

*File: court testimony -
Volakhić advice -
or something*

Jim

December 5, 1968

Mr. B. Gelernter
Canal Offset Service
237 Lafayette St.
New York, N.Y.
10012

Dear Mr. Gelernter:

I enclose the material you requested. I attended to it as soon as I received your letter, despite an indisposition which kept me confined to my house.

I hope the enclosed proves helpful.

Sincerely,

RABBI NORMAN LAMM

NL/me

P.S. For purposes of identification to the Court, you may mention that I am the Rabbi of The Jewish Center, assoc. prof. Jewish philosophy at Yeshiva University, author of articles on Jewish Law that have been quoted in U.S. Supreme Court decisions, and member of the Jewish Law Commission of the Rabbinical Council of America.

December 5, 1968

To Whom It May Concern:

I do hereby certify that it is forbidden, according to Jewish law, to disinter the remains of a person in order to rebury himⁱⁿ another cemetery.

Whereas Jewish law does make specific exceptions, these conditions are not satisfied in the case of the deceased Robert I. Gold, whose disinterment is being requested by his survivors. The removal of a body to a "family plot" is permitted only after such an area has been so designated not by an oral declaration or even contractually, but only by the actual burial therein of a close relative. In the present case, there is no member of the Gold family interred in this new area, and hence Jewish law does not consider ~~it~~ a "family plot" such that removal from another grave for reinterment here is permitted.

Sources for this decision are:

1. R. Ezekiel Landau, "Responsa Noda Bi'yehudah", Vol. I, Sec. Y.D., 89.
2. R. Eliezer Deutsch, "Duda'ei Hasadeh", No. 6.
3. R. Hayyim Fischel Epstein, "Teshuvah Shelemah", Vol. II, Sec. Y.D., 16.
4. R. Jekuthiel Judah Greenwald, "Kol Bo al Avelut" Chap. III, No. 6, esp. pp. 234-237.

SIGNED:

RABBI NORMAN LAMM

NL/me