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## LOVE, MARRIAGE & DIVORCE ACROSS THE ATLANTIC

by Nina Talbot

I confess that one of the lures for my immersion in my genealogy is the chance of finding spicy stories about my ancestors, if I only dig deep enough.

After all, even a Jewish ancestor of saintly memory, a member of the group of the huddled masses and the downtrodden that made their way to Ellis Island, seeking refuge in this Goldene Medina, whether it is a man with a beard and *payos* from Eastern Europe or a modest woman with a *tichel* (head covering) and eyes looking upward to the heavens – and to the American flag hanging high above the main hall – for a little *rachmones*, even such a person has a hungry heart, a throbbing pulse and perhaps an evil inclination too. The discoveries of stories that most excite me are stories that show the frailties and shenanigans of some “dearly departed” ancestors from the old country, which challenge preconceived notions of piety and religious fervor that some of us associate with that ancestry.

In a recent issue of *Dorot*, Dan Oren is quoted as saying that “...genealogical research comes alive when it’s not just about finding names and dates in the past. It’s about finding the stories that come with the names and dates.” All the better if those stories are of the heart and of the human frailties, don’t you agree?

But such stories are not often out there in the open. Finding these stories usually happens when you follow the squirrels.

In her book *The Lost Family*, Libby Copeland refers to “squirrels” that lead the family genealogy researcher astray. You think you are looking for information about your 5x grandfather, when suddenly a squirrel crosses your path – a bit of curious information – and you find yourself obsessed with it, perhaps spending the next days or weeks, even months following its trails, to the neglect of your spouse, your children and your living relatives. Copeland values these discoveries by lay researchers, amateur historians searching for one specific thing and being led astray by “squirrels.”

It was a squirrel that led me to learn the story of Sime, the aunt of the wife of my second cousin twice removed, who on her third trip into New York, through Ellis Island (the first was in 1903, the second in 1910 and the third in 1912) finally gets past the guardians of the gate, the immigration officers at Ellis Island, to join her lover in New York. In her second attempt she was sent back, presumed to be a single woman suspected of lascivious intentions in the New World.

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# LOVE, MARRIAGE & DIVORCE ACROSS THE ATLANTIC

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Sime Lustig Matzevah at Mt. Lebanon Cemetery in Glendale, Queens, New York

## Tracking Matzevahs

While engaging in one of my favorite genealogy activities of tracking down gravestones, I accidentally came across the small stone of Sime Lustig at the Mt. Lebanon Cemetery in Glendale, Queens, New York. Accidentally, because I was looking for my maternal Neger family graves. I had seen Sime's name on a passenger manifest but when I first came across her stone, I had no idea she was a relative. I was puzzled to see her stone in proximity to the Neger family stones. That was the squirrel, finding this stranger among my family matzevahs.

Who was she? How was Sime related to me? I hoped she would be an asset to my family history! It turned out that Sime Lustig was the aunt of the wife of my second cousin twice removed. Distant? Perhaps, but in saying that, I'm sure I'm not alone among *Dorot* readers in getting sidetracked shaking down branches, and at some point we ask ourselves, "And WHY am I spending so much time on this person?"

Sime's stone is inscribed "Beloved Grandmother." Her husband David Lustig, who is buried nearby in the same society (Dynower) bears the inscription "My Beloved Husband." David's death date is 1954. Sime lived until 1965.

## Three Round Trips

Intrigued, I discovered records of Sime on three passenger manifests from Galicia (then Austria-Hungary) to New York City. On the first one dated with her arrival in New York on July 2, 1903, she is listed as Sime Bader, 13 years old, and niece to Blime Hoch, who is also traveling with her six young children.

In the 1910 manifest, Sime is listed as a 28-year-old wife of David Lustig, traveling with him and another relative, Isaac Mark. In the "cause of detention" column, a multi-digit number, "C.H. #79423," appears.

