

THE UNTOUCHABLES

FINAL REVISED TELEPLAY

August 26, 1960

"-N I C K Y-

Property of:

DESILU PRODUCTIONS, INC.

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" N I C K Y "

by

Joseph Petracca

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THE
UNTOUCHABLES

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THE UNTOUCHABLES

"NICKY"

FADE IN:

1. INT. BASEMENT STILL UNDER TAXI GARAGE NIGHT 1.

This is a cunningly concealed whiskey and cutting operating under the cement floor of a seemingly respectable garage for a fleet of taxicabs. Several HOODS can be seen wheeling empty drums to a freight elevator.

NARRATOR

By the middle of 1933, Eliot Ness and his squad of Untouchables had brought under control the manufacture and sale of illicit whiskey in Chicago.

The hoods get in the wide freight elevator with the empty drums.

2. INT. ELEVATOR NIGHT 2.

as the freight elevator slowly goes up.

NARRATOR

Yet, despite the crackdown, one of the biggest and shrewdest operators continued to elude them. Through elaborate schemes and machinations, he was still able to procure alcohol and process it...

The elevator opens; the men start to wheel out the empty drums.

3. INT. TAXI GARAGE (FROM GUS' POV) NIGHT 3.

as GUS KRONER, a short-cropped blond, with a Slavic facial conformation, stands next to the elevator. He assists the three hoods as they wheel the drums out of the elevator.

(CONTINUED)

3 CONTINUED:

3

NARRATOR
(continuing)

His name was Gus Kroner --
Alias Guisepe Marconi --
on the surface running a re-
spectable taxi garage. But
below the surface, under the
cement floor of the garage,
Gus Kroner operated the largest
illegal bottling and cutting
plant in the country...

The drums are all out. Gus presses a button -- and lo!
-- a wall slides across the elevator, concealing it from
view!

NARRATOR
(continuing)

A former gambler who had been
ruled off several race tracks
for attempting a fix, and once
suspected of being part of the
big baseball scandal, Gus Kro-
ner carried his habits into his
current business, as well. He
believed in the payoff, the
'shmeer". Gus was always one
to put out a buck to make two.

4 INT. ANOTHER ANGLE IN GARAGE - NIGHT

4

Two large closed trucks stand there; the hoods, under the
direction of MIKE MARCONI, a thin ferret-looking creature,
load the empty drums into the trucks. MARIO BUSO, forty-
ish, good looking, slightly nervous, is filling the
gasoline tank of one of the trucks. Gus walks up to him
amiably, smiling.

GUS

Still nervous, Mario?

MARIO

I'll be all right.

Gus takes Busso's hand -- wipes a finger across it.

GUS

You got wet hands.

MARIO

(draws hand back)

I'll handle my end.

(CONTINUED)

4 CONTINUED:

4

GUS

You better do that, Mario.

Mario looks to him, the veiled threat apparent.

GUS

(continuing)

You take my money, you deliver.

(smiles)

It buys you a new cab and a lot of education for your kids. -- Right?

MARIO

I just don't want any gun play.

Mario replaces the hose on the gas pump. Gus walks away calling back.

GUS

You just do what Mike tells you -- and you'll have nothing to worry about.

5 INT. ANGLE AT REAR OF TRUCK

5

as Gus walks over to Mike Marconi, who has jumped down off the back of one of the trucks. Mike calls to his three hoods.

MIKE

All right, close her up and get inside.

The hoods close up the tailgate of the truck, step to the rear of the body of the truck; Mario jumps into the cab of the truck, gets behind the wheel. Mike calls to Gus as he gets into cab of truck.

MIKE

(continuing)

Should be back in an hour -- if nothing goes wrong.

GUS

Nothing'll go wrong. Everything's taken care of.

6 INT. GARAGE - NIGHT - LONG ANGLE

6

as the trucks start out of the garage. Mike waves to Gus, who watches as the trucks go out...

LAP DISSOLVE:

7 EXT. GOVERNMENT WAREHOUSE - NIGHT - ANGLE 7

as the two large trucks drive up. Mario Busso is driving one of the trucks, Mike Marconi sitting beside him, and the three hoods concealed inside the truck. Mario switches off the headlights.

8 EXT. LARGE SLIDING DOOR - NIGHT - CLOSER ANGLE 8

as the large door slides open. The FEDERAL GUARD can be seen, a gun in his holster, peering out into the street apprehensively.

NARRATOR

Gus Kroner had indeed taken care of everything -- the way he always did. He had paid twenty-five hundred dollars in cash to a Federal Guard to look the other way while his men stole a load of five thousand gallons of pure alcohol stored in a Government bonded warehouse...

9 INT. WAREHOUSE - NIGHT - WIDE ANGLE 9

as the trucks drive in, come to a stop near a long row of drums. The five men jump out of the trucks, work swiftly and precisely, begin to siphon the alcohol out of the Government drums into their own. With a hose connected to a water outlet, they fill the Government drums with water.

NARRATOR

Under the supervision of Mike Marconi Gus Kroner's right hand man, the men did the job with clockwork precision. They siphoned the alcohol out of the Government drums into their own -- then filled the empty drums with water...

LAP DISSOLVE:

10 INT. CLOSE ANGLE IN WAREHOUSE - NIGHT 10

Showing a remorseful and frightened Mario behind the wheel. Four hoods jumping into the rear of the truck; Mike Marconi closing up the tailgate, walking toward the cab of the truck.

(CONTINUED)

10 CONTINUED:

10

NARRATOR

(continuing)

In less than an hour more than
a half a million dollars worth
of bonded Government alcohol
had been transferred to Gus
Kroner's trucks...

Mike Marconi jumps into the cab; the Guard comes over
nervously.

GUARD

I think I saw somebody out
there!

MIKE

(scoffing)

You're seeing things. Open
up these doors.

GUARD

I mean it...!

(CONTINUED)

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10. CONTINUED:

10.

MIKE

You're supposed to watch this stuff -- not drink it. Get going!

The Guard goes to the sliding door switch, clicks it, and the door begins to slide open. The Guard peers nervously outside as the truck's motor starts up with a roar.

GUARD

(calling back
to Mike)

There's somebody out here I tell you!

Suddenly two big headlights spear the truck and Eliot Ness' voice (o.s.) can be HEARD in a sharp command:

NESS

(O.S.)

All right! Don't move that truck -- or we'll shoot!

11. INT. CLOSE IN CAB OF TRUCK NIGHT 11.
Mike Marconi pulls his gun. Mario Busso is terrified. Mike has his gun out, aims it -- and just before he shoots, Mario deflects it. The shot goes wild.
12. EXT. ANGLE ON NESS AND HIS MEN NIGHT 12.
as they scatter for cover, return the gunfire.
13. INT. ANGLE IN WAREHOUSE NIGHT 13.
as the five hoods jump out of the back of the truck, begin to run and shoot. There is a furious exchange of shots. Two hoods running for cover are hit, killed.
14. NESS AND HIS MEN 14.
as they move in cautiously, shoot...kill another of the hoods.

UNTOUCHABLES - "Nicky" - Rev. 8/29/60 7.

15 INT. CLOSE IN CAB - NIGHT 15
as Mario Busso, blood streaming from his head, falls against the door of the cab, dead. Mike Marconi, his gun smoking, scrambles down out of the truck.

16 ANGLE ON GUARD 16
as he runs in panic, is hit, falls dead.

17 ANGLE ON MIKE MARCONI 17
as he moves swiftly toward the rear exit.

18 INT. ANGLE IN WAREHOUSE - NIGHT 18
as Ness and his men move in, shooting as they come.

19 INT. ANGLE ON LAST HOOD 19
as he makes a break for the rear exit, the one through which Mike Marconi escaped. He starts to open the door...

20 NESS 20
as he FIRES his sub-machine gun.

21 INT. ANGLE AT REAR EXIT - NIGHT 21
as the hood is hit, falls dead.

22 INT. ANGLE IN WAREHOUSE - NIGHT 22
as Ness and his men come into the center of the warehouse, where the Federal Guard and four of Gus Kroner's men lie dead on the ground.

NARRATOR

Eliot Ness and his men had cut off another source of illicit alcohol in Chicago. But they had not yet caught up with the leader of the bootlegging operation...

FADE OUT.

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FADE IN:

22A INT. GARAGE - DAY - MED. SHOT - GUS KRONER

22A

as he paces the floor nervously, smokes a cigarette.

