

Does the Shaliach Need To Prove That He Changed His Mind Before The Purchase?

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Question: In a previous segment, it was discussed that if a shaliach changed his mind before the purchase and instead of purchasing it for the one who sent him, he purchased it for himself, then the item would belong to the shaliach. How do we know if he changed his mind before or after he purchased it?

Answer: Because Halacha views this action as an act of trickery; therefore, we normally do not accept the shaliach's claim that he has done so. It is assumed that since he originally said he was buying it for the *mishalaiach*, he did indeed buy it for him unless he can produce witnesses that he changed his mind beforehand. However, the Shach says that this concept of the shaliach not being believed is only if there was a clear agreement between the parties that he will be purchasing it on behalf of the sender.