

RETURNING LOST OBJECTS PART 12

by Rabbi Yehonasan Gefen

In the previous article we began to discuss how one go about announcing the loss of an item. We saw that the finder is required to put up signs in public places announcing the discovery of the item. What should one write on these signs?

The notice should specify the type of item found so as to attract the attention of the owner. However, its description should not be so detailed as to reveal the identifying features - in order to identify the item's true owner he must be able to give the *simunim* (identifying features). If those *simunim* are already revealed on the sign then anyone can claim ownership without identifying the unique *simunim* himself. For example, if one found a bag with a number of items in it, the sign should say that a bag was found and that it contained various items within it. However, the nature of these items should not be mentioned so that any claimant to the bag will have to specifically identify what items were in the bag.

The finder has the responsibility to be careful not to give the item to a deceitful person who is not the true owner. There are ways in which such a person may be able to discover the identifying features of the item and use that knowledge to convince the finder that he is the owner.

Accordingly, even if the claimant gives the correct *simunim*, if the finder suspects him of being dishonest then he must try to assess whether he is a trustworthy individual. For example, the finder should ask for a reliable reference who can attest to the claimant's honesty. Needless to say, a relative or friend of the claimant does not qualify as being a reliable reference. Only after the finder has ascertained the claimant's reliability can he return the item. If the finder cannot be certain of his reliability then he may not return it to the claimant unless he has totally irrefutable proof that the item is his.**

*Much of the information for this essay is taken from "Halachos of Other People's Money" by Rabbi Yisroel Pinchos Bodner.

**The main type of irrefutable proof are two valid 'witnesses' who testify to the claimant's ownership. However, there are a number of details as to who constitutes a valid witness so one should not rely on such witnesses without consultation with an Orthodox Rabbi.

Text Copyright © 2009 by Rabbi Yehonasan Gefen and **Torah.org**