

## 44 - THE BOOK OF QUARRELS

## ٤٤ - كتاب الخصومات

(1) CHAPTER. What is mentioned about the people, and quarrels between the Jews and the Muslims.

2410. Narrated 'Abdullāh bin Mas'ūd رَضِيَ اللَّهُ عَنْهُ: I heard a man reciting a Verse (of the Qur'ān) but I had heard the Prophet ﷺ reciting it differently. So, I caught hold of the man by the hand and took him to Allāh's Messenger ﷺ who said, "Both of you are right." Shu'ba, the subnarrator said, "I think he said to them, "Don't differ, for the nations before you differed and perished (because of their differences)."

2411. Narrated Abū Hurairah رَضِيَ اللَّهُ عَنْهُ: Two persons, a Muslim and a Jew, quarrelled. The Muslim said, "By Him Who gave Muḥammad (ﷺ) superiority over all the people!" The Jew said, "By Him Who gave Mūsa [Moses (عليه السلام)] superiority over all the people!" At that the Muslim raised his hand and slapped the Jew on the face. The Jew went to the Prophet ﷺ and informed him of what had happened between him and the Muslim. The Prophet ﷺ sent for the Muslim and asked him about it. The Muslim informed him of the event. The Prophet ﷺ said, "Do not give me superiority over Mūsa, for on the Day of Resurrection all the people will fall unconscious and I will be one of them, but I will be the first to regain consciousness, and will see Mūsa standing and holding the side of the Throne (of Allāh). I will not know whether (Mūsa) has also fallen unconscious and got up before

(١) بَابُ مَا يُذَكَّرُ فِي الْإِنْسَانِ وَالْخُصُومَةِ بَيْنَ الْمُسْلِمِ وَالْيَهُودِ

٢٤١٠ - حَدَّثَنَا أَبُو الْوَلِيدِ: حَدَّثَنَا شُعْبَةُ، قَالَ: عَبْدُ الْمَلِكِ بْنُ مَيْسَرَةَ أَخْبَرَنِي، قَالَ: سَمِعْتُ النَّزَالَ بْنَ سَبْرَةَ: سَمِعْتُ عَبْدَ اللَّهِ يَقُولُ: سَمِعْتُ رَجُلًا قَرَأَ آيَةً، سَمِعْتُ مِنَ النَّبِيِّ ﷺ خِلَافَهَا فَأَخَذْتُ بِيَدِهِ فَأَتَيْتُ بِهِ رَسُولَ اللَّهِ ﷺ فَقَالَ: «كِلَاكُمَا مُحْسِنٌ»، قَالَ شُعْبَةُ: أَظَنُّهُ قَالَ: «لَا تَخْتَلِفُوا فَإِنْ كَانَ قَبْلَكُمْ اخْتَلَفُوا فَهَلَكُوا». [انظر: ٣٤٧٦، ٥٠٦٢]

٢٤١١ - حَدَّثَنَا يَحْيَى بْنُ قَزَعَةَ: حَدَّثَنَا إِبْرَاهِيمُ بْنُ سَعْدٍ، عَنْ ابْنِ شِهَابٍ: عَنْ أَبِي سَلَمَةَ وَعَبْدِ الرَّحْمَنِ الْأَعْرَجِ، عَنْ أَبِي هُرَيْرَةَ رَضِيَ اللَّهُ عَنْهُ قَالَ: اسْتَبَّ رَجُلَانِ، رَجُلٌ مِنَ الْمُسْلِمِينَ وَرَجُلٌ مِنَ الْيَهُودِ، فَقَالَ الْمُسْلِمُ: وَالَّذِي اضْطَفَى مُحَمَّدًا عَلَى الْعَالَمِينَ. فَقَالَ الْيَهُودِيُّ: وَالَّذِي اضْطَفَى مُوسَى عَلَى الْعَالَمِينَ، فَرَفَعَ الْمُسْلِمُ يَدَهُ عِنْدَ ذَلِكَ فَلَطَمَ وَجْهَ الْيَهُودِيِّ. فَذَهَبَ الْيَهُودِيُّ إِلَى النَّبِيِّ ﷺ فَأَخْبَرَهُ بِمَا كَانَ مِنْ أَمْرِهِ وَأَمَرَ الْمُسْلِمَ، فَدَعَا النَّبِيُّ ﷺ الْمُسْلِمَ فَسَأَلَهُ عَنْ ذَلِكَ فَأَخْبَرَهُ. فَقَالَ النَّبِيُّ

me, or Allāh has exempted him from that stroke."

