - SHANTY TOWN - NIGHT

Gabriel waits in the shadows, covering, as Martin cocks his musket, checks his pistols and walks slowly toward the shack.

He warily checks every shadow. No one anywhere. Then a SOUND -- A SQUEAL OF LAUGHTER, immediately followed by:

MARGARET (O.S.)

It's him! I told you it was him!

MARTIN'S CHILDREN RACE OUT OF THE SHADOWS to Martin. He's practically bowled over as Margaret, Nathan, Samuel and William fling themselves into his arms.

NATHAN

Father!

WILLIAM

Papa...

CHARLOTTE STEPS OUT OF THE SHADOWS, watching the reunion as Martin covers the children with kisses, trying to hug all of them at once. MARTIN AND CHARLOTTE LOCK EYES over the heads of the children.

MARTIN

Thank you.

Charlotte smiles. Then Martin notices SUSAN peeking out from behind Charlotte's patched and mended skirt. He kneels down and opens his arms to her but she doesn't move. He smiles to her and speaks softly:

MARTIN

Susan...

She looks coldly at Martin, tightens her grip on Charlotte's skirt and retreats further behind her. Martin looks to Charlotte who nods with guarded reassurance.

Then his attention is drawn away by the demanding embraces of his other children.

INT. SHANTY - NIGHT

POURING RAIN. The ceiling drips. Martin lies, awake, with his children huddled against him, sleeping in one of the few dry spots. They're covered with tattered quilts.

On the other side of the children, Charlotte is also awake. She and Martin exchange a long, silent look in the darkness, over the heads of the sleeping children.

EXT. SHANTY TOWN - RIVERSIDE - DAY

Freedmen go about their business: several dry fish, others repair a repeatedly patched roof, one tends a few scrawny cows. Martin walks the perimeter of the shanty town with Nathan and Samuel. They listen carefully.

MARTIN

There's a good place to post a watch. Work out a schedule. Short watches, especially at night.

(pointing)

If you can catch some mockingbirds you can make cages and put them along there for alarms...

Martin stops, looks at the boys closely and grows unsure as he realizes that he's with his sons, not his soldiers.

He tousles their hair but continues nonetheless...

MARTIN

Let's find someplace for you to cache extra weapons...

The boys follow, gazing at their father, not seeing his unsteadiness.

EXT. SHACK - SHANTY TOWN - DAY

Dark. Shafts of light shine in through the holes in the roof. Martin, standing in the shadows, senses someone coming. He freezes.

A figure rounds the corner. It's... William. MARTIN YELLS William SQUEALS IN DELIGHT, then chases his father around the corner, tagging him. They laugh. Martin covers his eyes and William dashes off to hide.

EXT. RIVERSIDE - SHANTY TOWN - DAY

Nathan, Samuel, Margaret and William play in the water with the Great Danes. Martin sits on the side of the river with Susan who avoids looking at him. Using the knife we've seen him use in battle he cuts slices off an apple and eats them.

MARTIN

Good apple.

No response.

MARTIN

Very good. Sweet.

He cuts a slice and offers it to her. She doesn't take it. He puts the slice between them. After a long moment she picks it up but as she's about to eat it, she stops, seeing something on it. She puts it back.

Martin looks at the apple slice and sees a dark red splotch on it. He looks at his knife and realizes that it's dried blood.

Off-balance, he turns to Susan who stares straight ahead, a thousand miles from Martin.

EXT. SHACK - SHANTY TOWN - DAY

Mr. and Mrs. Howard help Martin, Charlotte and the children unload food and other supplies from a wagon.

Gabriel and Anne talk quietly nearby. Suddenly, Gabriel throws back his head and LAUGHS LOUDLY. He kisses Anne.

Then, taking her hand, the two of them walk over to Mr. Howard.

ANNE

Father, Gabriel has something he'd like to speak with you about.

INT. SHANTY CHURCH - NIGHT

The church is little more than a shack, slightly larger than the other shacks. The pews are crates, stumps and stools. Abigale, Abner, Joshua and half-a-dozen of the freedmen sit with Anne's parents.

Rev. Oliver stands at a rough-hewn altar. Before him and Anne and Gabriel.

Martin, the best man, stands next to Gabriel.

REV. OLIVER

Dearly beloved, we are gathered here in the sight of God to join this man and this woman in holy matrimony...

MARTIN feels every word, looking straight ahead but knowing that he's standing next to his son.

EXT. SHANTY CHURCH - NIGHT

In front of the church, the bride and groom say goodbye to the wedding party. Anne talks quietly with her parents.

Martin and Gabriel talk nearby.

MARTIN

You could have told me this was coming.

GABRIEL

I would have if...

MARTIN

If what?

GABRIEL

If I thought you would have understood.

Martin looks at Gabriel, sad that Gabriel thought he wouldn't have understood. With effort, Martin finds a smile and offers it to his son. Gabriel awkwardly smiles back.

Anne joins them. Martin embraces her, a bit stiffly and gives her a fatherly kiss.

ANNE

I'm sorry we didn't give you more warning.

MARTIN

I understand.

He glances at Gabriel.

MARTIN

I'm very happy for you.

Martins takes the "North Star" amulet from around his neck.

MARTIN

This was Gabriel's mother's. She would have wanted you to have it.

ANNE

I'm honored.

Gabriel watches his father put the amulet around his wife's neck. He nods in silent thanks to Martin. Abigale steps up.

ABIGALE

You come on, now. I got a pretty spot picked out just down the river, private as can be.

They all watch as Abigale leads Gabriel and Anne off.

Martin and Charlotte stand next to each other.

CHARLOTTE

It's a good measure of a woman that she'll have her honeymoon under the stars.

MARTIN

For richer, for poorer, in sickness and in health, 'til death do they part.

They nod in agreement, pointedly not looking at each other.

INT. SHACK - SHANTY TOWN - NIGHT

Again Martin's children sleep, huddled up against him. On the other side of them, Charlotte lies awake. They look at each other. Martin smiles. She snaps at him, angrily whispering:

CHARLOTTE

I'm not my sister.

MARTIN

What?

CHARLOTTE

I said, I'm not my sister.

MARTIN

I know that.

CHARLOTTE

Do you?

MARTIN

Of course, I do.

CHARLOTTE

(irritated)

Very well, then.