In the third passenger manifest, on her third and final try, Sime arrived in New York on June 25, 1912, listed under her maiden name, Sime Mark, 32 years old, divorced.



David Lustig Matzevah at Mt. Lebanon Cemetery in Glendale, Queens, New York

I visited the New York City branch of the National Archives on Bowling Green to try to find out what the digits meant regarding Sime's detention on the 1910 manifest. The archivist there did not know, and said it was unlikely that the files existed at the main branch in Washington, D.C. because it was over 100 years past, and documents that old were usually destroyed. We genealogy addicts are persistent, so that didn't stop me from trying. I was in email communication with a historian at The National Archives and Records

Administration (NARA), and after a few weeks, he got back to me, saying that he found the document regarding a hearing at Ellis Island on the case of Sime and David Lustig and would send it to me by mail.

Meanwhile, I continued to try and unravel Sime's three back-and-forth trips from the small Galician town of Dynów to New York. I had a lucky break at the Municipal Archives on Chambers Street in New York City. I had previously found the marriage certificate of Sime and David from October 12, 1912, a few months after Sime's arrival of that same year. I had a hunch that Sime's first husband was a Leib Bader, also from Dynów. I suspected that Leib Bader was her husband based on some preliminary research on Sime, and this was confirmed by two brothers whose aunt, Jennie Bader, was Leib Bader's third wife.

I was hoping that Leib Bader's name would be found on the marriage license as her previous husband, proving my hunch. It was not. I ordered a printout of the marriage license for my hard-copy files.

Leib Bader was a brother to Jacob Bader who had a famous hotel, Bader's Hotel, in Rockaway, Queens during the pre- and post-World War II era. At one point I thought maybe Justice Ruth Bader Ginsburg was related to this Bader family. An elderly friend, Jack Wertenteil, thought the Supreme Court Justice was a distant relative in his family. The aunt of Jack and his

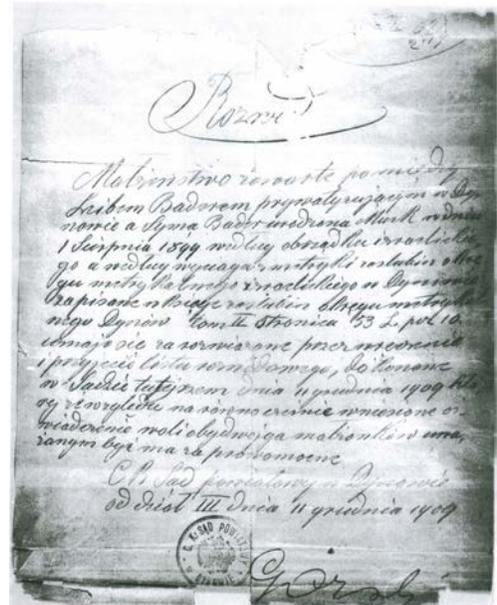


Advertisement for Bader's Hotel in The Wave Newspaper, Rockaway, Queens, NY

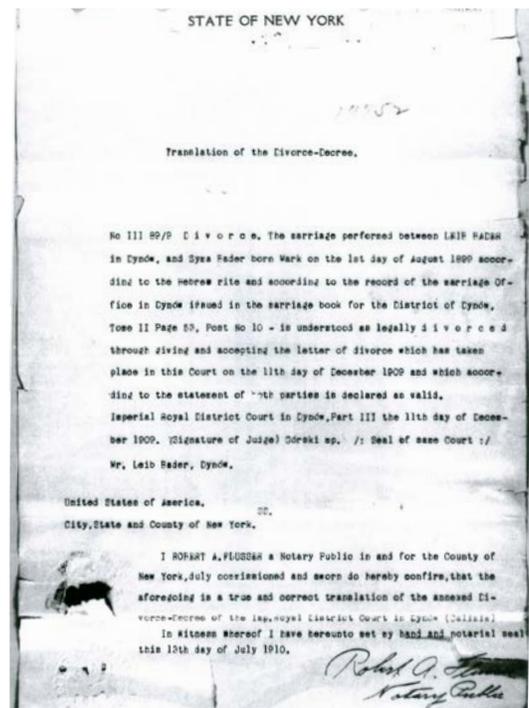
brother Betzalel was Jennie née Lander Bader, who was married to Jacob Bader. So this was another connection to my dear friends Betzalel (1929-2016) and Jack Wertenteil (1921-2019)