NARRATOR

Gus Kroner was an angry and worried man the following morning. Angry because a million dollars had slipped through his fingers -- and worried because he had to account to more vital interests for his failure...

CAMERA IS PULLED BACK to REVEAL LOUIS LETITTO, who sits in the chair. Somewhere in the forties, elegant in manner and dress. He's foreign, his language idiomatic. He wears a blue Chesterfield coat with velvet collar, gray fedora, matching spats and gloves. He carries a walking stick -- in his ear, a hearing aid, the device itself visible. Louis is given to playing with the hearing device -- bring the volume up or down depending on his mood, and as it suits his purpose. On Louis' face now is a benign smile, upon closer examination, a cold, deadly smile.

NARRATOR

(continuing)

The Syndicate -- in the person of Louie Letitto, who could put "thumbs down" or "up" on any members' life. The fact that he had been sent to talk to Gus Kroner meant serious trouble.

LOUIE

It hurts me I gotta tell you this, Gus -- a man likes to come around with good news. Like Santa Claus, you know?

(he pauses for emphasis)

The organization trusts you with a big job and you don't bring it off.

GUS

It wasn't my fault, Louie. Everything was laid out right. How did I know the Feds would be there?

(CONTINUED)

22A CONTINUED:

22A

LOUIE

How?... How?... How do we know anything?

GUS

That stupid Mike, he loused it up.

LOUIE

You know something, Gus? Sometimes you talk so foolish. I'm surprised. You're the one the organization gave the responsibility to. Not your cousin.

GUS

It should have gone right, Louie. That's what I mean.

LOUIE

But it didn't.
(that smile)
So who takes the blame? The porter who cleans up the store? Or the guy who runs it.

He waits... watches Gus sweat, lets it sink in.

LOUIE

(continuing)

That's something we gotta get straightened out before we go ahead. Right?

And when Gus doesn't answer.

LOUIE

(continuing)

Right?

GUS

(shouts)

RIGHT!

It was too loud.

(CONTINUED)

THE
UNTOUCHABLES

22A. CONTINUED:

22A.

LOUIE

Talk easy, Gus. I don't like noises. I hear big noises I turn 'em off. See?

Shows him how he shuts the device off so Gus can't be heard.

LOUIE

And if I don't hear what you got to say - I can't go back and tell the boys Gus Kroner is sorry he made a mistake - he won't make no mistakes again. Right?

Gus nods. Louie now "tunes" him in again.

LOUIE

You gotta have style, Gus. Class.

(that smile)

Now take for instance, a man, doesn't do his job. That kind of man could get fired.

(waits)

I wouldn't like you gettin' fired, Gus. It's not a good thing all around. For you, for me.

Gus turns to him, the implied threat obvious.

LOUIE

(continuing)

You're working for a big organization. One mistake they turn your head - the next mistake --

(his voice cold now, the smile gone)

It's your head.

GUS

(heatedly)

You treat me like I was some FLUNKEY!

(CONTINUED)

THE
UNTOUCHABLES

22A CONTINUED - (3):

22A

LOUIE
(warning)
You're talking too loud, Gus.

GUS
(bitterly - his
voice up loud)
Like I didn't work for the or-
ganization all the time -- night
and day, never puttin' out for
anything else -- That don't
mean nothing? They never call
me in to ask me what happened?
They ever take into considera-
tion --

But Louie has turned off the ear piece -- THE TRACK GOES SILENT PROJECTING US INTO LOUIE'S WORLD FOR AN INSTANT. He's at the door, pause to look to Gus, whose mouth is still going but we HEAR nothing out of it. Louie smiles, goes out. SOUND IS ON AGAIN and only then does Gus realize he was tuned out. He stands there, embittered, a brutal look coming over his face, then his fists balling up, he moves for the door, as though he were going to swing at it... and in fact does, as we:

FLIP OVER TO:

23 INT. BASEMENT AREA - IMPACT CLOSE UP - MIKE'S FACE 23

The fist smashing into it!

23A ANGLE TO ESTABLISH ANOTHER PART OF BASEMENT GARAGE 23A

Mike, his face bloodied, hits a stack of barrels, sends them scattering. Before he can get set again, Gus is at him, his punishment deliberate and calculated. He hits Mike in the belly, doubling him over. Now Kroner knees him, again drives a fist down on Mike's head.

23B ANOTHER ANGLE - THE TWO 23B

Mike lies on the ground, his face bloodied, as Gus lifts his foot to kick his teeth in.

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230. ODD ANGLE FROM FLOOR UP TO GUS

230.

The man's foot poised to do damage.

MIKE

(begging)

Don't Gus!... Don't...

Crawls back - away from the foot.

GUS

I ought to kill you.

MIKE

(sits up)

I swear, Gus, I did everything
you said! Right to a T!

GUS

To a T! Then how did they
find out?

MIKE

I don't know. They must've
been tailing that guard...

He stands up - rocks on his feet - starts to clean his
bloodied face with a colored polka dot handkerchief.

GUS

And what if somebody got a
good look at you?

MIKE

I tell you nobody saw me.

GUS

You tell me...

(starting towards
him again -
grabs him by
the collar)

How many times have I warned
you I can't afford anyone
poking their noses into
the garage --

(points upward -
then shoving
Mike away in
disgust)

You're nothing! One relative
I got - and he's stupid!

(CONTINUED)

23C CONTINUED:

23C

MIKE

Believe me, Gus, there's no way to trace us. The men are all dead--and the truck we used last night was stolen. There's nothing to worry about...

GUS

I lose a million dollars worth of alcohol -- and that's nothing to you!

MIKE

I didn't say that...

GUS

You didn't say!... You didn't say!

(Mike begins to protest but Gus cuts him short)

Shut up!

(composes himself - fixes tie)

I'm going to call Detroit. Get some new men I can depend on.

(turning to his relative - disgust written across his face)

All you do is stay here! Just mind the store. Nothing else. Understand?

Another look of disgust at Mike, then wagging his head, he moves off.

DISSOLVE TO:

24
and
25
OMITTED

24
and
25

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UNTOUCHABLES

26. EXT. FEDERAL BUILDING NIGHT LONG SHOT 26.

as Eliot Ness and Enrico Rossi emerge from the building, stop for a moment on the top steps.

27. CLOSE SHOT NESS AND ROSSI 27.

as Rossi lights a cigarette.

ROSSI

Not a bad haul last night...

NESS

But I wish we'd caught the big boy... Can I give you a lift, Rossi?

ROSSI

No, thanks, Eliot. I'm going to a movie.

NESS

(going)

See you in the morning.

Rossi nods. They part, going in different directions. Eliot Ness starts down the steps, heads for his car which is parked at the curb.

28. CLOSE ANGLE CAR 28.

as Ness walks toward the car, starts to open the door. Suddenly two SHOTS ring out in quick succession, one of them shattering the glass window and the other ricocheting off the metal roof of the car. Ness instantly falls to the ground, his gun out. Ness looks up, but another SHOT hits the car with a metallic SOUND above his head.

29. ANGLE ROSSI 29.

as he stops, listens to still another SHOT ring out. Taking out his gun, he runs back toward Ness.

30. ANGLE NESS 30.

as he lies on the ground, peering off into the black night for his assailant. Another SHOT rings out and inbeds itself into the car, scarcely a foot above Ness' head. Ness lifts his head, looks off and sees:

31. EXT. THE LONG STREET NIGHT FROM NESS' POV 31.
 showing a shadow figure running down the street,
 turning the corner sharply.

32. EXT. FEDERAL BUILDING NIGHT CLOSE ANGLE NESS 32.
 as he gets up quickly. Rossi runs up to him, his
 gun out, concerned.

ROSSI

You all right, Eliot?

NESS

I'm fine...

(going)

Let's go after him!

Ness starts to run after the fleeting figure, Rossi
 right behind him.

33. EXT. STREET NIGHT LONG ANGLE 33.
 showing Ness and Rossi running swiftly down the long,
 dark street, their guns out.

34. EXT. ANOTHER STREET NIGHT 34.
 showing the shadowy figure of Ness' assailant running
 down a dark street, looking behind him for his
 pursuers.

35. ANGLE ON SAME STREET 35.
 as Ness and Rossi turn the corner and come into view,
 arriving just in time to see the fleeing figure at
 the other end of the street. The fleeing figure turns
 the corner.

36. EXT. ANOTHER STREET NIGHT LONG ANGLE 36.
 as the fleeing figure runs down the length of it,
 runs for the fence, climbs quickly over it. A moment
 later, Ness and Rossi come into view.