She turns from him and stares at the ceiling. Martin, tries to figure out what just happened. After a long moment he gets it. Stunned at first, his gears turn.

After a very thoughtful moment he turns to Charlotte and offers a tentative smile. She catches the smile and rolls her eyes. The children sleep, unaware between them.

EXT. SHACK - SHANTY TOWN - DAY

Martin finishes tying his gear onto his horse. Gabriel, already saddled up, speaks quietly to Anne. Mr. and Mrs. Howard prepare their wagon.

Martin turns to his silent children. One after another, they walk to him and embrace him -- Nathan, Samuel, Margaret, William.

Gabriel embraces Anne tightly.

GABRIEL

Be careful...

ANNE

I will...

GABRIEL

Very careful, no one must know about us, no one...

She silences him with a kiss.

Martin sees Susan, standing next to Charlotte. He motions to her but she doesn't move. Then he kneels down and gently hugs her.

MARTIN

Just a little goodbye? One word?
That's all I want to hear.

Susan remains silent, standing with her arms at her sides, not responding to the embrace.

Finally, Martin lets go of her. She just stares at him.

Martin stands and turns to Charlotte.

MARTIN

Goodbye, Charlotte.

CHARLOTTE

Goodbye.

They embrace with a hug that wavers between chastity and something more. Anne and Margaret notice and exchange a surprised, knowing look. Martin and Charlotte break apart, self-consciously.

Martin mounts up. Gabriel reluctantly does so as well.

They turn their horses and start to ride away. As they're about to round a curve and disappear, SUSAN CRIES OUT:

SUSAN

Papa!

With halting steps, then faster and faster, she runs down the path toward Martin.

SUSAN

Papa, don't go, I'll say anything.

Martin stops, turning in his saddle to see Susan running after him, her eyes filled with tears.

SUSAN

Please, Papa, I'll say anything
you want!

Martin yanks his reins, turning his horse.

SUSAN

Just tell me what to say! Tell me
what to say!

Martin spurs his horse straight toward her, GALLOPING toward the running, crying child.

SUSAN

Please, Papa, please don't go.

MARTIN RIDES TOWARD HER...

Charlotte, Anne and Martin's children watch as:

MARTIN LEANS OVER IN THE SADDLE without slowing down...

SWOOPING HER UP...

PULLING HER INTO HIS LAP...

She sits astride the saddle, facing him, her arms wrapped around him, pleading, the words tumbling from her, as fast as she can get them out...

SUSAN

... I'll talk to you, I'll say
anything you want, just tell me
what you want me to say, I'll say
anything, I promise, please, Papa,
just stay...

Martin envelopes the sobbing wisp of a girl, holding her, covering her with kisses, letting her cry, fighting his own tears...

He reins back the horse, stopping in front of the others...

He pleadingly looks to Charlotte who steps up to the horse... to take Susan...

Martin gives Susan a final embrace.

MARTIN

I'll come back... I promise...

Martin hands the still crying Susan down to Charlotte...

Martin, in agony, averts his eyes, yanks his reins, and spurs his horse...

As he rides away the children take off after him, running.

Susan seeing the others running after Martin, struggles out of Charlotte's arms, and runs after them as well...

Martin rides, now joined by Gabriel, faster and faster, leaving a trail of dust...

The children slow, then stop, one after another, watching as they ride away.

EXT. PATRIOT ENCAMPMENT - ACWORTH - EVENING

Grim. The most rudimentary of the encampments we've seen.

Rain pours. Some of Martin's men huddle under lean-to's and quickly rigged tents that offer only partial protection from the cold rain.

Occam and Scott do their best to keep a wet-wood fire going. Rev. Oliver tries to cook.

Martin and Gabriel ride up and dismount. Martin joins Rev. Oliver who is sorting through Rollins' possessions.

MARTIN

How many came back?

REV. OLIVER

About a hundred and twenty. Less than a third.

Martin looks around.

MARTIN

DeLancey?

Rev. Oliver shrugs and offers his palms to heaven.

MARTIN

(sarcastically)

Trust the French.

Just then DeLancey walks out of the woods carrying a couple buckets of water, having overheard Rev. Oliver and Martin.

DELANCEY

Yes, trust the French.

They look at DeLancey, questioning with their eyes why he's still here. He smiles.

DELANCEY

I would not desert. Where else do I get the opportunity to kill English? Perhaps even a few wounded ones when you are not looking.

Thin smile. Martin takes a place at a campfire next to Gabriel. They are out of earshot of the other men.

Gabriel is thoughtful, miles away. After a long moment, he speaks.

GABRIEL

I'm sorry, father.

MARTIN

For what?

GABRIEL

I thought that you were hiding behind your family when you were simply standing in front of us, protecting us. I was foolish to think you were afraid.

MARTIN

I was afraid, I still am.

GABRIEL

Of...?

MARTIN

Afraid that you'd turn out like
me...

GABRIEL

There are much worse things than
that father.

Gabriel smiles, Martin doesn't.

MARTIN

When I went to war, it changed me.
And I didn't want that to happen
to you.

Gabriel looks across the campsite, seeing DeLancey on the
far side.

GABRIEL

Fort Charles?

Martin nods.

MARTIN

When we took Fort Charles we took
prisoners. What we did to them,
we told ourselves was just and
proper, revenge for what they had
done to the families along the
Black River.

(beat)

That's what I was afraid of. I
didn't want you to ever tell
yourself something like that.

Gabriel nods, understanding Martin for the first time in
his life.

GABRIEL

You needn't worry, father. You've
taught me well.

Martin and Gabriel sit in silence and share slight nods
of understanding.

EXT. PEMBROKE - DAY

Anne and her parents ride into town on their wagon, finding the streets strangely empty.

They sense someone behind them and turn to see HALF-A-DOZEN GREEN DRAGOONS and a mounted Tavington. They're initially frightened but Tavington speaks gently, politely.

TAVINGTON

Everyone has been requested to gather at the church.

ANNE

Everyone?

TAVINGTON

I wish to address the whole village.

Tavington deferentially motions for the Howards to follow his men. Uneasy, Mr. Howard snaps the reins and follows.

EXT. PEMBROKE VILLAGE SQUARE - DAY

Tavington and Wilkins, on horseback, watch as Green Dragoons directs villagers into the church.