ﷺ: «لَا تُخَيِّرُونِي عَلَى مُوسَى، فَإِنَّ النَّاسَ يَضَعُقُونَ يَوْمَ الْقِيَامَةِ فَأَضَعُقُ مَعَهُمْ فَأَكُونُ أَوَّلَ مَنْ يُفَيِّقُ فَإِذَا مُوسَى بَاطِشٌ جَانِبَ الْعَرْشِ فَلَا أَذْرِي أَكَانَ فَيَمَنْ صَعَقَ فَأَفَاقَ قَبْلِي، أَوْ كَانَ مِمَّنِ اسْتَسْتَيْتُ اللَّهَ». [انظر: ٣٤٠٨، ٣٤١٤،

[٤٨١٣، ٦٥١٧، ٦٥١٨، ٧٤٢٨]

2412. Narrated Abū Sa'īd Al-Khudrī رَضِيَ عَنْهُ: While Allāh's Messenger ﷺ was sitting, a Jew came and said, "O Abūl Qāsim! One of your companions has slapped me on my face." The Prophet ﷺ asked who that was. He replied that he was one of the *Anṣār*. The Prophet ﷺ sent for him, and on his arrival, he asked him whether he had beaten the Jew. He (replied in the affirmative and) said, "I heard him taking an oath in the market saying, 'By Him Who gave Mūsa (Moses) superiority over all the human beings.' I said, 'O wicked man! (Has Allāh given Mūsa superiority) even over Muḥammad ﷺ?' I became furious and slapped him over his face." The Prophet ﷺ said, "Do not give a Prophet superiority over another, for on the Day of Resurrection all the people will fall unconscious; and I will be the first to emerge from the earth, and will see Mūsa standing and holding one of the pillars of the Throne. I will not know whether Mūsa has fallen unconscious or the first unconsciousness was sufficient for him."<sup>(1)</sup>

٢٤١٢ - حَدَّثَنَا مُوسَى بْنُ إِسْمَاعِيلَ: حَدَّثَنَا وَهَيْبٌ: حَدَّثَنَا عَمْرُو بْنُ يَحْيَى، عَنْ أَبِي سَعِيدٍ الْخُدْرِيِّ رَضِيَ اللَّهُ عَنْهُ قَالَ: بَيْنَا رَسُولُ اللَّهِ ﷺ جَالِسٌ جَاءَ يَهُودِيٌّ فَقَالَ: يَا أَبَا الْقَاسِمِ، ضَرَبَ وَجْهِي رَجُلٌ مِنْ أَصْحَابِكَ. فَقَالَ: «مَنْ؟» قَالَ رَجُلٌ مِنَ الْأَنْصَارِ. قَالَ: «أَضْرَبْتَهُ؟» قَالَ: سَمِعْتُهُ بِالسُّوقِ يَحْلِفُ وَالَّذِي اصْطَفَى مُوسَى عَلَى الْبَشَرِ؛ قُلْتُ: أَيُّ خَيْثُ عَلَى مُحَمَّدٍ ﷺ؟ فَأَخَذَنِي غَضَبُهُ ضَرَبْتُ وَجْهَهُ. فَقَالَ النَّبِيُّ ﷺ: «لَا تُخَيِّرُوا بَيْنَ الْأَنْبِيَاءِ فَإِنَّ النَّاسَ يَضَعُقُونَ يَوْمَ الْقِيَامَةِ فَأَكُونُ أَوَّلَ مَنْ تَنَشَّقُ عَنْهُ الْأَرْضُ فَإِذَا أَنَا بِمُوسَى آخِذٌ بِقَائِمَةٍ مِنْ قَوَائِمِ الْعَرْشِ، فَلَا أَذْرِي أَكَانَ فَيَمَنْ صَعَقَ، أَمْ حُوسِبَ بِصَعَقَةِ الْأُولَى». [انظر: ٣٣٩٨،

[٤٦٣٨، ٦٩١٦، ٦٩١٧، ٧٤٢٧]

(1) (H. 2412) This is an allusion to the event where Mūsa (Moses) fell unconscious on wishing to see Allāh when he was beside the mountain. (See the Qur'an V. 7:143)

2413. Narrated Anas رَضِيَ اللهُ عَنْهُ: A Jew crushed the head of a girl between two stones. The girl was asked who had crushed her head, and some names were mentioned before her, and when the name of the Jew was mentioned, she nodded agreeing. The Jew was caught and when he confessed, the Prophet ﷺ ordered that his head be crushed between two stones.

