

David Winton Bolen (17 August 1850–11 December 1932), member of the Convention of 1901–1902, was born in Carroll County, the son of William B. Bolen and Rebecca Morris Bolen. He grew up on the family farm at Fancy Gap, a mountain community twelve miles south of Hillsville. A devout Methodist faith pervaded the Bolen household, but the strict discipline of that creed did not prevent the boy from enjoying such rural pleasures as swimming and horseback riding. His father died of a fever in June 1862 while serving in the Confederate army, leaving the family nearly destitute. For the next seven years Bolen performed agricultural labor to support his mother, two brothers, and two sisters. Brief stints at public schools and the Hillsville Academy constituted the limits of his formal education, but he compensated for this deficiency through extensive reading at home after chores were completed. Emotional nurture came from his mother, to whom he was devoted, and from his grandfather, John Morris, who lived nearby.

Striving for advancement amid the hardships of the post-Civil War era, Bolen began to teach in neighborhood schools in 1869 and also briefly in Nebraska and West Virginia. He earned additional income during the 1870s as a land surveyor. Meanwhile, he started to read law under the direction of Judge Randall M. Brown, of Hillsville. Bolen was admitted to the bar in February 1875, combining work as an attorney with teaching school for the first two years of his practice. On 21 February 1877 he married Nancy Gage Early, the daughter of a local saddler and harness maker. Both of their children died in infancy.

Although Bolen was still new to the practice of law, in January 1879 the General Assembly elected him to fill the vacant office of judge of Carroll County. He served until the end of the year. Casting his lot with the Democratic Party in its struggles with the coalition of Republicans and Readjusters, Bolen won election to the House of Delegates in 1883 and was reelected two years later. He served on the Committees on Counties, Cities, and Towns and on Propositions and Grievances and chaired the Committee on

Enrolled Bills. A Republican rival defeated him in 1887, but Bolen remained active in party politics. From 1887 to 1888 he edited a Democratic weekly, the *Hillsville Virginian*, rallying support that enabled him to return to the House of Delegates in 1889. Bolen served on the Committee on Roads and Internal Navigation and chaired the Committee on Counties, Cities, and Towns. In March 1890 the assembly's Democratic majority rewarded his efforts by electing him judge of the Fifteenth Judicial Circuit, which encompassed Bland, Carroll, Giles, Pulaski, Tazewell, and Wythe Counties.

To this point the political star of Judge Bolen, as he was usually called, had been in the ascendant. On 3 March 1892, however, he resigned his judicial post in order to seek the Democratic nomination in the Fifth Congressional District, only to suffer a resounding defeat at the hands of Claude Augustus Swanson. Bolen also lost an 1895 bid for a state senate seat. In 1901 he won the election to represent Carroll County in the convention that drafted the Virginia Constitution of 1902. Bolen served on the Committee on Organization, the Committee on the Organization and Government of Cities and Towns, and the critically important Committee on the Elective Franchise, which fashioned a set of restrictive voter registration requirements intended to reduce African American voting in Virginia. He missed the final vote on the suffrage provision but voted for adoption of the new constitution. Bolen joined an unsuccessful convention effort to allow the voters to accept or reject the constitution by referendum.

Bolen last figured in Virginia politics in 1904, when he was a presidential elector on the Democratic ticket. Carroll County shifted decisively into the Republican column early in the 1900s, further diminishing the erstwhile jurist's political prospects. Thereafter he devoted most of his energies to private law practice. On 14 March 1912 Bolen gained renewed prominence when one of his clients, the notorious Floyd Allen, joined several kinsmen in a gunfight with lawmen inside the Hillsville courthouse. This well-publicized melee left five people dead and several

wounded. Present but unharmed during the shootout, Bolen testified at the ensuing trials, and his evidence played a major role in sending Floyd Allen and his son Claude Swanson Allen to the electric chair.

Bolen was also involved in other, less spectacular activities. From 1895 to 1903 he served as a member—and from 1898 to 1901 as president—of the board of directors of Southwestern State Hospital in Marion. He was a member and sometime chairman of the Hillsville district school board from 1910 to 1922. During World War I Bolen headed the county draft board, provided legal counsel for mobilization efforts, and delivered many patriotic speeches.

Bolen's successful law practice enabled him to purchase a large house and other real estate in Hillsville, but he maintained his permanent residence at the 185-acre farm near Fancy Gap. There he wrote sentimental verse and indulged an interest in local history. The Methodist beliefs of Bolen's childhood soon gave way to a Quaker-tinged Unitarianism. A freethinker in religion and an independent-minded Democrat in politics, he enjoyed the respect of Carroll County and the status of a

mountain sage during his final years. David Winton Bolen died on 11 December 1932 and was buried in John Morris Cemetery near Fancy Gap.

Brief biographies in Tyler, *Men of Mark*, 5:39–40, and Bruce, Tyler, and Morton, *History of Virginia*, 6:461; BVS Marriage Register, Carroll Co.; Henry C. Ferrell Jr., *Claude A. Swanson of Virginia: A Political Biography* (1985), 14–15, 61; *Journal of 1901–1902 Convention*, 535; *Convention of 1901–1902 Photographs* (por.); Elmer J. Cooley, *The Inside Story of the World Famous Courtroom Tragedy* [ca. 1962], 44–48, 54–67; Edwin Chancellor Payne, *The Hillsville Tragedy* (1913), 97–99; J. J. Reynolds, *The Allen Gang* (1912), 136–147; samples of Bolen's poetry in W. R. Morris, ed., *"Folk Lore" of Early Settlers of America and Their Ancestral Lineage* (1958), 2:71–87 (por.), 3:241–256; gravestone inscription with birth and death dates in Suzanne Burow, ed., *Cemetery Records of Carroll County, Virginia* (1990), 513; BVS death records give variant birth date of 26 Aug. 1850.

Moore, James Tice. "Bolen, David Winton." In *The Dictionary of Virginia Biography*, Vol. 2, edited by Sara B. Bearss et al., 57–59. Richmond: Library of Virginia, 2001.