One of the Dragoons walks out of the general store with a bowl of gumdrops. As he starts giving them to a few of the children their parents waver, unsure of the gesture, but they reluctantly allow the children to take the candy.

The townspeople are uneasy but they follow the orders of the Dragoons, who, though carry muskets, are polite and unthreatening.

DRAGOON

Into the church, please.

ANOTHER DRAGOON

Colonel Tavington wishes to address all of you.

Anne and her parents join the others.

Tavington sees the last of the townspeople enter the church. He nods to the Dragoons near the door.

The Dragoons CLOSE THE DOORS, chaining them shut. The DOOR IS POUNDED ON from the inside.

VOICE

Open this door!

MR. HOWARD (O.S.)

By what right are we made prisoners?

TAVINGTON nods to several rough-looking Dragoons who disappear into the blacksmith shop. They reappear a moment later with FLAMING TORCHES and approach the church.

Several other Dragoons see what's about to happen and are appalled. Wilkins rides over to Tavington.

WILKINS

Sir?

TAVINGTON

Yes, Major.

The Dragoons with the torches stop around the church, waiting for the final go-ahead from Tavington. The POUNDING AND CALLING from inside the church grows louder.

WILKINS

Sir, there is no honor in this.

TAVINGTON

The honor is found in the end, not the means. This will be forgotten.

(to Dragoons)

Proceed.

The troubled Dragoons turn to Wilkins who struggles with himself. Tavington calmly watches Wilkins' distress.

Finally, Wilkins accepts it. Weakly steadying his horse, he takes his place next to Tavington.

The other Dragoons follow his lead and watch as the rough Dragoons light the church on fire, heaving their torches onto the roof, through the windows and under the raised foundation.

SCREAMS are heard from inside. The DOOR THUDS with the shoulders of men trying to escape. The CHAINS HOLD.

Tavington watches, stone-faced, as the church goes up in FLAMES...

A WINDOW SHATTERS, with a chair heaved from inside...

SOME MEN TRY TO CLIMB OUT, but waiting Dragoons FIRE THEIR MUSKETS POINT BLANK... KILLING THREE MEN, driving the others back...

The SCREAMS FROM INSIDE THE CHURCH grow louder...

The FLAMES AND SMOKE RISE...

EXT. WOODS - PEMBROKE OUTSKIRTS - DAY

SILENCE. A dark forest of old growth trees. No underbrush. Martin and a couple dozen of his men, including Gabriel, Rev. Oliver, and DeLancey ride warily on a carpet of pine needles toward a thin column of smoke, visible over the treetops in the distance.

With hand signals, Martin directs his men to fan out.

They do so, weaving through the dark forest, weapons ready.

EXT. PEMBROKE - DAY

Martin and his men slowly ride into Pembroke. The remains of the church smolder. The town is deserted, no one, dead or alive, is visible.

Unsure what they have found, Martin and his men spread out and dismount, warily checking out the buildings, looking for some sign of life.

Rev. Oliver and a few other men head for the charred remains of the church.

Side-stepping some still-hot, charred beams, Rev. Oliver looks through the rubble...

Then he sees the bodies...

THE CAMERA CATCHES ONLY A FLEETING GLIMPSE of...

Dozens of charred, blackened bodies, intertwined with the remains of the church...

Rev. Oliver staggers from the rubble...

One-by-one Martin and his men walk over and look into the remains of the church...

Martin see several charred hands extended through a shattered window, as if grasping for escape... one of the hands is tiny, A CHILD'S HAND...

GABRIEL, on the other side of the square, sees Anne's packhorses and looks around, growing increasingly frantic.

GABRIEL

Anne... Anne...

MARTIN, in the church, sees something among the charred bodies.

He reaches down and grasps the North Star amulet he gave to Anne on the night of her marriage.

GABRIEL, hurries toward the remains of the church...

GABRIEL

Anne...?

Martin walks out and intercepts him.

MARTIN

Don't go in there.

GABRIEL

Is it her? Is Anne in there?

MARTIN

Don't go in there.

Gabriel sees the blackened amulet in Martin's hand. He reels. Martin grabs him, keeping him from falling.

Martin holds Gabriel as he weeps.

EXT. PEMBROKE - LATE AFTERNOON

CLOSE SHOT: Martin's weapon's belt on the ground but the tomahawk does not hang from it's loop.

Martin and his men tend to the dead. Some dig in the small graveyard adjacent to the remains of the church.

Others carry out the grim task of pulling the charred bodies out of the rubble. DeLancey hurries over to Martin.

DELANCEY

Colonel, your son is gone.

Martin takes only an instant to process that, then he grabs his Pennsylvania rifle and weapons belt and strides toward his horse, speaking back over his shoulder.

MARTIN

How many went with him?

DELANCEY

The Reverend, Scott, a few others...

Martin mounts up and rides off. DeLancey, Brother Joseph and a dozen of Martin's roughest men quickly mount up and ride after him.

EXT. OPEN ROLLING HILLS - LATE AFTERNOON

Tavington and a dozen Green Dragoons ride.

MUSKET FIRE...

The Dragoons turn, seeing Gabriel and half-a-dozen Patriots riding down hard on them...

The Dragoons pull their carbines and fire...

Gabriel and the Patriots take the shots, Rev. Oliver falls, shot through the heart by Wilkins...

The horses of both sides bolt and scatter...

In a dance of galloping, frightened horses, firing and reloading men, and obscuring smoke, the dozen-and-a-half men and their mounts battle over the shallow, rolling hills...

A pair of Green Dragoon lieutenants FALL...

More Dragoons take shots...

Then volleys from both sides... mutual destruction...

Down to a handful of men...

Only Gabriel left of the Patriots...

Gabriel draws a bead on Tavington...

FIRES... Tavington goes down...

Motionless...

Gabriel dismounts... the only man standing of all dozen-and-a-half...

He walks over to Tavington, drawing Martin's tomahawk from his belt...

About to finish Tavington off, when...

Tavington pulls a pistol from underneath himself and FIRES...

Straight into Gabriel's chest...

EXT. WOODS BORDERING ROLLING HILLS - LATE AFTERNOON

Martin and his men BLAST OUT OF THE WOODS, weapons ready, then rein back, stopping, seeing a tableau of death...

