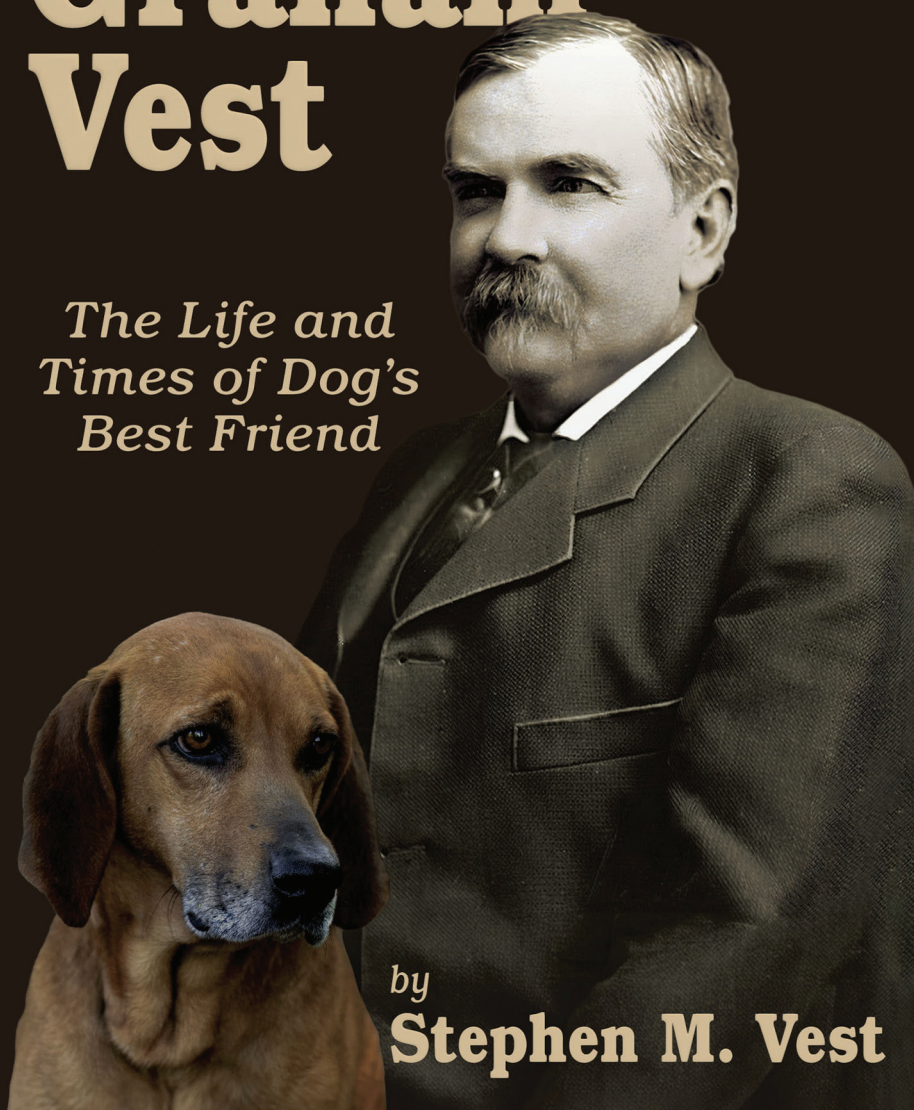


George Graham Vest

*The Life and
Times of Dog's
Best Friend*



by
Stephen M. Vest

Published by Acclaim Press

Kentucky Lawyer is Celebrated

BY JAMES P. DADY

The story is told that in 1853, a young lawyer fresh out of Transylvania Law School named George Graham Vest set adrift a houseboat on the Ohio near Owensboro as a prank.

The boat's owner, a man named Whitaker, was playing poker at the time, and thinking the boat was moored, stepped off it and into the river and nearly drowned. Whitaker was bent on visiting violence on Vest. That night, Vest loaded a trunk with a few clothes and law books, a double-barreled shotgun, and a little money and climbed into a small skiff. He high-tailed it down the Ohio and across the Mississippi into the Missouri wilderness.

Another story is that Vest was despondent and left Kentucky because the parents of Sally Elizabeth Sneed of Danville wouldn't let Vest marry her, according to Stephen M. Vest, a distant relative of George Vest, who has written a biography, "George Graham Vest: The Life and Times of Dog's Best Friend."

Vest grew up in what is now the Vest-Lindsey House at 401 Wapping Street at the Corner of Celebrities in downtown Frankfort. Once in Missouri, he eventually served in the senates of both the United States and the Confederate States of America, became a courtroom and oratorical legend, and a writer of great distinction.