## A Lucky Break

Back to the archives. While I was waiting for a printout of the record, a supervisor asked me what I was waiting for. The worker who was doing the printout was taking a long time, so the supervisor went over to speed things along.



Divorce document between Leib Bader and Sime Mark, December 11, 1909, in Polish, and English Translation



Meanwhile I engaged the supervisor in conversation, saying I was looking for proof of Sime's divorce. When I told her that the divorce was likely presided over by a rabbi in a small Eastern European town in the early 1900s, she gave me a look that clearly read, "Forget about it!" After another five minutes, she went over to the worker and came back to me with a sheaf of papers and a broad smile. Not only was my hunch verified, but also among the papers was a copy of an original letter in Polish from Dynów indicating that the divorce was legal, and an English translation! The supervisor told me that the only reason she found this document, which was not attached to the marriage license, nor directly preceding or following it, was because it had the same file number on it, and she eagle-eyed it from the computer. I have the sharp eye of the supervisor and the slow pace of the worker to thank for this lucky find!

### A Dramatic Court Hearing on Ellis Island

I waited with anticipation for the documents from D.C. When they finally arrived, the 30-legal-sized page record documenting a hearing at Ellis Island read like an international drama with provocative questions regarding illicit affairs, a child borne out of wedlock with a previous lover, small town gossip and more juicy details.

The summary of the hearing led to conflicting genealogical connections based on the passenger manifests. In her first manifest (1903), 13-year-old Sime was listed as a niece to Blime Hoch, the adult traveler, and cousin to the children. This information did not line up with Sime's probable age at the time – over 18 years – and her last name on this manifest Bader, was actually the last name of her first husband, Leib Bader. And it turns out that she was actually a sister, not a niece to Blime Hoch. Blime's husband, Sam Hoch, who was interrogated at the hearing and testified under oath, verified this.

The likely story is that when Sime arrived in New York in 1903, she was already married to Leib Bader, and was listed as age 13 to get a cheaper ticket in Europe (people under the age of 18 paid a cheaper price for ship tickets). After her return to Poland, she arrived back in New York in 1910 when she was not legally married to her companion, David Lustig, and the two of them were deported after their hearing. Sime arrived back in New York, 1912, along with her divorce document in hand, and soon after her arrival, she married David Lustig. David had returned to New York before her and was living with relatives on the Lower East Side. Those are

the facts, but the hearing contained the stuff of a soap opera.

The couple was questioned separately, and their responses dramatically differed. When asked if their affair was sexually consummated, David's reply was "Absolutely not!" To that same question, Sime answered "And why not?"

On the first page of the memorandum recording the remarks of the acting secretary at a hearing on March 12, 1910, after which she was deported, the conclusive paragraph, signed by the Commissioner-General, reads:

"The unsavory character of this woman places her beyond the pale of any favorable consideration the Bureau might otherwise be disposed to accord to her plea; her paramour is evidently of no better caliber, and it is recommended that the excluding decision be AFFIRMED.<sup>1</sup>

On page two of the report, quoting the Attorney for the Aliens:

"It seems that the former husband, Leib Bader, of the said Sime (different spelling from other documents of Sime) Bader, out of mere spite, sent some letters here to his sisters asking them to give the said Sime Bader, a bad moral character, and thereby cause her exclusion with all the inconveniences and troubles thereto annexed. But these reports are absolute falsehoods..."