٢٤١٣ - حَدَّثَنَا مُوسَى: حَدَّثَنَا هَمَّامٌ، عَنْ قَتَادَةَ، عَنْ أَنَسٍ رَضِيَ اللَّهُ عَنْهُ: أَنَّ يَهُودِيًّا رَضَّ رَأْسَ جَارِيَةٍ بَيْنَ حَجَرَيْنِ، قِيلَ: مَنْ فَعَلَ هَذَا بِكَ؟ أَفْلَانٌ أَفْلَانٌ؟ حَتَّى سُمِّيَ الْيَهُودِيُّ فَأَوْمَأَتْ بِرَأْسِهَا، فَأَخِذَ الْيَهُودِيُّ فَأَعْتَرَفَ فَأَمَرَ بِهِ النَّبِيُّ ﷺ فَرَضَّ رَأْسُهُ بَيْنَ حَجَرَيْنِ. [انظر: ٢٧٤٦، ٥٢٩٥، ٦٨٧٦، ٦٨٧٧، ٦٨٧٩، ٦٨٨٤،

[٦٨٨٥]

(2) CHAPTER. Whoever cancelled the deals done by a weak-minded or an extravagant person even if the ruler had not assumed control over his wealth.

(٢) بَابُ مَنْ رَدَّ أَمْرَ السَّفِيهِ وَالضَّعِيفِ الْعَقْلِ، وَإِنْ لَمْ يَكُنْ حَجَرَ عَلَيْهِ الْإِمَامُ

Jābir رَضِيَ اللهُ عَنْهُ narrated that the Prophet ﷺ rejected the gift of charity (given by a poor man) before he prohibited him (from giving in charity).

وَيُذَكَّرُ عَنْ جَابِرٍ رَضِيَ اللَّهُ عَنْهُ أَنَّ النَّبِيَّ ﷺ رَدَّ عَلَى الْمُتَصَدِّقِ قَبْلَ النَّهْيِ، ثُمَّ نَهَاهُ. وَقَالَ مَالِكٌ: إِذَا كَانَ لِرَجُلٍ عَلَى رَجُلٍ مَالٌ وَلَهُ عَبْدٌ وَلَا شَيْءَ لَهُ غَيْرُهُ فَأَعْتَقَهُ لَمْ يَجْزُ عِتْقُهُ.

Mālik said, "If a person is in debt and he has nothing except a slave, it is not permissible for him to manumit the slave."

(٣) بَابُ مَنْ بَاعَ عَلَى الضَّعِيفِ وَنَحْوِهِ فَدَفَعَ ثَمَنَهُ إِلَيْهِ وَأَمَرَهُ بِالِإِصْلَاحِ وَالْقِيَامِ بِشَأْنِهِ فَإِنْ أَفْسَدَ بَعْدَ مَتَاعِهِ لِأَنَّ النَّبِيَّ ﷺ نَهَى عَنْ إِضَاعَةِ الْمَالِ، وَقَالَ لِلَّذِي يُخَدِّعُ فِي الْبَيْعِ: «إِذَا بَعْتَ فَقُلْ: لَا خِلَابَةَ»، وَلَمْ يَأْخِذْ النَّبِيُّ ﷺ مَالَهُ.

(3) CHAPTER. If somebody sells a thing for a weak-minded person and pays him the price, and advised him to utilize it in a proper way and not to spoil it, and he spoils it, he can stop him from doing so, for the Prophet ﷺ had forbidden the wasting of the property. The Prophet ﷺ ordered the person who said that he had always been cheated in buying, to say, at the time of the deal, "No cheating!" The Prophet ﷺ did not take his money (of the person who sold his slave, because he had not proved foolish).

2414. Narrated Ibn 'Umar رَضِيَ اللهُ عَنْهُمَا: A man was often cheated in buying. The

٢٤١٤ - حَدَّثَنَا مُوسَى بْنُ

Prophet ﷺ said to him, "When you buy something, say (to the seller), 'No cheating'." The man used to say so thenceforward.

**2415.** Narrated Jābir رضي الله عنه: A man manumitted a slave and he had no other property than that, so the Prophet ﷺ cancelled the manumission (and sold the slave for him). Nu'aim bin An-Nahhām bought the slave from him.

**(4) CHAPTER. The talk of opponents against each other.**

**2416, 2417.** Narrated 'Abdullah bin Mas'ūd رضي الله عنه: Allāh's Messenger ﷺ said, "Whoever takes a false oath so as to take the property of a Muslim (illegally) will meet Allāh while He will be angry with him."