37. CLOSER ANGLE STREET 37.
 as Ness and Rossi run for the fence, climb quickly
 over it.

38. EXT. DARK ALLEY NIGHT LONG SHOT 38.

as Ness' assailant runs down the dark alley --but it is a dead end. The shadowy figure looks all around for an avenue of escape, but there is none. Then, seeing a large crate in a corner of the alley, he quickly runs behind it.

39. CLOSER ANGLE ALLEY 39.

as Ness and Rossi come running into the scene, their guns out. They stop, look around.

40. CLOSE ANGLE NESS AND ROSSI 40.

as they look at the crate in the corner; they move slowly toward it. The crouching shadow of the assailant can be seen hiding behind the crate.

NESS

Come on out!

There is no movement.

ROSSI

Come out with your hands up!

There is no movement. Ness and Rossi, about twenty feet away from the crate, keep their guns trained on it.

NESS

Throw your gun out!

In answer this time, the assailant flings his empty gun at them in contempt. It lands at their feet.

41. CLOSE SHOT CRATE 41.

as the assailant suddenly stands erect, shouts his contempt to Ness and Rossi. It is NICKY BUSSO, an intense young man of seventeen, dark and brooding.

NICKY

There's my gun! . Now come and get me!

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42. CLOSE SHOT NESS AND ROSSI

42.

as they both look shocked to discover that their quarry is a boy.

NESS

He's only a kid...!

Ness moves closer to the crate.

ROSSI

Careful, Eliot. This kid's dangerous!

Ness stops, talks quietly.

NESS

Come out, son. The little game of hide-and-seek is over.

43. ANGLE BEHIND CRATE

43.

as Nicky laughs mockingly.

NICKY

Look at the tough cops! Two against one -- and they're yellow! What're you afraid of? You got the guns. Come on -- take me!

44. CLOSE ANGLE NESS AND ROSSI

44.

as Ness moves cautiously toward the crate, his gun out. He whispers to Rossi:

NESS

Stay here. He might make a run for it again.

(to Nicky)

Look, boy -- you're just wasting your time. We don't want to hurt you....

NICKY (O.S.)

(behind crate)

No? Then what're those guns for? Laughs?

(CONTINUED)

44. CONTINUED:

44.

Ness puts his gun away, motions his head for Rossi to do the same. Ness moves closer to the crate, now barely five feet away from the boy.

NESS

All right, the guns are away.
Now come on out.

NICKY (O.S.)

(behind crate)

Don't rush me!

45. CLOSE SHOT CRATE

45.

as suddenly, with catlike swiftness, Nicky jumps from behind the crate and lunges for Ness with a shining switchblade in his hand. Instinctively, Ness' arm lifts up to ward off the knife thrust, his other hand reaching up at the same time to seize Nicky's wrist, holding it in a vicelike grip.

46. WIDE ANGLE NESS AND NICKY

46.

as the knife is poised inches away from Ness' face. Then with a sharp motion, Ness twists the boy's wrist and the knife falls to the ground -- another maneuver and the boy hits the ground hard. Rossi has scooped up the knife, away from the boy's reach. The boy turns on his back, glares up at them.

47. ANOTHER ANGLE

47.

as Ness reaches down his hand to lift the boy to his feet. Nicky disdains the hand, looks up at Ness with cold hatred.

NESS

(quietly)

Get up.

The boy doesn't move; now Ness speaks sharply.

NESS

(continuing)

Look, it's no difference to me. If you don't want to walk out of here, we'll drag you out!

(CONTINUED)

47. CONTINUED: 47.
 Nicky looks at Ness insolently -- then slowly gets to his feet.

48. OMITTED: 48.

49. OMITTED: 49.

50. OMITTED: 50.

51. NESS, ROSSI, NICKY 51.
 as Rossi quickly frisks the boy.

NESS
 What was all that shooting about?

NICKY
 I wanted to kill you-- that's what!

NESS
 Somebody tell you to?

NICKY
 What is this -- a third degree? Come on, take me to jail and get it over with!
 (extends his wrists)
 Put the bracelets on and let's get out of here!

Ness handcuffs Nicky and starts to lead him off.

Nicky stops, glares at Ness.

NESS
 Whose idea was it?

52. OMITTED: 52.

53. CLOSE ANGLE IN ALLEY 53.
 as Nicky turns on Ness.

(CONTINUED)

53. CONTINUED:

53.

NICKY

Nobody's! I did it myself!
 Just remember one thing,
 copper -- when I come out of
 reform school or whatever they're
 gonna send me -- I'm gonna
 come gunning for you again!
 And I'm gonna kill you!

Nicky looks defiantly at Ness, who restrains an impulse to smack the kid; instead Ness gives the boy a handkerchief to wipe the blood off his cheek.

NESS

Here -- wipe your nose.

Nicky tosses the handkerchief to the ground. Ness picks it up.

54. LONG SHOT ALLEY

54.

as Ness and Rossi lead Nicky out.

DISSOLVE:

55. INT. JUDGE'S CHAMBERS DAY

55.

showing Eliot Ness seated, listening as Judge Simon Willard is questioning Nicky. Mrs. Busso stands next to him. Two bailiffs stand nearby.

NARRATOR

The following morning, Eliot Ness attended a Juvenile hearing in the chambers of Judge Simon Willard.

56. OMITTED:

56.

57. OMITTED:

57.

58. OMITTED:

58.

59. OMITTED:

59.

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60. CLOSE ANGLE JUDGE'S DESK

60.

as Nicky and Carmela stand before him; Carmela glances at Nicky, runs her fingers through his tousled hair to straighten it. Nicky moves his head away in annoyance.

JUDGE

(reading from
a report)

Attempted murder of a Federal
officer... assault and battery..
illegal possession of firearms...

(glances down
at Nicky)

Quite a report card. And only
seventeen.. is that right?

CARMELA

He's sixteen, Judge. He'll be
seventeen next week.

JUDGE

Thank you, Mrs. Busso. But
I asked the boy -- and I'd
like him to answer.

CARMELA

Yes, sir.

JUDGE

(to Nicky)

Now, Nicholas, you tell me.
Exactly how old are you?

NICKY

(defiantly)

Not old enough!

JUDGE

(puzzled)

What does that mean?

NICKY

It means I've got a year to
kill somebody -- and you
can't kill me back! They won't
let you send a seventeen year
old to the chair -- that's what
it means!

61. CLOSE SHOT NESS

61.

as he watches painfully, grimly.

62. OMITTED:

62.

63. OMITTED:

63.

64. CLOSE ANGLE JUDGE'S DESK

64.

as the Judge looks at Nicky, a decision forming in his mind.

JUDGE

You've got it all figured out,
haven't you?

(closer to
Nicky)

Ever hear of St. Charles
Reformatory?

NICKY

Sure, I did! I'm not afraid
of it!

CARMELA

(pleading)

Your Honor, don't listen to him!
He's not like this... It's
just because they killed his
father ... that's why ...
He's a good boy -- He'll be no
more trouble ... I swear...!
Let me take him home....I'll
handle him...

JUDGE

I'm sorry, Mrs. Busso. We'll
keep him in custody for a week
-- until his arraignment.

(to Bailiff)

Take him away.

65. WIDER ANGLE

65.

as the bailiff starts to lead Nicky away. Suddenly,
Carmela flings herself on the burly guard, pummeling
him with her small fists. She is a wild animal,
fighting for her young.

CARMELA

Leave him alone!...Take your
hands off him!... He's my son
...he's only a baby! What's
the matter with everybody?
Can't you see he's only a
baby!

65 CONTINUED:

65

The second bailiff ushers Mrs. Busso out.

66 ANGLE FROM NESS' POV

66

as he watches her being forcibly evicted from the chambers, struggling, kicking, clawing. Ness gets up, approaches the Judge.

67
and
68 OMITTED67
and
68

68A SHOT

68A

NESS

Judge Willard... I want to ask
a favor of you.

JUDGE

What is it, Mr. Ness?

NESS

I'd like you to let the Busso
boy go home.

JUDGE

(astonished)

Are you serious?

NESS

Yes, sir. I am.

JUDGE

Mr. Ness, I don't understand.
This boy tried to kill you!
You want me to give him an-
other chance to finish the job!

NESS

I think I know how he feels.
The way he sees it -- I killed
his father.

JUDGE

But it was your job. You did
it in the line of duty.

