

**True Stories from the History of the Baltimore Eruv**  
**These stories were published originally in my Orthodox telephone directory for Baltimore,**  
**The Good Book. See the previous pages for the complete list.**

**Story 1. An Honest Mistake**

It is always important to remember the name of the person you are supposed to speak to. This story occurred when I had to speak to an important supervisor at Sinai Hospital. I called at the appointed time.

The secretary answered the phone, "Hello, Sinai Hospital Grounds Department."

I responded, "Good afternoon. May I please speak with Mr. Roach?"

The secretary asked, "Who did you want to speak to?"

I repeated, "May I please speak with Mr. Roach?"

After a stunned silence, the secretary started to convulse with laughter. She laughed and she laughed. I could not understand why my reasonable request was being greeted with such intense laughter. The lady regained her composure and said, "You don't want to speak to Mr. Roach." (Giggle.) "His name is Mr. Bugg."

**Story 2. Asking for Permission**

The Baltimore *Eruv* construction project had several unusual aspects. Since the *Eruv* Committee was unable to raise the requisite funds to hire a construction company (this was to be the first major city *eruv* outside of New York), the work had to be performed by volunteers. I scheduled construction to begin on a Sunday morning. The first pole to be modified was located on a state highway right-of-way but the second utility pole that the work crew would be modifying was located on someone's front lawn. I speculated that if several casually dressed men with beards and *tzitzis* showing, would walk onto this homeowner's lawn and start working on the utility pole, the homeowner might not assume that these people were utility workers employed by either the telephone company or the power company. He might feel threatened and call the police.

Anticipating this negative outcome, I visited the homeowner several days before that Sunday. I approached his door carrying my clipboard. I was certain that the clipboard would lend credibility to my persona as a construction foreman. I knocked firmly on the door. The homeowner appeared and said, "Hello."

Smiling, I said, "Hi. I'm Bert Miller. I am a construction foreman for the *Eruv* Corporation. We are a licensee of the Baltimore Gas and Electric Company. We have a contract to make pole attachments on these poles running along the road here. When we are finished, you won't even notice that anything has changed on this pole on your front lawn. Our work crew is scheduled to start their work on this pole at about 9:30 Sunday morning and the job will require them to stand on your lawn for about 10 minutes or so. We wanted to give you the courtesy of advance notice that this minor work will be going on here Sunday morning."

I smiled again and hoped that the conversation would end there. However, the polite homeowner

had a question. He asked me the question that I was expecting. “Why are you doing this?”

I turned and gestured toward the street and the utility poles there. I asked, “Do you see that thick telephone cable suspended between the poles?”

“Yes.”

“Well, that cable is the horizontal. What we have to do is to put verticals underneath the horizontals.”

With great relief, the homeowner replied, “Oh, verticals underneath the horizontals! Now I understand!”

I smiled again, thanked the man for his time and his understanding, and walked back to my car. I was satisfied that I had accurately explained the *din* of *tzuras hapesach* to a *ben Noach*.

### **Story 3. Bucket Truck Adventure**

At the beginning of the construction, we sought and received the permission of the power company to make pole attachments. Their permission was limited to nailing one eight foot length of power company molding (*lechi*) to each utility pole with special power company approved nails. However, this minimal permission proved to be unsatisfactory. Although the *halacha* does not require a *lechi* to actually touch the horizontal cable, it does require that the top of the *lechi* be positioned directly underneath the cable. The *din* of *gud asik* extends the top of a

*lechi* up toward the sky perpendicular to the ground. However, in order for a *tzuras hapesach* to be kosher, each *lechi* must be plumb with (directly beneath) the overhead cable. Unfortunately, there are some poles which lean away from the perpendicular so much that there is no way to locate the top of a narrow, eight foot tall *lechi* so that it will be directly underneath the cable.

When I approached the power company for permission to attach two eight-foot moldings end-to-end on a limited number of poles, they grudgingly approved. However, we discovered that a few poles lean so much that, even at the 16 foot level, it was impossible to locate the top of the *lechi* directly underneath the cable. When I approached the power company again, they were even more grudging than before. However, they allowed us to make our pole attachments from a bucket truck. The reality was that our volunteer teams were not trained in the operation of construction equipment such as a bucket truck. I was lucky to find volunteers who were at least able to drive a truck with a standard three-speed stick shift.

Once, a work crew came upon a “difficult” pole near the top of a small hill. The pole was difficult because it supported many cables and required some analysis to decide where exactly to attach the *lechi*. The men strategized where to park our rented truck so that they could swing the bucket over to this difficult pole without blocking traffic. They parked the large, rented, bright yellow bucket truck at the top of the hill on a nearby access road and walked over to the pole to survey the situation. They reached a consensus regarding where to locate the truck for the repair and walked back to the truck. However, the truck was not where they had parked it just minutes before. As they looked around, they did notice a yellow truck at the bottom of the hill. Curious, they walked down the hill to investigate. As they approached the bright yellow truck, they began to recognize it as *Eruv*'s rented truck. They saw a group of people standing around the truck and concluded that it was their truck. They also noticed that it had come to rest in the grille of a new

Cadillac. The neighbors wanted to know how such an accident could have happened. That was easy, Avraham, the driver, had not properly engaged the parking brake. They also wanted to know what work this strange looking work crew was doing. They called the police.

When the police arrived and asked what work the crew was doing, the crew suggested that the police call me, Dr. Miller, the manager of the project. They assured the officer that I would be able to answer all his questions. The state policeman called me and accepted my explanation that this work was being done under a license from the local power company.

To everyone's surprise, the owners of the Cadillac never called either *Eruv*, the negligent driver, or their insurance carrier to make a claim for compensation. Maybe the Cadillac had been stolen.

#### **Story 4. Railroad Adventure**

Towards the end of the 5½ year *eruv* construction project, I had to rent an especially high-lift bucket truck because several locations had poles which could not be reached by standard bucket trucks. This special truck had a reach of about 45 feet instead of about 25 to 30 feet. On this hot summer day, the crew had started working at about 8 a.m. and it was 4 p.m. by the time the crew had reached a certain pole at the railroad tracks. In order to maintain a safe height for the cable which crossed the tracks, it was suspended from a point 40 feet high on the pole. Unfortunately, this pole was on the "other side of the tracks."

The bucket man, yours truly, was not willing to park on "this" side of the tracks and then swing the bucket across the active tracks to reach the pole on the other side. Suppose a train would

come around the bend and be unable to stop in time! This would not be a *segula* for *arichas yamim*. Besides, it did not appear that the bucket would reach the cable attachment on the pole from the other side of the tracks anyway. The crew concluded that in order to attach the *lechi*, it would be necessary to drive across the tracks. Unfortunately, however, there was no roadway across the tracks. The rails were mounted on ties which were, in turn, two or three inches above the ground. It was not possible to drive straight over the rails but the team realized that it was possible to back the truck with its twin rear wheels across the tracks. The driver did this and the bucket man started to attach the *lechi*. As I worked down the pole, the driver got out to attach the bottom section of molding to save time.

Suddenly, I heard the driver start to shout and dance around the bottom of the pole. It had been a long day but this berserk behavior was out of character for the driver. It seems that the driver had inadvertently disturbed a wasp nest that was in the ground at the base of the tall pole. The driver was screaming and thrashing because he was allergic to wasp stings. As I watched from 20 feet above, the driver furiously ran over to the cab of the truck and jumped in as a cloud of wasps followed in hot pursuit. He pulled the door shut, rolled up the windows, and killed the wasps already crawling on him. He was successful and received no stings.

After 15 minutes of work, I had extended the *lechi* down to the 12-foot level and decided to return after dark to finish the bottom section so the wasps would not be disturbed a second time. It was now time to drive to the location of the next difficult *lechi*. This time, however, the truck was facing the tracks with its two front tires touching them. The driver revved the engine and the truck pushed against the nearer rail with no results. It was so easy to get the truck across the tracks before, why was it so hard now, he wondered. (Explanation: Four wide twin rear tires led across the rails the first time, but only two narrow front tires were leading across the rails now.)

The driver revved the engine again and the truck lurched forward, crossed the first track, and became stuck on the rails.

The truck could not go forward. It could not go backward. The running board/step of the truck had hooked on to the rail. As the driver shifted the truck into forward and then into reverse, the rear wheels started to spin and began to cut deep ruts into the soft earth on the side of the tracks. We became frantic as we imagined a train rounding the curve and crashing into the stranded bucket truck. What should we do? One person half seriously suggested that we call the police and make a false report that the work crew had gone into a nearby store to buy sodas and, before they returned to the truck, some teenage boys had jumped in and driven off. That certainly was a creative idea but a) it was dishonest and b) it is against the law to make a false police report. Dishonesty was not an option.

Everyone's evil inclination (*yetzair hara*) encourages him to do the wrong thing and break the law. The evil inclination, always alert to trip someone, whispered, "Do it! Do it!" The moral inclination (*yetzair tov*) was alert, too. It counseled, in its characteristic sing-song, "Don't do it! Don't do it!" A classic conflict between the two inclinations was being acted out in each man's mind. One man advised, "Don't start lying because, for sure, the lying will have to get more and more complex, and then, certainly, the lies will be exposed." Another voice proposed that it was very unlikely that the police would realize that the truck was never really stolen and abandoned in the first place. Another voice cautioned otherwise...he warned there are always people around who are watching. There are always people who see, observers that the police will question eventually as they investigate the criminal matter of a stolen and abandoned vehicle. "Don't do it," he said.

In the end, the moral inclination prevailed. I called the railroad company and asked to be connected with the railroad security department. I reported that a utility truck had become stuck across the tracks at this specific location.

“When was the next train due,” I asked with trembling legs.

“Tomorrow morning.” What a tremendous relief! The railroad police said they would rush over. The driver and I decided to stay and take the heat and the third went to call our wives and to contact a *frum* attorney.

The railroad police arrived in a few minutes. They called the city police and a tow truck. A crew member, David, called my wife and said, “Don’t worry. Bert is all right.”

“What do you mean? ‘Bert is all right’,” she asked worriedly.

“No one got hurt. It’s OK. He will be home in about an hour. Gotta go. Bye.”