Bodies and blood spread over the fields... dead Dragoons, dead avenging Patriots, dead horses, a few riderless horses graze...

Martin looks around frantically... sees movement...

Gabriel, mortally wounded, crawling...

Martin leaps, half-falling out of his saddle. Throws himself on the ground, holding Gabriel...

Sees his wounds, knows they're fatal... Gabriel knows, too... He looks up at his father, trying to speak...

Martin holds him, cradles him, trying to soothe him...

MARTIN

Sssshhh...

GABRIEL DIES. Martin sees his own tomahawk on the ground next to Gabriel. The life drains from Martin, lost in an incomprehensible nightmare of overwhelming loss and emptiness and guilt. Martin caresses Gabriel...

CAMERA SLOWLY CRANES UP revealing, over the shallow hill, above and beyond Martin...

DISTANT LINE OF BLUE

Thousands and thousands of Continental soldiers approaching.

Martin, small and unaware in the FOREGROUND, holds Gabriel's body in his arms...

EXT. PATRIOT ENCAMPMENT - NIGHT

Mixed gatherings of militia and Continentals are clustered around the campfires. More Continentals arriving all the time.

Some of the militiamen and regulars regale each other with tales of their exploits but most are grim and tired, talking quietly.

A couple of Patriots play a MELANCHOLY TUNE ON FIFE AND VIOLIN.

INT. MARTIN'S TENT - NIGHT

Dark. Shadowed. The sounds of celebration can be heard outside the tent.

Martin sits on his camp chair. Gabriel lies on the ground, carefully covered up to his chin with a blanket.

A single candle burns.

Lee enters. Stands silently near Martin.

MARTIN

He looks as if he's sleeping,
doesn't he?

LEE

Yes, he does.

After another moment Lee moves toward Gabriel's body.

LEE

I'll help you bury him.

MARTIN

Don't touch him.

Lee stops.

LEE

How many men have we seen die?

MARTIN

Two. Gabriel and Thomas.

LEE

Nothing will replace your sons but
if you come with us you can justify
their sacrifice.

MARTIN

It's ended.

LEE

I have a son. He was born two
months ago in Alexandria. I fight
for him. You have other children
for whom to fight.

Martin can't restrain his anger at Lee's words.

MARTIN

It's over!

Lee sighs. He touches Martin on the shoulder and walks out, leaving him alone with Gabriel's body.

EXT. PATRIOT ENCAMPMENT - MORNING

The Patriots, Continentals and Militia, are moving out.

Most of the tents have been taken down. Wagons are rolling out. Companies of Continentals march off in good order.

MARTIN'S TENT still stands. His men finish packing up, storing their heavy gear in wagons, tying their field gear onto their horses.

EXT. PATRIOT ENCAMPMENT - DAY

The last of the soldiers move out, leaving their smoldering campfires and refuse. The only tent that remains is Martin's.

EXT. MARTIN'S TENT - DAY

Martin sits in his tent, gazing obliquely at Gabriel's body which has grown ashen. A SOLITARY BIRD CRIES in the distance.

EXT. REMNANTS OF PATRIOT ENCAMPMENT - NIGHT

A dark, moonless night. The sky is filled with stars. A SOFT WIND BLOWS dead leaves along the ground. A few of the leaves are blown through the opening of Martin's tent.

INSIDE THE TENT

Martin looks down, noticing the leaves, HEARING THE WIND.

A few of the leaves come to rest on Gabriel's haversack.

Martin sees a corner of Gabriel's Old Glory sticking out.

He looks at the flag for a moment. Then he stands and walks:

OUTSIDE THE TENT

Martin watches the leaves skittering along the ground. He listens to the wind.

Then HE LOOKS UP AT THE NIGHT SKY. The stars are bright.

His eyes are drawn to the Big Dipper and from there to the Little Dipper and the...

NORTH STAR.

Holding his eyes on the faint, but steady star, he gradually reorients himself.

He looks around at the abandoned encampment. Then he looks into the tent and sees Gabriel's body. The SOFT WIND BLOWS AROUND HIM.

Martin nods in response.

EXT. BURIAL GROUND - WOODED ENCAMPMENT - MORNING

Martin finishes burying Gabriel, putting the last shovelfuls of dirt on the freshly turned earth. He stands next to the grave, looking down, and says a silent prayer.

EXT. COWPENS ROAD - DAY

The AMERICAN FORCES are on the move, all heading in the same direction. Continentals and militiamen fill the road. Some on horseback, others in wagons, most on foot.

Among them, a mixed unit of Continentals and Martin's brigade, at the head of which ride Lee and DeLancey.

Something catches Lee's eye and he turns back, seeing over a shallow ridge that runs parallel to the road, an American flag, Old Glory, just visible, the rider carrying it hidden behind the ridge.

THE FLAG APPROACHES. One after another, the men see it coming. The flag is Gabriel's, the repair almost completed, trailing a single strip...

The men begin to sense who it is...

And then they see him... Martin, who rides up between Lee and DeLancey. They exchange nods.

They ride on, passing a sign that reads, "Cowpens. 20 miles."

EXT. AMERICAN ENCAMPMENT - COWPENS - NIGHT

The campfires of the American army burn. Small groups of uniformed Continentals and raggedly dressed militia cluster around different fires. There's little mixing between groups.

AROUND ONE OF THE CAMPFIRES

The commanders: Lee, Martin, DeLancey, several other officers and DAN MORGAN, a bull of a man around Martin and Lee's age. Morgan, a Continental, is in command.

MORGAN

Benjamin, tell me about Cornwallis.

MARTIN
Remember Braddock?

MORGAN
That bad?

MARTIN
Worse.

Morgan sighs.

MORGAN
Gentlemen, as far as we know,
General Cornwallis is at
Bradleyville. Two thousand of his
infantry along with four thousand
Green Dragoons under Tavington are
between us and the river. They
outnumber our regulars two to one
and they have five times our
cavalry. Two thirds of our force
is militia. Unreliable at best.

LEE
We could pull back, try to slip
away before dawn...

Martin shakes his head.

MARTIN
You underestimate our militia, all
of you do.

LEE
I've seen our militia lines break
again and again. At Saratoga, at
Monmouth, at Cherry Hill.

