The Chicago Center
Digest
Mishna Berura
THE DAILY RESOURCE FOR MISHNA BERURA YOMI
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סימן שע"ב סעיף י"ז-י"ט

Overview

Siman 372 Seif 17:

If one placed a board over the ditch, from one end to the other, forming a bridge and it is four *tefachim* wide, it is considered an entrance and they may make a joint *eruv* or separate *eruvin*. The same is true if they filled an area four *tefachim* wide with a material that becomes nullified. **If one affixed a four *tefach* board to one side of the ditch that runs along its length, even if its width is minimal, it is considered an entrance since it shortens the width of the ditch to less than four *tefachim*.**

- If it is less than four *tefachim* wide it is *halachically* non-existent and they must make separate *eruvin*. (M.B. 126)
- If the board is ten *amos* long or more it is considered as though the two yards are breached and they must make one *eruv* rather than two. (M.B. 128)
- If they want they may make a joint *eruv*. (M.B. 131)

Siman 372 Seif 18:

If the ditch is ten *tefachim* rom one yard but less than ten *tefachim* deep on the other side or if it is the same depth from both sides, it is categorized as a partititon.

- When it is ten *tefachim* deep for one yard but less than ten *tefachim* deep for the other yard we give the use of the ditch to the one who has easy use of the ditch. (M.B. 132)

Siman 372 Seif 19:

If a pile of straw ten *tefachim* high is between two yards, each yard must make a separate *eruv*. If during the week its height becomes diminished they must make a joint *eruv*. Before its height is diminished it is prohibited on Shabbos for the residents of either side to take straw and place it into a box for his animal and even standing the animal there is prohibited. However, one may stand in the animal's path so that it will walk to the straw. According to Rosh even during the week one may not take straw for one's animal or stand the animal next to the straw. This is true regarding a pile between yards but one may feed his animal from a pile between two houses.

- If it became diminished it would remain permitted for the remainder of that Shabbos. (M.B. 135)
- Its height was diminished to less than ten *tefachim* for a span of more than ten *amos* but if it is for a span of less than ten *amos* they may make a joint *eruv*. (M.B. 136)
- Although on this Shabbos it is permitted we are concerned that he will rely upon it the next Shabbos as well. Some maintain that the issue is that the straw was set aside to serve as a partition and thus is *muktzah*. (M.B. 137)
- The two pieces should combine to the thickness of a *tefach*. (M.B. 69)
- The concern is that the height will become diminished on *erev* Shabbos and he will not realize and will transport objects on Shabbos in violation of *halacha*. (M.B. 140)
- The houses are connected to separate yards since each one opens to a different yard and the two yards did not make a joint *eruv*. The same is true if they divided a large room into two halves and each half has a separate entrance to a different yard and those two yards did not make a joint *eruv*. (M.B. 141)
- There is a roof above the pile so that when it becomes diminished one will realize and this is true as long as the pile reaches within three *tefachim* of the ceiling. (M.B. 142)

Halacha Highlight

A bridge over a ditch

Shulchan Aruch Siman 372 Seif 17
נתן עליו נסר כמין גשר

If he placed a board that formed a bridge

Shulchan Aruch (סעי' י"ז) continues to discuss the *halachos* that apply when there is a ditch separating between two yards. He writes that even if the ditch is ten *tefachim* deep and four *tefachim* wide, if one places a board over the ditch that extends from one end to the other, if the board is four *tefachim* wide it is considered an entrance and the residents of the two yards have the option to make a joint *eruv* or separate *eruvin*. Mishnah Berurah (ס"ק קכ"ח) points out that the bridge is categorized as an entrance only when it is between four *tefachim* and ten *amos*. If the bridge is more than ten *amos* it is considered as though there is a breach in the partition between the two yards and they must make a joint *eruv* and do not have the option to make separate *eruvin*.

The Noda B'Yehudah (מהדו"ת או"ח סי' מ"ב) points to this *halacha* as proof that when there is a river that constitutes a partition but has a bridge running over it, that bridge is considered a breach in the partition formed by the river. On the other hand, Sefer Sha'arei Tziyon (סי' ד') disagrees and asserts that a bridge does not constitute a breach in the partition formed by the river. Mishnah Berurah (לעיל סי' שס"ג ס"ק קי"ח) cites many authorities who maintain that a bridge does nullify a partition. In Sha'ar HaTziyun (שם ס"ק צ"ה) he references Tosefes Shabbos and Pri Megadim who maintain that a bridge that is more than ten *amos* wide nullifies the partition formed by the river but if the bridge is shorter than ten *amos* it does not nullify the partition which is the river. He notes that it would seem, however, that according to Noda B'Yehudah even a bridge that is four *tefachim* wide requires a repair. Chaye Adam (כלל ע"א סע' ט"ו ובנשמת אדם אות י') also maintains the same position.