Al-Ash'ath said: By Allāh, that saying concerned me. I had common land with a Jew, and the Jew later on denied my ownership, so I took him to the Prophet ﷺ who asked me whether I had a proof of my ownership. When I replied in the negative, the Prophet ﷺ asked the Jew to take an oath. I said, "O Allāh's Messenger! He will take an oath and deprive me of my property." So, Allāh تعالى revealed the following Verse:

"Verily: those who purchase a small gain at the cost of Allāh's Covenant and their oaths..." (V.3:77)

إِسْمَاعِيلَ: حَدَّثَنِي عَبْدُ الْعَزِيزِ بْنُ مُسْلِمٍ: حَدَّثَنَا عَبْدُ اللَّهِ بْنُ دِينَارٍ قَالَ: سَمِعْتُ ابْنَ عُمَرَ رَضِيَ اللَّهُ عَنْهُمَا قَالَ: كَانَ رَجُلٌ يُخَدِّعُ فِي الْبَيْعِ فَقَالَ لَهُ النَّبِيُّ ﷺ: «إِذَا بَايَعْتَ فَقُلْ: لَا خِلَابَةَ»، فَكَانَ يَقُولُهُ. [راجع: ٢١١٧]

٢٤١٥ - حَدَّثَنَا عَاصِمُ بْنُ عَلِيٍّ: حَدَّثَنَا ابْنُ أَبِي ذَنْبٍ، عَنْ مُحَمَّدِ بْنِ الْمُثَنِّدِ، عَنْ جَابِرِ رَضِيَ اللَّهُ عَنْهُ: أَنَّ رَجُلًا أُعْتِقَ عَبْدًا لَهُ لَيْسَ لَهُ مَالٌ غَيْرُهُ فَرَدَّهُ النَّبِيُّ ﷺ فَاِبْتَاغَهُ مِنْهُ نَعِيمٌ بَيْنَ النَّحَامِ. [راجع: ٢١٤١]

**(٤) بَابُ كَلَامِ الْخُصُومِ بَعْضُهُمْ فِي بَعْضٍ**

٢٤١٦، ٢٤١٧ - حَدَّثَنَا مُحَمَّدٌ: أَخْبَرَنَا أَبُو مُعَاوِيَةَ، عَنِ الْأَعْمَشِ، عَنْ شَقِيقٍ، عَنْ عَبْدِ اللَّهِ رَضِيَ اللَّهُ عَنْهُ قَالَ: قَالَ رَسُولُ اللَّهِ ﷺ: «مَنْ حَلَفَ عَلَى يَمِينٍ وَهُوَ فِيهَا فَاجِرٌ لَيَقْتَطَعَ بِهَا مَالُ امْرِئٍ مُسْلِمٍ لَقِيَ اللَّهَ وَهُوَ عَلَيْهِ غَضَبَانٌ». قَالَ: فَقَالَ الْأَشْعَثُ: فَيَ وَاللَّهِ كَانَ ذَلِكَ، كَانَ بَيْنِي وَبَيْنَ رَجُلٍ مِنَ الْيَهُودِ أَرْضٌ فَجَحَدَنِي فَقَدَّمْتُهُ إِلَى النَّبِيِّ ﷺ فَقَالَ لِي رَسُولُ اللَّهِ ﷺ: «أَلَيْكَ بَيِّنَةٌ؟» قُلْتُ: لَا، قَالَ: فَقَالَ لِلْيَهُودِيِّ: «اخْلِفْ»، قَالَ: قُلْتُ: يَا رَسُولَ اللَّهِ، إِذَا يَخْلِفُ وَيَذْهَبُ بِمَالِي، فَأَنْزَلَ اللَّهُ

تَعَالَى: ﴿إِنَّ الَّذِينَ يَشْتَرُونَ بِعَهْدِ اللَّهِ  
وَأَيْمَانِهِمْ ثَمَنًا قَلِيلًا﴾ إِلَى آخِرِ الْآيَةِ [آل

عمران: ٧٧]. [راجع: ٢٣٥٦، ٢٣٥٧]

**2418.** Narrated ‘Abdullāh bin Ka’b bin Mālik: Ka’b رَضِيَ اللَّهُ عَنْهُ demanded his debt back from Ibn Abī Ḥadrad in the mosque and their voices grew louder till Allāh’s Messenger ﷺ heard them while he was in his house. He came out to them raising the curtain of his room and addressed Ka’b, “O Ka’b!” Ka’b replied, “*Labbaik*, O Allāh’s Messenger.” (He said to him), “Reduce your debt to half,” gesturing with his hand. Ka’b said, “I have done so, O Allāh’s Messenger!” On that the Prophet ﷺ said to Ibn Abī Ḥadrad, “Get up and repay the debt to him.”