The officers are silent in agreement. Martin shoots a
glare at Lee.

MARTIN
Tavington and Cornwallis have seen
the same thing. Use that.

MORGAN
How?

Martin pulls Cornwallis' journal out of his haversack and
leafs through it.

MARTIN

I'll let Cornwallis tell you
himself, and he speaks for
Tavington, as well...

(reading)

"... but it is this colonial militia
that is the most irksome. Not
worthy of my attention, but
demanding it; not worthy of British
blood, but taking it; and not worthy
of a soldier's honor, but sully-
ing it. Those nights of mine that are
not sleepless, are filled with
dreams of a cavalry charge on the
heels of fleeing farmers..."

Martin closes the journal.

MARTIN

Cornwallis and Tavington have even
less respect for citizen soldiers
than you do.

Morgan considers Martin's proposal.

EXT. AMERICAN ENCAMPMENT - NIGHT

Campfires receding into the darkness, each with a small
cluster of men. DeLancey watches as Martin talks with a
few men at one of the fires.

Martin leaves that campfire and joins another small
gathering of men at a different campfire. Lee and some
of the other officers can be seen talking with other
clusters of militiamen at other campfires.

Martin steps up to another campfire, this one near
DeLancey, who listens.

MARTIN

... so all we're asking is that
the front line of militia fires
two shots.

A MILITIAMAN shakes his head with misgivings.

MILITIAMAN

Lot can happen in the time it takes
to fire two shots, 'specially
against British regulars.

MARTIN

Which is why I'm not asking for
three.

Martin gives the men around the campfire a moment to consider his words, then he rises and heads over to another campfire and another small group of militiamen.

EXT. COWPENS - PRE-DAWN

Martin sits, sewing. He finishes the final repair on Gabriel's flag. He appraises his handiwork. Though stained and tattered, the flag is intact.

Martin stands on the crest of a shallow rise, looking out at the British lines, barely distinguishable in the faint light. Above him, stars are visible, but they're fading in the light of the pre-dawn glow from the horizon.

Martin scans the disappearing stars, searching out the NORTH STAR, but in the increasingly harsh light of this day, he can't find it. He turns his eyes back to the battlefield.

EXT. COWPENS BATTLEFIELD - DAY

The sun has risen but a heavy ground fog limits visibility to a few dozen yards. Men move like ghosts.

THE CAMERA finds waiting squadrons of men but in the mist there is no overview, just separate detachments:

An orderly regiment of CONTINENTAL CAVALRY, mounted, waiting, steadying their horses.

Two long lines of blue-uniformed CONTINENTAL INFANTRY...

Massed squares of CONTINENTAL INFANTRY RESERVES...

The American Command, including Morgan, Lee and several other officers, attended by riders and runners...

And, finally, MARTIN AND HIS MEN, who stand in the middle of a long line of Patriot militia in the center of a long, valley-line depression. Martin stands next to DeLancey.

They stand silently, unable to see anything other than each other and the gently slope of the dew-covered grass in front of them.

They're all grim. They know what's coming.

Then, the SOUND OF A SINGLE DRUM, heard but unseen, coming from over the slope...

Then, MORE DRUMS, more and more, A COMPETITION OF DRUM BEATS...

Martin's men listen, turning their heads, trying to imagine what is happening on the other side of the rise in front of them.

MARTIN turns to DeLancey.

MARTIN

How old were your daughters?

DeLancey looks closely at Martin and realizes, with some surprise, that he's willing to answer. He speaks softly.

DELANCEY

I had two daughters... Violette was twelve... Paulette was ten. They had green eyes.

MARTIN

You have my sympathy.

DELANCEY

Thank you.

They stand silently next to each other.

EXT. BRITISH LINES - DAY

Tavington, surrounded by his officers, stands on a low hill, trying, with the aid of a spyglass to catch the first view of the battlefield as the morning mist begins to burn off. Through the fog, he just makes out the American lines.

TAVINGTON

Unless I'm dreaming, I think I see irregulars at their center.

Tavington smiles.

EXT. LOW MEADOW - COWPENS - MORNING

Martin and his men wait.

A STRANGE SOUND. Soft, muted. The men turn their heads, listening, their eyes shifting.

They hear the SOUND OF HUNDREDS OF BOOTS ON WET GRASS, advancing...

THE CAMERA WATCHES THE FACES OF MARTIN AND HIS MEN as they listen to an unseen army approaching.

THEN, THEY SEE IT... A MASSIVE WALL OF RED appears over the rise in front of them...

hundreds of Redcoats, in perfect formation, marching in lockstep, straight for them.

Martin sees the fear on his men's faces, but none of them move...

The BRITISH DRUMS GROW LOUDER AND LOUDER... it's almost enough to drive a man to flight... almost.

The CAMERA explores the faces of Martin's men... all are frightened but all are motionless.

Closer and closer, the British line approaches... The American's don't move...

Then, the BRITISH LINE STOPS...

At a flurry of commands, the Redcoats ready their muskets, then aim...

Still, Martin and the Americans don't move... DEAD SILENCE...

Then, a single, thin voice calls out from the British lines...

BRITISH VOICE (O.S.)

Fire!

IN A THUNDEROUS, MASSIVE VOLLEY, three thousand British muskets fire simultaneously... just as the entire line of

AMERICAN MILITIAMEN DIVE TO THE GROUND...

Many Americans are saved by the move but many, many others are torn apart by the British musketballs...

THE AMOUNT OF SMOKE IS INCREDIBLE... it obscures everything. Each musket spits out a billow of thick white smoke a dozen feet in front of it and hundreds of them just fired. The massive, opaque white cloud quickly spreads over the entire battlefield.

The astonished Redcoats instantly reloading...

The AMERICANS RISE, shoulder arms and FIRE A THUNDEROUS VOLLEY into the British ranks.

Scores of REDCOATS FALL, but the line of well-trained regulars remains intact as rear ranks fill in the front...

A RACE TO RELOAD... the Redcoats have a slight headstart... Balls... wadding... tamp... prime the pan... cock... as fast as they can possibly reload...

a REDCOAT DRUM BEATS "FIRE WHEN READY," a command repeated by the BRITISH BUGLE...

The Redcoats win the race... RAISES THEIR MUSKETS... FIRE A ROLLING VOLLEY...

