



Bagenstoss Shield

# Bagenstoss

FAMILY ASSOCIATION OF AMERICA

"For the perpetuation of the history and traditions of the family and its social enjoyment"

**Summer 2005**

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**Plan to attend our 73<sup>rd</sup> Reunion Sunday, August 7,  
And celebrate the  
Family's first 262 years in America!**

**This year's gathering will be held Sunday, August 7, 2005 at the Hereford Township Park, located on the Seisholtzville Road, between Hereford (Rts. 100 & 29) and Seisholtzville, PA (see map).**

**The schedule this year will be as follows:**

<b>12:00 Noon</b>	<b>Relaxation/Meeting of old and new friends Registration</b>
<b>12:30 P.M.</b>	<b>Opening ceremonies followed by lunch, games and socializing</b>
<b>2:00 P.M.</b>	<b>Program - Norman Hoffman, Peddler.</b>
<b>3:00 P.M.</b>	<b>Business Meeting Call to Order of Annual Meeting, Invocation, brief reports of Secretary, Treasurer, Historian and President, and New Business</b>
<b>4:00 P.M.</b>	<b>Adjournment of reunion, followed by a meeting of the Board of Directors.</b>

**Picnic fare will be provided - hot dogs and assorted sodas. We suggest you bring chips cake, pie, other snacks and goodies in quantities that can be shared. Remember place settings for each family member and serving utensils for covered dishes. Family members are encouraged to bring a favorite recipe to exchange.**

Recognized

Family Spellings:

BACASTOW  
BACKENSTO  
BACKENSTOE  
BACKENSTOES  
BACKENSTOS  
BACKENSTOSE  
BACKENSTOSS  
BACKENSTOW  
BAGENSTOES  
BAGENSTOS  
BAGENSTOSE  
BAGENSTOSS  
BAGGENSTOS  
BAGGENSTOSS

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Chaplain

Bruce R. Backensto

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Elwood B. Backensto  
J. Harold Backenstoe  
Veronica Backenstoc  
Stanley P. Backenstoss II  
Miriam Bagenstose  
Dawn Rosenberg  
Newsletter Editor  
Brian W. Bagenstose

President's Message

Greetings to all members! Another year has passed and I sincerely hope this past year has treated you well. As hardworking and industrious as Backenstosses tend to be, I am sure this is the case.

The main news I have to provide relates to the recent Director's meeting on the status of the Association. The consensus of the meeting was that the Association, while not in any serious trouble, is in a slump of sorts.

The association exists to preserve and disseminate the knowledge of our ancestors and our heritage, and provide forums like the reunions and the occasional trip so that the members can spend time together. If you find value in the work of the Association, we ask that you try and find a way to help.

One way to help is of course financially. While the directors and officers are not reimbursed, the Association does incur costs which include printing and mailing the newsletter, reserving the reunion location, and providing entertainment and other things associated with the reunion itself. The major cost in most years is the newsletter, which the Association tries to mail to all known Backenstosses in an attempt to stay in touch with as many members as possible. This is a long held tradition, and central to the Association's goals, so hopefully all members will agree this is worthwhile. The cost of publishing the newsletter amounts to approximately \$1.00 per newsletter, and the association annually publishes and mails about 1,300 copies.

Another valuable way to help is to provide updated family information to the Historian. Information of interest includes births, marriages, deaths, and accomplishments in education, employment, hobbies, etc. One of the most important purposes of the Association is to preserve and disseminate the traditions and history of the family, which includes this information. Towards these ends, several Family Histories have been sponsored by the Association. With so many family members spread out across the whole Earth, it really is necessary that all family members collaborate with the Association to keep the information of the Family History up to date so that we and future generations can continue to benefit from this invaluable resource.

Yet another way to help is to provide updated address information to the Secretary. Each year, many newsletters get returned for being undeliverable. In some years, this number can exceed 100 newsletters. So if you know of any family member who has moved or if you move, please let the Secretary know so that we can get the newsletter to as many family members as possible.

A fourth way to help is to report anything newsworthy to our newsletter Editor.

Finally, the association is always looking for input from its members. We would appreciate suggestions for reunion locations and themes, ways in which the association can better serve its members and reach out to those with whom the association has lost touch, ideas for trips and any other activities that family members might care to suggest.

Again, if you are able to help in any of the ways listed above, or in any ways I have not mentioned, please do. The association exists solely to give back to its members, and is it for the long haul.

Thank you,

Jonathan Hall Backenstose

### The Back Peddler

Remember the days of horse and buggy when people didn't have a local Wal-Mart or even a Woolworths? What did a woman do when she needed thread, needles, pins, material, thimbles scissors and all those small items that today are often taken for granted? Come to our reunion on August 7 and find the answer, plus much more about the back-peddler. What an enterprising man he was! Our peddler's name is "Benny Sepp," interpreted by Norman Hoffman from the Goshenhoppen Historians. Each August, you can visit with Benny at the Goshenhoppen Folk Festival. He is full of information, and he is coming to us with his pack and many words of wisdom. You don't want to miss him so be sure to set aside August 7 and give him a friendly welcome. He is accustomed to crowds so "the more, the merrier." He is ready to answer all questions and we promise you a great program.

