

**1882 Wild Shoot out
in downtown Llano
Coggins/Carter**

**Man slain on
downtown street, 1929
Callaway, L.C.**

Done

4 Nov 2023

1929: Man slain on street in downtown Llano

By DALE FRY
HIGHLAND LAKES NEWSPAPERS

The date is Tuesday, Sept. 17, 1929. The clock on the courthouse tower reads that it's almost 6:30 p.m., and most businesses around the square have closed for the day, yet a number of people are still on the downtown streets.

One man, a plumber named L.C. Callaway, is working late in the town's newest business establishment, a hotel slowly rising called Granite City Hotel—later named Hotel Llano.

Suddenly loud, angry voices penetrate the peaceful atmosphere as two people, Callaway and a young man named B.F. (Barney) Ellison, grapple in a heated fight, making their way, in the process, from inside the hotel to the sidewalk. People on the streets are frozen in their tracks, witnessing with shocked disbelief this rare public display before them.

Barney is grasping a 30-30 rifle and Callaway is desperately trying to wrestle the weapon from him. Within seconds Callaway gains possession of the gun; then, as Barney tries to get it back, the struggle takes them back into the hotel and into a room on the west side of the building where Callaway has been working.

In the same instant, Barney's father, D.K.

Ellison, is seen running from his car toward the hotel with a six-shooter in his hand. He charges into the building and through the open door of the side room and fires point blank at Callaway, shooting him through the ear, then turns and runs back toward the street. Callaway immediately turns loose of Barney's gun and runs after D.K., who has just exited the hotel. Callaway, on his heels, bursts out of the building too. D.K. turns around and, seeing that Callaway is not dead, starts backing off the sidewalk.

But before Callaway can reach D.K., Barney runs up behind Callaway, aims his rifle and pulls the trigger. The gun snaps. The maddened Barney bashes Callaway over the head with the butt of the rifle as Callaway tries in vain to protect himself. Several shots ring out in rapid succession, and the vanquished victim sinks to the sidewalk, dead in an instant.

Take to the woods

Two days later, on Sept. 19, the local newspaper reported the sensational confrontation and added: "Evidently D.K. Ellison shot (Callaway) through the head after he fell, because Callaway's forehead was badly powder burnt, and D.K. was seen to fire two or three (more) shots over the prostrated form

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PHOTO BY DALE FRY
L.C. Callaway was murdered in 1929 on the sidewalk in front of this building, the old Granite City Hotel, later named the Hotel Llano.

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man, who, unarmed, had tried as best he could to fight back his assailants."

After killing the unarmed man, the duo calmy got into their car, drove to their home about a mile and half west of town, abandoned the vehicle and "made their escape on foot through the woods."

According to news report, no officers were in town when the shooting occurred, but showed up shortly thereafter and began combing the woods for the men, a search which lasted most of Tuesday night but produced no killers.

Early Wednesday morning the number of searchers increased, a group which included some 50 local citizens and law officers from Mason, San Saba, Burnet and Marble Falls, as well as two officers from Austin who brought bloodhounds with them. A heavy ground dew, however, hampered their efforts at tracking the fugitives.

After searching all day Wednesday, the Austin officers apparently returned to the city with their bloodhounds. Nevertheless, Llano Sheriff Dan McDonald reported that he felt confident that the rest of his search party would locate the fugitives and arrest them before daylight Thursday morning.

Such was not to be the case, however; the search was to last a while longer. On Thursday evening Alf Wilson and a man known only as Mr. Bode were driving through the countryside near Cherokee when Wilson, spying two men near a windmill there, recognized Barney. He sped into Cherokee and telephoned Sheriff McDonald in Llano. Within five minutes the sheriff, along with a deputy named Foster, was on the road to Cherokee, after instructing an aide to call and ask the Austin officers to come right away with their bloodhounds.

The officers and their dogs arrived in Llano around 7 p.m. that evening. After picking up the fugitives' scent at the windmill around 8 p.m., the dogs led some 100 law officers and volunteers all night long on a zigzagged path from the windmill to the bordering Yates Ranch, then crisscrossed most of that ranch. Yates provided horses and saddles and gave the men permission to cut his fences when necessary. One of the Yates' neighbors, a Mrs. I.C. Cutworth, stayed up throughout the night making coffee and sandwiches for the searchers.

Around noon on Friday, after the search party received word that the Ellisons had crossed the Colorado River not far from Lampasas, Sheriff McDonald notified Sheriff Faubion in that city, who in turn warned the residents in that vicinity of the river to be on the lookout for the wanted men.

It was late that evening when the search finally came to an end, following an excit-

ed telephone call to the Lampasas County sheriff from a local farmer. The fugitives had left the woods and come to his house looking for food. Would the sheriff come out and pick them up?

It's not known whether the Ellisons had surrendered voluntarily, or whether the farmer had recognized them and held them at gunpoint while phoning the sheriff. At any rate, the sheriff came out immediately, arrested them, took them to Lampasas and locked them up. A few hours later Sheriff McDonald arrived with his deputy, hauled the pair back to Llano and threw them in jail.

Judging from the reporter's description of the shape D.K. was in when captured, it's possible that the father and son voluntarily surrendered. We quote: "The elder Ellison showed the effects of the long walk and hardships endured while dodging the officers for three days and nights, and has been sick since placed in the Llano jail." Apparently the impromptu countryside hike had not affected Barney as seriously.

Indicted for murder

Both men pleaded not guilty, claiming they had acted "in self-defense." Earlier in the afternoon of the murder, an angry D.K. Ellison had confronted Callaway in connection with Callaway and the wife of either D.K. or Barney. It's currently unclear which of the wives, if any, was involved. An altercation followed, and Callaway had given D.K. a serious beating. A few hours later, both Ellisons had showed up at Callaway's work site, obviously seeking revenge, since both men carried guns.

On Nov. 14, the newspaper reported that the grand jury had indicted both of them, charging them with murder. Both men had been out of jail, each on a \$10,000 bond.

They tried Barney first, beginning Mon., Nov. 25 around 10 a.m. with a packed courtroom of spectators. We quote from the local newspaper: "Monday morning the Court gave its charge to the jury, and the lawyers spoke on the case most of the day. District Attorney F.H. Hammond, Llano County Attorney Lawrence Bruhl and W.C. Linden of San Antonio, representing the state, contended that it was a case of premeditated murder and asked for the heaviest penalty, while F.J. Johnson of Llano, J.H. Baker of San Saba and Polk Shelton of Austin, all representing the defendant ... (claimed Barney acted in self-defense) ... should be acquitted."

The jury returned its verdict around 5 p.m. the following day: Guilty as charged, but assessed his punishment at only five years in the state penitentiary. Barney appealed the decision.

Change of venue

After the jury found Bar-

ney guilty, the lawyers for D.K. asked for a change of venue, claiming that the public would be too prejudiced for the father to receive a fair trial. The court granted the request, and on Dec. 5, the newspaper reported that the trial was set for Mon., Dec. 16, in Burnet.

The public, however, was to be sorely disappointed; when Dec. 16 rolled around D.K. Ellison was nowhere to be found.

Three days after the man was to appear in court in Burnet, he had disappeared, forfeiting his \$10,000 bond and leaving sureties J.B. and D.M. Long and R.B. Norwood holding the bag. And, Barney had skipped town along with D.K. But, since Barney had given notice of appeal and

The bondsmen offered a \$200 reward for information leading to the capture of the men, and lawmen sent circulars containing photographs of the fugitives to "peace officers in all parts of the country."

It is not current whether the men brought to justice.

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