(CONTINUED)

68. CONTINUED:

68.

NESS

We know that, but he doesn't.

JUDGE

Mr. Ness, I warn you -- that boy is no good. You give him another chance and he'll wind up like his father -- in a gang.

NESS

That's what I'm counting on.

JUDGE

(puzzled)

What's that?

NESS

It's a long shot -- but the boy might lead me to the mob his father was working for the night he was killed.

JUDGE

Look, you're the complainant. If you withdraw your complaint, there's nothing I can do to keep him in custody.

NESS

Then I withdraw the complaint.

JUDGE

It's a big risk you're taking. I know these young hoodlums. You'll be a sitting duck...

NESS

I'll take my chances.

As Ness goes out, the Judge watches him.

DISSOLVE TO:

FADE IN:

69. INT. GARAGE OFFICE DAY

69.

showing Gus Kroner behind a desk, writing, addressing

(CONTINUED)

69 CONTINUED:

69

four men: CHARLIE STUBEN, MAX ADAMO, IKE WEINER and RAY BRADY. Charlie, leader of the group, about forty, smooth, well-groomed. He affects a relaxed manner, controlling a murderous intent. Mike Marconi stands by the door, looking on.

NARRATOR

Two days later four men from the notorious Purple Gang of Detroit arrived in Chicago... All specialists. Their leader was Charlie Stuben -- A two time loser on armed robbery charges, tried on four separate counts of murder -- no convictions...

CHARLIE

(a smile)

You got trouble, Gussie?

GUS

The name's Gus. What do you mean -- trouble?

CHARLIE

Like somebody crowding you?

GUS

I didn't bring you here to play guessing games. I got a proposition. You want it or not?

CHARLIE

Thirty three and a third don't seem like much considering the risk...

GUS

Take it or leave it.

CHARLIE

(ignoring him)

For an extra ten percent I'm all yours, Gussie.

(CONTINUED)

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69. CONTINUED:

69.

Kroner bridles... Charlie brings out a gun. Mike alerts.

CHARLIE

Lock, stock and -- barrel.

GUS

Forget it.

CHARLIE

(puts the gun
away)

Extra piece like ten percent?
What's it to you, Gus?

(shrugs)

Risk insurance, they call it.

(another
pause)

Louie Latitto - he'd like it.

GUS

(attentive
instantly)

Where'd you hear that?

CHARLIE

I make up for Louie. I got special ears.

GUS

(a pause, then)

Okay, it's a deal. You got an extra ten.

CHARLIE

(stands up)

Where are you getting this Alky you're talkin' about?

GUS

Leave that to me.

CHARLIE

(getting up)

You want us, you know where to find us. Come on, boys.

He and his boys start to go --

(CONTINUED)

THE
UNTOUCHABLES

69. CONTINUED:

69.

GUS

One other thing. No more meetings here at the garage. We got anything to talk about, we meet at your apartment, Charlie.

CHARLIE

You call the shots, Gus.

GUS

Take the back way out. We might as well start being careful right now.

The hoods go out the back room and go out.

Gus and Mike watch. Gus turns, notices something o.s.

70. INT. ANGLE ON GARAGE DAY FROM GUS' POV

70.

showing Nicky looking over the motor of a taxicab.

GUS

Who's the kid over there?

MARCONI

I don't know.

GUS

Get rid of him. I don't like nobody snooping around here.

Mike gets up, goes out of office.

71. INT. ANGLE AT TAXICAB DAY

71.

as Nicky lifts the hood, starts to look inside. Mike Marconi comes over.

MIKE

Lose something?

Nicky turns, flustered.

NICKY

I was looking for Mr. Kroner.

(CONTINUED)

71 CONTINUED:

71

MIKE

You won't find him in there.
What's on your mind?

NICKY

A job.

MIKE

You're not old enough to hack.

NICKY

I thought maybe a job doing
little things in the garage...
you know, like sweeping up or
polishing the taxis...

MIKE

We got all the men we need.

He starts off; Nicky is after him.

NICKY

I thought maybe... because
my father used to work here,
Mr. Kroner might have a job
for me...

MIKE

Your father? Who's your
father?

NICKY

(with dif-
ficulty)

Mario Busso.

(CONTINUED)

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71. CONTINUED:

71.

MIKE

(momentarily
shaken)

Oh... Say, I'm sorry about
what happened. Tell you what
I'll do, kid -- when Gus
gets back, I'll tell him you
were here.

NICKY

Thanks.

He starts to go -- when suddenly, from nearby, is
heard the loud voice (o.s.) of Gus Kroner:

GUS

(O.S.)

Hold it!

72. INT. GARAGE DAY ANOTHER ANGLE

72.

as Gus comes up to Nicky and Mike; he goes up to the
boy, puts his arm around him avuncularly.

GUS

I couldn't help hearing --
so you're Mario's kid! He
talked about you all the
time, you and your kid sister!
He wanted you to go to college.
Had it all figured out.

NICKY

(uncomfortably)

Yeah...

GUS

He was the greatest, do anything
you asked him. They didn't come
no better...

(sees Nicky's
discomfiture)

Sorry, kid. I know how you
feel.

73. CLOSE ANGLE ON NICKY

73.

as he looks coldly at Gus Kroner.

(CONTINUED)

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73. CONTINUED:

73.

NICKY

Do you?

GUS

Sure...

NICKY

No, you don't, Mister Kroner...
 You don't know what it's like
 not to sleep -- knowing they
 killed him because he was
 trying to help me -- and my
 sister.

He looks to the cabs.

NICKY

(continuing)

If I was old enough I'd drive
 his hack -- drive it --
 (bitterly)
 right into that cop who killed
 him!

GUS

Take my advice and forget it,
 son. Don't mess with the
 cops. What's done is done.
 I'll tell you what I'll do --
 I'll give you something to
 take your mind off it. How
 about a job washing down the
 cabs?

NICKY

(looking up)

We could use the money.

GUS

Twenty dollars a week, in
 advance.

(gives him a
 twenty)

Starting now.

(indicating
 a cab)

Wee that cab over there? Get
 busy and wash it down!

(CONTINUED)

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73 CONTINUED:

73

NICKY
Thanks, Mister Kroner.

GUS
(pushing him
gently)
Go on, kid.

74 TWO SHOT OF GUS AND MIKE

74

as they watch Nicky go to the cab. He takes Mike's arm, walks toward the exit.

75 EXT. GARAGE ENTRANCE - NIGHT

75

as Gus and Mike come out.

GUS
(continuing)
Keep your eyes open, Mike. I
gotta go out of town for a few
days -- see a friend in Canada...

MIKE
The Alky?

GUS
You ask too many questions,
Mike.

76 EXT. ANGLE AT CAR - DAY - SHOOTING FROM HOBSON'S POV

76

as he sees Gus Kroner leave, wave to Mike Marconi, who waves back to him. He watches Gus Kroner go up the street, sees Mike Marconi go back into the garage...

DISSOLVE:

77 CLOSE ON NESS - NIGHT

77

showing Ness working under a desk lamp, writing a report.
CAMERA PULLS BACK to include Hobson.

(CONTINUED)

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77. CONTINUED:

77.

NESS

Find out anything?

HOBSON

Well, the boy went to this taxi garage where his father used to work before he joined the alky mob. Looks like he got a job swabbing down taxis.

NESS

Who owns the garage?

HOBSON

Fellow named Kroner. Gus Kroner.

NESS

Any record on him?

HOBSON

Checked him out and he's clean as a whistle. He's been running that garage for fifteen years. Looks respectable, but...

NESS

But what?

HOBSON

He has a manager named Marconi. A cousin. Now there's a boy with a record!

(reads from
a paper)

1922, armed robbery... 1923,
assault and battery...1924,
armed robbery..... 1927,
armed robbery.... 1928, armed
robbery --

(folds up
paper)

And then it stops. For five years no record. Maybe he's gone straight.

NESS

When did he start working for this Kroner?

HOBSON

Five years ago.

(CONTINUED)

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77 CONTINUED:

77

NESS

And Mr. Marconi is suddenly rehabilitated.

HOBSON

Looks that way.

NESS

On paper it does.

There is a KNOCK at the door.

NESS

Come in.

DR. GEORGE ANDERS enters. He is young, rather boyish-looking, twenty-five or so.

78 ANOTHER ANGLE

78

as Ness motions Dr. Anders in.

NESS

(continuing)

Hello, Dr. Anders. What brings you here?