### Greetings from Minnesota

Lana Lewer, president of the Minnesota "Backenstoss Family Association" sent the following message to our treasurer, Warren B. Backenstoe:

"Lana Lewer here, writing to thank you for a wonderful newsletter again. We in the Minnesota Branch had a great turnout of 118 people in Becker, MN. We played games, ate well and enjoyed conversation. Also, we collect from anyone interested, \$5.00 to send to your treasury to help pay for the newsletter. Enclosed is this year's contribution.\*

Have a great reunion! I hope to attend some day.

Lana Lewer

\*Editor's Note – The newsletter staff wishes to acknowledge and thank the Minnesota Branch for their very generous contribution.

### Looking Ahead to 2006

Our 2006 reunion has been scheduled for Hereford Township Park – the same location as the site of this year's gathering. The date will be, as always, the first Sunday in August, specifically August 5, 2006. Please mark your calendar and plan to attend.

### Family Catch-Up – Young Association Members in the News

The Reading Eagle brings us news about Stacia Backensto of Cheyenne, Wyoming. Stacia is a biology and wildlife doctoral student at the University of Alaska in Fairbanks. She is enrolled in the school's regional resilience and adaptation program in which students use both natural and social sciences to research problems in northern regions. Currently, Stacia is studying ravens in the oil fields of Alaska's northern slope.

Raising questions about who's studying whom. The flocks display resourcefulness, understanding of humans and even some kind of ability to tell time. They're a marvel of nature, birds that survive in a climate as hot as the Mojave Desert, yet adapt comfortably in the coldest region of American's coldest state. They are very wary of new things in their environment; if it is new, it has the potential to be dangerous. They ignore the oil workers but can pick out Stacia's facial features and recognize her as the enemy. One aggressive male raven chased her for one mile after she trapped the mate and put a radio transmitter on her.

We wish Stacia well in her endeavor. She is the daughter of Terrell (Terry) Louis Backensto who was born in John Day, Oregon, and now lives in Colorado. He was in the United States Air Force, was a Mountain Bell Maintenance Supervisor and later was associated with Qwest Property Management.

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Brett Bagenstose of West Lawn Pennsylvania has also been in the news recently. One might not think of Berks County as a Mecca for movie making, but local film-makers Brett Bagenstose, John Carmello, Gordon Holmes and Robert Trate aren't your typical movie moguls. They are four friends who are readying their first full-length feature for entry into film festivals. Ranging in age from 26 to 29, the four Wilson High School graduates, who all live in Berks County, formed their production company, NEO-PANGEA about 10 years ago.

Their first production, "Townies," was shot at seventeen locations in Berks County and tells the story of Jake, a pizza delivery guy and seven year college student who must choose between his long-time friends or a promising career and the girl of his dreams. It's a class struggle between the office and the pizza parlor. Jake is in the last year of college, struggling with where his life is going.

Brett wrote, directed, edited and produced the film. The others took over as assistant directors, sound editors, location supervisors, wardrobe masters and set directors. Holmes served as the assistant writer, acting coach, and had a small role in the film. Professionals were hired for lighting, sound, and documentation. NEO-PANGEA, based in Shillington, PA, funded the entire \$100,000 production.

To date, "Townies" has won the Grand Jury selection in the Youth Oriented Feature category at the Bare Bones Film Festival in Tulsa, Oklahoma, and the film has received the Award of Excellence in the comedy category at the Berkely California Video and Film Festival. The film can be seen at the Delta Film Festival in Manteca, California, the Charlotte, North Carolina Southern Exposure Film Festival, and the Big Apple Film Festival. More information on the film is available online at [www.areyouatownie.com](http://www.areyouatownie.com).

Brett is a graduate of the Temple University Film and Media Arts program and is the recipient of two Cable Ace Awards for Public Broadcasting, and the exhibitor of short films in festivals around the world. He has received favorable reviews in such places as Tokyo and New York.

Brett is the grandson of Florence and the late Ray Bagenstose of the Bernville and Leesport area. Florence and Ray have been active members of our Backenstoss Association for many years. Brett is the only son of Robert Bagenstose, whose parents are Florence and Ray.

We wish Brett well in his future endeavors and look forward to hearing more about his future as a playwright and producer.

### Backenstosses and the Law, Part I

One historical source not often utilized in genealogy is records of court adjudications. This is for good reason, as court records are not necessarily easy to access. Also, most ancestors will not have been in court, and, for those that were, information of interest to genealogical inquiries is generally missing unless relevant to the facts of the case. Nevertheless, a search of commercially available legal databases results in a few cases here and there which involve Backenstosses. In some, the information given is not much more than a name and an occupation, but in others the information is quite revealing. This discussion concerned with a fascinating trio of cases set in Ohio. It is hoped that as space permits, discussions of other cases can appear in future newsletters.