٢٤١٨ - حَدَّثَنَا عَبْدُ اللَّهِ بْنُ مُحَمَّدٍ: حَدَّثَنَا عُمَانُ بْنُ عُمَرَ: حَدَّثَنَا يُونُسُ، عَنِ الزُّهْرِيِّ، عَنْ عَبْدِ اللَّهِ بْنِ كَعْبِ بْنِ مَالِكٍ، عَنْ كَعْبِ رَضِيَ اللَّهُ عَنْهُ: أَنَّهُ تَقَاضَى ابْنُ أَبِي حَذْرَدٍ دَيْنًا كَانَ لَهُ عَلَيْهِ فِي الْمَسْجِدِ فَارْتَفَعَتْ أَصْوَاتُهُمَا حَتَّى سَمِعَهَا رَسُولُ اللَّهِ ﷺ وَهُوَ فِي بَيْتِهِ فَخَرَجَ إِلَيْهِمَا حَتَّى كَشَفَ سِجْفَ حُجْرَتِهِ فَنَادَى: «يَا كَعْبُ»، قَالَ: لَبَّيْكَ يَا رَسُولَ اللَّهِ، قَالَ: «ضَعْ مِنْ دَيْنِكَ هَذَا»، وَأَوْمَأَ إِلَيْهِ أَيْ الشَّطْرَ، قَالَ: لَقَدْ فَعَلْتُ يَا رَسُولَ اللَّهِ، قَالَ: «فَمُ فَاغْضِهِ». [راجع: ٤٧٥]

**2419.** Narrated ‘Umar bin Al-Khattāb رَضِيَ اللَّهُ عَنْهُ: I heard Hishām bin Ḥakīm bin Hizām reciting *Sūrat Al-Furqān* in a way different to that of mine. Allāh’s Messenger ﷺ had taught it to me (in a different way). So, I was about to quarrel with him [during the *Ṣalāt* (prayer)] but I waited till he finished, then I tied his garment round his neck and seized him by it and brought him to Allāh’s Messenger ﷺ and said, “I have heard him reciting *Sūrat Al-Furqān* in a way different to the way you taught it to me.” The Prophet ﷺ ordered me to release him and asked Hishām to recite it. When he recited it, Allāh’s Messenger ﷺ said, “It was revealed in this way.” He then asked me to recite it. When I recited it, he said, “It was revealed in this way. The Qur’ān has been

٢٤١٩ - حَدَّثَنَا عَبْدُ اللَّهِ بْنُ يُونُسَ: أَخْبَرَنَا مَالِكٌ، عَنْ ابْنِ شِهَابٍ، عَنْ عُرْوَةَ بْنِ الزُّبَيْرِ، عَنْ عَبْدِ الرَّحْمَنِ بْنِ عَبْدِ الْقَارِيِّ أَنَّهُ قَالَ: سَمِعْتُ عُمَرَ بْنَ الْخَطَّابِ رَضِيَ اللَّهُ عَنْهُ يَقُولُ: سَمِعْتُ هِشَامَ بْنَ حَكِيمِ بْنِ حِزَامٍ يَقْرَأُ سُورَةَ الْفُرْقَانِ عَلَى غَيْرِ مَا أَقْرَأُهَا، وَكَانَ رَسُولُ اللَّهِ ﷺ أَقْرَأُهَا وَكَذْتُ أَنْ أَعْجَلَ عَلَيْهِ ثُمَّ أَمَهَلْتُهُ حَتَّى انْصَرَفَ ثُمَّ لَبَّيْتُهُ بِرَدَائِهِ فَجِئْتُ بِهِ رَسُولَ اللَّهِ ﷺ فَقُلْتُ: إِنِّي سَمِعْتُ هَذَا يَقْرَأُ عَلَى غَيْرِ مَا

revealed in seven different ways, so recite it in the way that is easier for you.”

أَفْرَأْتِيهَا، فَقَالَ لِي: «أَرْسِلْهُ»، ثُمَّ قَالَ لَهُ: «أَفْرَأْ» فَقَرَأَ، قَالَ: «هَكَذَا أَنْزَلْتُ»، ثُمَّ قَالَ لِي: «أَفْرَأْ»، فَقَرَأْتُ فَقَالَ: «هَكَذَا أَنْزَلْتُ»، إِنَّ الْقُرْآنَ أَنْزَلَ عَلَى سَبْعَةِ أَحْرَفٍ فَافْرُؤُوا مِنْهُ مَا تَيَسَّرَ». [انظر: ٤٩٩٢، ٥٠٤١،

[٧٥٥٠، ٦٩٣٦]

(5) CHAPTER. Turning out the sinners and the quarrelsome people of the houses after the impropriety of their behaviour gets evident.

‘Umar turned Abū Bakr’s sister (out of the house) for her wailing (over a dead person).

