

The Comal Cemetery Association was started when John F. Torrey had a promissory note drawn up stating that he would give the Trustees, J. J. Groos, John Goldenbergen and Ernst Gruene, \$500.00 and 8 acres of land located about one mile N. E. of the public square of New Braunfels on the bank of the Guadalupe River, a part of the Point Labor. "Beginning at its lower corner on said River, hence up the River until near the new ford opposite Loep farm and back." The original survey was done by J. J. Groos, surveyor. Two thousand square feet of the above mentioned 8 acres were to be reserved by John F. Torrey, for himself, Mathew Taylor, Sam Mather and Daniel Murchison's use and benefit (see October 20, 1886). Mr. Torrey stated that the following provisions must be met by the Trustees or the public within two years: the land could only be used as a public graveyard, that it be properly fenced and enclosed, and that a proper hearse be obtained as well as any other necessary funeral implements. Comal Cemetery was at that time located in what was Braunfels, Texas, south of Comaltown, east of New Braunfels and west of the Guadalupe River.

The Trustees were anxious to have the provisions met and they contracted with Joh. H. Petry for a standing cedar fence around the Comal Cemetery. Mr. Petry needed to have the fence completed by July 15, 1868 and was to be paid five cents per running foot. He was provided with posts, nails and iron bands or lathes. He was paid \$52.40 for erecting the fence. Mr. H. Weil was paid \$190.80 for 2,120 fence rails.

An August 28, 1868 article in the Neu Braunfelser Zeitung, stated that the Cemetery was available for anyone wanting to be buried. It also gives information on the amount collected from Subscriptions and stated that those that had pledged but not paid needed to do so. However money was still needed to pay for the gate and other further purchases. Johann Pfeiffer had excepted the Gravedigger position. To have a large grave prepared it cost \$2.50 and a small one (for children under 10) cost \$1.75. The cost was \$0.50 more if you did not have a subscription. Families could purchase plots however their size was limited to 250 sq. feet in size.

Another article published in the November 4, 1868 issue of the Neu Braunfelser Zeitung states that a State law was passed on August 13th permitting Misters J. F. Torrey, J. J. Groos, J. Goldenbagen and Ernest Grüne to incorporate as a Corporation under the name "Comal Cemetery Association". It also states that if you own a Family burial plot or wish to purchase one you can now get a sufficient bill of sale for your plot. The same issue has an announcement that August Reeb was named as Gravedigger for the Cemetery.

On September 27, 1870, John F. Torrey of Comal County and Chas. R. Gentry of Harris County release the Bond and give the Trustees a clear Deed to the 8 acres for one dollar. Mr. Torrey was satisfied that provisions stated on the Bond of Deed had been met.

The first recorded burial is that of Fredrich (Fritz) Hartwig. He was, born July 2, 1837, died August 12, 1873 on February 29, 1868 married Julia Schertz. Other burials were thought to have taken place as early as 1854 on the Cemetery property however

they were only documented as on the bluff overlooking the Guadalupe. The first Sexton's book of the Comal Cemetery was called "Die Peins" (the Pines) and it is believed that in the 1870's this area around the Cemetery and the Comal County Fairgrounds to the northwest were covered with many cedar trees. A number of these large cedar trees can still be seen in the area today.

In a letter, dated October 20, 1886 sent to Joseph Faust along with a copy of the Cemetery Charter, John F. Torrey, now of Granbury, Texas states that he met with Otto Groos in Galveston, the preceding August and they discussed replacing some of the absent directors, since there were only three still living. J. J. Groos and Sam Mather had passed away and John F. Torrey was considering resigning, to be replaced by someone younger and living in New Braunfels. Unfortunately he states that he had not yet heard from Mr. Groos, since then. Mr. Torrey goes on to give the history of his donation of land for the Cemetery and why a charter was obtained. He states that the old Cemetery's soil was bad and he chose instead to bury his four boys on a hill west of the present day Comal Cemetery. After doing so he was approached by Mr. Sewbough, George Judson and several others for permission to bury their loved ones there also. He goes on to state that the Comal Town Old Cemetery was dilapidated and several other citizens that may have included Mr. Green and Capt. Murchison (dec'd.) approached him about purchasing one acre or less for a graveyard. He refused to sell such a small amount for a private graveyard and chose instead to donate land, if the acreage would be fenced and lots and avenues would be laid out. The revenue received from the sale of the lots could be used for improvements such as a small house for a hearse, grounds beautification and the like. Subscriptions were solicited for a fence and gate by Mr. Goldenbargen. The acreage was surveyed by J. J. Groos and areas for the Masonic Order and Freemen were designated as shown on the Plot. Unfortunately before the lots and avenues were laid out Capt. Murchison and Mr. Torrey's brother died and this caused their graves to be dug in an irregular order. Unfortunately, during Mayor Goldbeck's term in office (1867 - 1872, mayor of New Braunfels), there was some disorder in the placements of graves. Mayor Goldbeck took the key to the Cemetery away from the Sexton and refused or forbid some individuals from being buried there. This caused people to disregard the rules of the Cemetery, including those that lived out of the Corporation by entering the Cemetery and burying their loved ones wherever they saw fit. Mr. Torrey states that he was issued a writ from the Mayor, stood trial and was fined \$15.00, for giving a lot to a Mr. Alves of Comal town. A mad cow killed Mr. Alves' elderly father and he had asked Mr. Torrey for permission to bury his father in Comal Cemetery. After being tried and fined, Mr. Torrey decided to go to the State Legislature to request a charter for the Cemetery and was awarded one. He goes on to say that he intends to have his four sons moved onto the Comal Cemetery and if Mr. Judson has no other cemetery, then he can bury his child in Mr. Torrey's reserve. He is also waiting for Mr. Goldenbargen to send him an accounting statement on the Cemetery expenses, improvements made, lots sold, etc. and will write Mr. Faust after receiving that.