While the cases in this discussion do not include the full name of our family member, the facts mentioned indicated all three involve George E. Backenstoe (sA2sB2sC1sD1sE3sFs, p215). (All page numbers herein refer to the Backenstoss-Baggenstoss Family History and its addendums.) While these three cases do not reveal any heretofore unknown family members, they do illuminate George Backenstoe's life and indicate he lead a very interesting, and at times unlawful, lifestyle.

In the earliest case, Backenstoe was prosecuted for activities he did under police instruction while he was helping them carry out a sting operation. As the case states, on June 28, 1899, Backenstoe was at his saloon in Franklin Co., Ohio, when two boys aged 19 came in. One of them kept asking Backenstoe for a gun. When Backenstoe later saw two policemen he knew, he told them of the situation, and the policemen asked him to help by going along with the young men. The police changed into civilian clothes, provided Backenstoe with a gun to give to the boys, and went into the bar to watch. Backenstoe gave the gun to the young men, but later determined that the police had not been watching and had not seen the boys leave. The boys ended up committing their planned robbery, and returned to Backenstoe's saloon to divide up their plunder. Backenstoe alerted the police and the boys were arrested. For his efforts, Backenstoe was tried for being an accessory before the crime and sentenced to a year in the penitentiary. Upon appeal, the verdict was set aside, the judge expressing a good bit of incredulity that the prosecution even pursued the case. See Backenstoe v. State of Ohio, 10 Ohio C.D. 688 (circuit court 1900).

Backenstoe was back in court in 1903 for an alleged act of assault and battery on May 28, 1903. He had been arrested upon his wife's complaint. Initially, he pleaded not guilty. However, when the two made up and resumed normal living arrangements, Backenstoe, on advice of his attorney, changed his plea to guilty with the understanding he would receive a light fine. The judge, however, sentenced him to the maximum of six months in the workhouse and a

fine of \$100. Backenstoe's immediate request to withdraw the guilty plea and plead not guilty was denied.580 (Ct. Comm. Pleas 1904).

Backenstoe's third case is probably the most interesting from a sociological point of view, and was decided on appeal on the same day and in the same court as the appeal of the previous case, although before a different judge. This case does delve into the personal life of Backenstoe. It states that Backenstoe and his wife had no children, that several thousand dollars in profits of their business ventures were in the possession of his wife and deposited at the Bank of Commerce in Columbus, Ohio, and that the couple had invested \$1,500 in a saloon on Chestnut Street in Columbus. Backenstoe's allegations are the most interesting of all. He alleged his wife had run a house of "ill fame" on Chestnut Street, that she committed adultery there on numerous occasions, that she was cohabiting in adultery there (this man was possibly Pat Murian, see p215), and that she was defrauding Backenstoe by selling the property in her possession.

Backenstoe petitioned for a divorce, for an injunction to prevent either his wife or Lyons and Depew (two women living with his wife who had bought some of the Backenstoe property) from disposing of any property and for a receivership to take possession of the property to sell it and divide the proceeds. The court denied his request for a divorce, holding that the adultery had taken place with Backenstoe's connivance and that a divorce cannot be granted upon adultery to which a husband has consented. The court denied his other requests noting that the property was acquired through illegal means, and that the court would not further the illegality by enforcing division of the proceeds or giving title back to him. See Backenstoe v. Backenstoe, 14 Ohio Dec. 353 (Ct. Comm. Pleas 1904).

As can be seen, case law can be very revealing of facts that might not survive in other records. While reference to case law will not bear fruit for most individuals, when it does it can be very rewarding.

Jon Hall Backenstose  
April, 2005

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#### Treasurer's Report

The association wishes to thank all members for contributions which will aid in keeping the newsletter on track. The association income for the year ending July 31, 2004 was \$1,228.44. Expenses for the year were \$1,224.60 for a net gain of \$3.84.

Our goal is to keep in touch with all family members. It is your continued support that enables us to keep the newsletter, reunion and other activities available to you.

Warren Backenstoe

Contributions

Our association finances are barely sufficient to sustain current operations. Continued support for the newsletter, reunion and other family association activities will require continued and increased funding. The directors of the Backenstoss Association ask that each member contribute \$5.00 annually. Please support our association by returning the following form along with your 2005 contribution. The directors also ask that members consider making additional contributions and bequests of any amount to the Backenstoss Family Association. This practice is common among family associations and will help ensure the financial health of our organization through future generations.

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To: Warren B. Backenstoe, Treasurer  
18 East Berks Drive  
Wernersville, PA 19565

Enclosed is my check payable to B.F.A. for support in 2005.

\_\_\_\_\_ 2005 contribution (\$5.00) Name \_\_\_\_\_

\_\_\_\_\_ Additional Street Address \_\_\_\_\_  
Contribution

City, State and Zip \_\_\_\_\_

\_\_\_\_\_ Total Submitted

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Additions to the Family History

Please help us keep our records current. Send news pertaining to the birth, marriage, accomplishments and passing of family members by completing the following form and including it with your contribution information. Our treasurer, Warren Backenstoe, will send the information to John Backenstoe, family historian.

Name of Family Member	Address	Nature of Event & Comments