Lucky-born Over-statesman and in Descendant's Biography

A friend and rival, T.T. Crittenden said this about him as a courtroom advocate:

“He was a terror before a jury to a liar of any kind ... He never misled a witness by trick or device, unless it was plain to see that the witness had gone into the box with a falsehood on his lips or was guided by another's diagram. If so, he would crush them like a worm. His voice was as musical as a chiming cathedral bell and sweet as distant murmurs of flowing water.”

In 1869, he represented Charles M. Burden, who sued to avenge the shooting death of his prize hunting dog, Drum, or Old Drum, a black-bodied, tan-legged foxhound.

Burden named as defendant Leonidas Hornsby, his neighbor, brother-in-law, and employer of a farmhand who fired the fatal shot.

Hornsby contended that he hadn't shot Old Drum, and that anyway, Old Drum was getting too close to Hornsby's sheep. He'd lost, Hornsby testified, more than 100 head, and even some meat from his smokehouse, to roving critters. Hornsby said he had warned his neighbors to keep their dogs away from his herd. Proof was presented that when Drum had been shot, that Hornsby had tried to hide the fallen canine.

The case was tried four times, with Vest serving as second chair on Burden's side

in the final one. Vest was 5-6, 110 pounds. He had a short neck, a big head, blue-gray eyes. Mustachioed, he had a noble countenance, a wise and kindly eye. He looked, it was said, as tall sitting down as standing.

Vest's closing argument, "Tribute to a Dog," made him famous the world over. There is no available transcript, but what follows is some of what courtroom observers recalled:

"The one absolutely unselfish friend that a man can have in this selfish world, the one that never deserts him, the one that never proves ungrateful or treacherous, is his dog."

"He guards the sleep of his master as if he were a prince ... When all other friends desert, he remains. When riches take wings and reputation falls to pieces, he is as constant in his love as the sun in its journey through the heavens..."

"A man's dog stands by him in prosperity and in poverty, in health and in sickness. He will sleep on the cold ground where the wintry winds blow, and the snow drives fiercely if only he may be at his master's side. He will kiss the hand that has no food to offer [...] He guards the sleep of his pauper master as if he were a prince. When all other friends desert, he remains."

Several accounts of the trial reported that tears were running down the faces of members of the jury when Vest was finished. The jury deliberated for three or four minutes and awarded Burden \$50 in compensation, which the judge reduced by half.



Vest's childhood home in Frankfort, Kentucky, known today as the Vest-Lindsey House.

President Chester A. Arthur's party at Upper Geyser Basin in Yellowstone Park on August 24, 1883. Seated, from left, Montana Gov. Schuyler Crosby, Lt. Gen. Philip Sheridan, President Arthur, Secretary of War Robert Todd Lincoln (1843-1926), Sen. George Graham Vest; standing from left, Lt. Col. Michael Sheridan, Gen. Anson Stager (1825-1885), Capt. William Philo Clark (1845-1884), Surrogate of New York Daniel Gustavus Rollins (1842-1897) and Lt. Col. James F. Gregory. (Photograph by F. Jay Haynes, Library of Congress.)



◀ “They can’t hold up this train” shows President Cleveland as a railroad engineer is driving a locomotive labeled “Administration R.R.” that is roaring out of a tunnel labeled “Business Depression Tunnel,” and knocking out of the way legislators who are placing “Dilitary Amendments” and “Teller’s Dilatory Tactics” on the tracks, trying to derail the train; the legislators include Francis M. Cockrell, James Z. George, James L. Pugh, William A. Pepper, George G. Vest, James D. Cameron, William M. Stewart, Henry M. Teller, John P. Jones, and Edward O. Wolcott. This print by Charles J. Taylor was published by Keppler & Schwarzmann, October 11, 1893. (Courtesy of the Library of Congress.)

The legend of Vest and Old Drum was launched. The three-minute summation or its best available version has been published thousands of times. A bust of Old Drum stands in the Missouri Supreme Court building. There are statues of him at the crossing of Big Creek, the site of the fatal business, and another outside the courthouse where the case was tried. A stage production of “Old Drum” was presented in 1958 at Central Missouri State College. Missouri-born actor Scott Bakula portrayed Vest in a 2000 made for TV movie. Future President Ronald Reagan played Vest in an episode of “Death Valley Days” in 1964. A stained-glass window at an animal shelter at a Columbus, Ohio, depicts Old Drum.

When speaking against the practice of vivisection, that is, the performing of surgery on live animals without anesthetic, Mark Twain prefaced his remarks with Vest’s “Eulogy on the Dog.”

In another civil case, Vest defended the City of Sedalia from a suit brought by Albert T. Loewer, who was injured in a fall from a bridge. His story was bolstered by testimony that he’d had only one beer that day. Loewer was a slip of a guy. Vest carried the day with this dispositive thrust. “He is so slight he would get drunk sitting on a sour apple.”