2420. Narrated Abū Hurairah رَضِيَ اللَّهُ عَنْهُ: The Prophet ﷺ said, “No doubt, I was about to order somebody to pronounce the *Iqāma* of the (compulsory congregational) *Ṣalāt* (prayer) and then I would go to the houses of those who do not attend the *Ṣalāt* (prayer) (in mosque) and burn their houses over them.<sup>(1)</sup>” (See H. 644).

(٥) بَابُ إِخْرَاجِ أَهْلِ الْمَعَاصِي وَالْخُصُومِ مِنَ الْبُيُوتِ بَعْدَ الْمَعْرِفَةِ وَقَدْ أَخْرَجَ عُمَرُ أُخْتَ أَبِي بَكْرٍ حِينَ نَاحَتْ.

٢٤٢٠ - حَدَّثَنَا مُحَمَّدُ بْنُ بَشَّارٍ: حَدَّثَنَا مُحَمَّدُ بْنُ أَبِي عَدِيٍّ، عَنْ شُعْبَةَ، عَنْ سَعْدِ بْنِ إِبْرَاهِيمَ، عَنْ حُمَيْدِ بْنِ عَبْدِ الرَّحْمَنِ، عَنْ أَبِي هُرَيْرَةَ عَنِ النَّبِيِّ ﷺ قَالَ: «لَقَدْ هَمَمْتُ أَنْ أَمُرَ بِالصَّلَاةِ فَتُقَامَ، ثُمَّ أَخَالَفَ إِلَى مَنَازِلِ قَوْمٍ لَا يَشْهَدُونَ الصَّلَاةَ فَأُحَرِّقَ عَلَيْهِمْ». [راجع: ٦٤٤]

(6) CHAPTER. To file a case for fulfilling the will of the deceased.

2421. Narrated ‘Aīshah رَضِيَ اللَّهُ عَنْهَا: ‘Abd bin Zam’a and Sa’d bin Abī Waqqāṣ carried the case of their claim of the (ownership) of the son of a slave-girl of Zam’a before the Prophet ﷺ. Sa’d said, “O Allāh’s Messenger! My brother, before his death, told me that when I would return (to Makkah), I should search for the son of the slave-girl of Zam’a and take him into my

(٦) بَابُ دَعْوَى الْوَصِيِّ لِلْمَيِّتِ

٢٤٢١ - حَدَّثَنَا عَبْدُ اللَّهِ بْنُ مُحَمَّدٍ: حَدَّثَنَا سُفْيَانُ، عَنِ الزُّهْرِيِّ، عَنْ عُرْوَةَ، عَنْ عَائِشَةَ رَضِيَ اللَّهُ عَنْهَا: أَنَّ عَبْدَ بْنَ رَمْعَةَ وَسَعْدَ بْنَ أَبِي وَقَّاصٍ اخْتَصَمَا إِلَى النَّبِيِّ ﷺ فِي ابْنِ أُمِّ رَمْعَةَ. فَقَالَ سَعْدٌ: يَا رَسُولَ اللَّهِ،

(1) (H. 2420) See *Iqāmat-aṣ-Ṣalāt* in glossary.

custody as he was his son.” ‘Abd bin Zam’a said, “He is my brother and the son of the slave-girl of my father, and was born on my father’s bed.” The Prophet ﷺ noticed a resemblance between ‘Utba and the boy but he said, “O ‘Abd bin Zam’a! You will get this boy, as the son goes to the owner of the bed. You, Sauda, screen yourself from the boy.”

أَوْصَانِي أَخِي: إِذَا قَدِمْتُ أَنْ أَنْظُرَ  
ابْنَ أُمِّ رَمْعَةَ فَأَقْبِضْهُ فَإِنَّهُ ابْنِي. وَقَالَ  
عَبْدُ بْنُ رَمْعَةَ: أَخِي وَابْنُ أُمِّ أَبِي،  
وُلِدَ عَلَى فِرَاشِ أَبِي. فَرَأَى النَّبِيُّ ﷺ  
شَبَهَا بَيْتًا بِعُتْبَةَ، فَقَالَ: «هُوَ لَكَ يَا  
عَبْدُ ابْنَ رَمْعَةَ، الْوَلَدُ لِلْفِرَاشِ.  
وَاحْتَجِّي مِنْهُ يَا سَوْدَةُ». [راجع:

[٢٠٥٣]

(7) CHAPTER. Tying the person who is liable to do mischievous things.

(٧) بَابُ التَّوْتُقِ مِمَّنْ تُخْشَى مَعْرَتُهُ

Ibn ‘Abbās chained ‘Ikrima to teach him the Qur’ān, the Prophet’s *Ṣunna* (legal ways), and the knowledge of *Farā’id* (laws of inheritance).