The above mentioned letter was a prelude to the Charter of the Comal Cemetery Association being amended so that the City of New Braunfels City Council would be the Cemetery Corporation officers and the Corporation now would be known as the Comal

Cemetery of New Braunfels. This amendment was signed by John F. Torrey, President, John Goldberger, Secretary & Treasurer, and E. Gruene Sr., Director and filed with the Secretary of State of the State of Texas' Office on January 14, 1887.

On September 26, 1913, Heinrich Kellermann of Guadalupe County sold his adjoining property to the City of New Braunfels for \$3118.50. This added 6.93 acres to the original 8 acres gotten from John Torrey. Originally John Torrey reserved a 2,000 square foot plot of the 8 acres for his private cemetery. On July 24, 1924, Emmie Torrey, Adele Torrey, Mrs. Rosie Torrey Harn, Mrs. Ed Torrey, Henry C. A. Torrey, Mrs. Geo C. Torrey Vaughan, all of Bexar County and John Torrey of Davidsonville, Maryland conveyed to the City of New Braunfels the 20" by 24' lot known as the Torrey Cemetery Lot for \$120.00. The last piece of property purchased for the Comal Cemetery was on December 29, 1927 from E. A. and Ella M. Eiband. They conveyed to the City of New Braunfels 10 acres for \$11,110.00. The property is described as Blocks 17 (excepting the 6.93 acres already sold to the City by Heinrich Kellermann in 1913), 18, 19 and 20 of Braunfels Heights Addition and a strip of land 60' by 600' along the South line of Block 17, which was conveyed to E. A. Eiband by Heinrich Kellermann.

The Comal Cemetery is the final resting-place for over 8,000 at this time. Burials were first recorded in 1873, however it is obvious from Mr. Torrey's letter that many early burials were not recorded. It is also known that not all burials have markers. Capt. Daniel Murchison and his wife are examples of persons that are buried here, who have no marker, only a listing in the Sexton's records. The first recorded burial of Fredrich (Fritz) Hartwig as noted above has a marker.

The original entrance faced Common Street and was moved to Peace Ave. when Common Street was extended to cross the Guadalupe River. The cedar fence is no longer in place, today. Currently, an old Loop style Cemetery fence borders a portion of the Cemetery with the remainder bordered by a chain link fence.

Early photographs show the original cedar fence, the original entrance, as well as a gazebo, which was located near the original entrance and a windmill that are no longer standing. Many examples of ornamental wood and iron fencing border family plots and can be seen in various photographs.

COMAL CEMETERY HISTORICAL EVENTS

March 21, 1868 – John F. Torrey has a promissory note drawn up stating that he would give the Trustees, J. J. Groos, John Goldenbergen and Ernst Gruene, \$500.00 and 8 acres of land located about one mile N. E. of the public square of New Braunfels on the bank of the Guadalupe River, a part of the Point Labor. “Beginning at its lower corner on said River, hence up the River until near the new ford opposite Loep farm and back.” The original survey was done by J. J. Groos, surveyor. 2,000 square feet of the above mentioned 8 acres are to reserved by John F. Torrey, for his, Mathew Taylor, Sam Mather and Daniel Murchison’s use and benefit (see October 20, 1886). Mr. Torrey stated that the following provisions must be meet by the Trustees or the public within two years; the land could only be used as a public graveyard, that it be properly fenced and enclosed and that a proper hearse be obtained as well as any other necessary funeral implements. **Bond for Deed recorded in Comal County Clerk’s Office; Book I pages 505 & 506**