SCORES OF AMERICAN MILITIAMEN FALL... but still the line holds... second rank men fill the gaps, still loading...

Then, loaded, as one, the AMERICANS RAISES THEIR MUSKETS AND FIRE A DEVASTATING VOLLEY INTO THE BRITISH RANKS... decimating the Redcoats...

The Redcoats are staggered but then see the Americans turn in DISORDERLY PANIC and FLEE... the surprised, grateful Redcoats rally, some laugh...

ON A RISE BEHIND THE BATTLEFIELD, TAVINGTON, watches through his spyglass, trying to get a sense of what's happening through the spreading cloud of musket smoke. He barks to his SIGNALMAN...

TAVINGTON

Fix bayonets... dispatch the Green Dragoons.

The Signalman raises his semaphore flags and snaps the message.

MARTIN AND HIS MEN are caught in the middle of the chaotic retreat...

THE BRITISH LINE advances at a quickstep, bayonets fixed... from behind them, THE GREEN DRAGOONS appear, at a full gallop, Tavington at their head...

THE BATTLEFIELD

It's an astonishing sight... total madness... hell... a painting by Hieronymous Bosch...

The mass of the British infantry charges after the fleeing Patriot militiamen... the Redcoat infantry grows disorderly as it runs...

TAVINGTON AND THE BRITISH CAVALRY THUNDERS to the head of the Redcoats, closing in on the fleeing Patriots. The cavalry swords are drawn and raised for a slaughter...

THEN SUDDENLY, stepping into view from behind a low, grass covered rise, a SOLID LINE OF BLUE APPEARS, rock solid...

It opens up, allowing the fleeing Patriots to pass through it like water...

then it closes again, becoming a solid blue wall...

MARTIN, HIS MEN AND THE ENTIRE MASS OF FLEEING MILITIA STOPS DEAD, turns and joins the blue American line...

A flurry of orders, then the BLUE WALL ERUPTS WITH A VOLLEY of musket fire that stops the disorderly British advance in its tracks...

Hundreds of Redcoats fall instantly...

Hundreds of Green Dragoons and their horses fall with them...

The effect of the volley is devastating... the American timing is perfect...

Again, the amount of SMOKE is astonishing... visibility drops to less than twenty feet in most places... drifting smoke opens up glimpses of the battle here and there but it is primarily a battle of sound... men simply follow the men in front of them...

The Blue Continentals advance in an orderly manner from both flanks onto the Redcoats, trapping them...

MARTIN FIRES one of his pistols... draws his tomahawk... hacks... killing one Redcoat after another...

No remorse, no hesitation, no pity... his tomahawk sinks into the stock of an upraised British musket and is pulled from his hands...

Martin quickly kills the Redcoat with his pistol...

THEN, THROUGH THE SMOKE, MARTIN CATCHES A GLIMPSE OF TAVINGTON...

Martin freezes... his eyes locked on Tavington who is fighting a pitched battle, making his way toward the perimeter of the field, trying to escape back to the British lines...

Seeing nothing but Tavington, Martin hurriedly tears open his weapons pouch and pulls out one of the bullets made from Thomas' lead soldiers...

As he loads the pistol, his eyes still trained on Tavington, DeLancey runs up...

DELANCEY
COLONEL! OUR LINE!

Martin finishes reloading... distracted he turns to DeLancey for an instant...

DELANCEY
OUR LINE IS FALTERING...

Martin takes a quick glance at the Continental line, seeing...

An onslaught of Redcoats and a smaller number of Patriots who are losing ground, their lines breaking up...

The PATRIOT STANDARD BEARER, a burly sergeant, sees the Redcoat reinforcements and starts backing up...

MARTIN IS TORN...

He looks to Tavington, seeing him distracted, vulnerable but too distant a target for the pistol...

DeLancey can't wait, he runs off...

Martin sees the Patriot line... beginning to retreat... the Patriot Standard Bearer, carrying the Old Glory, loses his nerve, joins the retreat...

Martin takes a last look at Tavington and turns away, heading over toward the retreating Patriots...

Moving against the growing tide of retreat, shoving the men, bumped by others, as more and more Americans join the retreat...

Then, Martin sees the standard bearing Sergeant passing...

MARTIN
Stop... hold the line!

The Sergeant tries to bull past, but Martin blocks his way and GRABS THE FLAG from him...

The Sergeant holds on but a FOREARM TO THE HEAD from Martin dislodges the flag from his grasp...

Martin holds the flag high and races back, against the tide of retreating Patriots...

MARTIN
HOLD THE LINE! HOLD THE LINE!

Only Martin moves against the tide, then...

Several Patriots stop... then others...

Martin, single-mindedly tears through them, daring them to follow, not caring if they do...

One Patriot takes off after Martin, then another...

The retreat slows... then turns...

The Patriot force, led by Martin, SLAMS INTO THE Redcoat line...

Hand-to-hand... some musket... some swords... many bayonets and musket stocks...

Martin plants the flag in the dirt... and plants himself right next to it...

He fires his pistol, killing a Redcoat... grabs a downed sword... kills two more Redcoats...

The tide turns...

A pair of Redcoats back up from the Patriot vanguard... then other Redcoats disengage...

Several Redcoats turn... stumbling away... a few run... those who don't are killed by the men around Martin...

The Redcoats break into a full retreat, which turns into a rout as another mass of Patriots bursts through the smoke and joins the line...

The Patriots sees the retreating Redcoats intercepted by another detachment of Patriots... the tide fully turned... the battle is won...

A CHEER RISES from the Patriots... joyous in victory, grateful for survival...

All cheer except Martin who, through the smoke-filled chaos of the battlefield sees...

TAVINGTON, on a DISTANT RISE, on horseback, out of reach, about to flee...

Tavington takes a final look at the battlefield, then yanks his reins... his horse REARS UP as it turns...

Tavington spurs the animal and disappears over the rise...

EXTREME CLOSE SHOT: Martin, surrounded by CHEERING MEN, watches Tavington go...

Martin does not see the flag waving at his side, nor does he hear the CHEERS all around him...

DISSOLVE TO:

EXT. YORKTOWN OVERLOOK - SUNSET

A hilltop road rises to an OVERLOOK. A long bedraggled line of Patriots trudges up the hill, stopping on the crest, looking at something we can't yet see.

Martin and DeLancey, in the ragged line of Patriots, walk to the top of the hill. As they get to the crest they stop, looking out, seeing:

A MAGNIFICENT TABLEAU laid out before them. YORKTOWN. The British are trapped on a pair of peninsulas, one jutting out from land, the other jutting toward the land from a large island. In a semi-circle around the landward peninsula, is a MASSIVE FORCE OF AMERICAN troops and...

THOUSANDS AND THOUSANDS OF FRENCH TROOPS, flying SCORES OF FRENCH FLAGS... the FRENCH FLEET is visible in the Harbor.

American and French CANNONS keep up a steady barrage on the trapped British troops.

MARTIN AND DELANCEY look out at the grand and impressive sight. DeLancey smiles and speaks quietly.

DELANCEY

Vive la France.

A COMMOTION. The men on the crest of the hill excitedly exchange whispers as they see a group of officers approaching...

PATRIOT PRIVATE

It's him...

ANOTHER PATRIOT

Washington!

Patriots, both militia and Continentals hurry over to catch a glimpse of:

GEORGE WASHINGTON, surrounded by staff officers, American and French, including Lee, Morgan, LaFayette, trailed by messengers, runners and aides. Washington is tall and powerfully-built, an imposing man, worthy of respect.

Washington and Lee stop in front of Martin and DeLancey, who stand at the head of the remains of the South Carolina militia, their tattered militia flag flying beside Gabriel's tattered Old Glory.

WASHINGTON AND MARTIN

Stand face-to-face, looking each other in the eye. Martin smiles slightly and shakes his head.

MARTIN

Your hair's gone gray.

WASHINGTON

I've earned it.

Washington holds out a small bag to Martin who smiles in recognition of some private ritual. He reaches into the bag and pulls out a walnut.

WASHINGTON

I wanted to greet you and the South Carolina militia, myself. This nation owes a lot to you.

MARTIN

Thank you.

Washington takes a walnut. They both CRUSH THE WALNUTS SHELLS BETWEEN THEIR THUMBS AND FOREFINGERS, a prodigious display of strength that both men take for granted.

As they eat the walnuts, Washington motions for Martin to join him a bit away from all the soldiers and other officers.

The two men step away, then speak quietly, looking out at the tableau spread out before them.

WASHINGTON

I was sorry to hear about your son.

MARTIN

I lost another a year ago, Thomas. He was only fifteen.

WASHINGTON

I've had no sons to lose, nor daughters.

(beat)

I lose the sons of other men.

They look out at the vista, knowing that they're looking at the sons of thousands and thousands of other men.

WASHINGTON

Life was easier when we only had ourselves to get killed.

Martin nods, then hardens a bit and turns to Washington.

MARTIN

Where do you need us?

WASHINGTON

We don't. Their forward redoubts fell yesterday. They can't survive our mortars and it's only Cornwallis' damned pride that's delaying the surrender.

MARTIN

Then let us join the center until the surrender comes.

WASHINGTON

No. I want you and your men on the north peninsula to block the escape of secondary units.

MARTIN

Sir, my men would rather be at the center for the surrender and...

WASHINGTON

(interrupting)

You'll go where I tell you to go.

Martin nods, coolly respectful.

MARTIN

Yes, sir.

Martin turns to rejoin his men. Washington speaks after him.

WASHINGTON

Benjamin...

Martin stops.

WASHINGTON

Tavington and the Green Dragoons are on the north peninsula.

(beat)

Give him my regards.

Martin nods in thanks to Washington.

INT. CORNWALLIS' HEADQUARTERS - YORKTOWN - PRE-DAWN

Cornwallis looks out from the third floor window of a commandeered mansion.

OUT THE WINDOW he can see the battlefield with his besieged troops cowering in shattered defensive-works as HUGE AMERICAN MORTAR SHELLS EXPLODE within the Redcoat lines...

CORNWALLIS stares, as much astonished as angry. Behind him, Colonel Huntington and Major Halbert nervously wait.

COLONEL HUNTINGTON

Sir, I beseech you, you must order the surrender. There is no other alternative.

Cornwallis, in anguish, hears the words but cannot bring himself to move.

EXT. YORKTOWN - DAWN

The BOMBARDMENT continues. American cannons and mortars rain death onto the British position.

The Patriots, regulars and militia, wait behind their barricades.

Then, a single figure appears on one of the British parapets. A DRUMMER BOY, no more than ten-years-old. He begins to beat the drum, but it is unheard beneath the SOUNDS OF THE BOMBARDMENT...

A British officer steps out next to the boy and raises a white flag.

In the American lines, a few men see the white flag. As the artillery units notice, the bombardment slows, then stops...

It gradually sinks in. In the American lines, some cheer, some laugh, many simply take a deep breath... then the CHEERING GROWS LOUDER AND LOUDER AND LOUDER...

SPYGLASS IMAGE: The British drummer boy and the Redcoat officer with the white flag. The spyglass is lowered, revealing...

EXT. NORTH PENINSULA - DRAGOON CAMP - YORKTOWN - DAWN

Tavington compresses the spyglass and turns to a couple of his officers, standing next to him.

TAVINGTON

Quickly, we can slip out to the north and make our way to our forces in New York. This isn't over, yet.

They hurry off.

EXT. WOODS - NORTH PENINSULA - YORKTOWN - DAWN

Dark. Eerie. A light rain falls through a heavy ground fog in an old-growth forest.

The SOUND OF HORSES HOOVES on the soft ground. TAVINGTON and his two officers, appear out of the trees, galloping...

A SUDDEN, UNSEEN MUSKET SHOT drops one of the officers.

Tavington and the other officer glance back and ride on.

ANOTHER MUSKET SHOT drops the other officer. Tavington looks back, sees that he's alone, scans the woods as he rides, seeing no one.

Tavington SPURS HIS HORSE harder...

ANOTHER SHOT. Tavington's HORSE FALLS... spilling Tavington onto the ground...

SILENCE...

Tavington tries to get his bearing... struggles to his feet.

Reaches for his pistol... it's not there... searches the ground around him... can't find it...

A SLIGHT SOUND... Tavington turns quickly, sees nothing...

ANOTHER SOUND... he turns again... nothing...

