

## Reading Someone Else's Newspaper: Is It Stealing?

### **Rav Eliezer Cohen**

**Question:** I have a subscription to a newspaper, which is delivered daily to my mailbox. My neighbor doesn't want to pay for the paper, so he gets up early, takes my paper, reads it, and puts it back before I pick it up. Is there anything wrong with what he's doing?

**Answer:** The question is who the newspaper belongs to before you take it from your mailbox and if your neighbor is stealing by reading it without permission.

The Gemara says that the rules of *kinyanim* are different when there is a non-Jewish seller and when the seller is a Jew. If the seller is a non-Jew, he relinquishes ownership as soon as he receives payment, even if the buyer has not made a *kinyan* yet. This would mean that if the newspaper seller is not Jewish – as is usually the case in America – he is no longer the owner of the paper that is in your mailbox. If you, the buyer, have not made a *kinyan* on the paper yet, you also are not the owner. This would mean that the paper has no owner, and reading it would not be stealing from anyone. However, it is possible that you are *koneh* the paper by having it in your mailbox. If the mailbox is in a protected area or is closed up in a guarded manner, it would constitute a *chatzer*, and one's *chatzer* is *koneh* the item for him. Thus, you would gain ownership of the newspaper from it being on your property, and your neighbor would be stealing from you by reading it. However, if the mailbox is in a public area and is not closed up, the paper may not belong to you, and it could not be said that your neighbor is stealing from you.

I have heard that Jewish newspaper sellers have explicit intent that the papers still belong to them until they reach your hands. If this is true, if the paper seller is a Jew, he would still own the paper even after it is in your mailbox, and your neighbor would be stealing from him.