Mr. Vest represented a slave named Sam who had been accused of double murder in Georgetown, Mo. Vest adduced that the sole state’s witness was too young to understand the significance of the witness’s oath, and Vest’s motion to dismiss was granted. Unsatisfied with the result delivered by the criminal justice system, a mob seized Sam from the authorities and burned him at the stake.

With his gifts for rhetoric, oratory, and advocacy, it was inevitable that Vest would enter the political sphere, learning as he

went to navigate carefully the rip tide of 19th century racial and sectional conflict. He started in politics as a Stephen Douglas sort of Democrat, moderate for the time on race and anxious to preserve the union.

In 1860, he ran for a seat in the Missouri legislature, and won. He was made a committee chairman and was pledged to Douglas for president that year as a Missouri member of the Electoral College.

A Kentuckian by birth with no apparent animus toward black people, Vest was heard to make an impassioned appeal for preservation of the Union. But Missouri was being settled by many slave-owning Southern transplants, and to survive politically, Vest moved right.

Within a year, he was drafting the Vest Resolutions denouncing federal “coercion of the Southern states.” He authored Missouri’s

Ordinance of Succession. His shift offended his wife Sally, and he was estranged from her and their children for most of the next seven years.

He had gone fully native. He enlisted in the Confederate army and fought in a fierce Civil War battle at Lexington, Mo. Shaken, he resigned his commission and was heard to say, "I am not built for a soldier."

Vest was elected to the Confederate Congress in 1862 and joined its Senate in 1865 as the climactic battles of the war were being waged.

When the war ended at Appomattox, Vest seemed to bear no undue malice toward the Union, and after paying the required obsequies, made his way back to the political fray. He was forced to swear an oath of loyalty and obtained a grant of amnesty in 1868 from President Andrew Johnson.

He did not become an idle mourner for the lost cause. In a striking display of political agility, he became a legislator of consequence in the government of the Confederacy's conquerors. He lost bids for governor in 1874 and 1876, but was elected to the U.S. Senate in 1879, where he served for the next 24 years.

Vest opposed the U.S. annexation of the Philippines as booty won in the Spanish-American War. He believed it hypocritical for a country founded on breaking away from an empire to create one of its own. Such schemes were "territorial aggrandizement." His argument against the U.S. acquisition of the Hawaiian Islands was prescient. Holding ocean-bound islands creates the necessity of expensive fortifications and constant vigilance against foreign adventurers, he argued.

As many politicians did in his era, Vest trod carefully along the racial divide between Black and White. He lent his political and rhetorical skills to the cause of Native Americans. He fought for Native American citizenship, for individual Indian land holdings, improved education, more efficiency in courts with Indian jurisdiction. He visited with Indian tribes in Montana, toured Indian schools and found them to be

worthless. "The Indians, he declared, "have been skillfully robbed."

Vest was also a champion of the national parks, Yellowstone especially, which he visited five times. He called it "a breathing place for our national lung." He served on a Senate committee that wrote the National Park Protection Act, which forbade the hunting of animals in the parks, limited fishing, and restricted the leasing of land in the parks to 10 acres and 10 years. He opposed the running of a rail line across Yellowstone, fought off various development schemes, often over the objections of powerful corporations.

He earned the honorific "Champion of the West."

The author provides a pair of bonus tracks in the book. Attractively reproduced are 14 full-color cartoons that appeared in *Punch*, a satiric political journal of Sen. Vest's era; with him caricatured in a number of them. There is also a transcript of his tribute to Thomas Jefferson upon the unveiling in 1895 of a bronze bust of him at the Jefferson Club in St. Louis. There have been hundreds, perhaps

thousands, of books published about Jefferson. A very readerly and writerly president, scholars can luxuriate in the very readerly and writerly artifacts left by our third president and second vice president. Readers of more modest ambition might want to find their way to Sen. Vest's speech, as reproduced in 'Dog's Best Friend.' It captures Jefferson's genius as a scholar, pedagogue, diplomat, architect, farmer, political party leader, political philosopher, author of the Declaration of Independence, President, Vice President, etc., and captures Vest's penetrating literary skills.

The author Stephen M. Vest's biography of his distant relative is a lively read and a significant contribution to the historical record of a momentous epoch in American history.

ABOUT THE AUTHOR

A regular contributor, **JAMES P. DADY** is a member of the Communications and Publications Committee. He lives in Bellevue, where he is chairman of its Planning and Zoning Commission.

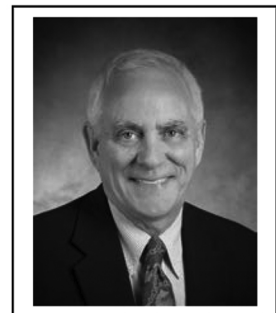


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