DR. ANDERS

That Busso shooting two nights ago.

NESS

What about it?

DR. ANDERS

Well, as you know, there were four .45 shots in him. Now, Mr. Ness I haven't been with the Coroner's office long and I don't know how much I can trust my own observations... especially considering the severity of the wound. But near his right temple -- hidden by his hair -- there were a few little markings that looked to me like powder burns...

NESS

Powder burns? That's impossible!

(CONTINUED)

78 CONTINUED:

78

HOBSON

We were fifty feet away when we shot him!

DR. ANDERS

I know. That's what it says in your report. But I'm fairly certain they're powder burns.

NESS

Doctor, have you got those four .45 bullets you dug out of him?

DR. ANDERS

Yes --

NESS

Will you get them to me? I want a ballistics report on each one.

DR. ANDERS

A ballistics report on your own guns?

NESS

That's right, Doctor. Thank you very much.

Ness jiggles the receiver anxiously.

NARRATOR

Eliot Ness called together the entire squad of Untouchables who were with him the night Mario Busso was killed. And he asked them to bring their .45's with them...

DISSOLVE:

79 INT. NESS' OFFICE - NIGHT

79

showing Ness, Rossi, Youngfellow, ROSSMAN and Hobson standing around the desk which has four .45 guns on it. In one corner of the room Ness has set up a thick board. Ness picks up the first .45 gun, takes a position about ten feet away from the board.

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80 MONTAGE OF BOARD

80

as five shots are FIRED into it, one in each corner of the thick board... and one in the center.

DISSOLVE:

81 INT. POLICE LAB - NIGHT

81

showing Ness, Rossi, Youngfellow, Hobson and Rossman. They are all standing around a BALLISTICS EXPERT, watching him as he makes his comparisons.

NARRATOR

The bullets were recovered from the box of saw dust, labelled and brought to the Police Laboratory...

The Ballistics Expert looks up.

BALLISTICS EXPERT

(to Ness)

Well, comparing thses ballistics reports -- the ones you just brought in, Mr. Ness, with the ones brought in earlier by Dr. Anders -- there's no doubt that only three of the four bullets found in Mario Busso came from your guns.

(holds up a shell)

This one didn't.

NESS

Where did that one come from?

BALLISTICS EXPERT

I don't know. But I know it didn't come from any of your guns.

NESS

I think those powder burns Dr. Anders mentioned begin to make some sense now.

(to his men)

You know something, boys -- we were shooting a dead man that night.

ROSSI

I don't follow you, Eliot.

(CON)

81 CONTINUED:

81

NESS

This bullet...
(holding it up)
... and the powder burns go
together. Mario Busso's friend
shot him before we did... be-
fore he escaped.

YOUNGFELLOW

But why?

NESS

I don't know. But if we locate
the gun this bullet was fired
out of -- we might not only find
out why, but we might find out
who.

He tosses bullet in air, catches it --

DISSOLVE:

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82 INT. MIKE MARCONI'S HOTEL ROOM - NIGHT

82

Mike is lying on the bed reading a racing form. There is a knock on the door.

MIKE

Who is it?

NESS (o.s.)

Federal officers. We want to talk to you.

MIKE

(nervously)

What about?

83 INT. CORRIDOR

83

ANGLE on Eliot Ness at doorway. Rossi is next to him.

NESS

Mario Busso.

84 INT. MARCONI HOTEL ROOM - NIGHT - CLOSE SHOT - MARCONI

84

The mention of Mario Busso's name brings panic to Marconi's face. Instantly he draws his gun, heads quickly toward the fire escape.

NESS (o.s.)

(continuing)

Open up!

85 INT. CORRIDOR - NIGHT - CLOSE ANGLE - NESS

85

When there is no response, he shoulders the door to break it open.

86 INT. MARCONI HOTEL ROOM

86

Mike fires twice at the door as he steps out of the window onto the fire escape.

87 INT. CORRIDOR - NIGHT - CLOSE ANGLE - NESS

87

as he pulls back quickly to avoid being hit.

88 EXT. FIRE ESCAPE - NIGHT - CLOSE ANGLE - MARCONI

88

as he turns to descend.

(CONTINUED)

88 CONTINUED:

88

HOBSON (o.s.)

Drop it!

Marconi wheels quickly, looks down, fires three times in rapid succession at Hobson below.

89 EXT. BOTTOM OF FIRE ESCAPE - NIGHT

89

Hobson ducks out of the way of Marconi's gunfire, then SHOTS TWICE, killing Marconi with his second bullet.

90 EXT. FIRE ESCAPE - NIGHT - CLOSE ANGLE - MARCONI

90

as he is hit and crumbles forward. CAMERA PANS as the gun in his hand falls, clanking through the iron railings to the ground.

91 EXT. FIRE ESCAPE - NIGHT - ANGLE ON HOBSON

91

as he picks up the gun. He looks up.

92 EXT. FIRE ESCAPE - NIGHT

92

Ness and Rossi stand on the top of the fire escape over the dead body of Marconi. Slowly they descend and are met by Hobson.

HOBSON

This may be the gun we've been looking for... Shall I check it out with ballistics?

NESS

(looking up at
the dead Mike)

Yes... Well... we got the little fish... but where do we find the big one?

FADE OUT.

93
thru OMITTED
98

93
thru
98

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ACT THREE

FADE IN:

99 EXT. STREET - DAY 99

as Eliot Ness drives his car up to the Busso tenement.

NARRATOR

Ballistics report identified Mike Marconi's gun as the one that had killed Mario Busso. Marconi's death temporarily thwarted Eliot Ness' attempts to track down the leader of the bootlegging ring. So on the following afternoon he decided to concentrate on his long shot: Nicky Busso...

Hobson comes over to Ness' car.

100 EXT. STREET - DAY - CLOSE ON CAR 100

as Eliot Ness gets out.

HOBSON

Nicky just got home from school. He should be going to work in the garage soon.

NESS

Come upstairs with me, Lee.

101 EXT. STREET - DAY - ANGLE 101

as they get out, start for the tenement. The people of the neighborhood watch; a woman on the stoop nearby, nursing a baby; a couple of old men in front of the cafe; two young loiterers in front of the poolroom; three or four idling corner boys. Ness and Hobson look at them briefly, then go into the tenement house.

102 INT. FIRST FLOOR OF TENEMENT - DAY 102

as Ness starts up the creaky wooden stairs to the Busso apartment on the second floor. CAMERA PANS to Nicky, crouched in a dark corner. As Ness and Hobson disappear up the stairs, Nicky pulls out a knife, goes out.

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103. INT. SECOND FLOOR LANDING DAY

103.

as Ness and Hobson come up the stairs, stop in front of a door; Ness knocks. There is no answer. Then he knocks again. O.S. he hears Tessie Busso's voice:

TESSIE (O.S.)

Come in.

Ness opens the door, goes in with Hobson.

104. INT. BUSSO PARLOR DAY

104.

as they enter. The room is bare, but neat. TESSIE is sitting by the window crocheting coverlets for wooden beads - - a job of home-employment. She looks up at Ness or Hobson, then looks grimly down again.

NESS

We were looking for your brother.

TESSIE

(frigidly)

He just went out.

NESS

We didn't see him leave.

TESSIE

Well, he left.

105. CLOSER ANGLE

105.

as Ness moves closer to Tessie.

NESS

Where's your mother?

TESSIE

Out.

NESS

Will she be back soon?

TESSIE

I don't know. And if I did know, I wouldn't tell you!

She runs out of the room; Ness and Hobson stand there a moment, then slowly start out of the room.

106 INT. SECOND FLOOR LANDING - DAY

106

as Ness and Hobson come out, walking down the creaking stairway.

107 EXT. TENEMENT HOUSE - DAY - ANGLE

107

as Ness and Hobson come out. Ness stops, stares, looks incredulously at:

108 WHAT NESS SEES

108

A scene of petty vandalism. The windows on his car have been smashed. The paint bruised, and the headlights twisted off their brackets.

109 EXT. CAR - DAY - ANGLE

109

as Ness goes to it, flings open the door. He sees that all the upholstery has been slashed with a knife. Ness looks around at the people. They are all unconcerned.

NESS

Come on, Lee!

He and Hobson get into the car, drive off. The people watch them go...

LAP DISSOLVE:

110 INT. TAXI GARAGE - DAY - ANGLE

110

showing Nicky, hooking up his water hose, getting ready to wash down the taxis. A couple of mechanics are busy installing new valve outlets in a corner of the garage.