وَقَيْدَ ابْنِ عَبَّاسٍ عِكْرِمَةَ عَلَى تَعَلُّمِ  
الْقُرْآنِ وَالسُّنَنِ وَالْفَرَائِضِ.

2422. Narrated Abū Hurairah رَضِيَ اللَّهُ عَنْهُ: Allāh’s Messenger ﷺ sent horsemen to Najd and they arrested and brought a man called Thumāma bin Uthāl, the chief of Yamāma, and they fastened him to one of the pillars of the mosque. When Allāh’s Messenger ﷺ came up to him; he asked, “What have you to say, O Thumāma?” He replied “I have good news, O Muḥammad!” Abū Hurairah narrated the whole narration which ended with the order of the Prophet ﷺ, “Release him!” (See H. 4372)

٢٤٢٢ - حَدَّثَنَا قُتَيْبَةُ: حَدَّثَنَا  
الَلَيْثُ، عَنْ سَعِيدِ بْنِ أَبِي سَعِيدٍ: أَنَّهُ  
سَمِعَ أَبَا هُرَيْرَةَ رَضِيَ اللَّهُ عَنْهُ يَقُولُ:  
بَعَثَ رَسُولُ اللَّهِ ﷺ خَيْلًا قِيلَ نَجِدُ  
فَجَاءَتْ بِرَجُلٍ مِنْ بَنِي حَنِيفَةَ يُقَالُ  
لَهُ: ثُمَامَةُ بْنُ أَثَالٍ، سَيِّدُ أَهْلِ الْيَمَامَةِ  
فَرَبَطُوهُ بِسَارِيَةٍ مِنْ سَوَارِي الْمَسْجِدِ  
فَخَرَجَ إِلَيْهِ رَسُولُ اللَّهِ ﷺ فَقَالَ: «مَا  
عِنْدَكَ يَا ثُمَامَةُ؟» قَالَ: عِنْدِي يَا  
مُحَمَّدُ خَيْرٌ، فَذَكَرَ الْحَدِيثَ فَقَالَ:  
«أَطْلِقُوا ثُمَامَةَ». [راجع: ٤٦٢]

(8) CHAPTER. Fastening and imprisoning in the *Haram*.

(٨) بَابُ الرِّبْطِ وَالْحَبْسِ فِي الْحَرَمِ

Nāfi‘ bin Al-Ḥārith bought a house from Ṣafwān bin Umaiyya for using it as a prison on the condition that the deal would be

وَاشْتَرَى نَافِعُ بْنُ عَبْدِ الْحَارِثِ  
دَارًا لِلْحَبْسِ بِمَكَّةَ مِنْ صَفْوَانَ بْنِ أُمَيَّةَ

confirmed if 'Umar agreed to it, and if 'Umar did not agree to it, Ṣafwān would take four hundred (Dīnār). Ibn Az-Zubair imprisoned (the culprits) in Makkah."

2423. Narrated Abū Hurairah رَضِيَ اللَّهُ عَنْهُ: The Prophet ﷺ sent some horsemen to Najd and they arrested and brought a man called Thumāma bin Uthāl from the tribe of Banī Ḥanīfa, and they fastened him to one of the pillars of the mosque.

عَلَى إِنْ عُمَرُ رَضِيَ فَاَلْيَبُوعُ بَيْعُهُ، وَإِنْ لَمْ يَرْضَ عُمَرُ فَلْيَصْفَوَانِ أَرْبَعِمِائَةَ دِينَارٍ. وَسَجَنَ ابْنُ الزُّبَيْرِ بِمَكَّةَ.

٢٤٢٣ - حَدَّثَنَا عَبْدُ اللَّهِ بْنُ يُوسُفَ: حَدَّثَنَا اللَّيْثُ قَالَ: حَدَّثَنِي سَعِيدُ بْنُ أَبِي سَعِيدٍ: سَمِعَ أَبَا هُرَيْرَةَ رَضِيَ اللَّهُ عَنْهُ قَالَ: بَعَثَ النَّبِيُّ ﷺ خَيْلًا قَبْلَ نَجْدٍ فَجَاءَتْ بِرَجُلٍ مِنْ بَنِي حَنِيفَةَ يُقَالُ لَهُ: ثُمَامَةُ بْنُ أُثَالٍ، فَرَبَطُوهُ بِسَارِيَةٍ مِنْ سَوَارِي الْمَسْجِدِ.