G, the *frum* attorney, arrived and the tow truck arrived. Everyone was curious to know what type of work this strange-looking work crew had been doing. How did the crew get into this circumstance? Did they have permission? Were they trespassing? The tow truck driver insisted that he only would accept the required prepayment in cash and our work crew did not have the necessary \$50. In the end, though, he did accept my personal check.

The tow truck driver backed up his large powerful vehicle and attached the tow chains to the stricken bucket truck. He got out of the tow truck and went to the set of exterior controls at the



rear wheel of his vehicle. As the observers stood at rapt attention, the driver yanked back one of the control levers. The bucket truck jumped forward, straining between the rails that had captured it and the tow truck chains. He pulled another lever and the tow truck lurched forward an additional three feet violently pulling the truck off the rails. For a very long moment, the bucket truck was balanced at about a 45-degree angle with the ground. I wondered how much damage would be done to the truck if it fell over. It was a worrisome moment. Fortunately, the bucket truck righted itself and bounced to a stop.

To everyone's horror, however, the rails, which had only seconds before held the bucket truck, were now ripped off the railroad ties and lying twisted on the ground. We were expecting to be arrested, booked and held for bail. To our intense surprise and relief, we were invited to go home. No interrogation. No arrest.

The next day, I returned to the spot at about 10 a.m. There were about 50 railroad repair workers at the site. They had replaced the twisted rails and were testing their repair. At one point, the foreman gestured to the train engineer with two upraised arms and bellowed, "OK, Joe." The train slowly moved forward a few feet and PLOP. It slipped off the rails. "Stop," the foreman yelled. The train moved back a few feet and the repair was adjusted again. I left.

The railroad never contacted either the *eruv* organization or those of us on the work crew. Rabbi Heinemann later speculated that this lack of follow-up by the railroad likely would be explained by the following. If word would spread that railroads aggressively pursue unthinking people who unintentionally damage their rail lines, etc., then those hapless, dishonest persons who cause damage would simply slip away without promptly reporting the damage. Then, even worse damage will occur when unsuspecting trains run over the damaged rails.

### **Story 5. Rabbi Heinemann and His Jacket**

It was a 95-degree August evening and the *eruv* crew was about to start working on a particularly difficult utility pole. The cable approached the pole to point about 10 inches away but then turned sharply and went down a side street. Another cable continued from the pole along the proposed *eruv* boundary. One *lechi* would have to be positioned under each cable and securely attached. The work crew consisted of two fellows, Reuven, Shimon, in addition to *Reb* Yisrael Weinstein ZT'L and Rabbi Heinemann. Reuven said he was scared of heights. He was not going to climb the ladder. *Reb* Yisrael, was a big man, well over 220 pounds. He doubted that the old wooden extension ladder would support his weight. Shimon was not skilled in using a hammer. There was no purpose for him to climb the pole. The men started looking at one another with "Not me!" expressions. When Rabbi Heinemann realized that none of the other men were willing to climb the ladder, he immediately stepped to the ladder and started to climb. He was wearing his "work clothes" - white shirt, black tie, black suit and black hat. *Reb* Yisrael Weinstein spoke up and inquired, "*Rav* Heinemann, may I hold your jacket?" Rabbi Heinemann replied, "Yisrael, if you hold my jacket, how will I be able to climb the ladder?"

### **Story 6. Preserving the Neighborhood**

One summer evening, Shmuli was working on the extension ladder which his crew had leaned against a utility pole. Two crew members were holding the ladder and a third colleague was directing automotive traffic away from the ladder. After a while, a Baltimore City police car

drove up to investigate. The workmen with their beards, *yarmulkas* and *tzitzis* hanging out of their pants did not quite resemble a standard utility crew.

The police officer leaned out of the patrol car window and called up to Shmuli to come down and talk to him. He shouted, “Hey pal, come on DOOOWN.” Shmuli climbed down the ladder from the 15-foot level and walked over to the patrol car. “Yes officer, how may I help you?” The officer inquired, “What are you DOOOOIN’?” Shmuli answered, “Officer, we are members of the Orthodox Jewish community. We are building an invisible wall around the area to improve the quality of life, enhance our Sabbath observance and preserve the neighborhood.”

The officer responded, “Pal, let me give you some advice. If you want to preserve your neighborhood, nailin’ some sticks on some telephone poles ain’t gonna do it. What you gotta do is dig a deep moat around here and fill it with hungry crocodiles to eat those So and So’s!”

“Thank you officer.”

“Good Luck.”

### **Story 7. Matt**

In order to get men to volunteer for construction crew assignments, someone had to make the many phone calls. Often, the caller did not personally know the individual he was calling. Once, Larry was making the phone calls and his next call was to Matt. Unfortunately, he had transposed two digits in Matt’s phone number. Here is the transcript of the phone call between

Larry and the fellow that he thought was Matt.

("Matt's" phone is now ringing.)

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Matt: Rrrrunt. (unintelligible grunt)

Larry: Hi. This is Larry. May I please speak to Matt? Are you Matt?

M: Rrrrunt.

L: Hi, Matt. I'm making some calls to get volunteers to work with Bert on Sunday afternoon to build the *eruv*. Would you be able to work this Sunday?

M: What's a *Roov*?

L: You know. We are building an invisible wall around the community so that we will be able to carry on *Shabbos*. Will you be able to help out this Sunday?

M: Nah.

L: Thanks anyway. I'll call back next week. Bye.

M: Rrrrunt.

- - - This is the transcript of the Larry's call to Matt a week later. - - - - -

("Matt's" phone is now ringing.)

M: Rrrrunt.

L: Hi. This is Larry. I am calling back to see if you will be able to help out with the *eruv* construction on Sunday.

M: Ah's bin tawkin' t'ma friends 'bout dis. Dis not da kinda projec dat Ah should be involve wit.

L: Okay. Thanks anyway. Bye.

### **Story 8. Telephone Service**

Two *eruv* volunteers were attaching a *lechi* to a utility pole. One man was 15 feet up on a ladder and the other fellow was holding the ladder.

A lady drove up to the crew and inquired, “Will your work improve my telephone service?”

### **Story 9. The Emergency**

It was Friday, *Erev Shemini Atzeres*, 1982. The *eruv* inspector, Fishel Firestone, had a family emergency that morning. As a result, he got a late start checking the *eruv*. *Reb* Fishel dutifully made his rounds but discovered a crisis situation on Old Court Road. The telephone company had “rehabbed” about one mile of their cable which had constituted our *eruv* boundary. This means they had removed a mile of cable and had installed a new cable. Unfortunately, they had installed their new cable on the opposite side of the poles from where the *lechis* were attached. *Reb* Fishel observed all of the *lechis* in place where they had been the previous week. However, the cable was now secured on the opposite, wrong side of the pole. How would he be able to complete the repair for this large section of the *eruv* in the six hours remaining before candle lighting time? Frantically, he rushed to a pay phone and called me.

Hello, Woodlawn Senior High School.

FF: Hello. This is an emergency. I must speak to Dr. Miller immediately. Please tell him that Mr. Firestone is calling from the road.

WSHS: Yes, one moment please.

Hello, Faculty Room?

Yes.

WSHS: Is Dr. Miller there?

Yes.

WSHS: Dr. Miller, this is the front office. You have an emergency phone call. Mr. Firestone is calling from the road. You may pick up the call in the office.

Okay. Thank you. I'll be right down.

I rushed to the front office to speak to *Reb* Fishel. Upon my return, my colleagues in the faculty room asked, "All right, Dr. Miller, what is the secret code? Mr. FIRESTONE is calling from the ROAD?"

### **Story 10. One Tooth**

*Eruv* work can be dangerous. Henry was knocking a nail into a utility pole to secure a *lechi*. The special nails we were required to use were shaped like a "U" so that pole climbers who work for the utility company would not tear their legs on any protruding spikes. Sometimes, if a nail were not hit just right or if it were being driven into a knot or other hard part of the pole, the nail would come flying back at the worker's head. Once, a nail shot back and hit Henry smack in the front tooth. It broke off the bottom part of his tooth. The cap cost \$350.

### **Story 11. Three Traffic Tickets**

Most often when I rented a bucket truck, I would arrange for a weekend rental so that I could schedule the maximum number of volunteer teams. I would have a friend drive me over to the truck rental company on a Friday afternoon. I would drive the truck back on the Beltway to my home and the rented truck would sit in front of my home over *Shabbos*. I always scheduled the first volunteer team for *Motzai Shabbos*. They would come to my home right after *havdala*. Each team consisted of a driver, a bucket operator, and two helpers. One man would follow in the support car.

When the team members began to arrive, I would help them load the equipment and supplies on to the truck. When every man was present, the crew would drive off excitedly with my instructions of what to do and where they should do it. At 11:30 p.m., they would call me and tell me where they were and where they expected to be by midnight. I then would call the leader of the next group and tell him where he and his crew would find the first team. Then, he would call his crew and they would relieve the first team and work from midnight until 8:00 a.m. When the midnight crew arrived, the first crew would return to my home in the support car to pick up their cars. The midnight shift would call me at 7:30 a.m. Sunday. They would tell me where they were along the route and where they expected to be at 8:00 a.m. I would then call the leader of the 8:00 team. His team would meet the midnight team at 8:00 a.m. This was life before cell phones.

One *Motzai Shabbos*, when the first crew returned to my home at midnight to retrieve their cars, Joe, the driver, explained how he had gotten three traffic tickets. The crew had been working on

Old Pimlico Road and had taken the proper safety precautions. Joe stayed behind the wheel in the truck and activated the flashing yellow hazard light on the roof of the cab. I had purchased this device to provide additional safety for the crews. The second man wore a reflective jacket and waved away traffic with a flag and a flashlight, the third man assisted the fourth man, the bucket operator, by handing up additional supplies, watching for wires, driving the support car, etc.

When they completed the task on Old Pimlico Road, the crew jumped on the truck and drove over to the next location with the support car following. They drove through the Greengate development to the next repair which was on Greenspring Avenue. However, Joe, the driver, had forgotten to deactivate the yellow hazard light on the cab roof. It was appropriate to have the yellow hazard light operating while the crew was working on a pole. However, it was not appropriate for the light to be activated while the truck was moving from one location to the next. Joe, a senior research scientist and an expert “stick shift driver,” was not experienced in operating construction equipment. Under state law, only a tow truck towing a vehicle, a snowplow, or the like is entitled to have a flashing yellow roof light while it is driving from location to location.

As luck would have it, a lady police officer observed our rented truck apparently lacking justification to have its hazard light activated. She pulled over the truck to verify that a traffic violation had been committed. Joe told her that his crew was doing some repair work on utility poles and he had merely forgotten to turn off the yellow light when he left the location of the previous repair. The lady police officer decided to issue Joe a ticket. She asked to see the registration card of the vehicle. Joe apologized and told her that he did not have the registration card of the vehicle because it was rented and he was just the Saturday night volunteer driver.



Now the police officer was really angry. The vehicle was wrongfully operating a yellow hazard light and the driver did not have the registration. She demanded to see Joe's driver's license. However, Joe had been in such a hurry to come over to my house right after *Shabbos* that he had not changed out of his *Shabbos* clothing. He reached into his pocket to take out his wallet and, of course, all pockets in his *Shabbos* pants were empty. Joe apologized to the police officer and told her that he had mistakenly left his wallet at home. The police officer was now so angry that she had difficulty formulating sentences. She wrote the first ticket for the yellow light. She wrote the second ticket for the absence of a registration card. She wrote the third ticket because Joe did not have his driver's license. She had scored a "hat trick" – three tickets in one traffic stop!

When Joe arrived back at my home after midnight, he told me his tale of woe. He inquired whether I thought he would be convicted of the three violations. I speculated, "If the traffic judge is in a good mood, you'll beat the rap on all three."

I was right. Joe defended himself in court and the judge dismissed all three tickets. And Joe lived happily ever after.

### **Story 12. The Driver Needed Three Hands**

During the years when we were building the *eruv* using a cherry picker or bucket truck, there was only one company in the Baltimore metropolitan area which rented bucket trucks. Both of their bucket trucks had a standard stick shift with three forward gears. It was not always easy to assemble a 4-man volunteer team where one man was comfortable driving a truck with a stick

shift and another man was willing to operate the bucket and do the actual work on the utility poles. Occasionally, the only available truck had a defective driver's side door - it did not stay closed. It is true that we could have refused to accept such a truck. However, if we did not accept this less-than-perfect truck, we would have had to cancel the commitments of 20 to 30 men who had volunteered to work on one of the shifts that weekend.

It was dangerous enough to drive on a straight road with a driver's side door that did not close. However, it was a particularly great challenge to execute a right turn in such a truck. All the driver had to do was keep one hand on the door to keep it from flying open, maintain one hand on the steering wheel to execute the turn, and keep one hand on the stick to downshift in the turn. Most of our drivers, however, had just two hands.

Eventually, we developed a solution. We would tie one end of a rope to the door handle and have the driver sit on the other end. This solution kept the door closed and still provided for a quick exit in the event of an emergency.

### **Story 13. The Last *Lechi***

Both on December 25, 1980 and on January 1, 1981, we worked in shifts around the clock in our final push to finish the *eruv*. Our teams completed a tremendous amount of work. By the middle of January 1981, it was clear that we were on the verge of finishing. Rabbi Heinemann had walked and driven along the entire 16-mile perimeter to inspect our work. He noted those poles whose *lechis* had to be adjusted or repaired. Howard and I drove around the perimeter during the third week of January to make those repairs. There was one particular pole, however, whose

cable was about 35 feet above the ground, that other teams were unable to complete. This pole is located at the curb on Reisterstown Road near Old Court Road at the middle of the gas station. Howard parked our bucket truck against the curb, set the brake and left the cabin to wave away the traffic away from the curb lane. I started to operate the bucket and raise it to its greatest height. After about a minute and a half, I had the bucket fully extended and positioned against the pole. However, the cable was still another 3 feet above my head. I knew that the *eruv* would not be finished until this last *lechi* was extended up to the cable. It had been 5 ½ years since I had initiated the *eruv* project and this was the very last challenge. I was determined. At the height of about 35 feet above the pavement I did not have many options.

Don't try this at home! Carefully, I climbed out of the bucket. I planted one foot on the left rim of the bucket and one foot on the right rim of the bucket. I hugged the pole for dear life. I was holding a hammer in my right hand and a nail in my left hand. The bucket was swaying gently in the wind like a rowboat or a canoe might rock gently in a breeze. I realized that if I would continue to hold on to the pole with my right arm, I would not be able to drive the nails into the pole to secure the *lechi*. If I would continue to hold on to the pole with my left arm, I would not be able to hold the nails. I leaned my weight against the pole and released my grip on the pole. I held the nail with my left hand and started to tap it lightly with the hammer. Each light tap caused the bucket to shake but drove the nail further into the pole. It was a terrifying experience. When I was sure that the nail would not spring out of the pole, I put my left arm around the pole and again held on for dear life. I struck the nail with stronger and stronger blows until it firmly held the *lechi*. Each sharp blow caused the bucket to shake more. I repeated this process with three or four additional nails to hold the *lechi* securely in position under the cable. After about 7 or 8 minutes, I had finished the task. I carefully and gingerly climbed back into the bucket and took a deep breath. *Chasdei Hashem*, I thought.

Rabbi Heinemann checked this pole about two days later. The top of the *lechi* that I had worked so hard to attach had broken off. I believe this was a *siman* that I should not have endangered myself to install the *lechi*. I quickly made arrangements with the Sober Electric Company, an electrical contractor, to have their pole climber reattach the *lechi* in my presence at 7 a.m. Friday morning, *Erev Shabbos Parashas Yisro*, 1981. After thanking the worker for his repair, I drove to the bakery to buy my *challahs*. I told the bakery customers that probably this would be THE WEEK and that they should call the *Eruv* Hotline in the afternoon to find out for sure whether they would be entitled to carry.

#### **Story 14. The Whiteout on Park Heights Avenue**

One Friday morning about a year after we completed the *eruv*, I received a call at home from *Reb* Fishel Firestone, the *eruv* inspector. I was at home instead of in my classroom because all schools had been closed by a severe snowstorm. *Reb* Fishel told me that he had checked the *eruv* on Thursday in anticipation of the storm and had found it to be kosher except for one problem. The third utility pole from Reisterstown Road on Old Milford Mill Road had a *lechi* which was broken half way up. The way *Reb* Fishel described the break, I suspected that it was not even kosher *b'dee-eved*. I consulted with Rabbi Heinemann and he confirmed what I had suspected. In order for the *eruv* to have kosher status that *Shabbos*, it would be necessary for *Reb* Fishel and me to drive out to Old Milford Mill Road and make the repair. *Reb* Fishel met me at my home and we loaded my extension ladder onto my station wagon. We set out for the repair.

There was virtually no traffic on Park Heights Avenue that Friday morning. I was grateful that I

did not have to dodge other vehicles. There were already at least three inches of fine crystalline snow on the ground and the snow was falling so quickly I was not able to see where to make the left turn from Park Heights Avenue onto Seven Mile Lane. I had never before driven in near white out conditions. Through the blinding snow, I recognized the house at the southwest corner of Park Heights Avenue and Seven Mile Lane. I estimated where the Seven Mile Lane intersection was. I executed my left-hand turn and discovered that I had estimated correctly. Soon, I drove across Reisterstown Road and pulled my vehicle near the pole which had to be repaired. We took the ladder down from the roof rack and leaned it against the pole. I started up the ladder holding my hammer in my right hand. I had a pocketful of nails. As I started the repair, I observed a bolt of lightning and heard its thunderclap. I made my *brachos* and rushed to complete the repair because it was dangerous to be twelve feet up on a ladder leaning against a utility pole during a lightning storm. I finished the repair and climbed down the ladder just before the second lightning strike. The repair was successful.

Although I had wanted to drive *Reb* Fishel to his home, the snow was then too deep. I could not even reach my own home. Instead, I parked my station wagon one block from my home and *Reb* Fishel and I carried the ladder to my garage. We wished each other a good *Shabbos* and he walked home.

### **Story 15. Marvin's Guts**

The laws of physics and mathematics impact *eruv* construction. The most obvious impact is the sag in a cable or rope when it is suspended from two points. This curve has a name - catenary. The only *eruv* lines without obvious sag are those made from light cord or fishing line and then

pulled taut. However, such light material is not appropriate for every *eruv* application. Sections of an *eruv* which would be hard to repair should not be made from material likely to break when exposed to years of summer heat and winter cold.

Part of our *eruv* had to be strung from the side of the Jones Falls Expressway bridge located where the roadway enters Baltimore City above the railroad tracks. The southern-most *eruv* section hanging from the bridge needed to be about two hundred feet long because the bridge was curved! There was no other boundary route which could substitute for this one. No ordinary cord or rope could be expected to last years while bearing the necessary tension across the span of two hundred feet. Repairing this *eruv* section on short notice would be difficult to impossible.

I devised a plan to attach brackets to the side of the bridge about 50 feet apart and then to run the *eruv* line from bracket to bracket. I proposed making this *eruv* line from heavy rubber coated metal wire that was designed for outside applications. I convinced a local corporation to donate a few hundred feet of this wire and I asked my friend, Marvin Sober, to come with me to this bridge to show him my plan and to receive his input and suggestions. Marvin was a principal in the firm of Sober Electric Company and I believed he was most qualified to evaluate my plan and make suggestions. We drove over to the bridge and parked the car. I showed Marvin the problem and he agreed that my solution might work. I asked him where I could get brackets to hold and suspend the *eruv* line from the side of the bridge. Marvin said that he had a friend in the steel fabrication business and that he would probably be able to fashion the brackets that we needed. He offered to call his friend.

A few days later, Marvin called me back and said that his friend had agreed to fabricate the

dozen so brackets that we needed ... for free. He told me that after he had explained the design of the bracket to his friend, his friend had inquired, "Why do you need these brackets?" Marvin explained that Orthodox Jews take Sabbath observance very seriously. One of the components of our Sabbath observance is that we do not carry things outside of our homes during the Sabbath day, that is, unless a series of boundaries and barriers is constructed and linked around the area. This enclosure is called an "*eruv*." His friend was astounded by the story and was overwhelmed at Marvin's courage to try to explain it to him. He told Marvin, "Since you had the 'guts' to tell me this story, I am not even going to charge you for these steel brackets." He fabricated the brackets for free.

### **Story 16. The Dead Deer and the Tick**

When we were making our first survey of the possible *eruv* boundaries, Rabbi Heinemann and David walked along the Jones Falls Expressway fence from Old Court Road to Old Pimlico Road to verify that the fence was intact and that the ground underneath had not eroded over the years. Chain-link fences are installed along a highway right-of-way to prevent animals and children from running onto the roadway. This safety factor is a boon for *eruv* construction. Highways make excellent *eruv* boundaries because of these barriers. As Rabbi Heinemann and David were walking along the fence, they came across the skeleton of a dead deer. The deer had probably entered the construction site of the highway before the highway was completed.

Once, Rabbi Heinemann walked along part of the Jones Falls Expressway fence with me. He reported to me later that he had found a tick on his body. He also shared that although he is not susceptible to poison ivy, he had scratched himself on the back of his hand, apparently right

above a nerve. He said that when he lightly rubbed his finger over the scratch, his entire hand tingled.

### **Story 17. The Detroit Eruv**

Mr. Smith, a non-Jewish employee of the Michigan Department of Transportation, traveled to Baltimore to find out how Jews build an *eruv*. Upon reaching me on the phone, he introduced himself and declared, “The Detroit Jewish community wants to build an \_\_\_\_ (*He hilariously mispronounced the word “eruv” as another Hebrew word.*) around the city so that they can carry on the Sabbath.” I told him, “An \_\_\_\_ does not permit carrying on the Sabbath. What the Detroit Jewish community wants to build is called an ‘*A-roov*.’” Mr. Smith then informed me that the City of Detroit intends to build a mass transit system. He asked, “Will the mass transit line desecrate the City of Detroit for the purpose of building an *eruv*?” I told him, “Detroit is not in the category of one of the special holy cities such as Jerusalem. As such, it is not subject to desecration. The building of the mass transit system will have no impact on the holiness-status of Detroit.”

### **Story 18. The Spool of Fishing Line**

One challenge that we encountered during construction involved the *eruv*-linkage of an embankment to an overhead cable. The *eruv* boundary coming from one direction ran along the slope of the embankment. The boundary coming from the other direction ran along a line of utility poles on the other side of the street (Old Pimlico Road) at the boundary of the Liberty



Jewish Center property. A telephone cable from one of these poles crossed over the embankment at a height of about 18 feet. My challenge was to “connect” this embankment to the overhead cable. The *halacha* required that there had to be at least four *amos* (seven feet) of steep slope (i.e. kosher slope) directly beneath the foot of the *lechi* before any less steep (i.e. non-kosher) slope. I proposed to “link” the overhead cable to the slope by locating a wide *lechi* directly underneath the cable at a point about 10 feet up the steep slope. The *halacha* does not require that a *lechi* physically touch an overhead line. I made arrangements with Rabbi Heinemann to come with me to this location to verify that my solution would satisfy the *halacha*. When we arrived, it was already night. It was not possible to position the *lechi* by sighting it from a distance.

Rabbi Heinemann and I parked our cars and walked over to the location. I brought along an 18” wide plywood *lechi* already attached to a metal stake, a sledgehammer, and a spool of fishing line. I had no ladder from which to suspend a plumb line and precisely position the *lechi* under the cable. There was no way to use a conventional ladder on the slope, anyway. I estimated where on the slope to locate the *lechi*. Rabbi Heinemann approved my proposed location which was about half way up the slope. He inquired how I would precisely position the wide *lechi* underneath the overhead cable. I invited Rabbi Heinemann to watch.

I hit the metal *lechi* stake a few times to drive it several inches into the ground. I stood underneath the cable as Rabbi Heinemann watched intently. I then took the spool of light fishing line. I held the end in my left hand and played out several feet of line from the spool, which I held in my right hand. I softly lobbed the spool up in the air over the cable. As it tumbled back down, it unwound and I caught it with my right hand. Rabbi Heinemann blurted admiringly, “How did you do that?”

“Basic baseball skills,” I retorted.

I attached an elastic band around the spool of fishing line so that it would unwind no further and would serve as the weight at the end of this effective plumb line. It showed us precisely where to locate the *lechi*.

### **Story 19. I Took the Nails out of Rabbi Heinemann’s Mouth**

One Friday afternoon in November 1982, at about 4:00 p.m., *Reb* Fishel Firestone, our *eruv* inspector, called me at home. He was frantic. The section of the *eruv* line which crosses Northern Parkway at the entrance to the Jones Falls Expressway had come down. During the previous hour, two electricians had come to the site to help. One attempted the repair, failed and quit. The other was intimidated by the danger and left without trying.

First, *Reb* Fishel had called the electrician that we had on retainer and together they reattached the *eruv* line about 20 feet up on the pole on the south side of Northern Parkway. They placed rocks on the *eruv* cord so that passing cars would not get caught up in it. They then carefully played out the line from the 3000-foot spool, which was about the size of a large watermelon, as they scampered through the heavy traffic on Northern Parkway on their way to the pole on the north side. At the second curb, they pulled the cord taut and again placed stones on it.

The electrician climbed the pole on the north side of Northern Parkway as he held the large spool in his arm. A large truck rolled over the *eruv* line, caught the line in its rear tires, and ripped the

spool of cord out of his grasp. It was a frightening experience and he quit on the spot. *Reb* Fishel then contacted another electrician and he arrived shortly thereafter. He looked at the pole but refused to climb it. He complained that the high-voltage cables attached to this particular pole were carrying 12 kilovolts of electricity. He explained that touching such cables meant instant death, and he was not inclined to “get fried” for an invisible wall that particular Friday afternoon.

*Reb* Fishel then rushed to call and inquire of me what he should do. I knew. I quickly assembled some tools and called Rabbi Heinemann. But his phone was busy. I called again and again and each time his line was busy. Only 30 minutes remained before candle lighting. I contacted the operator, identified myself as “Dr. Miller” and mentioned that I had an emergency phone call for Rabbi Heinemann. The operator assumed that this was a medical emergency. She had no reason to believe that she was talking to a math teacher, not a physician. The operator broke into Rabbi Heinemann’s conversation and informed him that there was an emergency phone call from a Dr. Bert Miller. Rabbi Heinemann quickly terminated his phone call and accepted mine. I briefly explained the problem and offered to pick him up and drive him to the repair. He declined my offer. He said he would drive himself. When we arrived at the location, it must have been about 4:15 p.m. We did not have a lot of time before candle lighting. We quickly realized that we would not be able to string the cord across busy Northern Parkway during rush hour.

We implemented "Plan B." Fortunately, there was a guy wire running from the pole on the south side of Northern Parkway which connected to the pole on the north side. However, there was no *lechi* underneath that wire. We attached a wide piece of plywood to a stake and located it near the south-side pole directly underneath the wire. Then we ran a short piece of string from the top of the plywood to the pole and down to the ground. Rabbi Heinemann did the hammering.

However, Rabbi Heinemann was unwilling to carry any nails in his pocket in these minutes so close to *Shabbos*. Instead, he took the nails for the second pole and put them in his mouth. Then we sprinted through the oncoming traffic across Northern Parkway to the second pole and we repeated the procedure. He held the plywood in position and hammered in the first nail. Then, while still holding the plywood in position with his left hand and the hammer in his right hand, Rabbi Heinemann signaled to me to take the stored nails out of his mouth. I did. The repair was successful and we hurried home arriving a few minutes before candle lighting. On *Shabbos*, Rabbi Heinemann thanked me for interrupting his phone call. He told me that he had been having difficulty ending that phone conversation when my call came in. He told me he appreciated the smooth way he was able to terminate the conversation.

### **Story 20. A Nail in the Mouth**

One difficult pole was located on the “Beth Tfiloh Corner” of the intersection of Greenspring Avenue and Old Court Road. Before the intersection was improved, this pole stood about 15 feet back from the street on the crest of an embankment. We did not have a ladder with us when we pulled up in our bucket truck. I moved the truck next to the curb and Avraham, the bucket operator, maneuvered the bucket as close to the pole as he could. He reached out to attach the *lechi*. Although he leaned out of the bucket as far as he could, he was still 12 to 18 inches away from the pole. Carefully, he climbed out of the bucket and onto the pole about 10 feet above the grassy embankment. He held the hammer in his right hand and a nail in his left hand. He put his right arm around the pole so that he would not tumble on to the grass. However, he could either hammer or hang on - but not both. He did not have three arms.

He put the nail between his lips and held his head against the pole. He started to hammer the nail (across his face) carefully avoiding a blow to his teeth. After several taps, he had driven the nail far enough into the pole so that he did not have to continue to hold it in his lips. He then finished hammering the nail with several increasingly sharp blows. He repeated this process with another few nails. He finished the *lechi* and climbed back into the bucket. We were off to the next pole.

### **Story 21. Not a Segula for Arichas Yamim**

Another difficult pole was located at the corner of Northern Parkway and Reisterstown Road. In order to attach the *lechi*, I thought that if two men were holding the ladder, and the fourth man would be alert to wave away traffic, the man on the ladder would be able to do his job in relative safety. *Reb* Yisroel Weinstein *A.H.* disagreed with my plan. He said putting an extension ladder in the roadway and leaning it against a utility pole, even for five minutes, would not be a “*segula* for *arichas yamim*.” Instead, we moved the foot of the ladder on to the sidewalk and had our climber reach around the pole to hammer in the nails.

### **Story 22. How Our Eruv Got Started**

I got the idea to build an *eruv* in Baltimore after I read a New York Times article which described the successful *eruv* project of Rabbi Sholom Gold in West Hempstead, New York. I thought that since Rabbi Gold was able to build an *eruv* in West Hempstead, our Orthodox community in Baltimore, home to a major *yeshiva gedola*, Ner Israel, a *yeshiva* filled with prominent *talmidei chachomim* and *poskim*, certainly could complete an *eruv* project also.

One Sunday afternoon, my wife and I hosted the family of Dr. Dale Gottlieb. At the time, Dr. Gottlieb was an assistant professor at the Johns Hopkins University with a joint appointment in the Departments of Philosophy and Computer Science. Today he is known around the world as Rabbi Dovid Gottlieb. He lives in Har Nof and is a faculty member at Yeshiva Ohr Sameach. He lectures worldwide.

I mentioned to him my idea to build an *eruv* in Baltimore and he told me that his friend on the Ner Israel faculty, Rabbi Moshe Heinemann, had an expertise in *eruv* construction. Dovid offered to call Rabbi Heinemann right then. I knew Rabbi Heinemann because I had been in his *shiur* at Ner Israel for several months in 1968. I had also been attending his weekly *halacha shiur* for a few years. Dovid picked up my phone and dialed Rabbi Heinemann's number. Rabbi Heinemann must have answered the phone.

Dovid greeted Rabbi Heinemann and asked, "Would you be willing to work together with Bert Miller and some others to build an *eruv* in Baltimore?" Rabbi Heinemann indicated his willingness to work with me.

It was 1974. I was a member of Shearith Israel, the *shul* of Rabbi Mendel Feldman *A.H.*, and I resolved to raise the question of a city *eruv* at the next membership meeting. At the end of that next meeting, when the president, Mr. Kurt Flamm, *A.H.* asked for discussion of new business, I raised my hand to be recognized. Mr. Flamm called on me and I mentioned that an *eruv* had recently been constructed in West Hempstead, New York by Rabbi Sholom Gold. I asserted that if Rabbi Sholom Gold could complete an *eruv* in West Hempstead, then the Torah community of Baltimore could certainly complete an *eruv*, too. I mentioned that there was a faculty member at

Ner Israel who had an expertise in *eruv* construction, Rabbi Moshe Heinemann. I proposed that as the leading *frum* Orthodox synagogue in Baltimore, Shearith Israel should engage the services of Rabbi Heinemann to build the city *eruv*. Some of the senior members of the synagogue, however, took exception to my proposal. One gentleman, *Rav* Breuer's son-in-law, Mr. Felix Bondi *A.H.* agreed that building an *eruv* was an excellent idea. However, he added, "Our rabbi, Rabbi Feldman, is also a big *talmid chachom* and also has the knowledge to build a city *eruv*. Therefore, the president should be directed to speak to Rabbi Feldman about building this *eruv*." I accepted Mr. Bondi's amendment to my motion and the motion carried. Mr. Flamm agreed to speak to Rabbi Feldman about my *eruv* idea.

About a week later, Mr. Flamm reported to me that he had spoken to Rabbi Feldman. He related to me that Rabbi Feldman was against the idea of building an *eruv* in our city. He quoted Rabbi Feldman's objection – "If an *eruv* were to be constructed in Baltimore, the non-religious people would come to think that it was all right to carry on *Shabbos*." And, of course, this would be a horrible, intolerable result.

Soon after the *shul* meeting, I met with Rabbi Heinemann to find out what I should do next and what would be involved in building an *eruv*. At that time, I did not know whether "*eruv*" was spelled with an *aleph* or an *ayin*. Rabbi Heinemann explained to me that I should assemble a committee with at least one man from each *shul* and conduct a survey of potential boundaries. He said I should submit the boundary survey to the Vaad HaRabbanim for their consideration and ask for their endorsement of the project. He told me that it would be a *chutzpa* for *baalei batim* to simply build an *eruv* in a city without the prior permission of the rabbis there. He told me, however, that even before the survey could be started, I needed the permission of the three leading rabbis of the city. *Rav* Ruderman, *ZT'L*, the founding *Rosh HaYeshiva* of Ner Israel, was

the *Gadol B'Er*. Rabbi Mendel Feldman had the biggest *shul* and Rabbi Yitzchok Isaac Sternhell, *ZT'L*, *mechabair* of *Sefer Kochav Yitzchok*, was a *poseik* of note. He further advised me to speak to Rabbi Feldman first because he counseled that if Rabbi Feldman says, "Yes," Rabbi Sternhell would not say, "No." I told him that Rabbi Feldman had already expressed some negativity toward the proposed *eruv*. He told me that the project could not go forward until all three rabbis gave their OK. At the appropriate time, Rabbi Heinemann would speak to *Rav* Ruderman.

I knew that Rabbi Feldman was a senior *Rav* and I knew that he was very concerned about issues such as *baalei teshuva* and *kiruv*. Obviously, he wanted to avoid the misimpressions an *eruv* might create. I was unable to think of any response which would satisfy Rabbi Feldman's concerns and objections. I had not been raised in a Sabbath observant, Orthodox, Torah-true home like Rabbi Feldman. I had become Torah observant in college. I had entered Johns Hopkins University as a conservative Jew and had graduated as an Orthodox Jew and I was not aware that non-religious people paid attention to whether or not Orthodox Jews carried in the street on Saturday.

At about this time, I had made friends with Gene. Gene agreed with me that it would be an excellent idea to have an *eruv* in Baltimore. I shared with Gene that Rabbi Feldman was against the construction of an *eruv* and I told him what Mr. Flamm had told me. Gene assumed that something must have been garbled in the transmission from Rabbi Feldman to Mr. Flamm to me. Gene said that he was very close with Rabbi Feldman and promised to speak with him about supporting the construction of an *eruv*. He added that if Rabbi Feldman would base his *eruv* objection on whether non-religious people would come to think that it was permissible to carry on *Shabbos*, he would discuss the matter further with Rabbi Feldman. Gene attended one of Rabbi Feldman's weekly Gemara *shiurim* and I was excited at the possibility that Rabbi



Feldman might reconsider his position.

Weeks passed. I ran into Gene and I asked him if he had spoken to Rabbi Feldman. Gene said no. He had been busy and he had not attended the weekly *shiur*. I ran into Gene again several months later in the spring of 1975 and I asked him again if he had spoken to Rabbi Feldman about the *eruv* project. Gene had not spoken to him.

It was now July 1975 and my friend Danny and his wife, Leah, were moving from Baltimore to Elizabeth, New Jersey. Danny had finished his advanced medical training and was leaving to accept a position in nuclear medicine. Danny and Leah had made many friends and Gene and his wife decided to host a *tzaischem l'shalom* party for them. Danny and Leah were members of Shearith Israel and most of the people at this party were admirers of Rabbi Feldman. I was at the party too. About half an hour after my wife and I arrived, Rabbi Feldman walked in. He also wanted an opportunity to say goodbye to Danny and Leah.

I realized that this was my chance. Gene had given me various excuses why he had not spoken to Rabbi Feldman and now here I was in Gene's own home(!) with both Rabbi Feldman and Gene. Gene was no wimpy guy and I could not resist the temptation. I walked over to Gene and whispered in his ear, "Gene, did you ever speak to Rabbi Feldman about building an *eruv* in Baltimore?" Gene indicated no. I mockingly whispered, "Well, I don't believe that you have the guts to ask him that question. I think you are a yellow-bellied coward." I giggled. Gene immediately realized that I was just giving him a good-natured hard time and he took my challenge good-naturedly. He stepped over to Rabbi Feldman and asked, "Rabbi Feldman, would it be OK to build an *eruv* in Baltimore?"

Rabbi Feldman was certainly not expecting this question at a party. It seemed as if the entire room had become silent. Everyone focused on Gene's words and the rabbi's response. It was like one of those advertisements for the E. F. Hutton investment company. Their slogan is, "When E.F. Hutton talks, everyone listens." Rabbi Feldman answered, "It would not be appropriate to build an *eruv* around the whole city but an *eruv* around the Jewish area might be possible." This was the breakthrough I had waited for for four months. At the end of the party, I rushed home and I called Rabbi Heinemann. I told him the good news. He was pleased with the results. He said, "Now you have to speak to Rabbi Sternhell." Rabbi Sternhell, however, spoke mostly Yiddish. I was not confident that I, a non-Yiddish speaking, recent *baal teshuva*, with a college background, could communicate effectively with a European rabbi.

I asked around for suggestions about who could take the *eruv* question to Rabbi Sternhell. Someone suggested Mr. Sol Ellenbogen. I spoke to Mr. Ellenbogen and he agreed to speak with Rabbi Sternhell. It seems that Mr. Ellenbogen had recently returned from a trip to Brussels. Brussels had an *eruv* and Mr. Ellenbogen had observed the lovely scene of Orthodox parents pushing carriages and walking with their young children on *Shabbos* afternoon. He posed the question to Rabbi Sternhell with much enthusiasm. Rabbi Sternhell responded that although he certainly would not help with such a project, he would not oppose it either. Mr. Ellenbogen relayed this information to me and I immediately was back on the phone with Rabbi Heinemann. Rabbi Heinemann was pleased with the news of Rabbi Sternhell's response and said he would meet with the *Rosh HaYeshiva*, Rav Ruderman.

Rabbi Heinemann showed Rav Ruderman on a map how the proposed *eruv* would be bordered by "*sholosh mechitzos*" – *halachic* barriers along three complete sides. The Jewish neighborhoods in northwest Baltimore are bounded by the fence of the Beltway on the west and

north and the fence of the Jones Falls Expressway on the east. These *sholosh mechitzos* removed the site of the proposed *eruv* from any consideration as a “*reshus ha-rab-bim d’oraisa*”- a large public area which cannot be enclosed by a conventional *eruv*. (*Bay-ur Halacha* 363, [beginning] “*Asru chachomim.*” *Rav* Ruderman was delighted with this circumstance. He ruled that Baltimore did not have a *reshus ha-rab-bim*. However, he said that the proposed *eruv* should not extend beyond the Beltway. He said that although the Beltway was not a *reshus ha-rab-bim* as of that time (1975), no one can accurately predict future traffic patterns. He was concerned that perhaps the Beltway might become a *reshus ha-rab-bim* in 20 or 50 years. He noted that it is difficult or impossible to shrink the boundaries of a city *eruv* once it has gone into effect. Rabbi Heinemann readily agreed not to expand the *eruv* beyond the Beltway.

Rabbi Heinemann called me to report the response of *Rav* Ruderman and to inform me that it was now time to start the boundary survey. I mapped out a proposed 16-mile *eruv* boundary and enlisted the help of about a dozen men. I organized two-man teams to inspect the fences and, during July, they inspected my route pole-by-pole and fence section-by-fence section. I reported to Rabbi Heinemann that the men had verified that “*eruv* potential” existed along my proposed boundary route. Rabbi Heinemann advised me to arrange a meeting between my committee and the Vaad HaRabbonim.

I called Rabbi Feldman in early September, reminded him of his answer to Gene, and informed him that my committee had completed a preliminary survey of potential *eruv* boundaries. I said we were requesting that the Vaad HaRabbonim attend a meeting with us so that we could present our findings. Rabbi Feldman agreed that a meeting would be a good idea. However, he told me that since the correct protocol was for the *baalei batim* to ask the *rabbonim* to be invited to a meeting, he would arrange for the Vaad HaRabbonim to invite my committee. This event was

scheduled for an evening in September at the Shearith Israel Congregation.

Stan Lustman, an attorney on the committee, made the presentation. The rabbis asked various probing questions of the committee and there was some argument back and forth among the rabbis. One person at the meeting spoke strongly against the idea of an *eruv* in Baltimore. He asserted that there was no evidence for the need of an *eruv*. He said that no one had asked for an *eruv*. He challenged the committee members, "If your wives were good mothers, they would stay at home with their children on *Shabbos*. They don't need an *eruv*." Within a short time, perhaps a year, that man became the father of twins.

Rabbi Vitsick, *A'H* spoke up at the end of the meeting to provide a context for the passionate words that the rabbis had spoken. He told a story about the Telshe Yeshiva, where he had learned in Lithuania. One of the non-Jewish caretakers at the Yeshiva was overheard speaking to one of his friends. He described the behavior of the rabbinical students in their large study hall. He described how they would sit with their large books open and yell and scream at their study partners. The caretaker had observed much yelling and screaming, passionate yelling and screaming, in the streets and taverns of his gentile community in Telshe. There, the commotion was followed often by fistfights and brawling. With wonderment he explained to his friend how in all the months that he had been working at the Yeshiva, he had never once seen a fist fight or a brawl there.

And so it was, Rabbi Vitsick said, with deliberations between rabbis. Sometimes positions are debated in a very passionate way. Sometimes feelings run high. However, such animated presentations are not preliminary to a brawl. G-d forbid! They just evidence how strongly the rabbis feel about the important issues facing our community. The meeting was adjourned

without any vote by the rabbis. The rabbis informed us that they would have further discussions about the *eruv* matter and would get back to us. No final decision came out of the October Vaad HaRabbonim meeting either.

I had become pessimistic about receiving the necessary rabbinical endorsement and I was troubled by the assertion of that person who had said that no one wanted an *eruv*. I knew that he really had no basis to make that assertion. He had not conducted any survey. I was in graduate school at the time and was planning the design and implementation of a large-scale statistical experiment for my dissertation study. I felt qualified to organize and conduct a survey of the *eruv* opinion(s) of our community. I spoke to Rabbi Heinemann about my idea of surveying the Sabbath observant community in Baltimore about their disposition toward the construction of an *eruv*. He said, "It can't hurt."

I resolved to conduct the survey. I approached each Orthodox *shul* for a list of its Sabbath observant members. In some *shuls*, the *frum* members were a minority. In other *shuls*, the entire membership was *frum*. After I collected the lists, I scheduled a meeting of my *eruv* committee and together we worked to cull the duplicate names. When we were finished, we had identified 600 Sabbath observant households in Baltimore. This number did not include those families who lived outside the Beltway, i.e. on Yeshiva Lane and in Randallstown.

Each committee member contributed about \$25 and we printed and mailed a letter, which included a response postcard. My brief letter described the proposed *eruv* construction project. I had suggested that the reply postcard should say, "I support the construction of an *eruv*. yes \_\_\_\_\_ no \_\_\_\_\_." However, Dr. Tom Blass, a psychology professor, suggested that the reply postcard say, "I support the *eruv*. \_\_\_\_\_" Tom said that since the reply postcard anyway would include six

to eight lines for people to write comments, there was no need to (perhaps) generate extra “no votes.” Anyone against the project could fill up the six to eight lines to state and explain his position. I adopted Dr. Tom’s idea. In the end, we received 305 responses to our 600 letters and 293 were positive. That translated to 96% in favor.

I shared this information with the Vaad HaRabbonim in mid-November. On a *Shabbos*, in late November 1975, Rabbi Feldman devoted his *drasha* to the *eruv* project. He explained why, initially, he had opposed the idea of the construction of an *eruv*. He mentioned that he had had a concern that the young families living within the *eruv* would, upon completion, have an additional complication in the Torah education of their children. Now, he said, young parents just have to train their children not to carry. With the construction of an *eruv*, however, they will have to explain that some things may be carried. But items with *muktzeh* status still could not be carried. Baby carriages could be pushed. But bicycles could not be ridden. He mentioned how he had phoned his friend, Rabbi Fabian Schonfeld in Kew Gardens Hills, Queens, to learn about the *eruv* experience there. Rabbi Schonfeld had told him that his community had responded appropriately to the completion of their *eruv* a few years before. The construction of the Kew Gardens Hills *eruv* did not create the problems of ball playing and tennis on *Shabbos*. With Rabbi Schonfeld’s reassurance, Rabbi Feldman said that he was confident enough to formally say, “Yes” to the *eruv* question.

Within a few days, we learned from the president of the Vaad HaRabbonim, Rabbi Poliakoff, that the Vaad HaRabbonim had voted to approve the *eruv* project.

My next job was to contact the local utility companies for permission to make pole attachments.

### **Story 23. Initial Eruv Boundary Survey**

After Rabbi Mendel Feldman's tentative approval of the *eruv* idea in July 1975, Rabbi Heinemann advised me to invite one or two energetic men from each *shul* to join the *Eruv* Committee. I did that. Within the next two weeks, I had selected a possible *eruv* boundary and organized two-man teams to inspect my proposed boundary to determine if "eruv potential" existed along that route. Optimally, *eruv* boundaries are drawn to trade-off between maximizing the included area and minimizing construction costs. I drew a map of my proposed *eruv* boundary and wrote a questionnaire for these "surveyors." It contained questions such as a) Is the Jones Falls Expressway fence continuous from the Beltway to Old Pimlico Road? b) Are any sections of the fence missing? c) Does the fence extend all the way to the ground along that entire stretch? d) In exactly what location(s) does the fence not extend to the ground? The teams went out on two Sundays in July. I advised the teams that would walk along sections of the highway fences that one man should park his car at the beginning of their assigned section, drive with his partner to the end of the section, and then the two should walk back to the first car. I had the men go out in pairs lest a lone surveyor get hurt in some isolated spot. The reports of the survey teams were incorporated into one document and Stan Lustman, an attorney, agreed to make an oral presentation to the Vaad HaRabbonim.

### **Story 24. Applying Tractate Eruvin to Modern American Cities**

After the Vaad HaRabbonim approved the *eruv* project, it was time to contact our power company to obtain permission to use their poles. What we call an *eruv* today is an unbroken

series of physical barriers such as highway fences, buildings, embankments, etc. Where such barriers do not exist, utility poles may be modified to create a series of rabbinic partitions (*lomdanische mechitzos*), virtual walls, or “doorways.” Usually these “doorways” consist of a pair of utility or other poles connected by an electric wire, string or rope. Often, we attached a series of molding strips (*lechis*) down the pole. We started from the point where the telephone cable was attached to the pole and extended the molding strips down to the ground. Large American cities have thousands of utility poles connected by hundreds of miles of wires. When *eruv* committees attach molding strips, *lechis*, to the utility poles they create a series of “doorways” which becomes an *eruv* boundary. I created the phrase “ritual enclosure” to describe an *eruv* to persons unfamiliar with the concept.

### **Story 25. The First “Eruv Site” in the World**

Rabbi Heinemann told me that an *eruv* committee in Montgomery County, Maryland had asked their power company for a meeting to request permission to make pole attachments so that they could build their *eruv*. At the meeting, the company listened politely to their request and asked, “Where are the poles that your committee wants to use?” The committee presented a map and the company representative responded, “We’re sorry but those are not our poles. You want to speak to another power company.” The *Eruv* Committee contacted the correct power company and made their presentation again. The company listened politely and said, “No.”

Ingeniously, the *Eruv* Committee then approached the County Executive for a proclamation declaring that Montgomery County was an “*Eruv* Site.” He provided the proclamation and they sought and received another appointment with the power company. At the second meeting, they



showed the power company the proclamation. Rabbi Heinemann related the response of the power company as, "Oh, Montgomery County is an *Eruv* Site?! We didn't know that this was an *Eruv* Site. Of course, we'll give you permission to make the pole attachments." Since I did not want such an initial rebuff from our power company, we drafted a joint proclamation for the Mayor of Baltimore City, William Donald Schaefer, and the Baltimore County Executive, Theodore Venetoulis. It declared that the Baltimore metropolitan area was an "*Eruv* Site." The City Comptroller at the time was Mr. Hyman Pressman, A.H., a *shomer Shabbos*. I asked Mr. Pressman to approach the Mayor on behalf of the community. Mr. Pressman agreed and easily obtained the signature of the Mayor. Soon after, I obtained the signature of the County Executive. Armed with this joint proclamation, I was ready to contact the Baltimore Gas and Electric Company. I asked an *Eruv* Committee member, Ken Lasson, to write a letter for us. Ken, a professional writer, was then assistant dean at the University of Baltimore Law School. This is Ken's letter.

Mr. Norman Bowmaker  
Vice President, Baltimore Gas and Electric Co.  
Lexington and Liberty Streets  
Baltimore, MD 21201

Dear Mr. Bowmaker:

We represent the Orthodox Jewish Community in northwest Baltimore.

Because of our strict observance of the Sabbath, we are required not to carry any objects

beyond the confines of our homes unless there is a ritual enclosure around the entire community. This enclosure is symbolic in nature; but does require some sort of physical demarcation. Existing telephone and utility wires are often suitable for this purpose. The tacit permission of both your company and the Chesapeake and Potomac Telephone Company, joint owners of the poles is therefore necessary. Similar ritual enclosures have already been established, in cooperation with local utility companies, in a number of Orthodox Jewish communities throughout the country.

It is difficult to explain our precise needs in a short letter. We would like very much to meet with you at your earliest convenience concerning this matter. Please advise accordingly.

Yours truly,

Kenneth Lasson

### **Story 26. Our Meeting with the Baltimore Gas and Electric Company**

In response to our letter, Mr. Charles Smith, of the Public Relations Department of the Baltimore Gas and Electric Company, arranged to meet with us in Rabbi Mendel Feldman's office in the Shearith Israel *shul*. We warmly greeted Mr. Smith and introduced ourselves. He sat down and asked us with intensity, "What do you want to do?"

We explained that, as Orthodox Jews, we are very strict Sabbath observers. There are 39 activities which we do not perform during our Sabbath, Friday evening to Saturday night. One

of those activities is “carrying.” In fact, this prohibition of carrying is mentioned in the Book of Jeremiah 17:21. At this point, Mr. Smith could not contain his curiosity. He blurted, “You mean you cannot carry something from your dining room to your kitchen?” We assured him that we could. We told him that we are allowed to carry inside our homes just not outside our homes. Certainly, he thought we were crazy. Mr. Smith seemed comfortable, however, with my sports analogy for Sabbath carrying. I pointed out that most sports have rules dealing with “inbounds” and “out-of-bounds.” I explained that, on the Sabbath, we are permitted to carry “inbounds,” i.e. in buildings or in an *eruv*, a ritual enclosure. Other areas are classified as “out-of-bounds” for carrying. This logical structure is evident from the Biblical reference in Jeremiah.

“What do you want from us,” he inquired. Per Rabbi Heinemann’s instructions, we explained that we were seeking permission to attach pieces of lumber, 8 foot long “2 x 4’s,” to each telephone pole in an unbroken line or series of poles around the boundary of our area. This boundary, we explained, is called an “*eruv*.” Mr. Smith informed us politely that the accurate term is “utility pole” not telephone pole because the poles carry electric service in addition to the telephone service. He told us that he would take our request back to his company and would be back in touch with us.

### **Story 27. Baruch Hashem, the Utility Company Said, “No!” to Our Request**

When Mr. Smith contacted us again, he told me that the company would not permit the attachment of 2 x 4’s to their poles but would allow us to attach strips of molding to the poles - material which the company itself attaches to the poles. At the time, we did not realize that this turn-down was a *chesed*. We had made the naive and foolish request about attaching 2 x 4 studs

to the poles because no one in our city was experienced with building a city *eruv*. Had the power company granted our request, any *gonif* with a need for some 2 x 4's would have driven over to one of our boundary streets and ripped our 2 x 4's off the poles. We probably never would have completed the *eruv*. Had we completed the project, the anticipated incidence of "missing" 2 x 4's would have created an impossible maintenance problem.

With our post-1981 perspective, we know that our pole attachments enjoy longevity even in bad neighborhoods because they are indistinguishable from regular utility company pole attachments. The poet, Robert Frost wrote, "Something there is that does not like a wall." This truism also applies to *eruv* projects. The lower the profile the better. In a word, the strategy is "inconspicuousness."

### **Story 28. I'm Appointed *Eruv* President**

Our first major expense was the purchase of supplies. By 1977, it was time to solicit funds from the community to buy those supplies. Obviously, we had to apply for tax exempt status with the Internal Revenue Service so that monetary contributions to our *eruv* would be tax deductible. I soon learned that we had to become a Maryland non-profit corporation first. I invited Allan Gibber to serve as the attorney for the nascent *eruv* organization. He accepted and agreed to file Articles of Incorporation with the State of Maryland and then apply for non-profit status with IRS. Several weeks later, he phoned me and asked me to come over to his house. I arrived at the appointed time and he showed me the letters that he had drafted and the forms that he had filled out. My name was typed under a signature line identified as "President." I was surprised. I asked him, "When was I chosen to be president?" He said, "Now!" I asked him why had he

decided to list me as president of *Eruv* of Baltimore, Inc. He said, “Since you are doing more work on the project than anyone else, you have been chosen to be the president.” I understood his logic and I signed. He sent off the papers, *Eruv* of Baltimore became a Maryland non-profit corporation, and soon after, the IRS granted us tax exempt status.

### **Story 29. Rabbi Feldman Invites Rabbi Eider to Baltimore**

By the spring of 1980, we were approaching the 99% completion mark for the *eruv*. During a conversation with Rabbi Mendel Feldman, *Rav* of the Shearith Israel Congregation and *Eruv* Chairman of the Vaad HaRabbonim, he informed me that he was uneasy completing the *eruv* without having an expert look at what we had done. He told me that he wanted a *talmid chachom*, a young man, an out-of-towner, he told me that he wanted me to invite Rabbi Shimon Eider of Lakewood, New Jersey. I recalled (*Bereshis* 22:2), “*Kach na es bincha, es yachidcha, asher ahavta, es Yitzchak.*” At that time, Rabbi Eider had written probably more *halachic* material in English than almost anyone else. I admired all his books, especially his *sefer* on *eruv* construction. However, I, in turn, was uneasy about inviting Rabbi Eider to inspect the work of Rabbi Heinemann. Rabbi Heinemann was also an alumnus of Lakewood’s Bais Medrash Govoha, and was several years older than Rabbi Eider. Rabbi Heinemann had been part of a Lakewood *chabura* which had learned tractate *Eruvin* with the *Shulchan Aruch*, *rishonim*, *achronim*, and *poskim*. During this learning, he had assembled/collected a set of *eruv* construction *shaylohs* and *s’faykos* (personal doubts about what the *halacha* is). He and the *chabura* were unable to determine the *halacha* in these situations. Rabbi Heinemann strategized how to get the Lakewood *Rosh HaYeshiva*, *Rav* Aharon Kotler, to *pasken* the construction *shaylos* that he had collected. Rabbi Heinemann decided that it was preferable to actually build

the *shaylohs* into an *eruv* on the *yeshiva* campus and then show them to *Rav Aharon* in “real-life” rather than try to present the problems with words and diagrams. *Chazal* say, “*Aino domeh sh’mee-a l’ree-a* (There is no comparison between hearing and seeing).” Rabbi Heinemann recollects, “I built that *Yeshiva eruv* with every *shayloh* I could think of.” When he finished the *eruv*, he brought *Rav Aharon* around the *eruv* boundary and *Rav Aharon* ruled on each one of Rabbi Heinemann’s questions.

I took Rabbi Feldman’s concern to Rabbi Heinemann and Rabbi Heinemann readily agreed to have me invite Rabbi Eider. I called Rabbi Eider and he immediately expressed his unwillingness to come to Baltimore to inspect what Rabbi Heinemann had done. I assured him that Rabbi Heinemann had already agreed. Rabbi Eider called Rabbi Heinemann just to be sure, the date of the visit was set, and Rabbi Eider drove to Baltimore to satisfy Rabbi Feldman’s concerns.

After work, I drove over to Liberty Road to meet up with Rabbis Eider, Heinemann and Feldman. When I sighted the group, they were on the sidewalk on the Gwynns Falls Bridge across from the Woodlawn Cemetery looking down at the stream below. As I approached, I heard Rabbi Eider explain a recent *psak* of *Rav Moshe Feinstein* that Rabbi Eider had obtained about an *eruv* under construction in Hollywood, Florida. He explained that this *psak* did not permit a long stream with no practical use like the Gwynns Falls to be included within an *eruv*. I realized this was bad news. Rabbi Heinemann was obviously surprised to hear of this *psak*. I wondered, how could it be that Rabbi Heinemann was unaware of this *psak* from *Rav Moshe*. It seems that Rabbi Eider had asked this *shayloh* only a few weeks before and no method was in place to quickly disseminate the *teshuvos* of *Rav Moshe* to interested *rabbonim*.

The *din* in *Shulchan Aruch Orach Chaim* 358:11 is that an expanse of water (with no practical use) covering about 1/3 of an acre (*bais sa-so-im*) and at least 40 inches [10 *t'fachim*, i.e. 10 handbreadths] deep invalidates the area as a place of habitation (is *m'vatail* the *dira*) where an *eruv* may be built. The *Chasam Sofer*, writing about 200 years later, agreed with the stricter opinions in the *rishonim* and ruled that the problematic depth was 3 *t'fachim*. *Rav Moshe* concluded that in the United States, in 1980, people would not wade across a stream even 3 handbreadths deep. In fact, outside of vacation circumstances, Americans do not wade across streams at all. Therefore, a body of water such as the shallow Baltimore stream called the Gwynns Falls, covering more than 1/3 of an acre would, according to *Rav Moshe Feinstein's psak*, invalidate any *eruv* built around it.

Rabbi Heinemann, Rabbi Feldman and I were stunned. Rabbi Heinemann quickly referenced the *Shulchan Aruch* and the *Chasam Sofer* but accepted *Rav Moshe* as the final word. Our *eruv* project might now be dead. Thousands of hours of hard physical work and mental effort across 5 years might be going, glub, glub, glub down the drain. There was no way to include all the religious neighborhoods and still eliminate the area of the Gwynns Falls, not to mention a second problematic area, a creek called Western Run.

Should Rabbi Eider continue his inspection? Since Rabbi Eider was in town anyway, Rabbis Feldman and Heinemann decided that we should at least show him how we solved some *eruv* construction problems. One of those problems was located at Pimlico Racetrack. We drove over to Pimlico and parked our cars in its busy parking lot. Rabbi Heinemann and Rabbi Eider left the car with their binoculars in hand. I followed. Rabbi Feldman elected to remain behind in the car. He appeared to be very depressed.

It was a racing day. As we walked toward the problem utility pole, we saw racing fans entering the track and others (I guess those who had lost all their betting money) were returning to their cars. I realized that there was an absurdity here. I wondered how many racing fans would tell their families that night that they saw two Orthodox rabbis walking toward the main gate of Pimlico Racetrack that afternoon with their binoculars. “Imagine that!” they might exclaim. “Even Orthodox rabbis bet on the ponies!” How many racing fans would believe that these two Orthodox rabbis with their binoculars were there only to see a utility pole?

As it turned out, Rabbi Eider’s devastating Baltimore visit had an immediate positive impact on *eruv* construction across North America. Prior to his visit, Rabbi Eider had been advising communities that *lechis* needed to be only 40 inches long. However, those involved with “*eruv* engineering” know that it is impossible in one Friday afternoon to verify that each of a few hundred 40-inch tall *lechis* is perfectly aligned with a utility wire 18 or more feet overhead. He immediately appreciated Rabbi Heinemann’s methodology and began advising communities to follow the Baltimore model and extend their *lechis* from the ground all the way up to the wire. If a *lechi* extends up to the wire, its alignment can be checked with a momentary glance. This “*lechi* up to the wire” methodology also eliminates the alignment problem caused by utility poles shifting slightly in the ground over time.

Rabbi Eider drove back to Lakewood. “*Al naharos bavel...*,” at the banks of the Gwynns Falls we sat and cried.

### **Story 30. Not in Shambles – Just Dead**



Our *eruv* project was not just in shambles. It was dead. Rabbi Heinemann had received his *smicha* from Rav Moshe and he explained to me that he could not rule more leniently than Rav Moshe on this stream-depth issue. However, he did propose a solution. He suggested that we build an “Inside *Eruv*” in addition to the 99% completed “Outside *Eruv*.” I wondered if this solution would take us another 5 years. He suggested that I could gerrymander the inside *eruv* boundary so that the Gwynns Falls, which runs from the Woodlawn Cemetery on Liberty Road past the Talmudical Academy campus at the Beltway, would not be included. He explained that Rav Moshe did not require a *lechi* on every single pole along an *eruv* boundary route. Rav Moshe held that if a series of boundary poles were in a straight line and were connected with the same cable, then a *lechi* would be required only on the first pole in the line and the last pole in the line. The practice of attaching a *lechi* at the end of each “scallop,” was a stringency (*chumrah*) that Rabbi Heinemann said he would not require for the “Inside *Eruv*.” He explained how the “Outside *Eruv*” would be Kosher according to all authorities except Rav Moshe and the “Inside *Eruv*” would be Kosher according to Rav Moshe. Every person willing to rely on a city *eruv* could carry within the “Inside *Eruv*” and those who did not consider themselves bound by Rav Moshe’s opinion could carry within the “Outside *Eruv*.” He speculated that the construction of the “Inside *Eruv*” would take only a few months.

The route of the “Inside *Eruv*” would necessarily run along Seven Mile Lane right past the Suburban Orthodox Congregation, the *shul* of Rabbi Preis, *A.H.* I explained the plan to Rabbi Preis and informed him that Suburban Orthodox Congregation would be within the “Outside *Eruv*” but not within the “Inside *Eruv*.” He became very unhappy. He knew that any *eruv* theoretically creates two classifications of Jews – the Carriers and the Non-carriers. However, he envisioned that our potentially unifying *eruv* would create three(!) types of Jews – the Non-carriers, the “Inside carriers” and the “Outside carriers.” Rabbi Preis told me that it

would be better not to have any *eruv* at all rather than have the proposed double standard inside/outside *eruv*. Rabbi Preis told me that he was strongly against the “two *eruv*” solution. Later, I spoke on the phone to another rabbi about Rabbi Heinemann’s two *eruv* solution. He became enraged. He told me that if I would even attempt to finish the *eruv* project this way, he would personally tear down all the “Inside” *lechis*. He was not bluffing. I experienced a physical reaction upon hearing his threat.

I relayed this rabbi’s bellicose comments to Rabbi Heinemann. Rabbi Heinemann also concluded that this other rabbi was not bluffing. Rabbi Heinemann proposed a second solution. He explained to me that a body of water only disqualifies an area from *eruv* potential if it has no “use” (*histamshus*). Rabbi Heinemann asked me to find out if the Gwynns Falls water was potable, fit for human consumption. He speculated that we could establish a use by having the *eruv* inspector go to the stream a few times a year and drink some of the water (see *Orach Chaim* 358:11, *Mishna Brura* 85, *Shaar HaTziun* 81). I discovered, however, that bird droppings, animal manure, and industrial pollution combine to make the Gwynns Falls water unfit for human consumption. Had we asked the *eruv* inspector go to the stream and drink some of the water, over time, we would have lost a lot of *eruv* inspectors! Rabbi Heinemann then suggested a third solution - perhaps the Gwynns Falls had another potential use. What use could the polluted Gwynns Falls have, I wondered. Rabbi Heinemann said that we could have the *eruv* inspector go over to the Gwynns Falls a few times a year to wash some dirty automobile tires there (*Mishna Brura*, *ibid.*). Maybe this tire washing task would create a legitimate use for the stream and would, therefore, permit its inclusion within the *eruv*. Certainly, no *eruv* inspector’s wife would permit him to wash dirty automobile tires in her kitchen sink or bathroom tub. Therefore, if he had to wash tires as a condition of employment, the Gwynns Falls would be a good place to go. Rabbi Heinemann, however, was not willing to decide this *shaylo* himself.

We had another *shaylo*, too. I had asked Rabbi Heinemann if streams may not be included within an *eruv*, then maybe unfenced cemeteries may not be included within an *eruv* either. Apparently, no community had encountered this cemetery problem before and had asked this *shaylo*. In former years, most cemeteries were located outside cities and/or Jewish neighborhoods. Other cemeteries were surrounded by walls and fences. I shared with Rabbi Heinemann that we had some unfenced cemeteries within our *eruv* boundary. Rabbi Heinemann resolved to bring the “wash automobile tires in the stream” and the “unfenced cemeteries within the *eruv*” *shaylos* to Rav Moshe Feinstein. However, by 1980, it was very difficult to impossible to get in to see him. His health had deteriorated and his family had become very protective. It was not possible to reach Rav Moshe by phone, either. The caretaker rarely, if ever, permitted outside contact with Rav Moshe.

Rabbi Heinemann found out from someone when the caretaker’s next medical appointment was scheduled. On the day of that appointment, Rabbi Heinemann drove into Lower Manhattan and arrived at Rav Moshe’s apartment building about 10 minutes before the caretaker’s medical appointment. Rabbi Heinemann was knocking on Rav Moshe’s door about five minutes later. Rav Moshe opened the door and was surprised and happy to see Rabbi Heinemann. He asked how it was that Rabbi Heinemann did not visit him anymore.

Rabbi Heinemann asked the *shaylohs*. Rav Moshe ruled that washing dirty automobile tires in the stream would not establish a legitimate use. He ruled that an unfenced cemetery of sufficient size (*bais sa-so-im*, about 1/3 acre) within an *eruv* would invalidate that *eruv*. Rabbi Heinemann argued that a cemetery is called a “*bais chaim*.” He said, “It’s primarily a place for living people to visit.” Rav Moshe disagreed. Rav Moshe said a cemetery is primarily a place for dead people

to stay.

There were four other *shaylohs* that *Rav Moshe paskened*.

(1) Rabbi Heinemann theorized that since the *Gemara (Eruvin 11a)* allows a *tzuras ha-pesach* (two poles connected on top with a string) to be used to separate the sections of a field to solve some *kilayim* (mixed produce) problems, perhaps this solution could be used to divide a large stream into several smaller sections so that no single section would be larger than 1/3 acre.

(2) Rabbi Heinemann analyzed that since the shallow creek in Baltimore's Jewish neighborhood called Western Run was, throughout most of its length, a channel, more than 40" below its banks, it might be considered as "out of the *reshus ha-rabbim* (public domain)" and not a problem for the *eruv*. Maybe Western Run was a *reshus ha-yachid* (private domain).

(3) The Western Run creek is crossed by several traffic bridges. Rabbi Heinemann proposed that if a *tzuras ha-pesach* could not be considered a "divider" of the stream into smaller sections, in the alternative, maybe a bridge could be considered a divider of the stream.

(4) Rabbi Heinemann asked for clarification of the *psak* regarding the drainage canals in Hollywood, Florida – that a stream of any depth invalidates an *eruv*. He recalled that *Rav Moshe* had approved the *eruv* built by his son-in-law, Rabbi Moshe Tendler, in Monsey, New York. However, there are some streams that run through the Monsey *eruv*. Rabbi Heinemann asked, "Suppose one can walk across a shallow stream with regular boots that cover his shoes. However, people usually do not do that because they use the bridges over the stream. Does such a stream invalidate an *eruv*?"

*Rav* Moshe ruled “No” on (1), (2), and (3). Regarding (4) he said that he needed more time to consider the question.

*Rav* Moshe began to discuss some *eruv* projects in other cities with Rabbi Heinemann. They spoke for a while, but as time passed, Rabbi Heinemann became worried that the caretaker would return and find Rabbi Heinemann visiting. Rabbi Heinemann thanked *Rav* Moshe, left the apartment, and returned to Baltimore. It was “back to the drawing board” for Rabbi Heinemann and myself.

Rabbi Heinemann returned to Baltimore and proposed yet another novel solution to the stream problem - “stepping stones.” He said that if we traverse a large stream with paths of stepping stones, which would enable persons to walk from one bank to the other bank without getting wet, then we would divide the single large problematic stream area into several smaller non-problematic stream areas. Before we could apply Rabbi Heinemann’s “stepping stone” solution in the Gwynns Falls though, we needed to learn how deep the Gwynns Falls was at its deepest point, near the Talmudical Academy. Obviously, we would never receive permission to dump the necessary tons of rock into a deep stream to create stepping stones. In a storm, large piles of rock in a stream will trap debris and that will lead to unnecessary flooding.

I purchased fisherman’s hip boots and my friend Binyamin agreed to fulfill this measurement task. Wearing the hip boots, Binyamin waded into the Gwynns Falls near the Talmudical Academy holding a 48” ruler. As he approached the middle of the stream, the water was already over 36” deep and he was concerned that the water would come over the top of his boots and maybe even sweep him away, G-d forbid. “Stepping stones,” even if created by filling large

ceramic pipes with stones, would not be an achievable solution here. We could think of no way to include the Talmudical Academy and its surrounding community in our *eruv*. We were, however, able to arrange sets of stepping stones in the other stream, Western Run, which is shallow throughout. This way we solved one of the two stream problems.