111 EXT. GARAGE - DAY - ANGLE

111

as Ness drives up quickly, brakes the car; he and Hobson walk into the garage, heading right for Nicky.

112 INT. GARAGE - DAY - ANGLE

112

as Ness, followed by Hobson, goes right up to Nicky, swings him around roughly.

NESS

Hand over the knife.

(CONTINUED)

112 CONTINUED:

112

NICKY

What knife? I got no knife.
Go ahead, search me if you
want to!

Mockingly, Nicky holds his hands high over his head,
an invitation to go through his pockets.

NESS

Search him, Lee.

113 CLOSER SHOT - NESS AND NICKY

113

as Hobson goes through Nicky's pockets, one by one.

NICKY

You satisfied? Now leave me
alone.

NESS

Look, boy, I want to set you
straight about one thing: Our
guns didn't kill your father.

(takes out .45)

This one did! And it belonged
to your friend, Mike Marconi!

113A CLOSE SHOT - GUS KRONER

113A

in his office doorway, listening.

113B BACK TO SCENE

113B

Nicky turns on Ness angrily.

NICKY

What kind of a sucker do you
think I am! You killed my
father... you! -- Now you want
to pass the buck!

NESS

No one's trying to pass the
buck...

NICKY

You killed him! And if you got
something on your conscience,
go to a priest! Don't come to
me -- because I'll let you eat
your heart out before I let
you forget what you did!

113B CONTINUED:

113B

Nicky goes to his hose, connects it.

NESS

Listen, Nicky... We think the
man your father was working for
is running this bootlegging ring...
Tell us his name...

Suddenly, o.s., a loud, hearty voice is heard:

GUS' VOICE (o.s.)

Gentlemen! What can I do for
you?

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114. INT. ANOTHER ANGLE IN GARAGE DAY

114.

showing Gus Kroner as he walks from his office door toward Ness and Hobson. His manner is over-affable, as though he were afraid Ness and Hobson might find something incriminating.

NESS

Who are you?

GUS

Gus Kroner's the name. I own this place. Been on this same corner for fifteen years!

NESS

(flashing
identification)

We're Federal officers.

GUS

The boy do anything wrong?

NESS

A few things. We were just questioning him about Mike Marconi.

GUS

Aw, Mike Marconi! I heard about the shooting last night. Too bad...

NESS

He worked for you, didn't he?

GUS

My cousin. That's why I gave him a job, with his record.

(shaking
his head)

I knew I shouldn't have done it but he gave me the family pitch.

(then as
though
it just

occurred to him)

He and Busso must have had a deal going with that same gang... and right under my nose too...

(CONTINUED)

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114. CONTINUED:

114.

NESS

You backed a couple of losers,
didn't you?

GUS

What do you mean by that?

NESS

Just what I said, Mr. Kroner.
Mario Busso worked for you...
and he got it. Mike Marconi
worked for you -- and he got
it. I wonder why.....

GUS

It's just one of those
coincidences! Could happen
to anybody! But I tell you
one thing: The next person
I hire better have a clean
blotter or he don't work for
Gus Kroner!

NESS

That's right, Mr. Kroner.
I'd be more careful about
the kind of people I hired.

(glancing at
Nicky)

Well, see you around.

Ness and Hobson go out to their car, start it up,
drive away. Gus Kroner watches them.

115. INT. ANGLE IN GARAGE DAY

115.

as the anger comes into Gus' eyes, he watches them
drive away. Nicky comes into shot, stands beside
Gus, watches off.

GUS

You know this Ness?

NICKY

(bitterly)

Yeah. That's the one who
killed my father.

DISSOLVE:

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116 EXT. GUS' APARTMENT BLDG.

116

As Gus comes out of the building, walks toward his car, gets in and drives off. Ness and Rossman, who have been sitting in their car waiting, take off and follow him.

NARRATOR

Suspecting that Gus Kroner was the man they were looking for, Eliot Ness decided to put the pressure on him. They hounded him day and night. No matter where he went, Eliot Ness and his men were there to question him...

DISSOLVE:

117 INT. SMALL RESTAURANT - DAY

117

showing Gus Kroner in a small booth, welding down his lunch. Eliot Ness and Youngfellow come in and sit down in the booth with him.

Gus Kroner puts down his forkful of food in disgust.

DISSOLVE:

118 EXT. ENTRANCE TO GUS KRONER'S GARAGE - NIGHT

118

showing Eliot Ness and Hobson knocking at the door. Gus Kroner comes out. They question him.

118A EXT. STREET ACROSS FROM ENTRANCE TO KRONER'S GARAGE - NIGHT - CLOSE SHOT - LOUIE

118A

sitting in the back of his chauffeur driven car as he sees Eliot Ness and Hobson questioning Gus Kroner.

DISSOLVE:

119 INT. GUS' OFFICE - DAY - ANGLE

119

showing Gus speaking animatedly into telephone, sweating hard.

119A SHOT - LOUIE

119A

on the telephone, his face hard, his words biting.

(CONTINUED)

119A CONTINUED:

119A

NARRATOR

In a week's time they had Kroner sweating hard. The Canadian alky source had delivered the shipment to a midtown warehouse two days ago, and were pressing him to take the stuff off their hands or lose it to another buyer. In addition, the Syndicate watching him and waiting for results didn't help his nerves either. He was in a bind -- and his well laid plans beginning to show signs of cracking.

DISSOLVE TO:

120 EXT. HANSOM CAB - NIGHT

120

The horse jogging along the park trail.

120A INT. HANSOM - NIGHT

120A

Louie, as elegant as ever, this time wearing a fur-collared coat and derby sits with a harrassed Kroner, the wear and tear of the past few weeks beginning to show on his face. He's being questioned apparently by Louie, his hand ever ready on his hearing device; playing it like some musical instrument -- a flick of the hand to bring it up, another to tone it down.

GUS

(defensively)

You can take my word for it,
Louie... it hasn't been easy...

LOUIE

(stydying him --
the man's break-
down -- his dis-
hevilment)

I see that. But it's not good
you fall apart, Gussie --
(then catching
himself)

Excuse me, Gus. That don't answer
the question.

(CONTINUED)

120A. CONTINUED:

120A.

GUS

I don't know what to tell
you ...

LOUIS

Not me, Gus. The big fellers.
They ask me so I ask you.

GUS

(a little too
loudly)

Well, I'm no magician..!

LOUIS

(turns down
his aid)

All that noise, Gus - maybe
you put it where it does good,
huh?

GUS

I didn't ask Ness to sit on
my back, did I?

LOUIS

No? Then who showed him the
way to your garage. Me? Your
cousin?

(shakes head)

Oh no, Gus, you don't blame him.
He's dead. So who you blame
now?

GUS

It isn't as though I didn't
take care of everything.

LOUIS

(looks out of
the cab)

Some people they just haven't
got the green thumb, Gus.

(looks to him)

They do everything to the garden
- only it don't grow. It's
like that.

GUS

The minute I get Ness off my
back I'll make the deal.

(CONTINUED)

120A. CONTINUED:

120A.

LOUIS

And if you lose the alky shipment. You got nothing to trade them - right?

GUS

(angrily)

What do you want me to do? I take a chance, it's no good. I stall - you keep picking on me.

LOUIS

(a smile - quietly)

Okay, Gus, I stop picking on you. Just handle it your way.

He turns off the ear piece, and leans back restfully.

LOUIS

Much better than taxicabs...

(smiles)

Quiet...

DISSOLVE TO:

120B. INT. HOTEL ROOM NIGHT

120B.

ESTABLISH the aftermath of a party...bottles, remains of food still in evidence, and a woman's mink stole on the floor. Charlie, coat off, tie loosened, a picture of dissipation, is amusing himself by throwing darts at the door. He's been at it for some time apparently, judging from the chipped door, that serves as the target. Others of the gang, Adamo, is sprawled on the couch, half-listening, half-dozing, Weiner is at the window, reading comics and laughing at the 'jokes'. ...Brady, feet propped up on the table just looks on. Gus is on his feet - apparently still 'selling' his change of plans.

GUS

I can't take a chance, Charlie - not with Ness everywhere I look.

CHARLIE

That Ness - he rides you real hard, huh?

(CONTINUED)

120B. CONTINUED:

120B.

He throws a dart at the door.

GUS

Too hard!

CHARLIE

So it's off again!

Throws another dart.