At the 1912 hearing, Sime responded to a question regarding townspeople in Dynów, her hometown:

Q: Did you or your husband bring the action [divorce decree]?

A: My husband.

Q: On what grounds?

A: Because people accused me of having lovers.

Q: Did all the people there know that your husband had brought an action and that a decree was granted?

A: Yes.

There was also testimony from Sime's nephew, Isaac Mark:

Q: Do you know why the divorce was granted?

A: Because Bader's parents wrote damaging reports to him against the woman and he came home and secured a divorce from her.

According to Sime's testimony, she had a child in Dynów by a man named Zimmerman to whom she was not married. At the time of the hearing, Sime reported that her (unnamed) child was 11 years old and was living with Sime's mother in Dynów. Sime did not have children with her first husband Bader, and David Lustig said that they did not have any children together at the time of the hearing.

According to the 1915 New York census, both David and his wife were then 36 years old, living at 172 Rivington Street, and a Max Lustig is listed as a son, 17 years old, born in Austria. In the 1920 census, David and "Sarah." both 38, are listed as living at 132 Attorney Street, and in the 1930 census, they're both listed as 46 years old, living at 126 Attorney Street.

On Sime's Social Security Application, she is listed as living at 106 Ridge Street, filed on February 1, 1937 at the age of 57. On David's World War II Registration Card, dated 1942, his residence address is listed as 206 Delancey Street. He was 59 at the time. There are age discrepancies for both Sime and David, but this was common in those times.

### Call for Help

Although I came across several Max Lustigs, I was not able to locate one that might be Sime and David's son. Among the Lustig relatives I tracked down were the two grandsons of David Lustig's brother, Harry Lustig. One of them had been old enough to remember his grandfather, but did not know about Harry's brother David, nor Sime.

I did find records of a Max Lustig, whose age lined up with my Max, but when I spoke with his grandson, the other facts weren't consistent. At this point I thought perhaps the Max listed in the 1915 census was a mistake. Or maybe Sime's son from Dynów had joined the couple, but I wasn't able to find a passenger manifest listing Max (or variations, Moish, Moses, etc.).

What tugged at me was the inscription "Beloved

Grandmother" on Sime's gravestone. Then I realized I should get the death certificate for Sime from the Department of Health in downtown New York City. When I received the certificate, lo and behold, the witness listed was a Ralph Zimmerman, grandson! Success! Back at the drawing board, I found that Ralph was one of three grandchildren of a Martin Zimmerman. The other two are Sidney (Zelig, 1929-2013) and Dorothy (b.1923-?). I found two children of Sidney, mid-60s, and four grandchildren between the two of them. I tried contacting the children on Facebook, but with no response.

I would like to find out more about the story of the colorful character Sime Mark Bader Lustig. Can somebody out there help me?

*Nina Talbot is a painter whose works are historical, visual narratives that weave the depiction of individuals and their stories into vibrant portraits. Her series include portraits of American war veterans, immigrant shopkeepers living in Talbot's Brooklyn community, a supermarket where people from the world over work and shop and Faces of Dynów; paintings documenting the lives of Talbot's relatives, historic rabbis and current townspeople from her maternal ancestral town of Dynów in Galicia.*

*She is currently at work on Places in Galicia, a series of oil paintings referring to places in historical Galicia, a province of the former Austro-Hungarian Empire, which today is part of Western Ukraine and Poland associated with Talbot's paternal family branch.*

<sup>1</sup>Webinar- Married at Ellis Island: Single Women and Immigration, 1892-1924, Dick Eastman-March 23, 2018: During Ellis Island's peak years, unmarried immigrant women faced extra scrutiny when entering the United States. Women who traveled with companions to whom they were not married were deemed susceptible to "immoral" activities. Single women who traveled alone and had no relatives to meet them were often seen as "likely to become a public charge." If the women married, however, they became admissible immigrants. As a result, hundreds of immigrants married at Ellis Island.