June 4, 1868 – Contract between Joh. H. Petry & John Goldenbagen, J. J. Groos and E. Gruene for a standing cedar fence around the Comal Cemetery. Mr. Petry is to have the fence completed by July 15, 1868 and will be paid five cents per running foot. He will be provided with posts, nails and iron bands or lathes. **Contract on file at City Hall, New Braunfels, Texas**

August 28, 1868 – Article in the Neu Braunfelser Zeitung, states that the Cemetery is there for anyone wanting to be buried. It also gives information on the amount collected from Subscriptions and that those that have pledged but not paid need to do so. The fence expenses that have been paid are \$190.80 to Mr. H. Weil for 2,120 fence rails and \$52.40 to J. H. Petry for erecting the fence. However money is still needed to pay for the gate and other further purchases. Johann Pfeiffer has excepted the Gravedigger position. To have a large grave prepared it is \$2.50 and a small one (for children under 10) the cost is \$1.75. The cost is \$0.50 more if you do not have a subscription. Families may purchase plots however they may not be any larger that 250 sq. feet in size. Trustees are John Goldenbagen, E. Grüne and J. J. Groos. **Neu Braunfelser Zeitung, page 3, columns 1 & 2**

August 13, 1870 – Comal Cemetery Association incorporated by an act of the Legislature of the State of Texas. **Document on file at City Hall, New Braunfels, Texas**

September 27, 1870 – John F. Torrey of Comal County and Chas. R. Gentry of Harris County release the Bond and give the Trustees, J. J. Groos, John Goldenbergen and Ernst Gruene a clear Deed to the 8 acres for \$1.00. Mr. Torrey was satisfied that provisions stated on the Bond of Deed had been met. **Deed recorded in Comal County Clerk’s Office; Book K pages 283 & 284**

September 28, 1870 – Dated article published in the November 4th issue of the Neu Braunfelser Zeitung states that a law was passed on August 13th and the Misters J. F. Torrey, J. J. Groos, J. Goldenbagen and Ernest Grüne were incorporated as a Corporation under the name “Comal Cemetery Association”. It also states that if you own a Family burial plot or wish to purchase one you can now get a sufficient bill of sale for your plot. Officers listed are J. J. Groos, Secretary and J. Goldenbagen, Treasurer. Neu Braunfelser Zeitung, page 3, column 1

November 4, 1870 – August Reeb in named as Gravedigger for the Cemetery. Neu Braunfelser Zeitung, page 2, column 6

August 1873 – First Recorded Burial – Fredrich (Fritz) Hartwig, born July 2, 1837 and died August 12, 1873. Married Julia Schertz on February 29, 1868. Other burials were thought to have taken place as early as 1854 on the Cemetery property however they were only documented as on the bluff overlooking the Guadalupe. The first Sexton’s book of the Comal Cemetery was called “Die Peins” (the Pines) and it is believed that in the 1870’s this area around the Cemetery and the Comal County Fairgrounds to the northwest were covered with many cedar trees. A number of these large cedar trees can be seen in the area still today. Comal Cemetery Sexton Records, August 13, 1873 to Dec. 1900

October 20, 1886 – In a letter to Joseph Faust along with a copy of the Cemetery Charter, John F. Torrey, now of Granbury, Texas states that he met with Otto Groos in Galveston, the preceding August and they discussed replacing some of the absent directors, since there were only three still living. J. J. Groos and Sam Mather had passed away and John F. Torrey was considering resigning, to be replaced by someone younger and living in New Braunfels. Unfortunately he states that he had not yet heard from Mr. Groos, since then. Mr. Torrey goes on to give the history of his donation of land for the Cemetery and why a charter was obtained. He states that the old Cemetery’s soil was bad and he chose instead to bury his four boys on a hill west of the present day Comal Cemetery. After doing so he was approached by Mr. Sewbough, George Judson and several others for permission to bury their loved ones there also. He goes on to state that the Comal Town Old Cemetery was dilapidated and several other citizens that may have included Mr. Green and Capt. Murchison (dec’d.) approached him about purchasing one acre or less for a graveyard. He refused to sell such a small amount for a private graveyard and chose instead to donate land, if the acreage would be fenced and lots and avenues would be laid out. The revenue received from the sale of the lots could be used for improvements such as a small house for a hearse, grounds beautification and the like. Subscriptions were solicited for a fence and gate by Mr. Goldenbagen. The acreage was surveyed by J. J. Groos and areas the Masonic Order and Freemen were designated as shown on the Plot. Unfortunately before the lots and avenues were laid out Capt. Murchison and Mr. Torrey’s brother died and this caused their graves to be dug in an irregular order. Unfortunately, during Mayor Goldbeck’s term in office (1867 – 1872, mayor of New Braunfels), there was some disorder in the placements of graves. Mayor Goldbeck took the key to the Cemetery away from the Sexton, refused and forbid some individuals from being buried there. This caused people to disregard the rules of the