CHARLIE

(cont'd)

Off-again-on-again-Gussie.

From the bedroom comes one of the 'party' girls. She gets her mink off the floor, drapes it around herself. Everything stops for this 'act' - Charlie looking to her, a grin on his face. She moves to Charlie, not without giving Gus a special look.

GIRL

We got a date tonight?

CHARLIE

(looks to Gus)

I just heard - I'll be free.
Call me later.

She waves - goes out.

CHARLIE

(back to his
targets)

You know something, Gus?
That Ness - he's riding me and
the boys too.

(aims the dart
carefully)

Holed up here, no place to go.
(he throws the
dart)

How long you figure we'll have
to hang around?

GUS

Until it's right, that's how
long.

CHARLIE

Could be another week too, huh?

(CONTINUED)

120B. CONTINUED:

120B.

GUS

Maybe more.

CHARLIE

Okay, Gussie.

He throws the dart - hard this time - will go to the door to retrieve them.

CHARLIE

That puts a change on things.

GUS

What do you mean- "puts a change on things?"

CHARLIE

(smiles)

You know something, Gussie. Sometimes I think you're hard of hearing too.

He fires the dart again.

CHARLIE

(cont'd)

That deal we made for an extra ten - that was without waitin'.

GUS

You, too, huh? How's that my fault?

CHARLIE

I don't know Gussie -- all I know is it costs you more every day we have to hang around here.

GUS

How much more?

CHARLIE

Say another ten percent.

GUS

You're crazy.

CHARLIE

That's right, Gus. Stir crazy hanging around here, waiting.

(CONTINUED)

120B. CONTINUED:

120B.

GUS

I can't afford it, Charlie.

CHARLIE

No? How much is your life worth, Gussie?

He shoves the newspaper in front of him - then an open lipstick by one of the girls, on the table, is tossed down on the paper.

CHARLIE

Go on, write it down.

When Gus doesn't move.

CHARLIE

Okay, I'll write it down for you.

He draws a big fat zero across the paper.

CHARLIE

(cont'd)

That's what!

Gus grabs the paper, flings it aside.

CHARLIE

(the soft soap)

Come on, Gus - what's another few points compared to havin' a friend.

He waits.

GUS

How much?

CHARLIE

For tonight - another ten percent.

GUS

And tomorrow?

CHARLIE

Ten percent, down the line.

GUS

Until I got nothing for my end.

(CONTINUED)

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120B. CONTINUED:

120B.

CHARLIE

(shrugs)

Then do it tonight and save money.

GUS

I can't! Not with Ness on my back.

CHARLIE

So? Get rid of him.

GUS

(turns to him)

Ness?

CHARLIE

(smiles)

What's the matter, he made of air? The quicker you kill Ness, the more you save.

GUS

(the idea appeals to him; - he nods)

How do we do that?

CHARLIE

Like I told you, I'm your friend.

(he aims a dart)

Use that Busso kid to set him up. He thinks Ness killed his old man - so - he tells Ness to come where we can take care of him.

He waits before he throws the dart - turns to Gus, all smiles.

CHARLIE

Only cost you another ten percent.

Gus looks at the man - then a nod.

GUS

Okay, I'll set a meeting with the kid for seven o'clock tonight.
(moves to the door)
You got a date all right -but it's with me.

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(CONTINUED)

120B CONTINUED:

120B

The door shuts, Charlie whips a dart at the door. As we HOLD on the dart,

DISSOLVE TO:

120C EXT. NICKY'S TENEMENT STAIRCASE - NIGHT

120C

Nicky comes along the sidewalk and mounts the stairs.

120D EXT. PARKED SEDAN - NIGHT

120D

Gus' sedan is parked across the street from Nicky's staircase.

GUS

He said his mother and sister
leave for church at seven...
that will make it easier...

CHARLIE

How are you going to get the
alky into your garage?

GUS

... Easy. Gasoline trucks...
I switched the valves on the
fuel pumps.

CHARLIE

(impressed)

I like that!... You pump the
alcohol out of the gasoline
truck, through the garage
floor -- and right down stairs
into the still! That's smart,
Gus... over a half a million
for a night's work.

(he laughs)

Less percentages -- not bad.

121 EXT. BUSSO TENEMENT - NIGHT - FROM GUS' POV

121

as Gus and Charlie look off, Carmela and Tessie come out
of the tenement house, start to walk up the street.

GUS

There goes the kid's mother
and sister...

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122 BACK TO CAR

122

GUS
(continuing)
Come on.

As they start to exit car we:

DISSOLVE:

123 INT. BUSSO PARLOR - NIGHT

123

as Nicky comes out of his room into the parlor. He turns on the radio -- when there is a KNOCK at the door.

GUS' VOICE (o.s.)
Nicky --

NICKY
(puzzled)
Who is it?

GUS' VOICE (o.s.)
Me -- Gus.

Nicky turns off radio, goes to the door, opens it.

124 CLOSER ANGLE - IN PARLOR

124

as Gus Kroner and Charlie come quickly in, closing the door.

NICKY
Hi Gus... thought we were going to be alone... Who's he?

GUS
Friend of mine -- name's Charley.

NICKY
Hi.

GUS
(clapping Nicky on shoulders)
Well, Nicky -- tonight you're gonna get your chance to get even.

NICKY
What do you mean?

(CONTINUED)

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124 CONTINUED:

124

GUS

That Fed who killed your
father...

CHARLIE

We're gonna get him tonight...

GUS

We need you to set him up.

NICKY

(apprehensively)

Tonight? What's the rush?

GUS

The rush is that in three hours
five thousand gallons of alcohol
is coming to my garage -- and
this Fed's been on my back! I
can't take any more chances with
him!

(CONTINUED)

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124. CONTINUED:

124.

NICKY

(puzzled)

You mean the garage is a front?

GUS

That's right. Everything's under ground. I'll explain the set up to you later.

Nicky is bewildered by it all....

NICKY

Then my father was working for you...?

GUS

And he'd still be working for me -- if it hadn't been for that Ness.

NICKY

He said that Mike Marconi killed my father...

GUS

He's a liar! He killed him -- and you and I know it! ..So what are we talking about? Are you with us or not? Make up your mind!

NICKY

(uncertainly)

Everything's happening so quick ...I didn't expect...

GUS

So you were just talking!... A tough guy with your mouth, is that what you are? Forget it, we'll do it ourselves!

NICKY

Wait a while! ... I didn't say I wasn't going to do it....I just said...

GUS

Say yes or no!

(CONTINUED)

124. CONTINUED:

124.

NICKY
 (after a
 long pause)
 How do we do it?

GUS
 I'll show you how. Come on
 down to the candy store...

They go out --

DISSOLVE:

125. INT. NESS' OFFICE NIGHT

125.

showing Ness, Rossi and Hobson getting ready to
 go out; Ness is putting on his hat when the phone
 RINGS: Ness picks it up.

NESS
 (into phone)
 Ness speaking.

126. INT. TELEPHONE BOOTH IN CANDY STORE NIGHT
CLOSE ANGLE

126.

showing Nicky speaking into phone, the door partly
 ajar.

NICKY
 (whispering)
 This is Nicky.

NESS (o.s.)
 (filtered)
 Nicky?

NICKY
 Look, I'm not doing this
 because I like you -- but I
 gotta see you. It's important...

127. INT. NESS' OFFICE NIGHT CLOSE SHOT NESS

127.

as he speaks into phone.

NESS
 What's it about?

128 INT. TELEPHONE BOOTH - NIGHT - CLOSE ANGLE

128

as Nicky speaks into phone; Gus and Charlie watch.

NICKY

It's about that man you were looking for... the one my father was working for. I think I know who it is. I can't talk here, but I'll be up in the house waiting for you...

And Nicky hangs up.

129 INT. NESS' OFFICE - NIGHT - CLOSE ANGLE

129

as Ness, having hung up, looks a little puzzled and curious.

ROSSI

What's up, Eliot?

NESS

I don't know yet. But we'll soon find out.

Ness, Rossi, Hobson start out --

DISSOLVE:

130 INT. HALLWAY ENTRANCE - NIGHT - NICKY'S BLDG.

130

Charlie, Gus and Nicky have come in from the candy store. Charlie looks about in his expert way -- judging the get-away possibilities -- fixing it in his mind. He looks towards a dark areaway extending behind the stairwell.

CHARLIE

What's back there?

NICKY

Leads out to a yard.

Charlie moves into the darkness to investigate. Gus is alone with Nicky now.