[راجع: ٤٦٢]

#### (9) CHAPTER. (The creditor's) pursuit (after his debtors).

#### (٩) بَابُ فِي الْمُلَازِمَةِ

2424. Narrated 'Abdullāh bin Ka'b bin Mālik Al-Anṣārī on the authority of Ka'b bin Mālik رَضِيَ اللَّهُ عَنْهُ that 'Abdullāh bin Abī Ḥadrad Al-Aslamī owed him some debt. Ka'b met him and caught hold of him and they started talking and their voices grew louder. The Prophet ﷺ passed by them and addressed Ka'b, pointing out to him to reduce the debt to half. So, Ka'b got half of the debt and exempted the debtor from the other half.

٢٤٢٤ - حَدَّثَنَا يَحْيَى بْنُ بُكَيْرٍ: حَدَّثَنَا اللَّيْثُ، عَنْ جَعْفَرِ بْنِ رَبِيعَةَ، وَقَالَ غَيْرُهُ: حَدَّثَنِي اللَّيْثُ قَالَ: حَدَّثَنِي جَعْفَرُ بْنُ رَبِيعَةَ، عَنْ عَبْدِ الرَّحْمَنِ بْنِ هُرْمَزٍ، عَنْ عَبْدِ اللَّهِ بْنِ كَعْبٍ بْنِ مَالِكٍ الْأَنْصَارِيِّ، عَنْ كَعْبِ بْنِ مَالِكٍ رَضِيَ اللَّهُ عَنْهُ: أَنَّهُ كَانَ لَهُ عَلَى عَبْدِ اللَّهِ ابْنِ أَبِي حَدَرَدٍ الْأَسْلَمِيِّ دَيْنٌ، فَلَقِيَهُ فَلَزِمَهُ، فَتَكَلَّمَا حَتَّى ارْتَفَعَتْ أَصَوَاتُهُمَا فَمَرَّ بِهِمَا النَّبِيُّ ﷺ فَقَالَ: «يَا كَعْبُ»، وَأَشَارَ بِيَدِهِ كَأَنَّهُ يَقُولُ: النِّصْفَ، فَأَخَذَ نِصْفَ مَا عَلَيْهِ وَتَرَكَ نِصْفًا. [راجع: ٤٥٧]

#### (10) CHAPTER. Demanding one's debts.

#### (١٠) بَابُ التَّقَاضِي

2425. Narrated Khabbāb رَضِيَ اللَّهُ عَنْهُ: I was a blacksmith in the Pre-Islāmic Period of

٢٤٢٥ - حَدَّثَنَا إِسْحَاقُ: حَدَّثَنَا

Ignorance, and ‘Āṣ bin Wā’il owed me some money. I went to him to demand it, but he said to me, “I will not pay you unless you reject faith in Muḥammad.” I replied, “By Allāh, I will never disbelieve Muḥammad ﷺ till Allāh let you die and then resurrect you.” He said, “Then wait till I die and come to life again, for then I will be given property and offspring and will pay your right.” So, this revelation came :

“Have you seen him who disbelieved in Our *Ayāt* (this Qur’ān and Muḥammad ﷺ) and said, ‘I shall certainly be given wealth and children [if I will be alive (again)].’” (V.19:77)

وَهَبُ بْنُ جَرِيرٍ بْنِ حَازِمٍ: أَخْبَرَنَا  
شُعْبَةُ، عَنِ الْأَعْمَشِ، عَنْ أَبِي  
الضُّحَى، عَنْ مَسْرُوقٍ، عَنْ خَبَّابٍ،  
قَالَ: «كُنْتُ قَيْنًا فِي الْجَاهِلِيَّةِ وَكَانَ  
لِي عَلَى الْعَاصِ بْنِ وَائِلٍ دَرَاهِمُ فَأَتَيْتُهُ  
أَتَقَاضَاهُ فَقَالَ: لَا أَقْضِيكَ حَتَّى تَكْفُرَ  
بِمُحَمَّدٍ، فَقُلْتُ: لَا وَاللَّهِ، لَا أَكْفُرُ  
بِمُحَمَّدٍ ﷺ حَتَّى يُمَيِّتَكَ اللَّهُ ثُمَّ  
يَبْعَثَكَ. قَالَ: فَدَعْنِي حَتَّى أَمُوتَ،  
ثُمَّ أَبْعَثَ فَأَوْتَى مَالًا وَوَلَدًا ثُمَّ  
أَقْضِيكَ. فَنَزَلَتْ: ﴿أَفَرَأَيْتَ الَّذِي  
كَفَرَ بِآيَاتِنَا وَقَالَ لَأُوتِيَنَّ مَالًا  
وَوَلَدًا﴾ ﴿٧٧﴾ الآية [مریم: ٧٧]. [راجع: