

If an Agent Decided to Buy the Item For Himself, to Whom Does the Item Belong?

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Question: A fellow sends his neighbor to buy something for him at an auction; however, when the neighbor arrived at the auction, he decided that he wants it, so he bought it for himself. When he came home with the item, the one who sent him insisted that the item belongs to him because he sent him as a shaliach to obtain it for him. Is he correct?

Answer: The action that the shaliach did was wrong, he did not keep his word. The Gemara calls a person like this a "*ramai*". Halachically though, the item belongs to the shaliach, because he has the ability to nullify the shlichus before the sale is done. However, if the shaliach used the money that had been given to him to bid at the auction, even if he intended to buy it for himself, then the item belongs to the one who sent him.