NICKY

(continuing)

Gus...

(CONTINUED)

130. CONTINUED:

130.

GUS

Yeah, Nicky?

NICKY

I wanted to ask you about my father...

GUS

He was a great guy, kid. The greatest, believe me.

NICKY

I know...

GUS

That's why we gotta do this. For him. Those lousy cops didn't give him a chance! They shot him before he even got his gun out of his pocket!

131. OMIT

131

132. OMIT

132

133. CLOSE SHOT NICKY

133

as he becomes suddenly alert, suspicious.

NICKY

His gun? My father would never carry a gun! Never!

134. CLOSE TWO SHOT NICKY AND GUS

134.

The latter is flustered.

GUS

I know. What I meant was -- I gave him one of my guns.... just for protection.

NICKY

Your gun? But nobody found a gun on my father...

(CONTINUED)

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134. CONTINUED:

134.

Charlie moves back into SHOT, cutting off any further discussion between Gus and the boy.

CHARLIE

Any way to cross over to another building from the roof?

NICKY

It's a big jump.

CHARLIE

(to Gus)

Let's take a look. Jus in case.

He starts up the stairs - then pausing. To Nicky.

CHARLIE

You wait on the first floor.

(smiles)

Relax, kid.

Nicky nods - starts up the stairs behind them.

135. EXT. STREET NIGHT

135.

SHOTS:

showing Weiner and Adamo hiding behind doorways, out of sight, guns in hands.

136. INT. HALLWAY FIRST FLOOR LANDING NIGHT

136.

Nicky is doing what he was told - waits there - anxious now - not sure of what he got into... He looks up towards:

137. THE ROOF NIGHT

137.

as Gus and Charlie have come out. Gus moves over to the gap between the two buildings to check it. Charlie comes up behind him.

GUS

We can make it if we have to, Charlie...

Charlie looks down between the two buildings.

(CONTINUED)

137. CONTINUED:

137.

CHARLIE

Sure...

GUS

(his back
to Charlie)I'm not gorgettin' what a
pal you been, Charlie...

Charlie has drawn his gun now...

GUS

Maybe we can join up - the
two of us...

He's turned - sees the gun in Charlie's hand...a
silencer on it...for just an instant, as though by
reflex, the only reaction from Gus is a sickly smile...
Charlie's look is one of sadness...

CHARLIE

So long, Gus --

GUS

No, Charlie... No...

He backs off a step - looks around wildly - no place to
run.

GUS

Anything you want! Any part
of the deal -- but don't chop
me...! It's all yours....

CHARLIE

Now enough, Gussie... I got
it all now. Regards from
Louis. Nothing personal,
Gus...

Gus runs - frantically - desperately -- into a clothes
line stretched across the roof, and falls. He lies there
looking up at Charlie who FIRES. Gus writhes a moment,
then is still, his fingers clawing into the loose
pebbles on the roof. Charlie puts the gun away -- looks
down to Gus who lies there dead ... eyes open ... staring.
He starts off the roof.

138. EXT. NESS' CAR (PROCESS) NIGHT

138.

Headed for the trap.

139. SHOTS OF CHARLIE'S MEN (ADAMO & WEINER) 139.

Adamo is in a doorway. Weiner behind a basement grate.

140. INT. FIRST FLOOR LANDING NIGHT 140.

Charlie has rejoined Nicky -- the two waiting behind the stairwell. A small bulb illuminates the SCENE. Charlie goes to the light bulb, unscrews it. It is much darker now and they are in shadows.

NICKY

Where's Mr. Kroner?

CHARLIE

He's up there -- keepin' his eyes open.....wide open.

It amuses Charlie, who grins -- something about the reaction, added to what he feels now, since the exchange of dialogue with Gus, adds to Nicky's suspicions.

NICKY

(starts off)

I've got to ask him something...

CHARLIE

(drags him back)

Stay here.....!

The sudden and violent reaction is the tip-off.

NICKY

What'd you do to him?

CHARLIE

(impatient - the gun in his hands)

The same thing I'll do to you if you don't shut your trap.

NICKY

I don't want any part of this set up...

Charlie hits the boy across the face.

CHARLIE

You ought to be glad Gussie got what he gave your old man.

He holds the gun on the boy...who stares at the death-dealing muzzle...

140. CONTINUED:

140.

Now another of Charlie's thugs, Burns, has come up -

CHARLIE

Take the next floor.

Burns draws a gun and continues up another flight.

141. INT. NESS' CAR NIGHT (PROCESS)

141.

Ness, Hobson and Rossi in the car.

NESS

(to Rossi at
the wheel)

Right about here.

Rossi nods - pulls the car up to the curb, shuts off the motor and lights. They look out of the car - along the darkened street. They're some distance from the tenement.

ROSSI

Everything sleeping. I don't like the feel of it, Eliot.

NESS

Neither do I.

(smiles)

Now don't you go to sleep.

141A EXT. STREET NIGHT

141A.

141B. ANGLE ON NESS

141B.

as he gets out - starts walking down the street towards the tenement.

142. ANOTHER ANGLE INCLUDE BASEMENT GRATE

142.

The below-street level, type - as Ness passes the spot. Now poking into SHOT is a rifle with silencer attached and aimed at Ness' back. The trigger finger starts to move - as A HAND - HOBSON'S HITS down at the rifle barrel - at the same time - clubbing the killer (Weiner) on the head with a gun butt. CAMERA IS BACK NOW - and we see the Untouchables, who quickly pick up the deadly rifle. He looks towards Ness - but too late to stop him.

(CONTINUED)

143. ANGLE AT BUILDING 143.
As Ness ENTERS the building.
144. ANGLE HOBSON 144.
Hobson has handcuffed the unconscious man - now starts toward the building, after Ness, stealthily.
145. AT NESS' CAR 145.
Rossi makes his appearance - looks about the area carefully - his eyes panning the darkened street.
146. INT. TENEMENT LANDING NIGHT 146.
ANGLE CHARLIE AND NICKY
Charlie has one arm about the boy - ready to use him as a shield if necessary - the gun hand free and held towards the stairs.
147. ANGLE ACROSS STREET 147.
as the third of Charlie's hoods, Adamo, watches.
148. INT. FIRST FLOOR LANDING NIGHT ANGLE 148.
showing Nicky and Charlie in the darkness. Charlie's gun pointed.
149. ANGLE ON NESS 149.
as he slowly starts upstairs.
150. INT. FIRST FLOOR LANDING NIGHT ANGLE 150.
as Charlie tenses, cocks his gun. Nicky watches with growing terror.
151. ANGLE NESS 151.
coming closer up the stairs. Almost in position for Charlie's bullet.

152. INT. FIRST FLOOR LANDING ANGLE 152.

As Charlie sights his gun - then suddenly Nicky twists free of Charlie, making a NOISE WHICH:

153. ATTRACTS NESS 153.

Who blasts off two SHOTS in succession. Charlie is hit - topples down the stairs.

154. SHOT OF BURNS 154.

On the landing above as he shows himself.

NICKY

Watch out above.....!

Burns FIRES - as:

Ness drops to the ground for protection and blasts up towards Burns who goes down.

155. EXT. STREET NIGHT 155.

As Adamo rushes from his concealment towards the house. Both Hobson and Rossi fire at the man, miss him. He turns - blasts off a SHOT at them - then is riddled by return FIRE. Rossi and Hobson walk toward him.....

156. INT. STAIRS NIGHT 156.

Nicky sits on the top step, sobbing. Ness sits down beside him.

NESS

Nicky, what I told you today is true.....

NICKY

(sobbing)

I know....

(through his tears)

Look at me -- crying like a baby! Some big shot! Twenty bucks a week he was gonna pay me to work in his phony garage...

(CONTINUED)

156. CONTINUED:

156.

NESS

(helps boy up
to his feet)

Come on...

You (a smile)

You can tell me about that
phony garage while I call
an ambulance.

They start down the stairs, past inquisitive faces peering from behind doors opening... Over SHOT we hear the NARRATOR.

NARRATOR

Nicky's tribute to a father, ill advised, but whose heart was on the side of decency, was to reveal what Ness wanted to know about the secret workings of the Kroner setup. Later that night, Eliot Ness and his men confiscated the five thousand gallons of alcohol that was delivered to Gus Kroner's garage and destroyed the underground distillery. For the record: Nicholas Busso graduated from the Carnegie Institute of Technology in 1938...

FADE OUT:

THE END

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