Cemetery, including those that lived out of the Corporation by entering the Cemetery and burying their loved ones wherever they say fit. Mr. Torrey states that he was issued a writ from the Mayor, stood trial and was fined \$15.00, for giving a lot to a Mr. Alves of Comal town. A mad cow killed Mr. Alves' elderly father and he had asked Mr. Torrey for permission to bury his father in Comal Cemetery. After being tried and fined, Mr. Torrey decided to go to the State Legislature to request a charter for the Cemetery and was awarded one. He goes on to say that he intends to have his four sons moved onto the Comal Cemetery and if Mr. Judson has no other cemetery, then he can bury his child in Mr. Torrey's reserve. He is also waiting for Mr. Goldenbargen to send him an accounting statement on the Cemetery expenses, improvements made, lots sold, etc. and will write Mr. Faust after receiving that. **Letter on file at City Hall, New Braunfels, Texas**

January 14, 1887 – The Charter of the Comal Cemetery Association is amended to so that the City of New Braunfels City Council will be the Cemetery Corporation officers and the Corporation now would be known as the Comal Cemetery of New Braunfels. This amendment was signed by John F. Torrey, President, John Goldbergen, Secretary & Treasurer, and E. Gruene Sr., Director and filed with the Secretary of State of the State of Texas' Office. **Deed recorded in Comal County Clerk's Office; Book 32 pages 289 & 290**

September 26, 1913 – Heinrich Kellermann of Guadalupe County sells his adjoining property to the City of New Braunfels for \$3118.50. This adds 6.93 to the original 8 acres gotten from John Torrey. **Deed recorded in Comal County Clerk's Office; Book 34 page 192**

July 24, 1924 – Heirs of John Torrey, Emmie Torrey, Adele Torrey, Mrs. Rosie Torrey Harn, Mrs. Ed Torrey, Henry C. A. Torrey, Mrs. Geo C. Torrey Vaughan, all of Bexar County and John Torrey of David Sonville, Maryland conveyed to the City of New Braunfels the 20" by 24' lot known as the Torrey Cemetery Lot for \$120.00. **Deed recorded in Comal County Clerk's Office; Book 49 pages 601-603**

December 29, 1927 – E. A. and Ella M. Eiband convey to the city of New Braunfels 10 acres for \$11,110.00. The property is described as Blocks 17 (excepting the 6.93 acres already sold to the City by Heinrich Kellermann in 1913), 18, 19 and 20 of Braunfels Heights Addition and a strip of land 60' by 600' along the South line of Block 17, which was conveyed to E. A. Eiband by Heinrich Kellermann (Deed dated October 11, 1920; Vol. 43, pages 145 & 146). **Deed recorded in Comal County Clerk's Office; Book 54 pages 497-498**

The new Cemetery over the Comal, stands from now on to be of service to the Public of New Braunfels, Comaltown and the surrounding area and everyone, whether their residence is in or outside of the Corporation, can find there a place of rest.

Money from those that entered through Subscription for plotting and fencing this place amounts to \$249.50. The Subscription list shows further \$52.75, which has not been paid and those in question are requested, to pay the pledged or undersigned amount to J. Goldenbagen.

The following has been paid out:

To Mr. H. Weil for 2,120 fence rails - \$190.80, to J. H. Petry for erecting the fence of 1,048 running feet - \$52.40. Leaving a balance at hand of \$6.30, yielding which together with the outstanding money that is still needed to cover future purchases of nails, hoop iron and manufacturing of the gate.

Johann Pfeiffer, in Comaltown, accepts the position of Gravedigger for this place and the Public is also happy that they have someone to turn to when they need a grave prepared. The same is available to all, whether contributing for Subscriptions for plotting and fencing and entered on the Subscription list are required to pay \$2.50 for a large and \$1.75 for a small grave (Children under 10 years of age). For all others that do not support through voluntary contributions, the above mentioned plotting, an additional amount of fifty cents for every grave shall be collected which is for further related improvements to be done.

Families, who may desire to have a private plot inside this Cemetery, such can be acquired through purchase, however such parcels shall not exceed the size of 250 square feet.

John Goldenbagen
E. Grüne
J. J. Groos

Printed in Neu Braunfelser Zeitung, August 28, 1868, page 3, columns 1 & 2

Translated by Connie Schneider Krause

August Reeb has been named the Gravedigger for the new Cemetery over the Comal and alone authorized to except burial requests.

Printed in Neu Braunfelser Zeitung, November 4, 1870, page 2, column 6

Translated by Connie Schneider Krause