Growing more nervous by the second, Tavington searches for a weapon. He sees his carbine on the other side of the horse.

As he start for it, he hears something behind him, turns. Again, nothing.

Turning back to the carbine, Tavington suddenly finds himself...

FACE-TO-FACE WITH MARTIN...

Martin raises his pistol and coldly FIRES, shooting Tavington in the shoulder...

Tavington spins and falls...

Martin calmly and grimly starts to reload, pulling one of Thomas' lead soldier bullets out of his weapons pouch and dropping it into the barrel...

Tavington struggles to his feet...

TAVINGTON

I surrender...

Martin says nothing as he methodically reloads.

TAVINGTON

Please, I beg of you, I'm wounded...
I'm surrendering...

Martin finishes reloading, and without pause, raises the pistol and FIRES, this time into Tavington's thigh...

Tavington falls, crying out in pain...

TAVINGTON

Damn you! Have you no honor? I
am surrendering...!

Martin pulls another of Thomas' bullets from his pouch and starts reloading again...

Tavington's terror grows. He struggles to his feet, desperately searching for some escape...

He sees the carbine, but it's too far and on the other side of Martin...

TAVINGTON

Take pity! I beg of you!

Tavington sees that Martin is almost finished loading...

TAVINGTON

Please... do not fire... THE WAR
IS OVER...!

Even as those words leave his mouth, Tavington remembers Martin's cold promise... horrified, he realizes what he's just said...

Martin raises the pistol and SHOOTS TAVINGTON IN THE HEART...

Tavington falls back to the ground, dead. Martin looks down at him...

MARTIN

Ugly business, doing one's duty.

MARTIN stands silently over Tavington's body and gives himself a moment of bitter triumph.

EXT. YORKTOWN FIELD - DAY

A massive ceremony, carefully orchestrated, laid out on the cleaned up battlefield. The French and American armies, fifteen thousand men between them, stand in perfect formation on either side of the field, forming an avenue for the British army which marches out of it's fortification.

At the head of the avenue, WASHINGTON AND HIS STAFF stand waiting.

A musical band of Continentals, thirty men strong, loudly plays a tune, "The World Turned Upside Down," a jaunty British air with a melancholy undercurrent.

CORNWALLIS' ARMY marches between the assembled American and French armies. Cornwallis is nowhere to be seen.

As the Redcoats reach the head of the assembly, they truculently fling their muskets and other arms into a massive and growing pile of weapons.

MARTIN AND DELANCEY stand among the South Carolina militia watching from a distance as...

THE BRITISH OFFICERS STEP UP TO WASHINGTON AND HIS

OFFICERS. Hurried whispers are exchanged among staff officers. Then Redcoat Colonel Huntington, draws his sword and offers it to Washington who declines, motioning to General Lincoln instead...

As Colonel Huntington hands his sword to General Lincoln, A MASSIVE SHEER RISES FROM THE AMERICAN AND FRENCH RANKS...

IN THE RANKS

With every other pair of eyes directed toward the ceremony, Martin quietly and unnoticed, slips out the back of the formation and walks away.

EXT. YORKTOWN - DAY

The surrender ceremony continues. Martin, on the fringe of the field, finishes saddling his horse and prepares to leave. Lee and DeLancey walk out of the crowd and join him.

Martin and DeLancey lock eyes for a moment. Martin offers his hand and says, quietly, with a slight, ironic smile...

MARTIN

Vive la France.

DeLancey smiles. They shake hands.

DELANCEY

Vive la liberte.

Martin mounts up.

LEE

Goodbye, Benjamin.

MARTIN

Goodbye, Harry.

Martin reaches down. They shake hands.

MARTIN

And congratulations on the birth of your son.

LEE

Thank you. Maybe all of this will buy him some peace.

MARTIN

I hope so.

As Martin starts to ride off, he reins back and stops, speaking back to Lee over his shoulder.

MARTIN

Your son, what did you name him?

LEE

Robert. Robert E. Lee.

Martin smiles.

MARTIN

A good name for a farmer.

Lee nods. Martin rides off. Lee and DeLancey watch him go.

EXT. SHANTY TOWN - DAY

Martin's children and Charlotte sit by the river. Samuel sitting on the lookout with his musket, suddenly stands, seeing something.

Charlotte and the others notice. They're worried. Then they see Samuel throw down his musket and tear down the path, running as fast as he can, tumbling, then regaining his feet...

Charlotte and the others know who's coming...

The children take off running after Samuel...

Racing toward the road...

Charlotte hurries after them...

AND THEN THEY SEE HIM... MARTIN, riding at a full gallop...

The children cry out with tears of joy...

MARTIN see Susan... he gallops toward her...

LEANS OVER... without slowing, he SWOOPS HER UP into the saddle... she wraps herself around him...

He reins back, stops and dismounts, just as the other children reach him...

They throw themselves into his arms... embracing him...

Charlotte hurries up behind them... she and Martin lock eyes and he is enveloped by the hugs of his children.

EXT. FRESH WATER PLANTATION - EVENING

Summer. The oak tree is covered with leaves. Martin's house is partially rebuilt and habitable. The workshop is already completed.

MARTIN'S CHILDREN, Nathan, Samuel, Margaret and William, play in the tall grass in front of the house with the two

GREAT DANES.

CHARLOTTE sits on the front porch, NURSING AN INFANT.

MARTIN walks out of his workshop, trailed by Susan. He carries a just-completed rocking chair.

The chair is a work of art, thin and light, a spider-web of perfectly turned wood, no nails, no glue.

He steps onto the porch next to Charlotte and places the rocking chair next to her.

MARTIN

Two pounds, fourteen ounces.

CHARLOTTE

Lovely.

He smiles and makes a minute adjustment in the chair's position. Then he sits down, settles back and begins rocking. Not a creak.

Martin and Charlotte watch Susan run out of the yard, calling as she joins the other children.

SUSAN

Wait for me...

As the CAMERA CRANES UP, Martin and Charlotte disappear beneath the overhang of the porch roof. Suddenly, the

SOUND OF A CRASH.

MARTIN (O.S.)

Damnation!

The CAMERA CONTINUES TO CRANE UP as Martin walks off the porch, crosses the yard and enters his workshop. A moment later, the SOUND OF MARTIN'S LATHE RISES.

FADE OUT.

THE END