

If I Find money in a Store, Do I Have to Return it to the Storeowner?

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Question: I was in a supermarket and found \$10 in front of the customer service counter. I picked it up, saw that there was no *siman*, and was about to take it for myself. The storeowner saw me pick it up and said that it belongs to him since it was found on his property. Do I have to give it to him?

Answer: If the money was behind the counter - in the place where customers do not normally go - it would belong to the storeowner because his *chatzer* would acquire it for him.

However, if the money was found in front of the counter - in a place where there are customers - the Mishnah says that the finder can keep it if it can be assumed that the owner was *meya'esh* before he picked it up. The Rishonim explain that the store's *chatzer* is not *koneh* because it is not protected, and only a protected property is *koneh* items without the owner's knowledge. Other Rishonim explain that the *chatzer* is not *koneh* because the owner was not yet *meya'esh* when the item first fell there, as he obviously wasn't yet aware that he dropped it. By the time the finder picked it up, however, the owner was already *meya'esh*, so he is allowed to keep it.