

22. The Book Of Musâqâh And Mu'âmalah

٧ - (المعجم ٢٢) - كتاب

المساقاة والمزارعة (التحفة ...)

Chapter 1. Musâqâh And Mu'âmalah In Return For A Share Of The Fruit And Crops

(المعجم ١) - (باب المساقاة)

والمعاملة بجزء من الثمر والزرع)

(التحفة ٢٢)

[3962] 1 - (1551) It was narrated from Ibn 'Umar that the Messenger of Allâh ﷺ made a contract with the people of Khaibar for half of the fruit or crops produced.

[٣٩٦٢] ١ - (١٥٥١) حَدَّثَنَا أَحْمَدُ

ابْنُ حَنْبَلٍ وَزُهَيْرُ بْنُ حَرْبٍ - وَاللَّفْظُ لِزُهَيْرٍ - قَالَ: حَدَّثَنَا يَحْيَى وَهُوَ الْقَطَّانُ، عَنْ عُبَيْدِ اللَّهِ: أَخْبَرَنِي نَافِعٌ عَنِ ابْنِ عُمَرَ؛ أَنَّ رَسُولَ اللَّهِ ﷺ عَامَلَ أَهْلَ خَيْبَرَ بِشَطْرٍ مَا يَخْرُجُ مِنْهَا مِنْ تَمْرٍ أَوْ زَرْعٍ.

[3963] 2 - (...) It was narrated that Ibn 'Umar said: "The Messenger of Allâh ﷺ handed over Khaibar in return for half of the fruit or crops that it produced. Every year his wives would be given one hundred Wasq: Eighty Wasq of dates and twenty of barley. When 'Umar was in charge, he divided Khaibar, and he gave the wives of the Prophet ﷺ the choice of having land and water allotted to them, or continuing to receive the same number of Wasq every year. They differed. Some of them chose land and water, and some of them chose to be given

[٣٩٦٣] ٢ - (...) وَحَدَّثَنِي عَلِيُّ بْنُ

حُجْرٍ السَّعْدِيُّ: حَدَّثَنَا عَلِيُّ وَهُوَ ابْنُ مُسَهَّرٍ: حَدَّثَنَا عُبَيْدُ اللَّهِ عَنْ نَافِعٍ، عَنِ ابْنِ عُمَرَ قَالَ: أَعْطَى رَسُولُ اللَّهِ ﷺ خَيْبَرَ بِشَطْرٍ مَا يَخْرُجُ مِنْهَا مِنْ تَمْرٍ أَوْ زَرْعٍ، فَكَانَ يُعْطَى أَزْوَاجَهُ كُلَّ سَنَةٍ مِائَةَ وَسَقٍ: ثَمَانِينَ وَسَقًا مِنْ تَمْرٍ، وَعِشْرِينَ وَسَقًا مِنْ شَعِيرٍ، فَلَمَّا وَلِيَ عُمَرُ قَسَمَ خَيْبَرَ، خَيْرَ أَزْوَاجِ النَّبِيِّ ﷺ، أَنْ يُقْطَعَ لَهُنَّ الْأَرْضُ وَالْمَاءُ، أَوْ يَضْمَنَّ لَهُنَّ الْأَوْسَاقَ كُلَّ عَامٍ، فَاخْتَلَفْنَ، فَمِنْهُنَّ مَنْ

Wasq every year. ‘Āishah and Ḥaḥṣah were among those who chose land and water.”

[3964] 3 - (...) It was narrated from ‘Abdullāh bin ‘Umar that the Messenger of Allāh ﷺ made a contract with the people of Khaibar for one half of the crops or fruit produced... and he quoted a *Hadīth* like that of ‘Alī bin Mushir, but he did not mention that ‘Āishah and Ḥaḥṣah were among those who chose land and water. He said: “He gave the wives of the Prophet ﷺ the option of having land allocated to them,” but he did not mention water.

[3965] 4 - (...) It was narrated that ‘Abdullāh bin ‘Umar said: “When Khaibar was conquered, the Jews asked the Messenger of Allāh ﷺ to let them stay there on the basis that they would work in the fields and give him half of the fruit or crops that they yielded. The Messenger of Allāh ﷺ said: ‘I will let you stay there for as long as we wish.’” Then he (the sub narrator) quoted a *Hadīth* like that of Ibn Numair and Ibn Mushir from ‘Ubaidullāh, and he added: “The produce would be divided into shares and the Messenger of Allāh ﷺ would take the *Khums*.”

اخْتَارَ الْأَرْضَ وَالْمَاءَ، وَمِنْهُنَّ مَنِ اخْتَارَ الْأَوْسَاقَ كُلَّ عَامٍ، فَكَانَتْ عَائِشَةُ وَحَفْصَةُ مِمَّنِ اخْتَارَتَا الْأَرْضَ وَالْمَاءَ.

[٣٩٦٤] ٣- (...) وَحَدَّثَنَا ابْنُ نُمَيْرٍ: حَدَّثَنَا أَبِي: حَدَّثَنَا عُبَيْدُ اللَّهِ: حَدَّثَنِي نَافِعٌ عَنِ عَبْدِ اللَّهِ بْنِ عُمَرَ، أَنَّ رَسُولَ اللَّهِ ﷺ عَامَلَ أَهْلَ خَيْبَرَ بِشَطْرِ مَا خَرَجَ مِنْهَا مِنْ زَرْعٍ أَوْ ثَمَرٍ، وَاقْتَصَّ الْحَدِيثَ بِنَحْوِ حَدِيثِ عَلِيِّ بْنِ مُسْهِرٍ، وَلَمْ يَذْكُرْ: فَكَانَتْ عَائِشَةُ وَحَفْصَةُ مِمَّنِ اخْتَارَتَا الْأَرْضَ وَالْمَاءَ، وَقَالَ: خَيْرَ أَزْوَاجِ النَّبِيِّ ﷺ أَنْ يُقْطَعَ لَهُنَّ الْأَرْضُ، وَلَمْ يَذْكُرِ الْمَاءَ.

[٣٩٦٥] ٤- (...) وَحَدَّثَنِي أَبُو الطَّاهِرِ: أَخْبَرَنَا عَبْدُ اللَّهِ بْنُ وَهَبٍ: أَخْبَرَنِي أُسَامَةُ بْنُ زَيْدِ اللَّيْثِيِّ عَنْ نَافِعٍ، عَنْ عَبْدِ اللَّهِ بْنِ عُمَرَ قَالَ: لَمَّا فُتِحَتْ خَيْبَرُ سَأَلْتُ يَهُودَ رَسُولَ اللَّهِ ﷺ أَنْ يُعْرَهُمْ فِيهَا، عَلَى أَنْ يَعْمَلُوا عَلَيَّ نِصْفَ مَا خَرَجَ مِنْهَا مِنَ الثَّمَرِ وَالزَّرْعِ، فَقَالَ رَسُولُ اللَّهِ ﷺ: «أَقْرَبُكُمْ فِيهَا عَلَيَّ ذَلِكَ مَا شِئْنَا» ثُمَّ سَأَلَ الْحَدِيثَ بِنَحْوِ حَدِيثِ ابْنِ نُمَيْرٍ وَابْنِ مُسْهِرٍ عَنْ عُبَيْدِ اللَّهِ. وَزَادَ فِيهِ: وَكَانَ الثَّمَرُ يُقْسَمُ عَلَى السُّهْمَانِ مِنْ

نَضِفَ خَيْبَرَ، فَيَأْخُذُ رَسُولُ اللَّهِ ﷺ
الْخُمْسَ.

[3966] 5 - (...) It was narrated from 'Abdullâh bin 'Umar that the Messenger of Allâh ﷺ gave the palm trees and land of Khaibar to the Jews of Khaibar on the basis that they would cultivate them at their own expense, and the Messenger of Allâh ﷺ would have half of the yield.

[٣٩٦٦] ٥- (...) وَحَدَّثَنَا ابْنُ رُمَيْحٍ:
أَخْبَرَنَا اللَّيْثُ عَنْ مُحَمَّدِ بْنِ عَبْدِ الرَّحْمَنِ،
عَنْ نَافِعٍ، عَنْ عَبْدِ اللَّهِ بْنِ عُمَرَ عَنْ رَسُولِ
اللَّهِ ﷺ؛ أَنَّهُ دَفَعَ إِلَى يَهُودِ خَيْبَرَ نَخْلَ خَيْبَرَ
وَأَرْضَهَا، عَلَى أَنْ يَعْمَلُوهَا مِنْ أَمْوَالِهِمْ،
وَلِرَسُولِ اللَّهِ ﷺ شَطْرَ ثَمَرِهَا.

[3967] 6 - (...) It was narrated from Ibn 'Umar that 'Umar bin Al-Khattâb expelled the Jews and Christians from the land of Al-Hijâz. When the Messenger of Allâh ﷺ conquered Khaibar, he wanted to expel the Jews from it, as the land had come under the sway of Allâh, His Messenger and the Muslims. He wanted to expel the Jews from it but the Jews asked the Messenger of Allâh ﷺ to let them stay there on the basis that they would cultivate it, and they would have half of the yield. The Messenger of Allâh ﷺ said to them: "We will let you stay there on that basis, for as long as we wish." And they stayed there until 'Umar expelled them to Taimâ' and Arihâ'.

[٣٩٦٧] ٦- (...) وَحَدَّثَنِي مُحَمَّدُ
ابْنُ رَافِعٍ وَإِسْحَاقُ بْنُ مَنْصُورٍ - وَاللَّفْظُ
لِابْنِ رَافِعٍ - قَالَا: حَدَّثَنَا عَبْدُ الرَّزَّاقِ:
أَخْبَرَنَا ابْنُ جُرَيْجٍ: حَدَّثَنِي مُوسَى بْنُ
عُقْبَةَ عَنْ نَافِعٍ، عَنِ ابْنِ عُمَرَ؛ أَنَّ عُمَرَ
ابْنَ الْخَطَّابِ أَجْلَى الْيَهُودَ وَالنَّصَارَى مِنْ
أَرْضِ الْحِجَازِ، وَأَنَّ رَسُولَ اللَّهِ ﷺ لَمَّا
ظَهَرَ عَلَى خَيْبَرَ أَرَادَ إِخْرَاجَ الْيَهُودِ مِنْهَا،
وَكَانَتْ الْأَرْضُ، حِينَ ظَهَرَ عَلَيْهَا، لِلَّهِ عَزَّ
وَجَلَّ وَلِرَسُولِهِ ﷺ وَلِلْمُسْلِمِينَ، فَأَرَادَ
إِخْرَاجَ الْيَهُودِ مِنْهَا، فَسَأَلَتْ الْيَهُودُ رَسُولَ
اللَّهِ ﷺ أَنْ يَقْرَهُمْ بِهَا، عَلَى أَنْ يَكْفُوا
عَمَلَهَا، وَلَهُمْ نِصْفُ الثَّمَرِ. فَقَالَ لَهُمْ
رَسُولُ اللَّهِ ﷺ: «نَقْرُكُمْ بِهَا عَلَى ذَلِكَ،
مَا شِئْنَا» فَقَرُّوا بِهَا حَتَّى أَجْلَاهُمْ عُمَرُ
إِلَى تَيْمَاءَ وَأَرِيحَاءَ.

Chapter 2. The Virtue Of Planting And Cultivating

[3968] 7 - (1552) It was narrated that Jâbir said: "The Messenger of Allâh ﷺ said: 'There is no Muslim who plants something but whatever is eaten of it is charity for him, and whatever is stolen from it is charity for him, and whatever the wild animals eat from it is charity for him, and whatever the birds eat from it is charity for him; no one takes anything from it but it will be charity for him.'"

[3969] 8 - (...) It was narrated from Jâbir that the Prophet ﷺ entered upon Umm Mubash-shir Al-Anshâriyyah among her palm trees, and the Prophet ﷺ said to her: "Who planted these palm trees? Was it a Muslim or a disbeliever?" She said: "A Muslim." He said: "No Muslim plants anything or cultivates anything, and humans, animals or anything eats from it, but it will be charity for him."

[3970] 9 - (...) Jâbir bin 'Abdullâh said: "I heard the Messenger of Allâh ﷺ say: 'No Muslim man plants anything or cultivates anything that a wild animal or bird or anything eats

(المعجم ٢) - (بَابُ فَضْلِ الْغَرَسِ

والزراع) (التحفة ٢٣)

[٣٩٦٨] ٧ - (١٥٥٢) حَدَّثَنَا ابْنُ نُمَيْرٍ: حَدَّثَنَا أَبِي: حَدَّثَنَا عَبْدُ الْمَلِكِ عَنْ عَطَاءٍ، عَنْ جَابِرٍ قَالَ: قَالَ رَسُولُ اللَّهِ ﷺ: «مَا مِنْ مُسْلِمٍ يَغْرِسُ غَرْسًا إِلَّا كَانَ مَا أَكَلَ مِنْهُ لَهُ صَدَقَةٌ، وَمَا سُرِقَ مِنْهُ لَهُ صَدَقَةٌ، وَمَا أَكَلَ الطَّيْرُ مِنْهُ فَهُوَ لَهُ صَدَقَةٌ، وَمَا أَكَلَتِ الطَّيْرُ فَهُوَ لَهُ صَدَقَةٌ، وَلَا يَزْرُوهُ أَحَدٌ إِلَّا كَانَ لَهُ صَدَقَةٌ».

[٣٩٦٩] ٨ - (...) وَحَدَّثَنَا قُتَيْبَةُ بْنُ سَعِيدٍ: حَدَّثَنَا لَيْثٌ؛ وَحَدَّثَنَا مُحَمَّدُ بْنُ رُمْحٍ: أَخْبَرَنَا اللَّيْثُ عَنْ أَبِي الزُّبَيْرِ، عَنْ جَابِرٍ؛ أَنَّ النَّبِيَّ ﷺ دَخَلَ عَلَى أُمِّ مَيْسَرٍ الْأَنْصَارِيَّةِ فِي نَخْلِ لَهَا، فَقَالَ لَهَا النَّبِيُّ ﷺ: «مَنْ غَرَسَ هَذَا النَّخْلَ؟» [أ]مُسْلِمٌ أَمْ كَافِرٌ؟» فَقَالَتْ: بَلْ مُسْلِمٌ. فَقَالَ: «لَا يَغْرِسُ مُسْلِمٌ غَرْسًا، وَلَا يَزْرَعُ زَرْعًا، فَيَأْكُلُ مِنْهُ إِنْسَانٌ وَلَا دَابَّةٌ وَلَا شَيْءٌ، إِلَّا كَانَتْ لَهُ صَدَقَةٌ».

[٣٩٧٠] ٩ - (...) وَحَدَّثَنِي مُحَمَّدُ ابْنُ حَاتِمٍ وَابْنُ أَبِي خَلْفٍ قَالَا: حَدَّثَنَا رَوْحٌ: حَدَّثَنَا ابْنُ جُرَيْجٍ قَالَ: أَخْبَرَنِي أَبُو الزُّبَيْرِ؛ أَنَّهُ سَمِعَ جَابِرَ ابْنَ عَبْدِ اللَّهِ

from, but he will have a reward for that.”

[3971] 10 - (...) Jâbir bin ‘Abdullâh said: “The Prophet ﷺ entered upon Umm Ma’bad in her garden. He said: ‘O Umm Ma’bad, who planted these palm trees? Was it a Muslim or a disbeliever?’ She said: ‘A Muslim.’ He said: ‘No Muslim plants anything that a human, animal or bird eats from, but it will be charity for him until the Day of Resurrection.”

[3972] 11 - (...) It was narrated from Al-A’mash, from Abû Sufyân, from Jâbir. ‘Amr added in his report from ‘Ammâr, and Abû Kuraib added in his report from Abû Mu’âwiyah; “from Umm Mubash-shir.” In the report of Ibn Fuðail it says: “From the wife of Zaid bin Hârithah.” In the report of Ishâq from Abû Mu’âwiyah it says: “Perhaps he said: ‘From Umm Mubash-shir from the Prophet

يَقُولُ: سَمِعْتُ رَسُولَ اللَّهِ ﷺ يَقُولُ: «لَا يَغْرِسُ رَجُلٌ مُسْلِمٌ غَرْسًا، وَلَا زَرْعًا، فَيَأْكُلُ مِنْهُ سَبْعٌ أَوْ طَائِرٌ أَوْ شَيْءٌ، إِلَّا كَانَ لَهُ فِيهِ أَجْرٌ». وَقَالَ ابْنُ أَبِي خَلْفٍ: طَائِرٌ شَيْءٌ كَذَا.

[٣٩٧١] ١٠- (...) حَدَّثَنَا أَحْمَدُ ابْنُ سَعِيدٍ بْنِ إِبْرَاهِيمَ: حَدَّثَنَا رَوْحُ بْنُ عِبَادَةَ: حَدَّثَنَا زَكَرِيَاءُ بْنُ إِسْحَاقَ: أَخْبَرَنِي عَمْرُو بْنُ دِينَارٍ؛ أَنَّهُ سَمِعَ جَابِرَ بْنَ عَبْدِ اللَّهِ يَقُولُ: دَخَلَ النَّبِيُّ ﷺ عَلَيَّ أُمَّ مَعْبِدٍ، حَائِطًا. فَقَالَ: «يَا أُمَّ مَعْبِدِ! مَنْ غَرَسَ هَذَا النَّخْلَ؟ [أَمْ مُسْلِمٌ أَمْ كَافِرٌ؟]» فَقَالَتْ: بَلَّ مُسْلِمٌ. قَالَ: «فَلَا يَغْرِسُ الْمُسْلِمُ غَرْسًا، فَيَأْكُلُ مِنْهُ إِنْسَانٌ وَلَا دَابَّةٌ وَلَا طَيْرٌ، إِلَّا كَانَ لَهُ صَدَقَةٌ إِلَى يَوْمِ الْقِيَامَةِ».

[٣٩٧٢] ١١- (...) وَحَدَّثَنَا أَبُو بَكْرِ بْنُ أَبِي شَيْبَةَ: حَدَّثَنَا حَفْصُ بْنُ غِيَاثٍ؛ وَحَدَّثَنَا أَبُو كُرَيْبٍ وَإِسْحَاقُ بْنُ إِبْرَاهِيمَ، جَمِيعًا عَنْ أَبِي مُعَاوِيَةَ؛ وَحَدَّثَنَا عَمْرُو النَّاقِدُ: حَدَّثَنَا عَمَّارُ بْنُ مُحَمَّدٍ؛ وَحَدَّثَنَا أَبُو بَكْرِ بْنُ أَبِي شَيْبَةَ: حَدَّثَنَا ابْنُ فَضِيلٍ، كُلُّهُمَا عَنْ الْأَعْمَشِ، عَنْ أَبِي سُفْيَانَ، عَنْ جَابِرٍ. زَادَ عَمْرُو فِي

ﷺ' and perhaps he did not say it." All of them said: "From the Prophet ﷺ," like the *Hadîth* of 'Atâ' (no. 3968), Abû Az-Zubair (no. 3969) and 'Amr bin Dînâr (3971).

[3973] 12 - (1553) It was narrated that Anas said: "The Messenger of Allâh ﷺ said: 'There is no Muslim who plants something or cultivates something that birds, humans or animals eat from, but it will be charity for him.'"

[3974] 13 - (...) Anas bin Mâlik narrated that the Prophet of Allâh ﷺ entered a garden of palm trees belonging to Umm Mubash-shir, a woman of the *Anshâr*. The Messenger of Allâh ﷺ said: "Who planted these palm trees? Was it a Muslim or a disbeliever?" They said: "A Muslim..." a *Hadîth* like theirs (i.e., Yahya, Qutaibah, and Muḥammad no. 3973).

رَوَاتِهِ عَنْ عَمَّارٍ، وَأَبُو كُرَيْبٍ فِي رَوَاتِهِ عَنْ أَبِي مُعَاوِيَةَ فَقَالَا: عَنْ أُمِّ مُبَشِّرٍ. وَفِي رَوَايَةِ ابْنِ فَضِيلٍ: عَنْ امْرَأَةٍ زَيْدِ بْنِ حَارِثَةَ. وَفِي رَوَايَةِ إِسْحَاقَ، عَنْ أَبِي مُعَاوِيَةَ قَالَ: رَبِّمَا قَالَ عَنْ أُمِّ مُبَشِّرٍ عَنِ النَّبِيِّ ﷺ. وَرَبِّمَا لَمْ يَقُلْ. وَكُلُّهُمْ قَالُوا: عَنِ النَّبِيِّ ﷺ، بِنَحْوِ حَدِيثِ عَطَاءٍ وَأَبِي الزُّبَيْرِ وَعَمْرُو بْنِ دِينَارٍ.

[٣٩٧٣] ١٢ - (١٥٥٣) وَحَدَّثَنَا يَحْيَى بْنُ يَحْيَى وَفُتَيْبَةُ بْنُ سَعِيدٍ وَمُحَمَّدُ ابْنُ عُبَيْدِ الْعُبَيْرِيِّ - وَاللَّفْظُ لِيَحْيَى، قَالَ يَحْيَى: أَخْبَرَنَا وَقَالَ الْأَخْرَانِ: حَدَّثَنَا - أَبُو عَوَانَةَ عَنْ قَتَادَةَ، عَنْ أَنَسٍ قَالَ: قَالَ رَسُولُ اللَّهِ ﷺ: «مَا مِنْ مُسْلِمٍ يَغْرِسُ غَرْسًا، أَوْ يَزْرَعُ زَرْعًا، فَيَأْكُلُ مِنْهُ طَيْرٌ أَوْ إِنْسَانٌ أَوْ بَهِيمَةٌ، إِلَّا كَانَ لَهُ بِهِ صَدَقَةٌ».

[٣٩٧٤] ١٣ - (...) وَحَدَّثَنَا عَبْدُ ابْنِ حُمَيْدٍ: حَدَّثَنَا مُسْلِمٌ بْنُ إِبْرَاهِيمَ: حَدَّثَنَا أَبَانُ بْنُ يَزِيدَ: حَدَّثَنَا قَتَادَةُ: حَدَّثَنَا أَنَسُ بْنُ مَالِكٍ: أَنَّ نَبِيَّ اللَّهِ ﷺ دَخَلَ نَخْلًا لِأُمِّ مُبَشِّرٍ، امْرَأَةٍ مِنَ الْأَنْصَارِ فَقَالَ رَسُولُ اللَّهِ ﷺ: «مَنْ غَرَسَ هَذَا النَّخْلَ؟ أَمْسَلِمٌ أَمْ كَافِرٌ؟» قَالُوا: مُسْلِمٌ، بِنَحْوِ حَدِيثِهِمْ.

Chapter 3. Waiving Payment In The Case Of Blight

[3975] 14 - (1554) It was narrated from Abû Az-Zubair that he heard Jâbir bin 'Abdullâh said: "The Messenger of Allâh ﷺ said: 'If you sell some fruit to your brother then it is stricken with blight, it is not permissible for you to take anything from him. Why would you take your brother's wealth unlawfully?'"

[3976] (...) A similar report (as no. 3975) was narrated from Ibn Juraij with this chain.

[3977] 15 - (1555) It was narrated from Anas that the Prophet ﷺ forbade selling the fruit of palm trees until they bloom. We said: "What does bloom mean?" He said: "Turning red or yellow. Do you think that if Allâh withholds the fruit, would you regard your brother's wealth as permissible?"

(المعجم ٣) - (بَابُ وَضْعِ الْجَوَائِحِ)

(التحفة ٢٤)

[٣٩٧٥] ١٤ - (١٥٥٤) حَدَّثَنَا أَبُو

الطَّاهِرِ: أَخْبَرَنَا ابْنُ وَهْبٍ عَنِ ابْنِ جُرَيْجٍ؛ أَنَّ أَبَا الزُّبَيْرِ أَخْبَرَهُ عَنْ جَابِرِ بْنِ عَبْدِ اللَّهِ؛ أَنَّ رَسُولَ اللَّهِ ﷺ قَالَ: «إِنْ بَعْتَ مِنْ أَخِيكَ ثَمْرًا؛ وَحَدَّثْنَا مُحَمَّدُ بْنُ عَبَّادٍ: حَدَّثَنَا أَبُو ضَمْرَةَ عَنِ ابْنِ جُرَيْجٍ، عَنْ أَبِي الزُّبَيْرِ أَنَّهُ سَمِعَ جَابِرَ بْنَ عَبْدِ اللَّهِ يَقُولُ: قَالَ رَسُولُ اللَّهِ ﷺ: «لَوْ بَعْتَ مِنْ أَخِيكَ ثَمْرًا، فَأَصَابَتْهُ جَائِحَةٌ، فَلَا يَجِلُّ لَكَ أَنْ تَأْخُذَ مِنْهُ شَيْئًا، بِمِ تَأْخُذُ مَالَ أَخِيكَ بِغَيْرِ حَقٍّ؟». [انظر: ٣٩٨٠]

[٣٩٧٦] (...) وَحَدَّثَنَا حَسَنُ

الْحُلَوَانِيُّ: حَدَّثَنَا أَبُو عَاصِمٍ عَنِ ابْنِ جُرَيْجٍ بِهَذَا الْإِسْنَادِ مِثْلَهُ.

[٣٩٧٧] ١٥ - (١٥٥٥) حَدَّثَنَا يَحْيَى

ابْنُ أَيُّوبَ وَقَتَيْبَةُ وَعَلِيُّ بْنُ حُجْرٍ قَالُوا: حَدَّثَنَا إِسْمَاعِيلُ بْنُ جَعْفَرٍ عَنْ حَمِيدٍ، عَنْ أَنَسٍ: أَنَّ النَّبِيَّ ﷺ نَهَى عَنْ بَيْعِ ثَمَرِ النَّخْلِ حَتَّى تَرْهُو، فَقُلْنَا لِأَنَسٍ: مَا رَهُوْهَا؟ قَالَ: تَحْمَرُّ وَتَضْفَرُّ، أَرَأَيْتَكَ إِنْ مَنَعَ اللَّهُ الثَّمْرَةَ، بِمِ تَسْتَجِلُّ مَالَ أَخِيكَ؟.

[3978]... - (...) It was narrated from Anas bin Mâlik that the Messenger of Allâh ﷺ forbade selling fruit until it bloomed. They said: "What does bloom mean?" He said: "Turning red. He said: If Allâh withholds the fruit, on what basis do you regard your brother's wealth as permissible?"

[3979] 16 - (...) It was narrated from Anas that the Prophet ﷺ said: "If Allâh, the Mighty and Sublime, did not cause the fruit (to grow), on what basis do you regard your brother's wealth as permissible?"

[3980] 17 - (1554) It was narrated from Jâbir that the Prophet ﷺ enjoined waiving payments in a case where the crop was stricken by blight.

Abû Ishâq said: "Ibrâhîm (who was the companion of Muslim) said: "Abdur-Raḥmân bin Bishr narrated this to me from Sufyân."

Chapter 4. It Is Recommended To Waive Debts

[3981] 18 - (1556) It was narrated that Abû Sa'eed Al-Khudrî said: "At the time of the

[٣٩٧٨] (...) حَدَّثَنِي أَبُو الطَّاهِرِ: أَخْبَرَنَا ابْنُ وَهْبٍ: أَخْبَرَنِي مَالِكٌ عَنْ حُمَيْدِ الطَّوِيلِ، عَنْ أَنَسِ بْنِ مَالِكٍ؛ أَنَّ رَسُولَ اللَّهِ ﷺ نَهَى عَنْ بَيْعِ الثَّمَرَةِ حَتَّى تُزْهِىَ قَالُوا: وَمَا تُزْهِى؟ قَالَ: تَحْمَرُ، فَقَالَ: إِذَا مَنَّ اللَّهُ الثَّمَرَةَ، فِيمَ تَسْتَحِلُّ مَالَ أَخِيكَ؟.

[٣٩٧٩] ١٦ - (...) وَحَدَّثَنِي مُحَمَّدُ ابْنُ عَبَّادٍ: حَدَّثَنَا عَبْدُ الْعَزِيزِ بْنُ مُحَمَّدٍ عَنْ حُمَيْدٍ، عَنْ أَنَسِ بْنِ مَالِكٍ أَنَّ النَّبِيَّ ﷺ قَالَ: «إِنْ لَمْ يُثْمِرْهَا اللَّهُ عَزَّ وَجَلَّ، فِيمَ يَسْتَحِلُّ أَحَدُكُمْ مَالَ أَخِيهِ؟».

[٣٩٨٠] ١٧ - (١٥٥٤) حَدَّثَنَا بِشْرُ ابْنِ الْحَكَمِ وَإِبْرَاهِيمُ بْنُ دِينَارٍ وَعَبْدُ الْجَبَّارُ بْنُ الْعَلَاءِ - وَاللَّفْظُ لِبِشْرِ - قَالُوا: حَدَّثَنَا سُفْيَانُ بْنُ عُيَيْنَةَ عَنْ حُمَيْدِ الْأَعْرَجِ، عَنْ سُلَيْمَانَ بْنِ عَتِيقٍ، عَنْ جَابِرٍ: أَنَّ النَّبِيَّ ﷺ أَمَرَ بِوَضْعِ الْجَوَائِحِ. قَالَ [أَبُو إِسْحَاقَ] إِبْرَاهِيمُ [وَهُوَ صَاحِبُ مُسْلِمٍ]: حَدَّثَنِي عَبْدُ الرَّحْمَنِ بْنُ بِشْرِ عَنْ سُفْيَانَ، بِهَذَا. [راجع: ٣٩٧٥]

(المعجم ٤) - (باب استحباب الوضع من الدين) (التحفة ٢٥)

[٣٩٨١] ١٨ - (١٥٥٦) حَدَّثَنَا قُتَيْبَةُ ابْنُ سَعِيدٍ: حَدَّثَنَا لَيْثٌ عَنْ بُكَيْرٍ، عَنْ

Messenger of Allâh ﷺ, a man suffered loss of some fruit that he had bought, and his debts mounted. The Messenger of Allâh ﷺ said: 'Give him charity,' and the people gave him charity, but it was not enough to pay off his debt. The Messenger of Allâh ﷺ said to his creditors: 'Take what you find, and you are not entitled to any more than that.'"

[3982] (...) A similar report (as no. 3981) was narrated from Bukhair bin Al-Ashajj with this chain.

[3983] 19 - (1557) 'Āishah said: "The Messenger of Allâh ﷺ heard the noise of disputants at the door, raising their voices. One of them was asking the other to let him off and show him leniency in some matter, and he was saying: 'By Allâh I will not do that.' The Messenger of Allâh ﷺ came out to them and said: 'Where is the one who swears by Allâh that he will not do an act of kindness?' He said: 'Here I am, O Messenger of Allâh; he may have whatever he wants.'"

عِيَاضِ بْنِ عَبْدِ اللَّهِ، عَنْ أَبِي سَعِيدِ الْخُدْرِيِّ قَالَ: أُصِيبَ رَجُلٌ فِي عَهْدِ رَسُولِ اللَّهِ ﷺ فِي ثِمَارِ ابْتَاعِهَا، فَكَثُرَ دَيْنُهُ، فَقَالَ رَسُولُ اللَّهِ ﷺ: «تَصَدَّقُوا عَلَيَّ» فَتَصَدَّقَ النَّاسُ عَلَيْهِ، فَلَمْ يَبْلُغْ ذَلِكَ وَفَاءَ دَيْنِهِ، فَقَالَ رَسُولُ اللَّهِ ﷺ لِعُرْمَانِهِ: «خُذُوا مَا وَجَدْتُمْ، وَلَيْسَ لَكُمْ إِلَّا ذَلِكَ».

[٣٩٨٢] (...) حَدَّثَنِي يُوسُفُ بْنُ عَبْدِ الْأَعْلَى: أَخْبَرَنَا عَبْدُ اللَّهِ بْنُ وَهَبٍ: أَخْبَرَنِي عَمْرُو بْنُ الْحَارِثِ عَنْ بُكَيْرِ بْنِ الْأَشَجِّ بِهَذَا الْإِسْنَادِ مِثْلَهُ.

[٣٩٨٣] ١٩ - (١٥٥٧) وَحَدَّثَنِي غَيْرُ وَاحِدٍ مِنْ أَصْحَابِنَا قَالُوا: حَدَّثَنَا إِسْمَاعِيلُ بْنُ أَبِي أُوَيْسٍ: حَدَّثَنِي أَحِي عَنْ سُلَيْمَانَ وَهُوَ ابْنُ بِلَالٍ، عَنْ يَحْيَى ابْنِ سَعِيدٍ، عَنْ أَبِي الرَّجَالِ مُحَمَّدِ بْنِ عَبْدِ الرَّحْمَنِ؛ أَنَّ أُمَّهُ عَمْرَةَ بِنْتُ عَبْدِ الرَّحْمَنِ قَالَتْ: سَمِعْتُ عَائِشَةَ تَقُولُ: سَمِعَ رَسُولُ اللَّهِ ﷺ صَوْتَ خُصُومٍ بِالْبَابِ، عَلِيَّةٌ أَصَوَّاهُمَا، وَإِذَا أَحَدُهُمَا يَسْتَوْضِعُ الْآخَرَ وَيَسْتَرْفِقُهُ فِي شَيْءٍ، وَهُوَ يَقُولُ: وَاللَّهِ! لَا أَفْعَلُ. فَخَرَجَ رَسُولُ اللَّهِ ﷺ عَلَيْهِمَا، فَقَالَ: «أَيْنَ الْمُتَأَلِّي

عَلَى اللَّهِ لَا يَفْعَلُ الْمَعْرُوفَ؟» قَالَ: أَنَا، يَا رَسُولَ اللَّهِ! فَلَهُ أَيُّ ذَلِكَ أَحَبُّ.

[3984] 20 - (1558) ‘Abdullâh bin Ka‘b bin Mâlik narrated from his father that he asked Ibn Abî Hâdrad to pay a debt that he owed him at the time of the Messenger of Allâh ﷺ, in the *Masjid*. Their voices became so loud that the Messenger of Allâh ﷺ could hear them in his house. The Messenger of Allâh ﷺ came out to them and lifted the curtain of his apartment, and he called Ka‘b bin Mâlik, saying: “O Ka‘b!” Ka‘b said: “Here I am, O Messenger of Allâh.” He gestured with his hand, saying waive half of your debt. Ka‘b said: “I have done that, O Messenger of Allâh.” The Messenger of Allâh ﷺ said: “Get up and pay off the rest.”

[٣٩٨٤] ٢٠ - (١٥٥٨) حَدَّثَنِي حَزْمَلَةُ بْنُ يَحْيَى: أَخْبَرَنَا عَبْدُ اللَّهِ بْنُ وَهَبٍ: أَخْبَرَنِي يُوسُفُ بْنُ ابْنِ شِهَابٍ: حَدَّثَنِي عَبْدُ اللَّهِ بْنُ كَعْبِ بْنِ مَالِكٍ - قَالَ: أَخْبَرَهُ عَنْ أَبِيهِ - أَنَّهُ تَقَاضَى ابْنُ أَبِي حَذْرَدٍ دَيْنًا - كَانَ لَهُ عَلَيْهِ، فِي عَهْدِ رَسُولِ اللَّهِ ﷺ - فِي الْمَسْجِدِ، فَارْتَفَعَتْ أَصْوَاتُهُمَا، حَتَّى سَمِعَهَا رَسُولُ اللَّهِ ﷺ وَهُوَ فِي بَيْتِهِ، فَخَرَجَ إِلَيْهِمَا رَسُولُ اللَّهِ ﷺ حَتَّى كَشَفَ سِجْفَ حُجْرَتِهِ، وَنَادَى كَعْبَ ابْنَ مَالِكٍ فَقَالَ: «يَا كَعْبُ!» فَقَالَ: لَبَّيْكَ يَا رَسُولَ اللَّهِ! فَأَشَارَ إِلَيْهِ بِيَدِهِ: أَنْ ضَعِ الشَّطْرَ مِنْ دَيْنِكَ. قَالَ كَعْبُ: قَدْ فَعَلْتُ، يَا رَسُولَ اللَّهِ! قَالَ رَسُولُ اللَّهِ ﷺ «قُمْ فَأَقْضِهِ».

[3985] 21 - (...) Ka‘b bin Mâlik narrated that he asked Ibn Abî Hâdrad to pay off a debt that he owed him... a *Hadîth* like that of Ibn Wahb (3984).

[٣٩٨٥] ٢١ - (...) وَحَدَّثَنَا إِسْحَاقُ بْنُ إِبْرَاهِيمَ: أَخْبَرَنَا عُثْمَانُ بْنُ عُمَرَ: أَخْبَرَنَا يُوسُفُ بْنُ الزُّهْرِيِّ، عَنْ عَبْدِ اللَّهِ بْنِ كَعْبِ بْنِ مَالِكٍ؛ أَنَّ كَعْبَ بْنَ مَالِكٍ أَخْبَرَهُ؛ أَنَّهُ تَقَاضَى دَيْنًا لَهُ عَلَى ابْنِ أَبِي حَذْرَدٍ، بِمِثْلِ حَدِيثِ ابْنِ وَهَبٍ.

[3986] (...) It was narrated from Ka'b bin Mâlik that he was owed money by 'Abdullâh bin Abî Hâdrad Al-Aslamî. He met him and pressured him to pay it, and they spoke until their voices became loud. The Messenger of Allâh ﷺ passed by them and said: "O Ka'b!" and gestured with his hand as if he was telling him, 'Half.' So he took half of what was owed him and waive the rest.

[٣٩٨٦] (...) قَالَ مُسْلِمٌ: وَرَوَى اللَّيْثُ ابْنُ سَعْدٍ: حَدَّثَنِي جَعْفَرُ ابْنُ رَبِيعَةَ عَنْ عَبْدِ الرَّحْمَنِ بْنِ هُرْمَزٍ، عَنْ عَبْدِ اللَّهِ ابْنِ كَعْبِ بْنِ مَالِكٍ، عَنْ كَعْبِ بْنِ مَالِكٍ أَنَّهُ كَانَ لَهُ مَالٌ عَلَى عَبْدِ اللَّهِ بْنِ أَبِي حَذْرَدِ الْأَسْلَمِيِّ، فَلَقِيَهُ فَلَزِمَهُ، فَتَكَلَّمَا حَتَّى ارْتَفَعَتِ الْأَصْوَاتُ، فَمَرَّ بِهِمَا رَسُولُ اللَّهِ ﷺ فَقَالَ: «يَا كَعْبُ!» فَأَشَارَ بِيَدِهِ، كَأَنَّهُ يَقُولُ النُّصْفَ فَأَخَذَ نِصْفًا مِمَّا عَلَيْهِ، وَتَرَكَ نِصْفًا.

Chapter 5. If A Man Finds What He Sold With The Purchaser, Who Has Become Bankrupt, Then He Has The Right To Take It Back

[3987] 22 - (1559) Abû Hurairah said: "The Messenger of Allâh ﷺ said - or I heard the Messenger of Allâh ﷺ say - : 'Whoever finds his property with a man who has become bankrupt' - or 'a person who has become bankrupt - he is more entitled to it than anyone else.'"

(المعجم ٥) - (بَابُ مَنْ أَدْرَكَ مَا بَاعَهُ عِنْدَ الْمُشْتَرِي، وَقَدْ أَفْلَسَ، فَلَهُ الرَّجُوعُ فِيهِ) (التحفة ٢٦)

[٣٩٨٧] ٢٢- (١٥٥٩) حَدَّثَنَا أَحْمَدُ ابْنُ عَبْدِ اللَّهِ بْنِ يُونُسَ: حَدَّثَنَا زُهَيْرُ [ابْنِ حَرْبٍ]: حَدَّثَنَا يَحْيَى بْنُ سَعِيدٍ: أَخْبَرَنِي أَبُو بَكْرِ بْنُ مُحَمَّدِ بْنِ عَمْرٍو بْنِ حَزْمٍ؛ أَنَّ عُمَرَ بْنَ عَبْدِ الْعَزِيزِ أَخْبَرَهُ؛ أَنَّ أَبَا بَكْرٍ بْنَ عَبْدِ الرَّحْمَنِ بْنِ الْحَارِثِ بْنِ هِشَامٍ أَخْبَرَهُ؛ أَنَّهُ سَمِعَ أَبَا هُرَيْرَةَ يَقُولُ: قَالَ رَسُولُ اللَّهِ ﷺ - أَوْ سَمِعْتُ رَسُولَ اللَّهِ ﷺ يَقُولُ - : «مَنْ أَدْرَكَ مَالَهُ بِعَيْهِ عِنْدَ رَجُلٍ قَدْ أَفْلَسَ - أَوْ إِنْسَانٍ قَدْ أَفْلَسَ - فَهُوَ أَحَقُّ بِهِ مِنْ غَيْرِهِ».

[3988] (...) A *Hadîth* like that of Zuhair (no. 3988) was narrated from Yahyâ bin Sa'eed with this chain. Ibn Rumh said in his report: "Any man who becomes bankrupt."

[٣٩٨٨] (...) حَدَّثَنَا يَحْيَى بْنُ يَحْيَى: أَخْبَرَنَا هُثَيْمٌ؛ وَحَدَّثَنَا قُتَيْبَةُ بْنُ سَعِيدٍ وَمُحَمَّدُ بْنُ زُفْرٍ، جَمِيعًا عَنِ اللَّيْثِ بْنِ سَعْدٍ؛ وَحَدَّثَنَا أَبُو الرَّبِيعِ وَيَحْيَى بْنُ حَبِيبِ الْحَارِثِيِّ قَالَا: حَدَّثَنَا حَمَادٌ يَعْنِي ابْنَ زَيْدٍ؛ وَحَدَّثَنَا أَبُو بَكْرِ بْنُ أَبِي شَيْبَةَ: حَدَّثَنَا سُفْيَانُ بْنُ عُيَيْنَةَ؛ وَحَدَّثَنَا مُحَمَّدُ بْنُ الْمُثَنَّى: حَدَّثَنَا عَبْدُ الْوَهَّابِ وَيَحْيَى بْنُ سَعِيدٍ وَحَفْصُ ابْنِ غِيَاثٍ، كُلُّ هَؤُلَاءِ عَنْ يَحْيَى بْنِ سَعِيدٍ فِي هَذَا الْإِسْنَادِ بِمَعْنَى حَدِيثِ زُهَيْرٍ. وَقَالَ ابْنُ زُفْرٍ مِنْ بَيْنِهِمْ فِي رِوَايَتِهِ: أَيُّمَا امْرِيءٍ فُلَسَ.

[3989] 23 - (...) It was narrated from Abû Hurairah from the Prophet ﷺ concerning a man who becomes destitute, if the goods are found with him and not given away yet: "The original owner who sold them to him is more entitled to them."

[٣٩٨٩] ٢٣- (...) حَدَّثَنَا ابْنُ أَبِي عَمْرٍ: حَدَّثَنَا هِشَامُ بْنُ سُلَيْمَانَ وَهُوَ ابْنُ عِكْرَمَةَ بْنِ خَالِدِ الْمَخْزُومِيِّ، عَنِ ابْنِ جُرَيْجٍ: حَدَّثَنِي ابْنُ أَبِي الْحُسَيْنِ؛ أَنَّ أَبَا بَكْرٍ بْنَ مُحَمَّدٍ بْنَ عَمْرٍو بْنَ حَزْمٍ أَخْبَرَهُ؛ أَنَّ عُمَرَ بْنَ عَبْدِ الْعَزِيزِ حَدَّثَهُ عَنْ حَدِيثِ أَبِي بَكْرٍ بْنَ عَبْدِ الرَّحْمَنِ، عَنْ حَدِيثِ أَبِي هُرَيْرَةَ عَنِ النَّبِيِّ ﷺ فِي الرَّجُلِ الَّذِي يُعْدِمُ، إِذَا وُجِدَ عِنْدَهُ الْمَتَاعُ وَلَمْ يُفْرَقْهُ: «أَنَّه لِصَاحِبِهِ الَّذِي بَاعَهُ».

[3990] 24 - (...) It was narrated from Abû Hurairah that the Prophet ﷺ said: "If a man becomes bankrupt, and a man finds his goods with him, he is more entitled to them."

[٣٩٩٠] ٢٤- (...) حَدَّثَنَا مُحَمَّدُ
ابْنُ الْمُثَنَّى: حَدَّثَنَا مُحَمَّدُ بْنُ جَعْفَرٍ
وَعَبْدُ الرَّحْمَنِ بْنُ مَهْدِيٍّ قَالَا: حَدَّثَنَا
شُعْبَةُ عَنْ قَتَادَةَ، عَنِ النَّضْرِ ابْنِ أَنَسٍ،
عَنْ بَشِيرِ بْنِ نَهْيِكَ، عَنْ أَبِي هُرَيْرَةَ
عَنِ النَّبِيِّ ﷺ قَالَ: «إِذَا أَفْلَسَ
الرَّجُلُ، فَوَجَدَ الرَّجُلُ مَتَاعَهُ بِعَيْنِهِ،
فَهُوَ أَحَقُّ بِهِ».

[3991] (...) A similar report (as no. 3990) was narrated from Qatâdah with this chain, but they said: "He is more entitled to it than any other creditors."

[٣٩٩١] (...) وَحَدَّثَنِي زُهَيْرُ بْنُ
حَرْبٍ: حَدَّثَنَا إِسْمَاعِيلُ بْنُ إِبْرَاهِيمَ:
حَدَّثَنَا سَعِيدٌ؛ وَحَدَّثَنِي زُهَيْرُ بْنُ حَرْبٍ
أَيْضًا: حَدَّثَنَا مَعَاذُ بْنُ هِشَامٍ: حَدَّثَنَا
أَبِي كِلَابَةَ عَنْ قَتَادَةَ بِهَذَا الْإِسْنَادِ
مِثْلَهُ، وَقَالَا: «فَهُوَ أَحَقُّ بِهِ مِنْ
الْغُرَمَاءِ».

[3992] 25 - (...) It was narrated from Abû Hurairah that the Messenger of Allâh ﷺ said: "If a man becomes bankrupt and another man finds his goods with him, he is more entitled to them."

[٣٩٩٢] ٢٥- (...) وَحَدَّثَنِي مُحَمَّدُ
ابْنُ أَحْمَدَ بْنِ أَبِي خَلْفٍ وَحَجَّاجُ بْنُ
الشَّاعِرِ قَالَا: حَدَّثَنَا أَبُو سَلَمَةَ الْخُرَاعِيُّ
- قَالَ حَجَّاجٌ حَدَّثَنَا مَنصُورُ بْنُ سَلَمَةَ-:
أَخْبَرَنَا سُلَيْمَانُ بْنُ بِلَالٍ عَنْ خُثَيْمِ بْنِ
عِرَاكٍ، عَنْ أَبِيهِ، عَنْ أَبِي هُرَيْرَةَ، أَنَّ
رَسُولَ اللَّهِ ﷺ قَالَ: «إِذَا أَفْلَسَ الرَّجُلُ،
فَوَجَدَ الرَّجُلُ عِنْدَهُ سِلْعَتَهُ بِعَيْنِهَا، فَهُوَ
أَحَقُّ بِهَا».

Chapter 6. The Virtue Of Giving More Time To One Who Is Suffering Difficulty, And Letting Those Go Who Are Suffering Difficulty And Those Who Are Well Off

[3993] 26 - (1560) Hudhaifah said: "The Messenger of Allâh ﷺ said: 'The angels took the soul of a man among those who came before you and they said: 'Did you do any good deeds?' He said: 'No.' They said: 'Try to remember.' He said: 'I used to lend money to people and I would tell my servants to give more time to those who were in difficulty and to be easy with those who were well off.' (The angel) said: Allâh said (to us): 'Be easy with him.'"

[3994] 27 - (...) It was narrated that Rib'î bin Hirâsh said: Hudhaifah and Abû Mas'ûd met, and Hudhaifah said: "A man met his Lord, may He be glorified and exalted, and He said: 'What did you do?' He said: 'I did not do anything good, except that I was a rich man and I used to ask the people (to repay their debts); I would accept repayment from those who were well off, and I would let those who were in difficulty go.' He said: 'Let My slave go.'" Abû Mas'ûd said: "That is what I heard the Messenger of Allâh ﷺ saying."

(المعجم ٦) - (باب فضل إنظار المعسر والتجاوز في الاقتضاء من الموسر والمعسر) (التحفة ٢٧)

[٣٩٩٣] ٢٦ - (١٥٦٠) حَدَّثَنَا أَحْمَدُ
ابْنُ عَبْدِ اللَّهِ بْنِ يُونُسَ: حَدَّثَنَا زُهَيْرٌ:
حَدَّثَنَا مَنْصُورٌ عَنْ رَبِيعِ بْنِ جِرَاشٍ أَنَّ
حُذَيْفَةَ حَدَّثَهُمْ قَالَ: قَالَ رَسُولُ اللَّهِ ﷺ:
«لَقَّتِ الْمَلَائِكَةُ رُوحَ رَجُلٍ مَعْنَى كَانَ
قَبْلَكُمْ، فَقَالُوا: أَعْمَلْتَ مِنَ الْخَيْرِ شَيْئًا؟
قَالَ: لَا. قَالُوا: تَذَكَّرْ. قَالَ: كُنْتُ
أُذَائِبُ النَّاسَ، فَأَمَرَ فِتْيَانِي أَنْ يَنْظِرُوا
الْمُعْسِرَ وَيَتَجَوَّزُوا عَنِ الْمُوسِرِ - قَالَ -:
قَالَ اللَّهُ عَزَّ وَجَلَّ: تَجَوَّزُوا عَنْهُ.»

[٣٩٩٤] ٢٧ - (...) وَحَدَّثَنَا عَلِيُّ
ابْنُ حُجْرٍ وَإِسْحَاقُ بْنُ إِبْرَاهِيمَ - وَاللَّفْظُ
لِابْنِ حُجْرٍ - قَالَا: حَدَّثَنَا جَرِيرٌ عَنْ
الْمُغِيرَةِ، عَنْ نَعِيمِ بْنِ أَبِي هِنْدٍ، عَنْ
رَبِيعِ بْنِ جِرَاشٍ قَالَ: اجْتَمَعَ حُذَيْفَةُ
وَأَبُو مَسْعُودٍ، فَقَالَ حُذَيْفَةُ: «رَجُلٌ لَقِيَ
رَبَّهُ عَزَّ وَجَلَّ فَقَالَ: مَا عَمِلْتُ؟ قَالَ: مَا
عَمِلْتُ مِنَ الْخَيْرِ، إِلَّا أَنِّي كُنْتُ رَجُلًا ذَا
مَالٍ، فَكُنْتُ أَطَالِبُ بِهِ النَّاسَ، فَكُنْتُ
أَقْبِلُ الْمَيْسُورَ وَأَتَجَوَّزُ عَنِ الْمُعْسُورِ.»

قَالَ: «تَجَاوَزُوا عَنِّ عَبْدِي» قَالَ أَبُو مَسْعُودٍ: هَكَذَا سَمِعْتُ رَسُولَ اللَّهِ ﷺ يَقُولُ.

[3995] 28 - (...) It was narrated from Hudhaifah from the Prophet ﷺ: "A man died and entered Paradise, and it was said to him: 'What did you use to do?' Either he remembered or was caused to remember, and he said: 'I used to enter into transactions with people, and I used to give those who were in difficulty more time and I would not be harsh when asking for repayment (from those who were well off).' So he was forgiven." Abû Mas'ûd said: "I also heard it from the Messenger of Allâh ﷺ."

[٣٩٩٥] ٢٨- (...) حَدَّثَنَا مُحَمَّدُ ابْنُ الْمُثَنَّى: حَدَّثَنَا مُحَمَّدُ بْنُ جَعْفَرٍ: حَدَّثَنَا شُعْبَةُ عَنْ عَبْدِ الْمَلِكِ بْنِ عُمَيْرٍ، عَنْ رَبِيعِ بْنِ جِرَاشٍ، عَنْ خُذَيْفَةَ عَنِ النَّبِيِّ ﷺ: «أَنَّ رَجُلًا مَاتَ فَدَخَلَ الْجَنَّةَ، فَقِيلَ لَهُ: مَا كُنْتَ تَعْمَلُ؟ - قَالَ: فَإِمَّا ذَكَرَ وَإِمَّا ذُكِرَ - فَقَالَ: إِنِّي كُنْتُ أَبَايُعِ النَّاسِ، فَكُنْتُ أَنْظِرُ الْمُعْسِرَ وَأَتَجَوَّرُ فِي السَّكَّةِ أَوْ فِي النَّقْدِ، فَعُفِّرَ لَهُ» فَقَالَ أَبُو مَسْعُودٍ: وَأَنَا سَمِعْتُهُ مِنْ رَسُولِ اللَّهِ ﷺ.

[3996] 29 - (...) It was narrated that Hudhaifah said: "One of Allâh's slaves was brought before Him, to whom Allâh had given wealth. He said to him: 'What did you do in the world?' - although they cannot conceal anything from Allâh. He said: 'O Lord, You bestowed Your wealth upon me and I used to enter into transactions with people. It was my nature to be lenient, so I used to go easy on those who were well off and I would give more time to those who were in difficulty.' Allâh said: 'I have more right to that than you; let My slave go.'"

[٣٩٩٦] ٢٩- (...) حَدَّثَنَا أَبُو سَعِيدٍ الْأَشْجِيُّ: حَدَّثَنَا أَبُو خَالِدٍ الْأَحْمَرُ عَنْ سَعْدِ بْنِ طَارِقٍ، عَنْ رَبِيعِ بْنِ جِرَاشٍ، لَمَّا حَدَّثَهُ قَالَ: «أَتَى اللَّهُ تَعَالَى بِعَبْدٍ مِنْ عِبَادِهِ، آتَاهُ اللَّهُ مَالًا، فَقَالَ لَهُ: مَاذَا عَمِلْتَ فِي الدُّنْيَا؟ - قَالَ: وَلَا يَكْتُمُونَ اللَّهَ حَدِيثًا - قَالَ: يَا رَبِّ! أَتَيْتَنِي مَالِكًا، فَكُنْتُ أَبَايُعِ النَّاسِ، وَكَانَ مِنْ خُلَفَى الْجَوَارِ، فَكُنْتُ أَتَيْسِرُ عَلَى الْمُوسِرِ وَأَنْظِرُ الْمُعْسِرَ، فَقَالَ اللَّهُ عَزَّ وَجَلَّ: أَنَا أَحَقُّ بِذَا مِنْكَ، تَجَاوَزُوا عَنِّ عَبْدِي».

‘Uqbah bin ‘Âmir Al-Juhanî and Abû Mas‘ûd Al-Anşârî said: “This is how we heard it from the Messenger of Allâh ﷺ.”

[3997] 30 - (1561) It was narrated that Abû Mas‘ûd said: “The Messenger of Allâh ﷺ said: ‘A man among those who came before you was brought to account, and he was not found to have done anything good, except that he used to mix with people, and he was well off. He would tell his slaves to let those go who were in difficulty. Allâh, may He be exalted, said: We have more right to that than him; let him go.’”

[3998] 31 - (1562) It was narrated from Abû Hurairah that the Messenger of Allâh ﷺ said: “A man used to lend money to the people, and he used to say to his slaves: ‘If you come to one who is in difficulty, let him go; perhaps Allâh will let us go. When he met Allâh, He let him go.’”

فَقَالَ عُقْبَةُ بْنُ عَامِرٍ الْجُهَنِيُّ وَأَبُو مَسْعُودٍ الْأَنْصَارِيُّ: هَكَذَا سَمِعْنَاهُ مِنْ فِي رَسُولِ اللَّهِ ﷺ.

[3997] 30 - (1561) حَدَّثَنَا يَحْيَى ابْنُ يَحْيَى وَأَبُو بَكْرِ بْنُ أَبِي شَيْبَةَ وَأَبُو كُرَيْبٍ وَإِسْحَاقُ بْنُ إِبْرَاهِيمَ - وَاللَّفْظُ لِيَحْيَى، قَالَ يَحْيَى: أَخْبَرَنَا، وَقَالَ الْآخَرُونَ: حَدَّثَنَا - أَبُو مُعَاوِيَةَ عَنِ الْأَعْمَشِ، عَنْ شَقِيقٍ، عَنْ أَبِي مَسْعُودٍ قَالَ: قَالَ رَسُولُ اللَّهِ ﷺ: «حُوسِبَ رَجُلٌ مِمَّنْ كَانَ قَبْلَكُمْ، فَلَمْ يُوْجَدْ لَهُ مِنَ الْخَيْرِ شَيْءٌ، إِلَّا أَنَّهُ كَانَ يُخَالِطُ النَّاسَ، وَكَانَ مُوسِرًا، فَكَانَ يَأْمُرُ غُلَمَانَهُ أَنْ يَتَجَاوَزُوا عَنِ الْمُعْسِرِ، قَالَ: قَالَ اللَّهُ تَعَالَى: نَحْنُ أَحَقُّ بِذَلِكَ مِنْهُ، تَجَاوَزُوا عَنْهُ».

[3998] 31 - (1562) حَدَّثَنَا مَنْصُورُ بْنُ أَبِي مَرْجَمٍ وَمُحَمَّدُ بْنُ جَعْفَرِ بْنِ زِيَادٍ - قَالَ مَنْصُورٌ: حَدَّثَنَا إِبْرَاهِيمُ يَعْنِي ابْنَ سَعْدٍ، عَنِ الزُّهْرِيِّ وَقَالَ ابْنُ جَعْفَرٍ: أَخْبَرَنَا إِبْرَاهِيمُ وَهُوَ ابْنُ سَعْدٍ، عَنِ ابْنِ شِهَابٍ - عَنْ عُبَيْدِ اللَّهِ بْنِ عَبْدِ اللَّهِ [بْنِ عُتْبَةَ]، عَنْ أَبِي هُرَيْرَةَ؛ أَنَّ رَسُولَ اللَّهِ ﷺ قَالَ: «كَانَ

رَجُلٌ يُدَايِنُ النَّاسَ، فَكَانَ يَقُولُ لِفَتَاهُ:
إِذَا أَتَيْتَ مُعْسِرًا فَتَجَاوَزْ عَنْهُ، لَعَلَّ اللَّهَ
يَتَجَاوَزُ عَنَّا، فَلَقِيَ اللَّهَ تَعَالَى فَتَجَاوَزَ
عَنْهُ».

[3999] (...) Abû Hurairah said:
“I heard the Messenger of Allâh
ﷺ say...” a similar report (as no.
3998).

[٣٩٩٩] (...) حَدَّثَنِي حَرْمَلَةُ بْنُ
يَحْيَى: أَخْبَرَنَا عَبْدُ اللَّهِ بْنُ وَهَبٍ:
أَخْبَرَنِي يُونُسُ بْنُ ابْنِ شَهَابٍ؛ أَنَّ عُبَيْدَ
اللَّهِ بْنَ عَبْدِ اللَّهِ بْنِ عُتْبَةَ حَدَّثَهُ؛ أَنَّهُ سَمِعَ
أَبَا هُرَيْرَةَ يَقُولُ: سَمِعْتُ رَسُولَ اللَّهِ ﷺ
يُقُولُ، بِمِثْلِهِ.

[4000] 32 - (1563) It was
narrated from ‘Abdullâh bin Abî
Qatâdah that Abû Qatâdah asked
a debtor to pay him back, and he
hid from him. Then he found him
and he said: “I am in difficulty.”
He said: “By Allâh?” He said:
“By Allâh.” He said: “I heard the
Messenger of Allâh ﷺ say:
‘Whoever would like Allâh to
save him from the hardships of
the Day of Resurrection, let him
give respite to the one who is in
difficulty, or let him go.’”

[٤٠٠٠] ٣٢- (١٥٦٣) حَدَّثَنَا أَبُو
الْهَيْثَمِ خَالِدُ بْنُ خِدَاشِ بْنِ عَجْلَانَ:
حَدَّثَنَا حَمَّادُ بْنُ زَيْدٍ عَنْ أَبِي
يَحْيَى بْنِ أَبِي كَثِيرٍ، عَنْ عَبْدِ اللَّهِ بْنِ
أَبِي قَتَادَةَ؛ أَنَّ أَبَا قَتَادَةَ طَلَبَ غَرِيمًا لَهُ
فَتَوَارَى عَنْهُ، ثُمَّ وَجَدَهُ، فَقَالَ: إِنِّي
مُعْسِرٌ. قَالَ: اللَّهُ؟ قَالَ: اللَّهُ. قَالَ:
فَأِنِّي سَمِعْتُ رَسُولَ اللَّهِ ﷺ يَقُولُ: «مَنْ
سَرَّهُ أَنْ يُنَجِّبَهُ اللَّهُ مِنْ كُرْبٍ يَوْمَ
الْقِيَامَةِ فَلْيَنْفَسْ عَنْ مُعْسِرٍ، أَوْ يَضَعْ
عَنْهُ».

[4001] (...) A similar report (as
no. 4000) was narrated from
Ayyûb with this chain.

[٤٠٠١] (...) وَحَدَّثَنِي أَبُو الطَّاهِرِ:
أَخْبَرَنَا ابْنُ وَهَبٍ: أَخْبَرَنِي جَرِيرُ بْنُ
حَازِمٍ عَنْ أَبِي يُونُسَ، بِهَذَا الْإِسْنَادِ نَحْوَهُ.

Chapter 7. The Prohibition Of A Rich Man Delaying Repayment. The Validity Of *Hawâlah* (Transferal Of Debts) And It Is Recommended To Accept Transferal Of A Debt If It Is Transferred To A Rich Man

[4002] 33 - (1564) It was narrated from Abû Hurairah that the Messenger of Allâh ﷺ said: "For a rich man to delay repayment is wrongdoing, and if the debt of one of you is transferred to a rich man, let him accept it."

[4003] (...) A similar report (as no. 4002) was narrated from Abû Hurairah, from the Prophet ﷺ.

Chapter 8. The Prohibition Of Selling Surplus Water Which Is In The Wilderness And Is Needed To Take Care Of The Pasture. The Prohibition Of Not Allowing Others To Use It. The Prohibition Of Stud fees

[4004] 34 - (1565) It was narrated that Jâbir bin 'Abdullâh said: "The Messenger of Allâh ﷺ forbade selling surplus water."

(المعجم ٧) - (بَابُ تَحْرِيمِ مَطْلِ
الغَنِيِّ وَصَحَّةِ الْحَوَالَةِ، وَاسْتِحْبَابِ
قَبُولِهَا إِذَا أُحِيلَ عَلَى مَلِيٍّ) (التحفة ٢٨)

[٤٠٠٢] ٣٣ - (١٥٦٤) حَدَّثَنَا يَحْيَى
ابْنُ يَحْيَى قَالَ: قَرَأْتُ عَلَى مَالِكٍ عَنْ أَبِي
الرَّزَّادِ، عَنِ الْأَعْرَجِ، عَنْ أَبِي هُرَيْرَةَ؛ أَنَّ
رَسُولَ اللَّهِ ﷺ قَالَ: «مَطْلُ الْغَنِيِّ ظُلْمٌ،
وَإِذَا أَتَبَعَ أَحَدُكُمْ عَلَى مَلِيٍّ فَلْيَتَّبِعْ».

[٤٠٠٣] (...) حَدَّثَنَا إِسْحَاقُ بْنُ
إِبْرَاهِيمَ: أَخْبَرَنَا عَيْسَى بْنُ يُونُسَ؛ وَحَدَّثَنَا
مُحَمَّدُ بْنُ رَافِعٍ: أَخْبَرَنَا عَبْدُ الرَّزَّاقِ، قَالَ
جَمِيعًا: حَدَّثَنَا مَعْمَرٌ عَنْ هَمَّامِ بْنِ مُنَبِّهٍ،
عَنْ أَبِي هُرَيْرَةَ عَنِ النَّبِيِّ ﷺ، بِمِثْلِهِ.

(المعجم ٨) - (بَابُ تَحْرِيمِ بَيْعِ فَضْلِ
الْمَاءِ الَّذِي يَكُونُ بِالْفَلَاةِ وَيَحْتَاجُ إِلَيْهِ
الرَّعِي الْكَلَاءُ، وَتَحْرِيمِ مَنَعِ بَذَلِهِ.
وَ تَحْرِيمِ بَيْعِ ضَرَابِ الْفَحْلِ)
(التحفة ٢٩)

[٤٠٠٤] ٣٤ - (١٥٦٥) وَحَدَّثَنَا أَبُو
بَكْرٍ بْنُ أَبِي شَيْبَةَ: حَدَّثَنَا وَكَيْعٌ؛ وَحَدَّثَنِي
مُحَمَّدُ بْنُ حَاتِمٍ: حَدَّثَنَا يَحْيَى بْنُ سَعِيدٍ:
جَمِيعًا عَنِ ابْنِ جُرَيْجٍ، عَنْ أَبِي الزُّبَيْرِ،

عَنْ جَابِرِ بْنِ عَبْدِ اللَّهِ قَالَ: نَهَى رَسُولُ اللَّهِ ﷺ عَنْ بَيْعِ فَضْلِ الْمَاءِ.

[4005] 35 - (...) Jâbir bin 'Abdullâh said: "The Messenger of Allâh ﷺ forbade stud fees for camels, and selling water and land for tilling. The Messenger of Allâh ﷺ forbade that."

[٤٠٠٥] ٣٥- (...) وَحَدَّثَنَا إِسْحَاقُ بْنُ إِبْرَاهِيمَ: أَخْبَرَنَا رَوْحُ بْنُ عُبَادَةَ: حَدَّثَنَا ابْنُ جُرَيْجٍ: أَخْبَرَنِي أَبُو الزُّبَيْرِ؛ أَنَّهُ سَمِعَ جَابِرَ بْنَ عَبْدِ اللَّهِ يَقُولُ: نَهَى رَسُولُ اللَّهِ ﷺ عَنْ بَيْعِ ضِرَابِ الْجَمَلِ، وَعَنْ بَيْعِ الْمَاءِ وَالْأَرْضِ لِتُحْرَتِ، فَعَنْ ذَلِكَ نَهَى رَسُولُ اللَّهِ ﷺ.

[4006] 36 - (1566) It was narrated from Abû Hurairah that the Messenger of Allâh ﷺ said: "Surplus water should not be withheld so as to prevent the growth of greenery."

[٤٠٠٦] ٣٦- (١٥٦٦) وَحَدَّثَنَا يَحْيَى بْنُ يَحْيَى قَالَ: قَرَأْتُ عَلَى مَالِكٍ؛ وَحَدَّثَنَا قُتَيْبَةُ بْنُ سَعِيدٍ: حَدَّثَنَا لَيْثٌ: كِلَيْهِمَا عَنْ أَبِي الزِّنَادِ. عَنِ الْأَعْرَجِ، عَنْ أَبِي هُرَيْرَةَ؛ أَنَّ رَسُولَ اللَّهِ ﷺ قَالَ: «لَا يَمْنَعُ فَضْلَ الْمَاءِ لِيُمنَعَ بِهِ الْكَلَاءُ».

[4007] 37 - (...) It was narrated that Abû Hurairah said: "The Messenger of Allâh ﷺ said: 'Do not withhold surplus water so as to prevent the growth of greenery.'"

[٤٠٠٧] ٣٧- (...) وَحَدَّثَنَا أَبُو الطَّاهِرِ وَحَرْمَلَةُ - وَاللَّفْظُ لِحَرْمَلَةَ -: أَخْبَرَنَا ابْنُ وَهَبٍ: أَخْبَرَنِي يُونُسُ عَنِ ابْنِ شِهَابٍ: حَدَّثَنِي سَعِيدُ بْنُ الْمُسَيْبِ وَأَبُو سَلَمَةَ بْنُ عَبْدِ الرَّحْمَنِ؛ أَنَّ أَبَا هُرَيْرَةَ قَالَ: قَالَ رَسُولُ اللَّهِ ﷺ: «لَا تَمْنَعُوا فَضْلَ الْمَاءِ لِيُمنَعُوا بِهِ الْكَلَاءُ».

[4008] 38 - (...) Abû Hurairah said: "The Messenger of Allâh ﷺ said: 'Surplus water should not be sold as if selling greenery.'"

[٤٠٠٨] ٣٨- (...) وَحَدَّثَنَا أَحْمَدُ بْنُ عُمَانَ التَّوْفَلِيُّ: حَدَّثَنَا أَبُو عَاصِمٍ. الضَّحَّاكُ بْنُ مَخْلَدٍ: حَدَّثَنَا ابْنُ جُرَيْجٍ:

أَخْبَرَنِي زِيَادُ بْنُ سَعْدٍ؛ أَنَّ هِلَالَ بْنَ
أَسَامَةَ أَخْبَرَهُ؛ أَنَّ أَبَا سَلَمَةَ بْنَ
عَبْدِ الرَّحْمَنِ أَخْبَرَهُ؛ أَنَّهُ سَمِعَ أَبَا هُرَيْرَةَ
يَقُولُ: قَالَ رَسُولُ اللَّهِ ﷺ: «لَا يُبَاعُ
فَضْلُ الْمَاءِ لِبَيْعِ بِهِ الْكَلَأُ».

**Chapter 9. The Prohibition Of
The Price Of A Dog, The Fee Of
A Fortuneteller And The
Payment Of A Prostitute, And
The Prohibition Of Selling Cats**

(المعجم ٩) - (بَابُ تَحْرِيمِ ثَمَنِ
الْكَلْبِ، وَحُلُوانِ الْكَاهِنِ، وَمَهْرِ
الْبَغِيِّ. والنهي عن بيع السنور)
(التحفة ٣٠)

[4009] 39 - (1567) It was narrated from Abû Mas'ûd Al-Anshârî that the Messenger of Allâh ﷺ forbade the price of a dog, the payment of a prostitute, and the fee of a fortuneteller.

[٤٠٠٩] ٣٩ - (١٥٦٧) حَدَّثَنَا يَحْيَى
ابْنُ يَحْيَى قَالَ: قَرَأْتُ عَلَى مَالِكِ بْنِ
ابْنِ شَهَابٍ، عَنْ أَبِي بَكْرِ بْنِ عَبْدِ
الرَّحْمَنِ، عَنْ أَبِي مَسْعُودٍ الْأَنْصَارِيِّ؛
أَنَّ رَسُولَ اللَّهِ ﷺ نَهَى عَنْ ثَمَنِ الْكَلْبِ،
وَمَهْرِ الْبَغِيِّ، وَحُلُوانِ الْكَاهِنِ.

[4010] (...) A similar report (as no. 4009) was narrated from Az-Zuhrî with this chain.

[٤٠١٠] (...) وَحَدَّثَنَا قُتَيْبَةُ بْنُ
سَعِيدٍ وَمُحَمَّدُ بْنُ رُمْحٍ عَنِ اللَّيْثِ بْنِ
سَعْدٍ؛ وَحَدَّثَنَا أَبُو بَكْرِ بْنُ أَبِي شَيْبَةَ:
حَدَّثَنَا سُفْيَانُ بْنُ عُيَيْنَةَ، كِلَاهُمَا عَنِ
الرُّهْرِيِّ بِهَذَا الْإِسْنَادِ مِثْلَهُ.

وَفِي حَدِيثِ اللَّيْثِ مِنْ رِوَايَةِ ابْنِ
رُمْحٍ؛ أَنَّهُ سَمِعَ أَبَا مَسْعُودٍ.

[4011] 40 - (1568) It was narrated that Râfi' bin Khadîj said: "I heard the Prophet ﷺ say:

[٤٠١١] ٤٠ - (١٥٦٨) وَحَدَّثَنِي مُحَمَّدُ
ابْنِ حَاتِمٍ: حَدَّثَنَا يَحْيَى بْنُ سَعِيدِ الْقَطَّانُ عَنْ

“The worst of earnings are the payment of a prostitute, the price of a dog and the fee of a cupper.”

[4012] 41 - (...) Râfi‘ bin Khadîj narrated that the Messenger of Allâh ﷺ said: “The price of a dog is evil, the payment of a prostitute is evil and the earnings of a cupper are evil.”

[4013] (...) A similar report (as no. 4012) was narrated from Yahyâ bin Abî Kathîr with this chain.

[4014] (...) Râfi‘ bin Khadîj narrated a similar report (as no. 4012) from the Messenger of Allâh ﷺ.

[4015] 42 - (1569) It was narrated that Abû Az-Zubair said: “I asked Jâbir about the price of dogs and cats.” He said: “The Messenger of Allâh ﷺ forbade that.”

مُحَمَّدُ بْنُ يُوسُفَ قَالَ: سَمِعْتُ السَّائِبَ بْنَ يَزِيدَ يُحَدِّثُ عَنْ رَافِعِ بْنِ خَدِيجٍ قَالَ: سَمِعْتُ النَّبِيَّ ﷺ يَقُولُ: «شَرُّ الْكُشْبِ مَهْرُ الْبَغِيِّ، وَثَمَنُ الْكَلْبِ، وَكَسْبُ الْحَجَّامِ».

[٤٠١٢] ٤١ - (...) وَحَدَّثَنَا إِسْحَاقُ ابْنُ إِبْرَاهِيمَ: أَخْبَرَنَا الْوَلِيدُ بْنُ مُسْلِمٍ عَنِ الْأَوْزَاعِيِّ، عَنْ يَحْيَى بْنِ أَبِي كَثِيرٍ: حَدَّثَنِي إِبْرَاهِيمُ بْنُ قَارِظٍ عَنِ السَّائِبِ بْنِ يَزِيدَ: حَدَّثَنِي رَافِعُ بْنُ خَدِيجٍ عَنْ رَسُولِ اللَّهِ ﷺ قَالَ: «ثَمَنُ الْكَلْبِ خَيْثٌ، وَمَهْرُ الْبَغِيِّ خَيْثٌ، وَكَسْبُ الْحَجَّامِ خَيْثٌ».

[٤٠١٣] (...) حَدَّثَنَا إِسْحَاقُ بْنُ إِبْرَاهِيمَ: حَدَّثَنَا عَبْدُ الرَّزَّاقِ: أَخْبَرَنَا مَعْمَرٌ عَنْ يَحْيَى بْنِ أَبِي كَثِيرٍ بِهَذَا الْإِسْنَادِ مِثْلَهُ.

[٤٠١٤] (...) حَدَّثَنَا إِسْحَاقُ بْنُ إِبْرَاهِيمَ: أَخْبَرَنَا النَّضْرُ بْنُ شُمَيْلٍ: حَدَّثَنَا هِشَامٌ عَنْ يَحْيَى بْنِ أَبِي كَثِيرٍ: حَدَّثَنِي إِبْرَاهِيمُ بْنُ عَبْدِ اللَّهِ عَنِ السَّائِبِ بْنِ يَزِيدَ: حَدَّثَنَا رَافِعُ بْنُ خَدِيجٍ عَنْ رَسُولِ اللَّهِ ﷺ، بِمِثْلِهِ.

[٤٠١٥] ٤٢ - (١٥٦٩) حَدَّثَنِي سَلَمَةُ ابْنُ شَيْبٍ: حَدَّثَنَا الْحَسَنُ بْنُ أُعَيْنَ: حَدَّثَنَا مَعْقِلٌ عَنْ أَبِي الزُّبَيْرِ قَالَ: سَأَلْتُ

جَابِرًا عَنْ نَمَنِ الْكَلْبِ وَالسَّنُورِ؟ فَقَالَ:
زَجَرَ النَّبِيُّ ﷺ عَنْ ذَلِكَ.

(المعجم ١٠) - (بَابُ الْأَمْرِ بِقَتْلِ

الكلاب، وبيان نسخه، وبيان تحريم
اقتنائها، إلا لصيد أو زرع أو ماشية
ونحو ذلك) (التحفة ٣١)

Chapter 10. The Command To Kill Dogs, And Its Abrogation. The Prohibition Of Keeping Dogs, Except For Hunting, Farming, (Herding) Livestock And The Like

[4016] 43 - (1570) It was narrated from Ibn 'Umar that the Messenger of Allâh ﷺ ordered that dogs be killed.

[٤٠١٦] ٤٣ - (١٥٧٠) حَدَّثَنَا يَحْيَى
ابْنُ يَحْيَى قَالَ: قَرَأْتُ عَلَى مَالِكٍ عَنْ
نَافِعٍ، عَنِ ابْنِ عُمَرَ؛ أَنَّ رَسُولَ اللَّهِ ﷺ
أَمَرَ بِقَتْلِ الْكِلَابِ.

[4017] 44 - (...) It was narrated that Ibn 'Umar said: "The Messenger of Allâh ﷺ ordered that dogs be killed, and he sent word to all quarters of Al-Madînah saying that they should be killed."

[٤٠١٧] ٤٤ - (...) حَدَّثَنَا أَبُو بَكْرِ
ابْنُ أَبِي شَيْبَةَ: حَدَّثَنَا أَبُو أُسَامَةَ: حَدَّثَنَا
عُبَيْدُ اللَّهِ عَنْ نَافِعٍ، عَنِ ابْنِ عُمَرَ قَالَ:
أَمَرَ رَسُولُ اللَّهِ ﷺ بِقَتْلِ الْكِلَابِ، فَأَرْسَلَ
فِي أَقْطَارِ الْمَدِينَةِ أَنْ تُقْتَلَ.

[4018] 45 - (...) It was narrated that 'Abdullâh bin 'Umar said: "The Messenger of Allâh ﷺ used to order that dogs be killed, and I went throughout Al-Madînah, and we did not spare any dog but we killed it, to such an extent that we would even kill the dog of a woman belonging to the desert people."

[٤٠١٨] ٤٥ - (...) وَحَدَّثَنِي حُمَيْدُ
ابْنُ مَسْعَدَةَ: حَدَّثَنَا بِشْرُ بْنُ يَعْنِي ابْنَ
مُفَضَّلٍ: حَدَّثَنَا إِسْمَاعِيلُ وَهُوَ ابْنُ أُمِّيَّةَ،
عَنْ نَافِعٍ، عَنْ عَبْدِ اللَّهِ بْنِ عُمَرَ قَالَ:
كَانَ رَسُولُ اللَّهِ ﷺ يَأْمُرُ بِقَتْلِ الْكِلَابِ،
فَتَبَعْتُ فِي الْمَدِينَةِ وَأَطْرَافِهَا فَلَا نَدْعُ كَلْبًا
إِلَّا قَتَلْنَاهُ، حَتَّى إِذَا لَقِيتُ كَلْبَ الْمَرْيَةِ مِنْ
أَهْلِ الْبَادِيَةِ، يَتَّبِعُنِي.

[4019] 46 - (1571) It was

[٤٠١٩] ٤٦ - (١٥٧١) حَدَّثَنِي يَحْيَى

narrated from Ibn 'Umar that the Messenger of Allâh ﷺ enjoined the killing of dogs, except dogs for hunting, and dogs for herding sheep or livestock. It was said to Ibn 'Umar: "Abû Hurairah says: 'Or farm dogs.' Ibn 'Umar said: 'Abû Hurairah had farmland.'"

ابْنُ يَحْيَى: حَدَّثَنَا حَمَادُ بْنُ زَيْدٍ عَنْ عَمْرِو بْنِ دِينَارٍ، عَنِ ابْنِ عُمَرَ؛ أَنَّ رَسُولَ اللَّهِ ﷺ أَمَرَ بِقَتْلِ الْكِلَابِ، إِلَّا كَلْبَ صَيْدٍ أَوْ كَلْبَ عَنَمٍ، أَوْ مَاشِيَةٍ، فَقِيلَ لِابْنِ عُمَرَ: إِنَّ أَبَا هُرَيْرَةَ يَقُولُ: أَوْ كَلْبَ زَرْعٍ، فَقَالَ ابْنُ عُمَرَ: إِنَّ لَأَبِي هُرَيْرَةَ زَرْعًا.

[4020] 47 - (1572) Jâbir bin 'Abdullâh said: "The Messenger of Allâh ﷺ ordered us to kill dogs, and even if a woman came from the desert with her dog, we would kill it. Then the Prophet ﷺ forbade killing them, and said: 'You should kill the dark black (dog) with two (white) spots (above its eyes), for it is a devil.'"

[٤٠٢٠] ٤٧ - (١٥٧٢) حَدَّثَنَا مُحَمَّدُ ابْنُ أَحْمَدَ بْنِ أَبِي خَلْفٍ: حَدَّثَنَا رَوْحٌ؛ وَحَدَّثَنِي إِسْحَاقُ بْنُ مَنْصُورٍ: أَخْبَرَنَا رَوْحُ ابْنُ عُبَادَةَ: حَدَّثَنَا ابْنُ جُرَيْجٍ: أَخْبَرَنِي أَبُو الزُّبَيْرِ؛ أَنَّهُ سَمِعَ جَابِرَ بْنَ عَبْدِ اللَّهِ يَقُولُ: أَمَرْنَا رَسُولُ اللَّهِ ﷺ بِقَتْلِ الْكِلَابِ، حَتَّىٰ إِنْ الْمَرْأَةُ تَقَدَّمَ مِنَ الْبَادِيَةِ بِكَلْبِهَا فَتَقْتَلُهُ، ثُمَّ نَهَى النَّبِيُّ ﷺ عَنْ قَتْلِهَا، وَقَالَ: «عَلَيْكُمْ بِالْأَسْوَدِ الْبَيْهَمِ ذِي النُّقْطَتَيْنِ، فَإِنَّهُ شَيْطَانٌ».

[4021] 48 - (1573) It was narrated that Ibn al-Mughaffal said: "The Messenger of Allâh ﷺ enjoined the killing of dogs, then he said: 'What is the problem with them and dogs?' Then he granted a concession with regard to dogs for hunting and herding sheep."

[٤٠٢١] ٤٨ - (١٥٧٣) وَحَدَّثَنَا عُيَيْدُ اللَّهِ بْنُ مُعَاذٍ: حَدَّثَنَا أَبِي: حَدَّثَنَا شُعْبَةُ عَنْ أَبِي التَّيَّاحِ؛ سَمِعَ مُطَرِّفَ بْنَ عَبْدِ اللَّهِ عَنِ ابْنِ الْمُغَفَّلِ قَالَ: أَمَرَ رَسُولُ اللَّهِ ﷺ بِقَتْلِ الْكِلَابِ، ثُمَّ قَالَ: «مَا بَالُهُمْ وَيَأَلُ الْكِلَابِ؟» ثُمَّ رَخَّصَ فِي كَلْبِ الصَّيْدِ وَكَلْبِ الْعَنَمِ.

[4022] 49 - (...) It was narrated from Shu'bah (a *Hadîth* similar to no. 4021, with a different chain of narrators) with this chain.

Ibn Hâtim said in his *Hadîth* from Yaḥyâ: He (ﷺ) granted a concession with regard to dogs for herding sheep, hunting and (guard dogs) in farms.

[٤٠٢٢] ٤٩- (...) وَحَدَّثَنِي يَحْيَى
ابْنُ حَبِيبٍ: حَدَّثَنَا خَالِدٌ يَعْنِي ابْنَ
الْحَارِثِ؛ وَحَدَّثَنِي مُحَمَّدُ بْنُ حَاتِمٍ:
حَدَّثَنَا يَحْيَى بْنُ سَعِيدٍ؛ وَحَدَّثَنِي مُحَمَّدُ
ابْنُ الْوَلِيدِ: حَدَّثَنَا مُحَمَّدُ بْنُ جَعْفَرٍ؛
وَحَدَّثَنَا إِسْحَاقُ بْنُ إِبْرَاهِيمَ: أَخْبَرَنَا
النَّضْرُ؛ وَحَدَّثَنَا مُحَمَّدُ بْنُ الْمُثَنَّى: حَدَّثَنَا
وَهْبُ بْنُ جَرِيرٍ، كُلُّهُمْ عَنْ شُعْبَةَ بِهَذَا
الْإِسْنَادِ.

وَقَالَ ابْنُ حَاتِمٍ فِي حَدِيثِهِ عَنْ يَحْيَى:
وَرَخَّصَ فِي كَلْبِ الْغَنَمِ وَالصَّيْدِ وَالزَّرْعِ.

[4023] 50 - (1574) It was narrated that Ibn 'Umar said: "The Messenger of Allâh ﷺ said: 'Whoever keeps a dog except a dog for herding livestock or hunting, two *Qirât* will be deducted from his reward every day."

[٤٠٢٣] ٥٠- (١٥٧٤) وَحَدَّثَنَا
يَحْيَى بْنُ يَحْيَى قَالَ: قَرَأْتُ عَلَى مَالِكٍ
عَنْ نَافِعٍ، عَنِ ابْنِ عُمَرَ قَالَ: قَالَ رَسُولُ
اللَّهِ ﷺ: «مَنْ أَقْتَنَى كَلْبًا إِلَّا كَلْبَ مَاشِيَةٍ
أَوْ ضَارِيًا نَقَصَ مِنْ أَجْرِهِ، كُلَّ يَوْمٍ،
قِيرَاطَانِ».

[4024] 51 - (...) It was narrated from Sâlim, from his father, that the Messenger of Allâh ﷺ said: "Whoever keeps a dog, except a dog for hunting or herding livestock, two *Qirât* will be deducted from his reward every day."

[٤٠٢٤] ٥١- (...) وَحَدَّثَنَا أَبُو
بَكْرٍ بْنُ أَبِي شَيْبَةَ وَزُهَيْرُ بْنُ حَرْبٍ وَابْنُ
نُمَيْرٍ قَالُوا: حَدَّثَنَا سُفْيَانُ عَنِ الزُّهْرِيِّ،
عَنْ سَالِمٍ، عَنْ أَبِيهِ عَنِ النَّبِيِّ ﷺ قَالَ:
«مَنْ أَقْتَنَى كَلْبًا، إِلَّا كَلْبَ صَيْدٍ أَوْ مَاشِيَةٍ
نَقَصَ مِنْ أَجْرِهِ، كُلَّ يَوْمٍ، قِيرَاطَانِ».

[4025] 52 - (...) It was narrated

[٤٠٢٥] ٥٢- (...) حَدَّثَنَا يَحْيَى

from ‘Abdullâh bin Dînâr that he heard Ibn ‘Umar say: “The Messenger of Allâh ﷺ said: ‘Whoever keeps a dog, except a dog for hunting or herding livestock, two *Qirât* will be deducted from his (good) deeds every day.’”

[4026] 53 - (...) It was narrated from Sâlim bin ‘Abdullâh, from his father, that the Messenger of Allâh ﷺ said: “Whoever keeps a dog except a dog for guarding livestock or a hunting dog, a *Qirât* will be deducted from his (good) deeds every day.”

‘Abdullâh said: And Abû Hurairah said: “Or a farm dog.”

[4027] 54 - (...) It was narrated from Sâlim, from his father, that the Messenger of Allâh ﷺ said: “Whoever keeps a dog, except a dog for hunting or herding livestock, two *Qirât* will be deducted from his (good) deeds every day.”

ابْنُ يَحْيَى وَيَحْيَى بْنُ أَيُّوبَ وَقُتَيْبَةُ وَابْنُ حُجْرٍ - قَالَ يَحْيَى بْنُ يَحْيَى: أَخْبَرَنَا، وَقَالَ الْأَخْرُونَ: حَدَّثَنَا - إِسْمَاعِيلُ وَهُوَ ابْنُ جَعْفَرٍ، عَنْ عَبْدِ اللَّهِ بْنِ دِينَارٍ؛ أَنَّهُ سَمِعَ ابْنَ عُمَرَ قَالَ: قَالَ رَسُولُ اللَّهِ ﷺ: «مَنْ أَقْتَنَى كَلْبًا إِلَّا كَلْبَ صَارِيَةٍ أَوْ مَاشِيَةٍ، نَقَصَ مِنْ عَمَلِهِ، كُلَّ يَوْمٍ، قِيرَاطًا» .

[٤٠٢٦] ٥٣- (...) حَدَّثَنَا يَحْيَى ابْنُ يَحْيَى وَيَحْيَى بْنُ أَيُّوبَ وَقُتَيْبَةُ وَابْنُ حُجْرٍ - قَالَ يَحْيَى: أَخْبَرَنَا، وَقَالَ الْأَخْرُونَ: حَدَّثَنَا - إِسْمَاعِيلُ [وَهُوَ ابْنُ جَعْفَرٍ] عَنْ مُحَمَّدٍ وَهُوَ ابْنُ أَبِي حَرْمَلَةَ عَنْ سَالِمِ بْنِ عَبْدِ اللَّهِ، عَنْ أَبِيهِ أَنَّ رَسُولَ اللَّهِ ﷺ قَالَ: «مَنْ أَقْتَنَى كَلْبًا إِلَّا كَلْبَ مَاشِيَةٍ أَوْ كَلْبَ صَيْدٍ، نَقَصَ مِنْ عَمَلِهِ، كُلَّ يَوْمٍ، قِيرَاطًا» . قَالَ عَبْدُ اللَّهِ: وَقَالَ أَبُو هُرَيْرَةَ: «أَوْ كَلْبَ حَرْثٍ» .

[٤٠٢٧] ٥٤- (...) حَدَّثَنَا إِسْحَاقُ بْنُ إِبْرَاهِيمَ: أَخْبَرَنَا وَكِيعٌ: حَدَّثَنَا حَنْظَلَةُ ابْنُ أَبِي سُوَيْبَانَ عَنْ سَالِمٍ، عَنْ أَبِيهِ عَنْ رَسُولِ اللَّهِ ﷺ قَالَ: «مَنْ أَقْتَنَى كَلْبًا إِلَّا كَلْبَ صَارِيَةٍ أَوْ مَاشِيَةٍ، نَقَصَ مِنْ عَمَلِهِ كُلَّ يَوْمٍ، قِيرَاطًا» .

Sâlim said: And Abû Hurairah used to say, "Or a farm dog," and he owned farmland.

[4028] 55 - (...) Sâlim bin 'Abdullâh narrated that his father said: "The Messenger of Allâh ﷺ said: 'Any household that keeps a dog, except a dog for herding livestock or a dog for hunting, two *Qirât* will be deducted from their (good) deeds, every day.'"

[4029] 56 - (...) It was narrated that Abul-Hakam said: I heard Ibn 'Umar narrating that the Prophet ﷺ said: "Whoever keeps a dog, except a (guard) dog in farming, herding sheep or hunting, one *Qirât* will be deducted from his reward every day."

[4030] 57 - (1575) It was narrated from Abû Hurairah that the Messenger of Allâh ﷺ said: "Whoever keeps a dog that is not a dog for hunting, livestock or land, two *Qirât* will be deducted from his reward every day."

قَالَ سَالِمٌ: وَكَانَ أَبُو هُرَيْرَةَ يَقُولُ: «أَوْ كَلْبَ حَرْثٍ» وَكَانَ صَاحِبَ حَرْثٍ.

[٤٠٢٨] ٥٥ - (...) حَدَّثَنَا دَاوُدُ بْنُ رُشَيْدٍ: حَدَّثَنَا مَرْوَانُ بْنُ مُعَاوِيَةَ: أَخْبَرَنَا عُمَرُ بْنُ حَمْرَةَ بْنِ عَبْدِ اللَّهِ بْنِ عُمَرَ: حَدَّثَنَا سَالِمُ بْنُ عَبْدِ اللَّهِ، عَنْ أَبِيهِ قَالَ: قَالَ رَسُولُ اللَّهِ ﷺ: «أَيُّمَا أَهْلِ دَارٍ اتَّخَذُوا كَلْبًا إِلَّا كَلْبَ مَاشِيَةٍ أَوْ كَلْبَ صَائِدٍ، نَقَصَ مِنْ عَمَلِهِمْ، كُلَّ يَوْمٍ، قِيرَاطَانِ».

[٤٠٢٩] ٥٦ - (...) حَدَّثَنَا مُحَمَّدُ ابْنُ الْمُثَنَّى وَابْنُ بَشَّارٍ - وَاللَّفْظُ لِابْنِ الْمُثَنَّى - قَالَا: حَدَّثَنَا مُحَمَّدُ بْنُ جَعْفَرٍ: حَدَّثَنَا شُعْبَةُ عَنْ قَتَادَةَ، عَنْ أَبِي الْحَكَمِ قَالَ: سَمِعْتُ ابْنَ عُمَرَ يُحَدِّثُ عَنِ النَّبِيِّ ﷺ قَالَ: «مَنْ اتَّخَذَ كَلْبًا إِلَّا كَلْبَ زَرْعٍ أَوْ غَنَمٍ أَوْ صَيْدٍ، يَنْقُصُ مِنْ أَجْرِهِ، كُلَّ يَوْمٍ، قِيرَاطًا».

[٤٠٣٠] ٥٧ - (١٥٧٥) وَحَدَّثَنَا أَبُو الطَّاهِرِ وَحَرَمَلَةُ قَالَا: أَخْبَرَنَا ابْنُ وَهْبٍ: أَخْبَرَنِي يُونُسُ عَنْ ابْنِ شَهَابٍ، عَنْ سَعِيدِ ابْنِ الْمُسَيَّبِ، عَنْ أَبِي هُرَيْرَةَ عَنْ رَسُولِ اللَّهِ ﷺ قَالَ: «مَنْ أَقْتَنَى كَلْبًا لَيْسَ بِكَلْبِ صَيْدٍ وَلَا مَاشِيَةٍ وَلَا أَرْضٍ، فَإِنَّهُ يَنْقُصُ مِنْ أَجْرِهِ قِيرَاطَانِ، كُلَّ يَوْمٍ».

وَلَيْسَ فِي حَدِيثِ أَبِي الطَّاهِرِ: «وَلَا أَرْضِي».

[4031] 58 - (...) It was narrated that Abû Hurairah said: "The Messenger of Allâh ﷺ said: 'Whoever acquires a dog that is not a dog for herding livestock, hunting or (guard dog) in farms, one *Qirât* will be deducted from his reward every day.'"

Az-Zuhrî said: "The words of Abû Hurairah were mentioned to Ibn 'Umar and he said: 'May Allâh have mercy on Abû Hurairah, he owned farmland.'"

[٤٠٣١] ٥٨- (...) حَدَّثَنَا عَبْدُ بَنُ حُمَيْدٍ: أَخْبَرَنَا عَبْدُ الرَّزَّاقِ: أَخْبَرَنَا مَعْمَرٌ عَنِ الزُّهْرِيِّ، عَنْ أَبِي سَلَمَةَ، عَنْ أَبِي هُرَيْرَةَ قَالَ: قَالَ رَسُولُ اللَّهِ ﷺ: «مَنْ اتَّخَذَ كَلْبًا، إِلَّا كَلْبَ مَاشِيَةٍ أَوْ صَيْدٍ أَوْ زَرْعٍ، انْتَقَصَ مِنْ أَجْرِهِ، كُلَّ يَوْمٍ، قِيرَاطٌ».

قَالَ الزُّهْرِيُّ: فَذَكَرَ لِابْنِ عُمَرَ قَوْلَ أَبِي هُرَيْرَةَ، فَقَالَ: يَرْحَمُ اللَّهُ أَبَا هُرَيْرَةَ كَانَ صَاحِبَ زَرْعٍ.

[4032] 59 - (...) It was narrated that Abû Hurairah said: "The Messenger of Allâh ﷺ said: 'Whoever keeps a dog, one *Qirât* will be deducted from his (good) deeds every day, except a (guard) dog in farms or herding livestock.'"

[٤٠٣٢] ٥٩- (...) حَدَّثَنِي زُهَيْرُ ابْنِ حَرْبٍ: حَدَّثَنَا إِسْمَاعِيلُ بْنُ إِبْرَاهِيمَ: حَدَّثَنَا هِشَامُ الدَّسْتَوَائِيُّ: حَدَّثَنَا يَحْيَى بْنُ أَبِي كَثِيرٍ عَنِ أَبِي سَلَمَةَ، عَنْ أَبِي هُرَيْرَةَ قَالَ: قَالَ رَسُولُ اللَّهِ ﷺ: «مَنْ أَمْسَكَ كَلْبًا فَإِنَّهُ يَنْقُصُ مِنْ عَمَلِهِ، كُلَّ يَوْمٍ، قِيرَاطٌ، إِلَّا كَلْبَ حَرْثٍ أَوْ مَاشِيَةٍ».

[4033] (...) Abû Hurairah narrated a similar report (as no. 4032) from the Messenger of Allâh ﷺ.

[٤٠٣٣] (...) وَحَدَّثَنَا إِسْحَاقُ بْنُ إِبْرَاهِيمَ: أَخْبَرَنَا شُعَيْبُ بْنُ إِسْحَاقَ: حَدَّثَنَا الْأَوْزَاعِيُّ: حَدَّثَنِي يَحْيَى بْنُ أَبِي كَثِيرٍ: حَدَّثَنِي أَبُو سَلَمَةَ ابْنُ عَبْدِ الرَّحْمَنِ: حَدَّثَنِي أَبُو هُرَيْرَةَ عَنْ رَسُولِ اللَّهِ ﷺ بِمِثْلِهِ.

[4034] (...) Yaḥyâ bin Abî Kathîr narrated a similar report (as no. 4032) with this chain.

[٤٠٣٤] (...) حَدَّثَنَا أَحْمَدُ بْنُ الْمُنْذِرِ: حَدَّثَنَا عَبْدُ الصَّمَدِ: حَدَّثَنَا حَرْبٌ: حَدَّثَنَا يَحْيَى بْنُ أَبِي كَثِيرٍ بِهَذَا الْإِسْنَادِ، مِثْلَهُ.

[4035] 60 - (...) Abû Hurairah said: "The Messenger of Allâh ﷺ said: 'Whoever acquires a dog that is not a dog for hunting or herding sheep, one *Qirât* will be deducted from his (good) deeds every day.'"

[٤٠٣٥] ٦٠- (...) حَدَّثَنَا قُتَيْبَةُ بْنُ سَعِيدٍ: حَدَّثَنَا عَبْدُ الْوَاحِدِ يُعْنِي ابْنَ زِيَادٍ، عَنْ إِسْمَاعِيلَ بْنِ سُمَيْعٍ: حَدَّثَنَا أَبُو رَزِينٍ قَالَ: سَمِعْتُ أَبَا هُرَيْرَةَ يَقُولُ: قَالَ رَسُولُ اللَّهِ ﷺ: «مَنْ اتَّخَذَ كَلْبًا لَيْسَ بِكَلْبِ صَيْدٍ وَلَا غَنَمٍ، نَقَصَ مِنْ عَمَلِهِ، كُلَّ يَوْمٍ، قِيرَاطًا».

[4036] 61 - (1576) As-Sâ'ib bin Yazîd narrated that he heard Sufyân bin Abî Zuhair, who was a man of *Shanû'ah* and one of the Companions of the Messenger of Allâh ﷺ, say: "I heard the Messenger of Allâh ﷺ say: "Whoever keeps a dog that is not used in the farm or herding livestock, one *Qirât* will be deducted from his good deeds every day." He said: "Did you hear that from the Messenger of Allâh ﷺ?" He said: "Yes, by the Lord of this *Masjid*."

[٤٠٣٦] ٦١- (١٥٧٦) حَدَّثَنَا يَحْيَى ابْنُ يَحْيَى قَالَ: قَرَأْتُ عَلَى مَالِكٍ عَنْ يَزِيدَ بْنِ حُصَيْنَةَ؛ أَنَّ السَّائِبَ بْنَ يَزِيدَ أَخْبَرَهُ؛ أَنَّهُ سَمِعَ سُفْيَانَ ابْنَ أَبِي زُهَيْرٍ وَهُوَ رَجُلٌ مِنْ شَنْوَاءَ مِنْ أَصْحَابِ رَسُولِ اللَّهِ ﷺ قَالَ: سَمِعْتُ رَسُولَ اللَّهِ ﷺ يَقُولُ: «مَنْ افْتَنَى كَلْبًا لَا يُعْنِي عَنْهُ زَرْعًا وَلَا ضَرْعًا، نَقَصَ مِنْ عَمَلِهِ، كُلَّ يَوْمٍ، قِيرَاطًا» قَالَ: أَنْتَ سَمِعْتَ هَذَا مِنْ رَسُولِ اللَّهِ ﷺ؟ قَالَ: إِي، وَرَبِّ هَذَا الْمَسْجِدِ.

[4037] (...) As-Sâ'ib bin Yazîd narrated that Sufyân bin Abî Zuhair *Ash-Shanâ'i* came to

[٤٠٣٧] (...) حَدَّثَنَا يَحْيَى بْنُ أَيُّوبَ وَقُتَيْبَةُ وَابْنُ حُجْرٍ قَالُوا: حَدَّثَنَا

them and said: “The Messenger of Allâh ﷺ said...” a similar report (as *Hadîth* no. 4036).

Chapter 11. The Permissibility Of A Cupper's Earnings

[4038] 62 - (1577) It was narrated that Ḥumaid said: “Anas bin Mâlik was asked about the earnings of a cupper and he said: ‘The Messenger of Allâh ﷺ was treated with cupping by Abû Ṭaibah, and he ordered that he be given two *Ṣâ'* of food. He spoke to his masters, and they waived their portion of his earnings, and he said: ‘The best thing with which you may be treated is cupping,’ or ‘it is one of the best of your remedies.’”

[4039] 63 - (...) It was narrated that Ḥumaid said: “Anas was asked about the earnings of a cupper...” and he mentioned a similar report (as no. 4038), except that he said: “Among the best things with which you may be treated are cupping and *Al-Qusṭ Al-Bahrî* (a kind of incense), and do not torment your children by pressing the back of their throats.”

إِسْمَاعِيلُ عَنْ يَزِيدَ بْنِ خُصَيْفَةَ: أَخْبَرَنِي السَّائِبُ بْنُ يَزِيدَ؛ أَنَّهُ وَقَدَ عَلَيْهِمْ سُفْيَانُ ابْنُ أَبِي زَهَيْرٍ الشَّنَائِي. فَقَالَ: قَالَ رَسُولُ اللَّهِ ﷺ، بِمِثْلِهِ.

(المعجم (١١) - (بَابُ حَلِّ اجْرَةِ

(الحجامة) (التحفة ٣٢)

[٤٠٣٨] ٦٢ - (١٥٧٧) حَدَّثَنَا يَحْيَى

ابْنُ أَيُّوبَ وَقُتَيْبَةُ [بْنُ سَعِيدٍ] وَعَلِيُّ بْنُ حُجْرٍ قَالُوا: حَدَّثَنَا إِسْمَاعِيلُ يَعْنُونَ ابْنَ جَعْفَرٍ عَنْ حُمَيْدٍ قَالَ: سُئِلَ أَنَسُ بْنُ مَالِكٍ عَنْ كَسْبِ الْحَجَّامِ؟ فَقَالَ: اخْتَجَمَ رَسُولُ اللَّهِ ﷺ، حَجَمَهُ أَبُو طَيْبَةَ، فَأَمَرَ لَهُ بِصَاعَيْنِ مِنْ طَعَامٍ، وَكَلَّمَ أَهْلَهُ فَوَضَعُوا عَنْهُ مِنْ خَرَاجِهِ، وَقَالَ: «إِنَّ أَفْضَلَ مَا تَدَاوَيْتُمْ بِهِ الْحَجَّامَةَ، أَوْ هُوَ مِنْ أَمْثَلِ دَوَائِكُمْ». [انظر: ٥٧٤٠]

[٤٠٣٩] ٦٣ - (...) حَدَّثَنَا ابْنُ

أَبِي عَمْرٍ: حَدَّثَنَا مَرْوَانُ يَعْنِي الْفَزَارِيَّ عَنْ حُمَيْدٍ قَالَ: سُئِلَ أَنَسُ عَنْ كَسْبِ الْحَجَّامِ؟ فَذَكَرَ بِمِثْلِهِ، غَيْرَ أَنَّهُ قَالَ: «إِنَّ أَفْضَلَ مَا تَدَاوَيْتُمْ بِهِ الْحَجَّامَةَ وَالْقُسْطُ الْبَحْرِيُّ، وَلَا تُعَذِّبُوا صِبْيَانَكُمْ بِالْعَمْرِ».

[4040] 64 - (...) It was narrated that Humaid said: "I heard Anas say: 'The Prophet ﷺ called a slave of ours who was a cupper, and he treated him with cupping, and he ordered that he given a *Şâ'*, or a *Mudd*, or two *Mudd*. And he spoke (to his master) about him, and he reduced his (the master's) portion of his earnings."

[4041] 65 - (1202) It was narrated from Ibn 'Abbâs that the Messenger of Allâh ﷺ was treated with cupping, and he gave the cupper his wages, and he put medicine in his nose.

[4042] 66 - (...) It was narrated that Ibn 'Abbâs said: "The Prophet was treated with cupping by a slave of Banû Baiâdah, and the Prophet ﷺ gave him his wages, and spoke to his master, who reduced his (the master's) portion of his earnings. If it were unlawful the Prophet ﷺ would not have given him anything."

[٤٠٤٠] ٦٤ - (...) حَدَّثَنَا أَحْمَدُ ابْنُ الْحَسَنِ بْنِ خِرَاشٍ: حَدَّثَنَا شَبَابَةُ: حَدَّثَنَا شُعْبَةُ عَنْ حُمَيْدٍ قَالَ: سَمِعْتُ أَنَسًا يَقُولُ: دَعَا النَّبِيُّ ﷺ غُلَامًا لَنَا حَجَّامًا، فَحَجَّمَهُ، فَأَمَرَ لَهُ بِصَاعٍ أَوْ مُدًّا أَوْ مُدَّيْنِ، وَكَلَّمَ فِيهِ، فَخَفَّفَ عَنْ صَرِيئَتِهِ.

[٤٠٤١] ٦٥ - (١٢٠٢) حَدَّثَنَا أَبُو بَكْرِ بْنُ أَبِي شَيْبَةَ: حَدَّثَنَا عَفَّانُ ابْنُ مُسْلِمٍ؛ وَحَدَّثَنَا إِسْحَاقُ بْنُ إِبْرَاهِيمَ: أَخْبَرَنَا الْمَخْزُومِيُّ، كِلَاهُمَا عَنْ وَهْبٍ: حَدَّثَنَا ابْنُ طَاوُسٍ عَنْ أَبِيهِ، عَنِ ابْنِ عَبَّاسٍ؛ أَنَّ رَسُولَ اللَّهِ ﷺ اخْتَجَمَ وَأَعْطَى الْحَجَّامَ أَجْرَهُ، وَاسْتَعَطَّ. [راجع:

[٢٨٨٥

[٤٠٤٢] ٦٦ - (...) حَدَّثَنَا إِسْحَاقُ ابْنُ إِبْرَاهِيمَ وَعَبْدُ بْنُ حُمَيْدٍ - وَاللَّفْظُ لِعَبْدِ - قَالَ: أَخْبَرَنَا عَبْدُ الرَّزَّاقِ: أَخْبَرَنَا مَعْمَرٌ عَنْ عَاصِمٍ، عَنِ الشَّعْبِيِّ، عَنِ ابْنِ عَبَّاسٍ قَالَ: حَجَّمَهُ النَّبِيُّ ﷺ عَبْدٌ لِنَبِيِّ يَبَاضَةَ، فَأَعْطَاهُ النَّبِيُّ ﷺ أَجْرَهُ، وَكَلَّمَ سَيِّدَهُ فَخَفَّفَ عَنْهُ مِنْ صَرِيئَتِهِ، وَلَوْ كَانَ سُحْتًا لَمْ يُعْطِهِ النَّبِيُّ ﷺ. [راجع: [٢٨٨٥

Chapter 12. The Prohibition Of Selling Wine

[4043] 67 - (1578) It was narrated that Abû Sa'eed Al-Khudrî said: "I heard the Messenger of Allâh ﷺ delivering a *Khutbah* in Al-Madînah. He said: 'O people, Allâh is hinting about wine, and perhaps He will reveal something about it, so whoever has any of it, let him sell it and benefit from it.' It was not long before the Prophet ﷺ said: 'Allâh has forbidden wine, so whoever hears this Verse and has any of it, he should not drink it or sell it.' The people went to whatever they had of it, and poured it out into the streets of Al-Madînah."

[4044] 68 - (1579) It was narrated from 'Abdur-Rahmân bin Wa'lah As-Saba'i, who was from Egypt, that he asked 'Abdullâh bin 'Abbâs about that which is extracted from grapes. Ibn 'Abbâs said: "A man gave the Messenger of Allâh ﷺ a small water-skin full of wine, and the Messenger of Allâh ﷺ said to him: 'Do you know that Allâh,

(المعجم ١٢) - (بَابُ تَحْرِيمِ بَيْعِ الْخَمْرِ) (التحفة ٣٣)

[٤٠٤٣] ٦٧ - (١٥٧٨) حَدَّثَنَا عُبَيْدُ اللَّهِ بْنُ عُمَرَ الْقَوَارِيرِيُّ: حَدَّثَنَا عَبْدُ الْأَعْلَى بْنُ عَبْدِ الْأَعْلَى أَبُو هَمَّامٍ: حَدَّثَنَا سَعِيدُ الْجُرَيْرِيُّ عَنْ أَبِي نَضْرَةَ، عَنْ أَبِي سَعِيدِ الْخُدْرِيِّ قَالَ سَمِعْتُ رَسُولَ اللَّهِ ﷺ يَخْطُبُ بِالْمَدِينَةِ قَالَ: «يَا أَيُّهَا النَّاسُ! إِنَّ اللَّهَ تَعَالَى يُعْرِضُ بِالْخَمْرِ، وَلَعَلَّ اللَّهَ سَيَنْزِلُ فِيهَا أَمْرًا، فَمَنْ كَانَ عِنْدَهُ مِنْهَا شَيْءٌ فَلْيَبِعْهُ وَلْيَنْتَفِعْ بِهِ». قَالَ: فَمَا لَبِثْنَا إِلَّا يَسِيرًا حَتَّى قَالَ النَّبِيُّ ﷺ: «إِنَّ اللَّهَ تَعَالَى حَرَّمَ الْخَمْرَ فَمَنْ أَدْرَكَتْهُ هَذِهِ الْآيَةُ وَعِنْدَهُ مِنْهَا شَيْءٌ فَلَا يَشْرَبُ وَلَا يَبِيعُ» قَالَ: فَاسْتَقْبَلَ النَّاسُ بِمَا كَانَ عِنْدَهُمْ مِنْهَا، فِي طَرِيقِ الْمَدِينَةِ، فَسَفَكُوهَا.

[٤٠٤٤] ٦٨ - (١٥٧٩) حَدَّثَنَا سُؤَيْدُ ابْنُ سَعِيدٍ: حَدَّثَنَا حَفْصُ بْنُ مَيْسَرَةَ عَنْ زَيْدِ بْنِ أَسْلَمَ، عَنْ عَبْدِ الرَّحْمَنِ بْنِ وَعَلَةَ - رَجُلٍ مِنْ أَهْلِ مِصْرَ - أَنَّهُ جَاءَ عَبْدَ اللَّهِ ابْنَ عَبَّاسٍ؛ وَحَدَّثَنِي أَبُو الطَّاهِرِ - وَاللَّفْظُ لَهُ - : أَخْبَرَنَا ابْنُ وَهْبٍ: أَخْبَرَنِي مَالِكُ بْنُ أَنَسٍ وَعُيَيْرَةُ عَنْ زَيْدِ بْنِ أَسْلَمَ،

may He be exalted, has forbidden it?' He said: 'No,' then he whispered to another man. The Messenger of Allâh ﷺ said: 'What are you whispering about?' He said: 'I told him to sell it.' He said: 'The One Who has forbidden drinking it has also forbidden selling it.' So he opened the skin until its contents drained away."

عَنْ عَبْدِ الرَّحْمَنِ بْنِ وَعَلَةَ السَّيِّبِيِّ - مِنْ أَهْلِ مِصْرَ - أَنَّهُ سَأَلَ عَبْدَ اللَّهِ بْنَ عَبَّاسٍ عَمَّا يُعْصَرُ مِنَ الْعِنَبِ؟ قَالَ ابْنُ عَبَّاسٍ: إِنَّ رَجُلًا أَهْدَى لِرَسُولِ اللَّهِ ﷺ رَاوِيَةَ حَمْرٍ، فَقَالَ لَهُ رَسُولُ اللَّهِ ﷺ: «هَلْ عَلِمْتَ أَنَّ اللَّهَ تَعَالَى قَدْ حَرَّمَهَا؟» قَالَ: لَا، فَسَارَّ إِنْسَانًا، فَقَالَ لَهُ رَسُولُ اللَّهِ ﷺ: «بِمَ سَارَرْتَهُ؟» فَقَالَ: أَمَرْتُهُ بِبَيْعِهَا، فَقَالَ: «إِنَّ الَّذِي حَرَّمَ شُرْبَهَا حَرَّمَ بَيْعَهَا» قَالَ: فَفَتَحَ الْمَزَادَةَ حَتَّى ذَهَبَ مَا فِيهَا.

[4045] (...) A similar report (as no. 4044) was narrated from 'Abdullâh bin 'Abbâs, from the Messenger of Allâh ﷺ.

[٤٠٤٥] (...) حَدَّثَنِي أَبُو الطَّاهِرِ: أَخْبَرَنَا ابْنُ وَهْبٍ: أَخْبَرَنِي سُلَيْمَانُ بْنُ بِلَالٍ عَنْ يَحْيَى بْنِ سَعِيدٍ، عَنْ عَبْدِ الرَّحْمَنِ بْنِ وَعَلَةَ، عَنْ عَبْدِ اللَّهِ بْنِ عَبَّاسٍ عَنْ رَسُولِ اللَّهِ ﷺ مِثْلَهُ.

[4046] 69 - (1580) It was narrated that 'Âishah said: "When the Verses at the end of *Sûrat Al-Baqarah* were revealed, the Messenger of Allâh ﷺ came out and recited them to the people, then he forbade dealing in wine."

[٤٠٤٦] ٦٩ - (١٥٨٠) حَدَّثَنَا زُهَيْرُ ابْنِ حَرْبٍ وَإِسْحَاقُ بْنُ إِبْرَاهِيمَ - قَالَ زُهَيْرٌ: حَدَّثَنَا، وَقَالَ إِسْحَاقُ: أَخْبَرَنَا - جَرِيرٌ عَنْ مَنْصُورٍ، عَنْ أَبِي الضُّحَى، عَنْ مَسْرُوقٍ، عَنْ عَائِشَةَ قَالَتْ: لَمَّا نَزَلَتْ الْآيَاتُ مِنْ آخِرِ سُورَةِ الْبَقَرَةِ، خَرَجَ رَسُولُ اللَّهِ ﷺ فَاقْتَرَأَهُنَّ عَلَى النَّاسِ، ثُمَّ نَهَى عَنِ التَّجَارَةِ فِي الْحَمْرِ.

[4047] 70 - (...) It was narrated that 'Aishah said: "When the Verses about *Ribâ* at the end of *Sûrat Al-Baqarah* were revealed, the Messenger of Allâh ﷺ went out to the *Masjid* and forbade dealing in wine."

[٤٠٤٧] ٧٠ - (...) حَدَّثَنَا أَبُو بَكْرِ بْنُ أَبِي شَيْبَةَ وَأَبُو كُرَيْبٍ وَإِسْحَاقُ بْنُ إِبْرَاهِيمَ - وَاللَّفْظُ لِأَبِي كُرَيْبٍ - قَالَ إِسْحَاقُ: أَخْبَرَنَا، وَقَالَ الْآخَرَانِ: حَدَّثَنَا - أَبُو مُعَاوِيَةَ عَنِ الْأَعْمَشِ، عَنِ مُسْلِمٍ، عَنِ مَسْرُوقٍ، عَنِ عَائِشَةَ قَالَتْ: لَمَّا أَنْزَلَتْ الْآيَاتُ مِنْ آخِرِ سُورَةِ الْبَقَرَةِ، فِي الرِّبَا، قَالَتْ: خَرَجَ رَسُولُ اللَّهِ ﷺ إِلَى الْمَسْجِدِ، فَحَرَّمَ التَّجَارَةَ فِي الْخَمْرِ.

Chapter 13. The Prohibition Of Selling Wine, Dead Meat, Pork And Idols

(المعجم ١٣) - (بَابُ تَحْرِيمِ بَيْعِ الْخَمْرِ وَالْمَيْتَةِ وَالْخَنزِيرِ وَالْأَصْنَامِ)
(التحفة ٣٤)

[4048] 71 - (1581) It was narrated from Jâbir bin 'Abdullâh that he heard the Messenger of Allâh ﷺ say, during the Year of the Conquest while he was in Makkah: "Allâh and His Messenger have forbidden the sale of wine, dead meat, pork and idols." It was said: "O Messenger of Allâh, what do you think about the fat of dead meat, for it is used for caulking ships, daubing hides, and the people use it in their lamps?" He said: "No, it is unlawful." Then the Messenger of Allâh ﷺ said: "May Allâh destroy the Jews, for Allâh forbade the fat to them, but they melted it, then they sold it and consumed its price."

[٤٠٤٨] ٧١ - (١٥٨١) حَدَّثَنَا قُتَيْبَةُ بْنُ سَعِيدٍ: حَدَّثَنَا لَيْثٌ عَنْ زَيْدِ بْنِ أَبِي حَبِيبٍ، عَنْ عَطَاءِ بْنِ أَبِي رَبَاحٍ، عَنْ جَابِرِ بْنِ عَبْدِ اللَّهِ أَنَّهُ سَمِعَ رَسُولَ اللَّهِ ﷺ يَقُولُ، عَامَ الْفَتْحِ، وَهُوَ بِمَكَّةَ: «إِنَّ اللَّهَ وَرَسُولَهُ حَرَّمَ بَيْعَ الْخَمْرِ وَالْمَيْتَةِ وَالْخَنزِيرِ وَالْأَصْنَامِ» فَقِيلَ: يَا رَسُولَ اللَّهِ أَرَأَيْتَ شُحُومَ الْمَيْتَةِ فَإِنَّهُ يُطْلَى بِهَا السُّفُنُ وَتُدْهَنُ بِهَا الْجُلُودُ وَيَسْتَنْصَبُ بِهَا النَّاسُ؟ فَقَالَ: «لَا، هُوَ حَرَامٌ» ثُمَّ قَالَ رَسُولُ اللَّهِ ﷺ: «عِنْدَ ذَلِكَ: «قَاتَلَ اللَّهُ الْيَهُودَ، إِنَّ اللَّهَ [عَزَّ وَجَلَّ] لَمَّا حَرَّمَ عَلَيْهِمْ شُحُومَهَا، أَجْمَلُوهُ ثُمَّ بَاعُوهُ، فَأَكَلُوا ثَمَنَهُ».

[4049] (...) Jâbir bin ‘Abdullâh said: “I heard the Messenger of Allâh ﷺ during the Year of the Conquest...” a *Hadîth* like that of Al-Laith (no. 4048).

[٤٠٤٩] (...) حَدَّثَنَا أَبُو بَكْرِ بْنُ أَبِي شَيْبَةَ وَابْنُ نُمَيْرٍ قَالَا: حَدَّثَنَا أَبُو أُسَامَةَ عَنْ عَبْدِ الْحَمِيدِ بْنِ جَعْفَرٍ، عَنْ يَزِيدَ بْنِ أَبِي حَبِيبٍ، عَنْ عَطَاءٍ، عَنْ جَابِرٍ قَالَ: سَمِعْتُ رَسُولَ اللَّهِ ﷺ عَامَ الْفَتْحِ؛ وَحَدَّثَنَا مُحَمَّدُ بْنُ الْمُثَنَّى: حَدَّثَنَا الصَّحَّاحُ يَعْنِي أَبَا عَاصِمٍ عَنْ عَبْدِ الْحَمِيدِ: حَدَّثَنِي يَزِيدُ بْنُ أَبِي حَبِيبٍ قَالَ: كَتَبَ إِلَيَّ عَطَاءٌ؛ أَنَّهُ سَمِعَ جَابِرَ بْنَ عَبْدِ اللَّهِ يَقُولُ: سَمِعْتُ رَسُولَ اللَّهِ ﷺ، عَامَ الْفَتْحِ، بِمِثْلِ حَدِيثِ اللَّيْثِ.

[4050] 72 - (1582) It was narrated that Ibn ‘Abbâs said: “Umar heard that Samurah was selling wine, and he said: ‘May Allâh destroy Samurah. Does he not know that the Messenger of Allâh ﷺ said: “May Allâh curse the Jews; fat was forbidden to them but they melted it and sold it”?’”

[٤٠٥٠] ٧٢ - (١٥٨٢) وَحَدَّثَنَا أَبُو بَكْرِ بْنُ أَبِي شَيْبَةَ وَرُؤَيْسُ بْنُ حَرْبٍ وَإِسْحَاقُ ابْنُ إِبْرَاهِيمَ - وَاللَّفْظُ لِأَبِي بَكْرٍ - قَالَ: حَدَّثَنَا سُفْيَانُ بْنُ عُيَيْنَةَ عَنْ عَمْرٍو، عَنْ طَاوُسٍ، عَنِ ابْنِ عَبَّاسٍ قَالَ: بَلَغَ عُمَرَ أَنَّ سَمُرَةَ بَاعَ خَمْرًا، فَقَالَ: قَاتَلَ اللَّهُ سَمُرَةَ، أَلَمْ يَعْلَمْ أَنَّ رَسُولَ اللَّهِ ﷺ قَالَ: «لَعَنَ اللَّهُ الْيَهُودَ، حُرِّمَتْ عَلَيْهِمُ الشُّحُومُ فَجَمَلُوهَا فَبَاعُوهَا؟».

[4051] (...) A similar report (as no. 4050) was narrated from ‘Amr bin Dinâr with this chain.

[٤٠٥١] (...) حَدَّثَنَا أُمِيَّةُ بْنُ يَسْطَامٍ: حَدَّثَنَا يَزِيدُ بْنُ زُرَيْعٍ: حَدَّثَنَا رَوْحٌ يَعْنِي ابْنَ الْقَاسِمِ عَنْ عَمْرٍو بْنِ دِينَارٍ بِهَذَا الْإِسْنَادِ، مِثْلَهُ.

[4052] 73 - (1583) It was narrated from Abû Hurairah that the Messenger of Allâh ﷺ said: "May Allâh destroy the Jews. Allâh forbade fat to them, so they sold it and consumed its price."

[٤٠٥٢] ٧٣- (١٥٨٣) وَحَدَّثَنَا إِسْحَاقُ بْنُ إِبْرَاهِيمَ [الْحَنْظَلِيُّ]: حَدَّثَنَا رَوْحُ بْنُ عُبَادَةَ: حَدَّثَنَا ابْنُ جُرَيْجٍ: أَخْبَرَنِي ابْنُ شِهَابٍ، عَنْ سَعِيدِ ابْنِ الْمُسَيَّبِ أَنَّهُ حَدَّثَهُ عَنْ أَبِي هُرَيْرَةَ عَنْ رَسُولِ اللَّهِ ﷺ قَالَ: «قَاتَلَ اللَّهُ الْيَهُودَ، حَرَّمَ اللَّهُ عَلَيْهِمُ الشُّحُومَ فَبَاعُوهَا وَأَكَلُوا أُنْمَانَهَا».

[4053] 74 - (...) It was narrated that Abû Hurairah said: "The Messenger of Allâh ﷺ said: 'May Allâh destroy the Jews. Fat was forbidden to them so they sold it and consumed its price.'"

[٤٠٥٣] ٧٤- (...) وَحَدَّثَنِي حَرْمَلَةُ بْنُ يَحْيَى: أَخْبَرَنَا ابْنُ وَهْبٍ: أَخْبَرَنِي يُونُسُ عَنِ ابْنِ شِهَابٍ، عَنْ سَعِيدِ ابْنِ الْمُسَيَّبِ، عَنْ أَبِي هُرَيْرَةَ قَالَ: قَالَ رَسُولُ اللَّهِ ﷺ: «قَاتَلَ اللَّهُ الْيَهُودَ، حَرَّمَ عَلَيْهِمُ الشُّحْمَ فَبَاعُوهُ وَأَكَلُوا نَمْنَهُ».

Chapter 14. *Ribâ* (Usury, Interest)

(المعجم ١٤) - (باب الربا)
(التحفة ٣٥)

[4054] 75 - (1584) It was narrated from Abû Sa'eed Al-Khudrî that the Messenger of Allâh ﷺ said: "Do not sell gold for gold except like for like, and do not give more of one and less of the other. Do not sell silver except like for like, and do not give more of one and less of the other. And do not exchange something to be given later for something to be given now."

[٤٠٥٤] ٧٥- (١٥٨٤) حَدَّثَنَا يَحْيَى ابْنُ يَحْيَى قَالَ: قَرَأْتُ عَلَى مَالِكٍ عَنْ نَافِعٍ، عَنْ أَبِي سَعِيدِ الْخُدْرِيِّ: أَنَّ رَسُولَ اللَّهِ ﷺ قَالَ: «لَا تَبِيعُوا الذَّهَبَ بِالذَّهَبِ إِلَّا مِثْلًا بِمِثْلٍ، وَلَا تُشْفُوا بَعْضَهَا عَلَى بَعْضٍ، وَلَا تَبِيعُوا الْوَرِقَ بِالْوَرِقِ إِلَّا مِثْلًا بِمِثْلٍ، وَلَا تُشْفُوا بَعْضَهَا عَلَى بَعْضٍ، وَلَا تَبِيعُوا مِنْهَا غَايِبًا بِنَاجِزٍ». [انظر:

[4055] 67 - (...) Abû Sa'eed Al-Khudrî narrated this from the Messenger of Allâh ﷺ - according to the report of Qutaibah, 'Abdullâh and Nâfi' went with him; and according to the *Hadîth* of Ibn Rumh, Nâfi' said: "‘Abdullâh and Al-Laithi and I went with him” - “until he entered upon Abû Sa'eed Al-Khudrî who said: ‘This one told me that you are narrating that the Messenger of Allâh ﷺ forbade selling silver for silver except like for like, and selling gold for gold except like for like.’ Abû Sa'eed pointed to his eyes and ears and said: ‘My eyes saw, and my ears heard the Messenger of Allâh ﷺ saying: “Do not sell gold for gold, and do not sell silver for silver, except like for like, and do not give more of one and less of the other, and do not exchange something to be given later for something to be given now, except hand to hand.”’

[4056] (...) A *Hadîth* similar to that of Al-Laith from Nâfi' (no. 4055) was narrated from Abû Sa'eed Al-Khudrî from the Prophet ﷺ.

[٤٠٥٥] ٧٦- (...) حَدَّثَنَا قُتَيْبَةُ بْنُ سَعِيدٍ: حَدَّثَنَا لَيْثٌ؛ وَحَدَّثَنَا مُحَمَّدُ بْنُ رُمْحٍ: أَخْبَرَنَا اللَّيْثُ عَنْ نَافِعٍ؛ أَنَّ ابْنَ عُمَرَ قَالَ لَهُ رَجُلٌ مِنْ بَنِي لَيْثٍ: إِنَّ أَبَا سَعِيدٍ الْخُدْرِيَّ يَأْتُرُ هَذَا عَنْ رَسُولِ اللَّهِ ﷺ - فِي رِوَايَةِ قُتَيْبَةَ - فَذَهَبَ عَبْدُ اللَّهِ وَنَافِعٌ مَعَهُ - وَفِي حَدِيثِ ابْنِ رُمْحٍ: قَالَ نَافِعٌ: فَذَهَبَ عَبْدُ اللَّهِ وَأَنَا مَعَهُ وَاللَّيْثِيُّ - حَتَّى دَخَلَ عَلَيَّ أَبِي سَعِيدِ الْخُدْرِيَّ، فَقَالَ: إِنَّ هَذَا أَخْبَرَنِي أَنَّكَ تُخْبِرُ أَنَّ رَسُولَ اللَّهِ ﷺ نَهَى عَنْ بَيْعِ الْوَرِقِ بِالْوَرِقِ إِلَّا مِثْلًا بِمِثْلٍ، وَعَنْ بَيْعِ الذَّهَبِ بِالذَّهَبِ إِلَّا مِثْلًا بِمِثْلٍ. فَأَشَارَ أَبُو سَعِيدٍ بِإِصْبَعَيْهِ إِلَى عَيْنَيْهِ وَأُذُنَيْهِ. فَقَالَ: أَبْصَرْتُ عَيْنَايَ وَسَمِعْتُ أُذُنَايَ رَسُولَ اللَّهِ ﷺ يَقُولُ: «لَا تَبِيعُوا الذَّهَبَ بِالذَّهَبِ، وَلَا تَبِيعُوا الْوَرِقَ بِالْوَرِقِ، إِلَّا مِثْلًا بِمِثْلٍ، وَلَا تَشْفُوا بَعْضَهُ عَلَى بَعْضٍ، وَلَا تَبِيعُوا شَيْئًا غَائِبًا مِنْهُ بِتَاجِرٍ، إِلَّا يَدًا بِيَدٍ».

[٤٠٥٦] (...) حَدَّثَنَا شَيْبَانُ بْنُ قُرُوحٍ: حَدَّثَنَا جَرِيرٌ يَعْنِي ابْنَ حَازِمٍ؛ وَحَدَّثَنَا مُحَمَّدُ بْنُ الْمُثَنَّى: حَدَّثَنَا عَبْدُ الْوَهَّابِ قَالَ: سَمِعْتُ يَحْيَى ابْنَ سَعِيدٍ؛

وَحَدَّثَنِي مُحَمَّدُ بْنُ الْمُثَنَّى: حَدَّثَنَا ابْنُ أَبِي عَدِيٍّ عَنِ ابْنِ عَوْنٍ، كُلُّهُمْ عَنْ نَافِعٍ. بَنَحَوْ حَدِيثَ اللَّيْثِ عَنْ نَافِعٍ، عَنْ أَبِي سَعِيدٍ الْخُدْرِيِّ عَنِ النَّبِيِّ ﷺ

[4057] 77 - (...) It was narrated from Abû Sa'eed Al-Khudrî that the Messenger of Allâh ﷺ said: "Do not sell gold for gold, or silver for silver, except weight for weight, like for like, same for same."

[٤٠٥٧] ٧٧- (...) وَحَدَّثَنَا قُتَيْبَةُ ابْنُ سَعِيدٍ: حَدَّثَنَا يَعْقُوبُ يَعْنِي ابْنَ عَبْدِ الرَّحْمَنِ الْقَارِيَّ عَنْ سُهَيْلٍ، عَنْ أَبِيهِ، عَنْ أَبِي سَعِيدٍ الْخُدْرِيِّ؛ أَنَّ رَسُولَ اللَّهِ ﷺ قَالَ: «لَا تَبِيعُوا الذَّهَبَ بِالذَّهَبِ وَلَا الْوَرِقَ بِالْوَرِقِ، إِلَّا وَزْنًا بِوَزْنٍ، مِثْلًا بِمِثْلٍ، سِوَاءَ بِسِوَاءٍ».

[4058] 78 - (1585) It was narrated from 'Uthmân bin 'Affân that the Messenger of Allâh ﷺ said: "Do not sell one Dînâr for two Dînâr, or one Dirham for two Dirham."

[٤٠٥٨] ٧٨- (١٥٨٥) حَدَّثَنِي أَبُو الطَّاهِرِ وَهْرُونَ بْنُ سَعِيدٍ [الْأَيْلِيُّ]. وَأَحْمَدُ بْنُ عَيْسَى قَالُوا: حَدَّثَنَا ابْنُ وَهْبٍ: أَخْبَرَنِي مَحْرَمَةٌ عَنْ أَبِيهِ قَالَ: سَمِعْتُ سُلَيْمَانَ بْنَ يَسَارٍ يَقُولُ: إِنَّهُ سَمِعَ مَالِكَ بْنَ أَبِي عَامِرٍ يُحَدِّثُ عَنْ عُثْمَانَ بْنِ عَفَّانَ: أَنَّ رَسُولَ اللَّهِ ﷺ قَالَ: «لَا تَبِيعُوا الدِّينَارَ بِالدِّينَارَيْنِ، وَلَا الدَّرْهَمَ بِالدَّرْهَمَيْنِ».

Chapter 15. Exchange And Selling Gold For Silver On The Spot

[4059] 79 - (1586) It was narrated from Mâlik bin Aws bin Al-Hadathân that he said: "I was

(المعجم ١٥) - (بَابُ الصَّرْفِ وَبَيْعِ الذَّهَبِ بِالْوَرِقِ نَقْدًا) (التحفة ٣٦)

[٤٠٥٩] ٧٩- (١٥٨٦) حَدَّثَنَا قُتَيْبَةُ ابْنُ سَعِيدٍ: حَدَّثَنَا لَيْثٌ؛ وَحَدَّثَنَا [مُحَمَّدُ]

going around saying: 'Who will exchange Dirham (for my gold)?' Ṭalḥah bin 'Ubaidullâh, who was with 'Umar bin Al-Khaṭṭâb, said: 'Show us your gold, then come to us later, when our servant comes, and we will give you your silver.' 'Umar bin Al-Khaṭṭâb said: 'No, by Allâh! Either give him his silver (now) or give him back his gold, for the Messenger of Allâh ﷺ said: "Silver for gold is *Ribâ*, unless it is exchanged on the spot; wheat for wheat is *Ribâ*, unless it is exchanged on the spot; barley for barley is *Ribâ*, unless it is exchanged on the spot; dates for dates is *Ribâ* unless it is exchanged on the spot."

[4060] (...) It was narrated from Az-Zuhrî (a *Hadîth* similar to no. 4059) with this chain.

[4061] 80 - (1587) It was narrated that Abû Qilâbah said: "I was in Ash-Shâm in a gathering where Muslim bin Yasâr was present, when Abû Al-Ash'ath came." He said: "They said: 'Abû Al-Ash'ath.' And I said: 'Abû Al-Ash'ath!' He sat down and I said to him: 'Tell our brothers the *Hadîth* of 'Ubâdah bin Aṣ-Sâmit.' He said: 'Yes. We went out on a campaign when Mu'âwiyah was in charge of the

ابن رُمح: أَخْبَرَنَا اللَّيْثُ عَنْ ابْنِ شَهَابٍ،
عَنْ مَالِكِ بْنِ أَوْسِ بْنِ الْحَدَّانِ أَنَّهُ قَالَ:
أَقْبَلْتُ أَقُولُ: مَنْ يَصْطَرِفُ الدَّرَاهِمَ؟
فَقَالَ طَلْحَةُ بْنُ عُبَيْدِ اللَّهِ وَهُوَ عِنْدَ عُمَرَ بْنِ
الْخَطَّابِ - : أَرِنَا ذَهَبَكَ، ثُمَّ اثْنَيْتَا، إِذَا
جَاءَ خَادِمُنَا، نُعْطِيكَ وَرِقَّكَ، فَقَالَ عُمَرُ
ابْنُ الْخَطَّابِ: كَلَّا، وَاللَّهِ! لَتُعْطِيَنَّ وَرِقَّهُ،
أَوْ تَرُدَّنَّ إِلَيْهِ ذَهَبَهُ، فَإِنَّ رَسُولَ اللَّهِ ﷺ
قَالَ: «الْوَرِقُ بِالذَّهَبِ رِبَاٌ إِلَّا هَاءَ وَهَاءَ،
وَالْبُرُّ بِالْبُرِّ رِبَاٌ إِلَّا هَاءَ وَهَاءَ، وَالشَّعِيرُ
بِالشَّعِيرِ رِبَاٌ إِلَّا هَاءَ وَهَاءَ، وَالتَّمْرُ بِالتَّمْرِ
رِبَاٌ إِلَّا هَاءَ وَهَاءَ».

[٤٠٦٠] (...) وَحَدَّثَنَا أَبُو بَكْرِ بْنُ
أَبِي شَيْبَةَ وَزُهَيْرُ بْنُ حَرْبٍ وَإِسْحَاقُ،
عَنِ ابْنِ عُيَيْنَةَ، عَنِ الزُّهْرِيِّ، بِهَذَا
الْإِسْنَادِ.

[٤٠٦١] ٨٠ - (١٥٨٧) حَدَّثَنَا عُيَيْنَةُ
اللَّهُ ابْنُ عُمَرَ الْقَوَارِيرِيُّ: حَدَّثَنَا حَمَّادُ بْنُ
زَيْدٍ عَنْ أَبِي يُونُسَ، عَنْ أَبِي قِلَابَةَ قَالَ: كُنْتُ
بِالشَّامِ فِي حَلْفَةٍ فِيهَا مُسْلِمُ بْنُ يَسَارٍ،
فَجَاءَ أَبُو الْأَشْعَثِ قَالَ: قَالُوا: أَبُو
الْأَشْعَثِ، فَقُلْتُ أَبُو الْأَشْعَثِ! فَجَلَسَ
فَقُلْتُ لَهُ: حَدِّثْ أَخَانَا حَدِيثَ عُبَادَةَ بْنِ
الصَّامِتِ قَالَ: نَعَمْ، غَزَوْنَا غَزَاةً وَعَلَى

people, and acquired a great deal of the spoils of war. Among the spoils we seized were some vessels of silver. Mu'âwiyah ordered a man to sell them, to be paid for when the people received their stipends, and the people hastened to buy them. News of that reached 'Ubâdah bin Aş-Şâmit and he stood up and said: I heard the Messenger of Allâh ﷺ forbidding the sale of gold for gold, silver for silver, wheat for wheat, barley for barley, dates for dates, salt for salt, except equal for equal, same for same. Whoever adds something more, or asks for something more, he has engaged in *Ribâ*."

"So the people returned what they had taken. News of that reached Mu'âwiyah and he stood up and delivered a speech, saying: 'What is the matter with men who narrated *Ahadith* from the Messenger of Allâh ﷺ, when we were present with him and accompanied him, and we did not hear that from him?'

"'Ubâdah bin Aş-Şâmit stood up and repeated the story, then he said: 'We will narrate what we heard from the Messenger of Allâh ﷺ, even if Mu'âwiyah does not like it' - or he said, 'in spite of him. I do not care if I do not join his troops on a dark night.'" Hammâd (one of the narrators) said: "This, or something like this."

النَّاسِ مُعَاوِيَةَ، فَغَنِمْنَا غَنَائِمَ كَثِيرَةً، فَكَانَ
فِيهَا غَنِيمًا، آتِيَةً مِنْ فِضَّةٍ، فَأَمَرَ مُعَاوِيَةَ
رَجُلًا أَنْ يَبِيعَهَا فِي أُعْطِيَاتِ النَّاسِ،
فَتَسَارَعَ النَّاسُ فِي ذَلِكَ، فَبَلَغَ عَبَادَةُ بْنُ
الصَّامِتِ فَقَامَ فَقَالَ: إِنِّي سَمِعْتُ رَسُولَ
اللَّهِ ﷺ يَنْهَى عَنْ بَيْعِ الذَّهَبِ بِالذَّهَبِ،
وَالْفِضَّةِ بِالْفِضَّةِ، وَالْبُرِّ بِالْبُرِّ، وَالشَّعِيرِ
بِالشَّعِيرِ، وَالتَّمْرِ بِالتَّمْرِ، وَالْمِلْحِ بِالْمِلْحِ
إِلَّا سَوَاءً بِسَوَاءٍ، عَيْنًا بِعَيْنٍ، فَمَنْ زَادَ أَوْ
ازْدَادَ فَقَدْ أَرْبَى. فَرَدَّ النَّاسُ مَا أَخَذُوا،
فَبَلَغَ ذَلِكَ مُعَاوِيَةَ فَقَامَ حَاطِيًا فَقَالَ: أَلَا
مَا بَالَ رِجَالٍ يَتَحَدَّثُونَ عَنِ رَسُولِ اللَّهِ ﷺ
أَحَادِيثَ، قَدْ كُنَّا نَشْهَدُهُ وَنُصَحِبُهُ فَلَمْ
نَسْمَعْهَا مِنْهُ. فَقَامَ عَبَادَةُ [ابْنُ الصَّامِتِ]
فَأَعَادَ الْقِصَّةَ، فَقَالَ: لِنُحَدِّثَنَّ بِمَا سَمِعْنَا
مِنْ رَسُولِ اللَّهِ ﷺ وَإِنْ كَرِهَ مُعَاوِيَةُ - أَوْ
قَالَ: وَإِنْ رَغِمَ - مَا أَبَالِي أَنْ لَا أَصْحَبَهُ
فِي جُنْدِهِ لَيْلَةَ سَوْدَاءَ.

قَالَ حَمَّادٌ: هَذَا أَوْ نَحْوَهُ.

[4062] (...) A similar report (as no. 4061) was narrated from Ayyûb with this chain.

[٤٠٦٢] (...) وَحَدَّثَنَا إِسْحَقُ بْنُ
إِبْرَاهِيمَ وَابْنُ أَبِي عُمَرَ، جَمِيعًا عَنْ عَبْدِ
الْوَهَّابِ الثَّقَفِيِّ، عَنْ أَيُّوبَ بِهَذَا
الْإِسْنَادِ، نَحْوَهُ.

[4063] 81 - (...) It was narrated that ‘Ubâdah bin Aş-Şâmit said: “The Messenger of Allâh ﷺ said: “Gold for gold, silver for silver, wheat for wheat, barley for barley, dates for dates, salt for salt, like for like, same for same, hand to hand. But if these commodities differ, then sell as you like, as long as it is hand to hand.”

[٤٠٦٣] ٨١- (...) حَدَّثَنَا أَبُو بَكْرِ
ابْنُ أَبِي شَيْبَةَ وَعَمْرُو النَّاقِدُ وَإِسْحَقُ بْنُ
إِبْرَاهِيمَ - وَاللَّفْظُ لِابْنِ أَبِي شَيْبَةَ، قَالَ
إِسْحَقُ: أَخْبَرَنَا، وَقَالَ الْأَخْرَانُ: حَدَّثَنَا
- وَكَيْعٌ: حَدَّثَنَا سُفْيَانُ عَنْ خَالِدِ
الْحَدَّاءِ، عَنْ أَبِي قِلَابَةَ، عَنْ أَبِي
الْأَشْعَثِ، عَنْ عُبَادَةَ بْنِ الصَّامِتِ قَالَ:
قَالَ رَسُولُ اللَّهِ ﷺ: «الذَّهَبُ بِالذَّهَبِ،
وَالْفِضَّةُ بِالْفِضَّةِ، وَالْبُرُّ بِالْبُرِّ، وَالشَّعِيرُ
بِالشَّعِيرِ، وَالتَّمْرُ بِالتَّمْرِ، وَالْمِلْحُ
بِالْمِلْحِ، مِثْلًا بِمِثْلٍ، سَوَاءٌ بِسَوَاءٍ، يَدًا
بِيَدٍ، فَإِذَا اخْتَلَفَتْ هَذِهِ الْأَصْنَافُ، فَيَبْعُوا
كَيْفَ شِئْتُمْ، إِذَا كَانَ يَدًا بِيَدٍ».

[4064] 82 - (1584) It was narrated that Abû Sa‘eed Al-Khudrî said: “The Messenger of Allâh ﷺ said: ‘Gold for gold, silver for silver, wheat for wheat, barley for barley, dates for dates, salt for salt, like for like, hand to hand. Whoever gives more or asks for more, he has engaged in *Ribâ*, and the taker and the giver are the same.’”

[٤٠٦٤] ٨٢- (١٥٨٤) حَدَّثَنَا أَبُو
بَكْرِ بْنُ أَبِي شَيْبَةَ: حَدَّثَنَا وَكَيْعٌ: حَدَّثَنَا
إِسْمَاعِيلُ بْنُ مُسْلِمٍ الْعَبْدِيُّ: حَدَّثَنَا أَبُو
الْمَوْكَلِّ النَّاجِي، عَنْ أَبِي سَعِيدِ الْخُدْرِيِّ
قَالَ: قَالَ رَسُولُ اللَّهِ ﷺ: «الذَّهَبُ
بِالذَّهَبِ، وَالْفِضَّةُ بِالْفِضَّةِ، وَالْبُرُّ بِالْبُرِّ،
وَالشَّعِيرُ بِالشَّعِيرِ، وَالتَّمْرُ بِالتَّمْرِ، وَالْمِلْحُ

بِالْمِلْحِ ، مِثْلًا بِمِثْلِ ، يَدًا بِيَدٍ ، فَمَنْ زَادَ
أَوْ اسْتَزَادَ فَقَدْ أَرْبَى ، الْأَخِذُ وَالْمُعْطَى
فِيهِ سَوَاءٌ . [راجع : ٤٠٥٤]

[4065] (...) It was narrated that Abû Sa'eed Al-Khudrî said: "The Messenger of Allâh ﷺ said: 'Gold for gold, like for like...'" a similar *Hadîth* (as no. 4064).

[٤٠٦٥] (...) حَدَّثَنَا عَمْرُو النَّاقِدُ:
حَدَّثَنَا يَزِيدُ بْنُ هَرُونَ: أَخْبَرَنَا سُلَيْمَانُ
الرَّبِيعِيُّ: حَدَّثَنَا أَبُو الْمُتَوَكِّلِ النَّاجِيُّ عَنْ
أَبِي سَعِيدِ الْخُدْرِيِّ قَالَ: قَالَ رَسُولُ
اللَّهِ ﷺ: «الذَّهَبُ بِالذَّهَبِ مِثْلًا بِمِثْلِ»
فَذَكَرَ بِمِثْلِهِ.

[4066] 83 - (1588) It was narrated that Abû Hurairah said: "The Messenger of Allâh ﷺ said: 'Dates for dates, wheat for wheat, barley for barley, salt for salt, like for like, hand to hand. Whoever gives more or asks for more, he has engaged in *Ribâ*, except in cases where the types differ.'"

[٤٠٦٦] ٨٣ - (١٥٨٨) حَدَّثَنَا أَبُو
كَرْبِيبٍ مُحَمَّدُ بْنُ الْعَلَاءِ وَوَاصِلُ ابْنِ عَبْدِ
الْأَعْلَى قَالَا: حَدَّثَنَا ابْنُ فَضِيلٍ عَنْ أَبِيهِ ،
عَنْ أَبِي زُرْعَةَ ، عَنْ أَبِي هُرَيْرَةَ قَالَ: قَالَ
رَسُولُ اللَّهِ ﷺ: «الَّتَمْرُ بِالَّتَمْرِ ، وَالْحِنْطَةُ
بِالْحِنْطَةِ ، وَالشَّعِيرُ بِالشَّعِيرِ ، وَالْمِلْحُ
بِالْمِلْحِ ، مِثْلًا بِمِثْلِ ، يَدًا بِيَدٍ ، فَمَنْ زَادَ
أَوْ اسْتَزَادَ فَقَدْ أَرْبَى ، إِلَّا مَا اخْتَلَفَتْ
أَلْوَانُهُ .

[4067] (...) It was narrated from Fuḍail bin Ghazwân with this chain (a *Hadîth* similar to no. 4066), but he did not say, "hand to hand."

[٤٠٦٧] (...) حَدَّثَنِيهِ أَبُو سَعِيدِ
الْأَشْجِ: حَدَّثَنَا الْمُحَارِبِيُّ عَنْ فَضِيلِ ابْنِ
عَزْوَانَ بِهَذَا الْإِسْنَادِ ، وَلَمْ يَذْكُرْ: «يَدًا
بِيَدٍ» .

[4068] 84 - (...) It was narrated that Abû Hurairah said: "The Messenger of Allâh ﷺ said:

[٤٠٦٨] ٨٤ - (...) حَدَّثَنَا أَبُو
كَرْبِيبٍ وَوَاصِلُ بْنُ عَبْدِ الْأَعْلَى قَالَا:

‘Gold for gold, weight for weight, like for like. And silver for silver, weight for weight, like for like. Whoever adds more or asks for more, that is *Ribâ*.’”

[4069] 85 - (...) It was narrated from Abû Hurairah that the Messenger of Allâh ﷺ said: “Dînâr for Dînâr with no difference between them; and Dirham for Dirham with no difference between them.”

[4070] (...) Mûsâ bin Abî Tamîm narrated a similar report (as *Hadîth* no. 4069) with this chain.

Chapter 16. The Prohibition Of Selling Silver For Gold To Be Paid At A Later Date

[4071] 86 - (1589) It was narrated that Abû Al-Mînhâl said: Sharîk sold some silver for me, to be paid for during the *Hajj* season. He came to me and told me, and I said: “This is not good.” He said: “I sold it in the market and no one objected.” I went to Al-Barâ’ bin ‘Âzib and

حَدَّثَنَا ابْنُ فَضِيلٍ عَنْ أَبِيهِ، عَنِ ابْنِ أَبِي نُعْمٍ، عَنْ أَبِي هُرَيْرَةَ قَالَ: قَالَ رَسُولُ اللَّهِ ﷺ: «الذَّهَبُ بِالذَّهَبِ، وَزَنًا بِوَزْنٍ، مِثْلًا بِمِثْلِ، وَالْفِضَّةُ بِالْفِضَّةِ وَزَنًا بِوَزْنٍ، مِثْلًا بِمِثْلِ، فَمَنْ زَادَ أَوْ اسْتَرَادَ فَهُوَ رِبَاً».

[٤٠٦٩] ٨٥ - (...) حَدَّثَنَا عَبْدُ اللَّهِ ابْنُ مَسْلَمَةَ الْقَعْنَبِيُّ: حَدَّثَنَا سُلَيْمَانُ يَعْنِي ابْنَ بِلَالٍ عَنْ مُوسَى بْنِ أَبِي تَمِيمٍ، عَنْ سَعِيدِ بْنِ يَسَارٍ، عَنْ أَبِي هُرَيْرَةَ؛ أَنَّ رَسُولَ اللَّهِ ﷺ قَالَ: «الدِّينَارُ بِالدِّينَارِ لَا فَضْلَ بَيْنَهُمَا، وَالدِّرْهَمُ بِالدِّرْهَمِ لَا فَضْلَ بَيْنَهُمَا».

[٤٠٧٠] (...) حَدَّثَنِي أَبُو الطَّاهِرِ: أَخْبَرَنَا عَبْدُ اللَّهِ بْنُ وَهْبٍ قَالَ: سَمِعْتُ مَالِكَ بْنَ أَنَسٍ يَقُولُ: حَدَّثَنِي مُوسَى بْنُ أَبِي تَمِيمٍ بِهِذَا الْإِسْنَادِ، مِثْلَهُ.

(المعجم ١٦) - (باب النهي عن بيع الورق بالذهب دينا) (التحفة ٣٧)

[٤٠٧١] ٨٦ - (١٥٨٩) حَدَّثَنَا مُحَمَّدُ ابْنُ حَاتِمٍ بْنِ مَيْمُونٍ: حَدَّثَنَا سُفْيَانُ بْنُ عُيَيْنَةَ عَنْ عَمْرٍو، عَنْ أَبِي الْمِنْهَالِ قَالَ: بَاعَ شَرِيكَ لِي وَرِقًا بِنَسِيئَةٍ إِلَى الْمَوْسِمِ، أَوْ إِلَى الْحَجِّ، فَجَاءَ إِلَيَّ فَأَخْبَرَنِي، فَقُلْتُ: هَذَا أَمْرٌ لَا يَصْلُحُ. قَالَ: قَدْ بَعْتُهُ

asked him, and he said: "When the Prophet ﷺ came to Al-Madînah, we used to sell in this fashion, and he said: 'Whatever is hand to hand, there is nothing wrong with it. But whatever is to be paid for later is *Ribâ*.'" Go to Zaid bin Arqam for he is more involved in trade than I am. So I went to him and asked him, and he said something similar.

[4072] 87 - (...) It was narrated from Habîb that he heard Abû Al-Minhâl say: "I asked Al-Barâ' bin 'Âzib about exchanging (gold for silver or vice versa) and he said: 'Ask Zaid bin Arqam, for he is more knowledgeable.' I asked Zaid and he said: 'Ask Al-Barâ', for he is more knowledgeable.' Then they said: 'The Messenger of Allâh ﷺ forbade selling silver for gold to be paid at a later date.'"

[4073] 88 - (1590) 'Abdur-Rahmân bin Abî Bakrah narrated that his father said: "The Messenger of Allâh ﷺ forbade selling silver for silver and gold for gold, except like for like; and he told us to buy silver for gold however we wished, and to buy gold for silver however we wished." He said: "A man asked him: 'Hand to hand?' He said: 'That is what I heard.'"

فِي السُّوقِ، فَلَمْ يُكْرَ ذَلِكَ عَلَيَّ أَحَدًا، فَأَتَيْتُ الْبَرَاءَ بْنَ عَازِبٍ فَسَأَلْتُهُ، فَقَالَ: قَدِمَ النَّبِيُّ ﷺ الْمَدِينَةَ وَنَحْنُ نَبِيعُ هَذَا الْبَيْعِ، فَقَالَ: «مَا كَانَ يَدًا بِيَدٍ، فَلَا بَأْسَ بِهِ، وَمَا كَانَ نَسِيئَةً فَهُوَ رِبَا» وَاتَّيْتُ زَيْدَ ابْنَ أَرْقَمَ فَإِنَّهُ أَعْظَمُ تِجَارَةً مِنِّي، فَأَتَيْتُهُ، فَسَأَلْتُهُ، فَقَالَ مِثْلَ ذَلِكَ.

[٤٠٧٢] ٨٧- (...) حَدَّثَنَا عُيَيْدُ اللَّهِ بْنُ مُعَاذٍ الْعَنْبَرِيُّ: حَدَّثَنَا أَبِي: حَدَّثَنَا شُعْبَةُ عَنْ حَبِيبٍ [أَنَّهُ] سَمِعَ أَبَا الْمِنْهَالِ يَقُولُ: سَأَلْتُ الْبَرَاءَ بْنَ عَازِبٍ عَنِ الصَّرْفِ؟ فَقَالَ: سَلْ زَيْدَ ابْنَ أَرْقَمَ فَهُوَ أَعْلَمُ، فَسَأَلْتُ زَيْدًا فَقَالَ: سَلِ الْبَرَاءَ فَإِنَّهُ أَعْلَمُ، ثُمَّ قَالَا: نَهَى رَسُولُ اللَّهِ ﷺ عَنِ بَيْعِ الْوَرِقِ بِالذَّهَبِ دَيْنًا.

[٤٠٧٣] ٨٨- (١٥٩٠) حَدَّثَنَا أَبُو الرَّبِيعِ الْعَنْكَبِيُّ: حَدَّثَنَا عَبَادُ بْنُ الْعَوَّامِ: أَخْبَرَنَا يَحْيَى بْنُ أَبِي إِسْحَاقَ: حَدَّثَنَا عَبْدُ الرَّحْمَنِ بْنُ أَبِي بَكْرَةَ عَنْ أَبِيهِ قَالَ: نَهَى رَسُولُ اللَّهِ ﷺ عَنِ الْفِضَّةِ بِالْفِضَّةِ، وَالذَّهَبِ بِالذَّهَبِ، إِلَّا سَوَاءً بِسَوَاءٍ، وَأَمَرَنَا أَنْ نَشْتَرِيَ الْفِضَّةَ بِالذَّهَبِ كَيْفَ شِئْنَا، وَنَشْتَرِيَ الذَّهَبَ بِالْفِضَّةِ كَيْفَ

شئنا، قَالَ: فَسَأَلَهُ رَجُلٌ فَقَالَ: يَدَا يَبِيدُ؟
فَقَالَ: هُكَذَا سَمِعْتُ.

[4074] (...) Abû Bakrah said: "The Messenger of Allâh ﷺ forbade us..." a similar report (as no. 4073).

[٤٠٧٤] (...) حَدَّثَنِي إِسْحَاقُ بْنُ
مَنْصُورٍ: أَخْبَرَنَا يَحْيَى بْنُ صَالِحٍ: حَدَّثَنَا
مُعَاوِيَةُ عَنْ يَحْيَى - وَهُوَ ابْنُ أَبِي كَثِيرٍ -
عَنْ يَحْيَى بْنِ أَبِي إِسْحَاقَ؛ أَنَّ عَبْدَ
الرَّحْمَنِ بْنَ أَبِي بَكْرَةَ أَخْبَرَهُ؛ أَنَّ أَبَا
بَكْرَةَ قَالَ: نَهَانَا رَسُولُ اللَّهِ ﷺ، بِمِثْلِهِ.

Chapter 17. Selling A Necklace In Which There Are Pearls And Gold

[4075] 89 - (1591) Faḍālah bin 'Ubaid Al-Anṣārī said: "When the Messenger of Allâh ﷺ was in Khaibar, a necklace containing pearls and gold was brought to him. It was part of the spoils of war to be sold. The Messenger of Allâh ﷺ ordered that the gold in the necklace be extracted. Then the Messenger of Allâh ﷺ said to them: "Gold for gold, weight for weight."

(المعجم ١٧) - (بَابُ بَيْعِ الْقَلَادَةِ فِيهَا
خَرْزٌ وَذَهَبٌ) (التحفة ٣٨)

[٤٠٧٥] [٨٩- (١٥٩١)] حَدَّثَنِي أَبُو
الطَّاهِرِ أَحْمَدُ بْنُ عَمْرٍو بْنُ سَرْحٍ:
أَخْبَرَنَا ابْنُ وَهَبٍ: أَخْبَرَنِي أَبُو هَانِئٍ
الْحَوْلَانِيُّ أَنَّهُ سَمِعَ عَلِيَّ بْنَ رَبَاحِ
اللَّخْمِيِّ يَقُولُ: سَمِعْتُ فَضَالَهَ بْنَ عُبَيْدِ
الْأَنْصَارِيِّ يَقُولُ: أَتَى رَسُولُ اللَّهِ ﷺ،
وَهُوَ بِخَيْبَرَ، بِقَلَادَةٍ فِيهَا خَرْزٌ وَذَهَبٌ
وَهِيَ مِنَ الْمَعَانِمِ تَبَاعُ، فَأَمَرَ رَسُولُ
اللَّهِ ﷺ بِالذَّهَبِ الَّذِي فِي الْقَلَادَةِ فُنَزِعَ
وَحَدَّهُ، ثُمَّ قَالَ لَهُمْ رَسُولُ اللَّهِ ﷺ:
«الذَّهَبُ بِالذَّهَبِ وَزْنَا بِوَزْنٍ».

[4076] 90 - (...) It was narrated that Faḍālah bin 'Ubaid said: "On the Day of Khaibar, I bought a necklace for twelve Dīnār, which

[٤٠٧٦] [٩٠- (...)] حَدَّثَنَا قُتَيْبَةُ بْنُ
سَعِيدٍ: حَدَّثَنَا لَيْثٌ عَنْ أَبِي شُجَاعٍ سَعِيدِ
ابْنِ يَزِيدَ، عَنْ خَالِدِ بْنِ أَبِي عِمْرَانَ، عَنْ

contained gold and pearls. I separated them and I found more than twelve Dînâr in it. I mentioned that to the Prophet ﷺ and he said: 'It should not be sold until they are separated.'"

[4077] (...) A similar report (as no. 4076) was narrated from Sa'eed bin Yazîd, with this chain.

[4078] 91 - (...) Faḍâlah bin 'Ubaid said: "We were with the Messenger of Allâh ﷺ on the Day of Khaibar, trading with the Jews, an *Uqiyah* of gold for two or three Dînâr. The Messenger of Allâh ﷺ said: 'Do not sell gold for gold, unless it is weight for weight.'"

[4079] 92 - (...) It was narrated from Ḥanash that he said: "We were with Faḍâlah bin 'Ubaid on a campaign, and there fell to my lot and that of my companions a necklace that contained gold, pearls and jewels. I wanted to buy it, so I asked Faḍâlah bin 'Ubaid and he said: 'Extract its gold and put it in one pan, and

حَسَّ الصَّنْعَانِي، عَنْ فَضَالَةَ بْنِ عُبَيْدٍ قَالَ: اشْتَرَيْتُ، يَوْمَ خَيْبَرَ، قِلَادَةً بِاِثْنِي عَشَرَ دِينَارًا، فِيهَا ذَهَبٌ وَخَرَزٌ، فَفَضَّلْتُهَا، فَوَجَدْتُ فِيهَا أَكْثَرَ مِنْ اِثْنِي عَشَرَ دِينَارًا، فَذَكَرْتُ ذَلِكَ لِلنَّبِيِّ ﷺ فَقَالَ: «لَا تَبَاعَ حَتَّى تُفْصَلَ».

[٤٠٧٧] (...) حَدَّثَنَا أَبُو بَكْرِ بْنُ أَبِي شَيْبَةَ وَأَبُو كُرَيْبٍ قَالَا: حَدَّثَنَا ابْنُ الْمُبَارَكِ، عَنْ سَعِيدِ بْنِ يَزِيدَ بِهَذَا الْإِسْنَادِ، نَحْوَهُ.

[٤٠٧٨] ٩١- (...) حَدَّثَنَا فُضَيْلُ بْنُ سَعِيدٍ: حَدَّثَنَا لَيْثٌ عَنِ ابْنِ أَبِي جَعْفَرٍ، عَنِ الْجَلَّاحِ أَبِي كَثِيرٍ: حَدَّثَنِي حَسَّ الصَّنْعَانِي عَنِ فَضَالَةَ بْنِ عُبَيْدٍ قَالَ: كُنَّا مَعَ رَسُولِ اللَّهِ ﷺ يَوْمَ خَيْبَرَ، نُبَايِعُ الْيَهُودَ، الْأَوْفِيَةَ الذَّهَبَ بِالدِّينَارَيْنِ وَالثَّلَاثَةَ، فَقَالَ رَسُولُ اللَّهِ ﷺ: «لَا تَبِيعُوا الذَّهَبَ بِالذَّهَبِ، إِلَّا وَزْنَا بِوَزْنٍ».

[٤٠٧٩] ٩٢- (...) حَدَّثَنِي أَبُو الطَّاهِرِ: أَخْبَرَنَا ابْنُ وَهْبٍ عَنْ قُرَّةِ ابْنِ عَبْدِ الرَّحْمَنِ الْمَعَاوِرِيِّ وَعَمْرٍو بْنِ الْحَارِثِ وَعَبْرِهِمَا؛ أَنَّ عَامِرَ بْنَ يَحْيَى الْمَعَاوِرِيِّ أَخْبَرَهُمْ عَنْ حَسَّ أَنَّهُ قَالَ: كُنَّا مَعَ فَضَالَةَ بْنِ عُبَيْدٍ فِي غَزْوَةٍ: فَطَارَتْ

put your gold in the other pan, and do not take it unless (you give) like for like, for I heard the Messenger of Allâh ﷺ say: "Whoever believes in Allâh and the Last Day, let him not take (anything) except like for like."

لِي وَلَا ضَحَائِبِي قِلَادَةٌ فِيهَا ذَهَبٌ وَوَرِقٌ
وَجَوْهَرٌ، فَأَرَدْتُ أَنْ أَشْتَرِيهَا، فَسَأَلْتُ
فَضَالَهَ بْنَ عُبَيْدٍ فَقَالَ: انْزِعْ ذَهَبَهَا فَاجْعَلْهُ
فِي كِفَّةٍ، وَاجْعَلْ ذَهَبَكَ فِي كِفَّةٍ، ثُمَّ لَا
تَأْخُذَنَّ إِلَّا مِثْلًا بِمِثْلٍ، فَإِنِّي سَمِعْتُ
رَسُولَ اللَّهِ ﷺ يَقُولُ: «مَنْ كَانَ يُؤْمِنُ بِاللَّهِ
وَالْيَوْمِ الْآخِرِ فَلَا يَأْخُذَنَّ إِلَّا مِثْلًا
بِمِثْلٍ».

Chapter 18. Selling Food Like For Like

(المعجم ١٨) - (بَابُ بَيْعِ الطَّعَامِ مِثْلًا

بِمِثْلٍ) (التحفة ٣٩)

[4080] 93 - (1592) It was narrated from Ma'mar bin 'Abdullâh that he sent his slave with a *Şâ'* of wheat and he said: "Sell it then buy barley." The slave went and took a *Şâ'* and part of a *Şâ'* more. When he came to Ma'mar he told him about that, and Ma'mar said to him: "Why did you do that? Go and give it back, and do not take anything but like for like, for I used to hear the Messenger of Allâh ﷺ say: 'Food for food, like for like.' And our food at that time was barley. It was said to him: 'It is not like it.' He said: 'I am afraid that it may be similar.'"

[٤٠٨٠] ٩٣ - (١٥٩٢) حَدَّثَنَا هَارُونَ

ابْنُ مَعْرُوفٍ: حَدَّثَنَا عَبْدُ اللَّهِ ابْنُ وَهْبٍ:
أَخْبَرَنِي عَمْرُو؛ وَحَدَّثَنِي أَبُو الطَّاهِرِ:
أَخْبَرَنَا ابْنُ وَهْبٍ عَنْ عَمْرٍو بْنِ الْحَارِثِ؛
أَنَّ أَبَا النَّضْرِ حَدَّثَهُ؛ أَنَّ بُشَيْرَ بْنَ سَعِيدٍ
حَدَّثَهُ، عَنْ مَعْمَرِ بْنِ عَبْدِ اللَّهِ أَنَّهُ أَرْسَلَ
غُلَامَهُ بِصَاعِ قَمْحٍ، فَقَالَ: بَعُهُ ثُمَّ اشْتَرِ
بِهِ شَعِيرًا، فَذَهَبَ الْغُلَامُ فَأَخَذَ صَاعًا
وَزِيَادَةً بَعْضِ صَاعٍ، فَلَمَّا جَاءَ مَعْمَرًا
أَخْبَرَهُ بِذَلِكَ، فَقَالَ لَهُ مَعْمَرٌ: لِمَ فَعَلْتَ
ذَلِكَ؟ انْطَلِقْ فَرُدَّهُ، وَلَا تَأْخُذَنَّ إِلَّا مِثْلًا
بِمِثْلٍ، فَإِنِّي كُنْتُ أَسْمَعُ رَسُولَ اللَّهِ ﷺ
يَقُولُ: «الطَّعَامُ بِالطَّعَامِ مِثْلًا بِمِثْلٍ»
[قَالَ]: وَكَانَ طَعَامَنَا يَوْمَئِذٍ الشَّعِيرَ. قِيلَ

[لَهُ]: فَإِنَّهُ لَيْسَ بِمِثْلِهِ، قَالَ: فَإِنِّي أَخَافُ أَنْ يُضَارَعَ.

[4081] 94 - (...) Abû Hurairah and Abû Sa'eed Al-Khudrî narrated that the Messenger of Allâh ﷺ sent the brother of Banû 'Adiyy Al-Anshârî to collect revenue from Khaibar, and he brought fine-quality (Janîb) dates. The Messenger of Allâh ﷺ said to him: "Are all the dates of Khaibar like this?" He said: "No, by Allâh, O Messenger of Allâh. We bought one Şâ' for two Şâ' out of the total." The Messenger of Allâh ﷺ said: "Do not do that. Rather (buy) like for like, or sell this and buy some of that with its price. And the same goes for weights."

[٤٠٨١] ٩٤ - (١٥٩٣) حَدَّثَنَا عَبْدُ اللَّهِ بْنُ مَسْلَمَةَ بْنِ قَعْنَبٍ: حَدَّثَنَا سُلَيْمَانُ يَعْنِي ابْنَ بِلَالٍ، عَنْ عَبْدِ الْمَجِيدِ بْنِ سُهَيْلِ بْنِ عَبْدِ الرَّحْمَنِ؛ أَنَّهُ سَمِعَ سَعِيدَ ابْنَ الْمُسَيَّبِ يُحَدِّثُ؛ أَنَّ أَبَا هُرَيْرَةَ وَأَبَا سَعِيدِ الْخُدْرِيَّ حَدَّثَاهُ؛ أَنَّ رَسُولَ اللَّهِ ﷺ بَعَثَ أَحَا بَنِي عَدِيٍّ الْأَنْصَارِيَّ فَاسْتَعْمَلَهُ عَلَى خَيْبَرَ، فَقَدِمَ بِتَمْرٍ جَنِيبٍ، فَقَالَ لَهُ رَسُولُ اللَّهِ ﷺ: «أَكُلْ تَمْرَ خَيْبَرَ هَكَذَا؟» قَالَ: لَا، وَاللَّهِ يَا رَسُولَ اللَّهِ! إِنَّا لَنَشْتَرِي الصَّاعَ بِالصَّاعَيْنِ مِنَ الْجَمْعِ، فَقَالَ رَسُولُ اللَّهِ ﷺ: «لَا تَفْعَلُوا، وَلَكِنْ مِثْلًا بِمِثْلٍ، أَوْ يَبْعُوا هَذَا وَاشْتَرُوا بِتَمَنِيهِ مِنْ هَذَا، وَكَذَلِكَ الْمِيزَانَ».

[4082] 95 - (...) It was narrated from Abû Sa'eed Al-Khudrî and Abû Hurairah that the Messenger of Allâh ﷺ appointed a man over Khaibar, and he brought some fine-quality dates. The Messenger of Allâh ﷺ said to him: "Are all the dates of Khaibar like this?" He said: No, by Allâh, O Messenger of Allâh. We take one Şâ' of these in return for two Şâ', and two Şâ' for three Şâ'. The Messenger of Allâh ﷺ said: "Do not do that. Sell them

[٤٠٨٢] ٩٥ - (...) حَدَّثَنَا يَحْيَى ابْنُ يَحْيَى قَالَ: قَرَأْتُ عَلَى مَالِكٍ عَنْ عَبْدِ الْمَجِيدِ بْنِ سُهَيْلِ بْنِ عَبْدِ الرَّحْمَنِ بْنِ عَوْفٍ، عَنْ سَعِيدِ بْنِ الْمُسَيَّبِ، عَنْ أَبِي سَعِيدِ الْخُدْرِيَّ وَعَنْ أَبِي هُرَيْرَةَ؛ أَنَّ رَسُولَ اللَّهِ ﷺ اسْتَعْمَلَ رَجُلًا عَلَى خَيْبَرَ، فَجَاءَهُ بِتَمْرٍ جَنِيبٍ، فَقَالَ لَهُ رَسُولُ اللَّهِ ﷺ: «أَكُلْ تَمْرَ خَيْبَرَ هَكَذَا؟» فَقَالَ:

all for Dirham, then buy the fine-quality (*Janîb*) with the Dirham.”

لَا، وَاللَّهِ! يَا رَسُولَ اللَّهِ! إِنَّا لَنَأْخُذُ
الصَّاعَ مِنْ هَذَا بِالصَّاعَيْنِ، وَالصَّاعَيْنِ
بِالثَّلَاثِ، فَقَالَ رَسُولُ اللَّهِ ﷺ: «فَلَا
تَفْعَلْ بِعِ الْجَمْعِ بِالذَّرَاهِمِ، ثُمَّ ابْتَغِ
بِالذَّرَاهِمِ جَنِيْبًا».

[4083] 96 - (1594) Abû Sa'eed said: Bilâl brought some good quality (*Barnî*) dates and the Messenger of Allâh ﷺ said to him: “Where are these from?” Bilâl said: “We had some poor-quality dates, so I sold two *Şâ'* of them for one *Şâ'*, as food for the Prophet ﷺ.” At that, the Messenger of Allâh ﷺ said: “O! The essence of *Ribâ!* Do not do that. If you want to buy dates, then sell them in a separate transaction, then buy them.”

[٤٠٨٣] ٩٦ - (١٥٩٤) حَدَّثَنَا إِسْحَاقُ
ابْنُ مَنْصُورٍ: حَدَّثَنَا يَحْيَى بْنُ صَالِحٍ
الْوَحَاظِيُّ: حَدَّثَنَا مُعَاوِيَةُ وَهُوَ ابْنُ سَلَامٍ؛
وَحَدَّثَنِي مُحَمَّدُ بْنُ سَهْلٍ التَّمِيمِيُّ وَعَبْدُ
اللَّهِ بْنُ عَبْدِ الرَّحْمَنِ الدَّارِمِيُّ - وَاللَّفْظُ
لَهُمَا - جَمِيعًا عَنْ يَحْيَى بْنِ حَسَّانَ:
حَدَّثَنَا مُعَاوِيَةُ وَهُوَ ابْنُ سَلَامٍ: أَخْبَرَنِي
يَحْيَى وَهُوَ ابْنُ أَبِي كَثِيرٍ قَالَ: سَمِعْتُ
عُقْبَةَ بْنَ عَبْدِ الْعَافِرِ يَقُولُ: سَمِعْتُ أَبَا
سَعِيدٍ يَقُولُ: جَاءَ بِلَالٌ بِتَمْرٍ بَرْنِيِّ، فَقَالَ
لَهُ رَسُولُ اللَّهِ ﷺ: «مِنْ أَيْنَ هَذَا؟» فَقَالَ
بِلَالٌ: تَمْرٌ، كَانَ عِنْدَنَا، رَدِيٌّ. فَبِعْتُ
مِنْهُ صَاعَيْنِ بِصَاعٍ، لِمَطْعَمِ النَّبِيِّ ﷺ،
فَقَالَ رَسُولُ اللَّهِ، عِنْدَ ذَلِكَ: «أَوْه! عَيْنُ
الرَّبَا، لَا تَفْعَلْ، وَلَكِنْ إِذَا أَرَدْتَ أَنْ
تَشْتَرِيَ التَّمْرَ فَبِعْهُ بِبَيْعِ آخَرَ، ثُمَّ اشْتَرِ
بِهِ».

لَمْ يَذْكَرِ ابْنُ سَهْلٍ فِي حَدِيثِهِ: عِنْدَ

ذَلِكَ. [انظر: ٤٠٨٦]

[4084] 97 - (...) It was narrated that Abû Sa'eed Al-Khudrî said: "Some dates were brought to the Messenger of Allâh ﷺ and he said: 'These are not our dates.' The man said: 'O Messenger of Allâh, we sold two Şâ' of our dates for a Şâ' of these.' The Messenger of Allâh ﷺ said: 'This is Ribâ. Take them back, then sell our dates and buy some of these for us.'"

[4085] 98 - (1595) It was narrated that Abû Sa'eed said: "We were given dates of mixed quality at the time of the Messenger of Allâh ﷺ, and we used to sell two Şâ' for one. News of that reached the Messenger of Allâh ﷺ and he said: 'Do not sell two Şâ' of dates for one, or two Şâ' of wheat for one, or two Dirham for one.'"

[4086] 99 - (1594) It was narrated that Abû Naḍrah said: "I asked Ibn 'Abbâs about exchanging. He said: 'Is it hand to hand?' I said: 'Yes.' He said: 'There is nothing wrong with it.' I told Abû Sa'eed: 'I asked Ibn 'Abbâs about exchanging. He

[٤٠٨٤] ٩٧ - (...) وَحَدَّثَنَا سَلَمَةُ
ابْنُ شَيْبٍ: حَدَّثَنَا الْحَسَنُ بْنُ أَعْيَنَ:
حَدَّثَنَا مَعْقِلٌ عَنْ أَبِي فَرَزَةَ الْبَاهِلِيِّ، عَنْ
أَبِي نَضْرَةَ، عَنْ أَبِي سَعِيدِ الْخُدْرِيِّ قَالَ:
أَتَيْ رَسُولُ اللَّهِ ﷺ بِتَمْرٍ، فَقَالَ: «مَا هَذَا
التَّمْرُ مِنْ تَمْرِنَا» فَقَالَ الرَّجُلُ: يَا رَسُولَ
اللَّهِ! بَعْنَا تَمْرَنَا صَاعَيْنِ بِصَاعٍ مِنْ هَذَا،
فَقَالَ رَسُولُ اللَّهِ ﷺ: «هَذَا الرِّبَا،
فَرُدُّوهُ، ثُمَّ بَيِّعُوا تَمْرَنَا وَاشْتَرُوا لَنَا مِنْ
هَذَا».

[٤٠٨٥] ٩٨ - (١٥٩٥) حَدَّثَنِي
إِسْحَاقُ بْنُ مَنْصُورٍ: حَدَّثَنَا عُثَيْدُ اللَّهِ ابْنُ
مُوسَى عَنْ شَيْبَانَ، عَنْ يَحْيَى، عَنْ أَبِي
سَلَمَةَ، عَنْ أَبِي سَعِيدٍ قَالَ: كُنَّا نُرْزَقُ
تَمْرَ الْجَمْعِ عَلَى عَهْدِ رَسُولِ اللَّهِ ﷺ،
وَهُوَ الْخِلْطُ مِنَ التَّمْرِ، فَكُنَّا نَبِيعُ صَاعَيْنِ
بِصَاعٍ، فَبَلَغَ ذَلِكَ رَسُولَ اللَّهِ ﷺ فَقَالَ:
«لَا صَاعِي تَمْرٍ بِصَاعٍ، وَلَا صَاعِي حِنْطَةٍ
بِصَاعٍ، وَلَا دِرْهَمٍ بِدِرْهَمَيْنِ».

[٤٠٨٦] ٩٩ - (١٥٩٤) حَدَّثَنِي عَمْرُو
النَّاقِدُ: حَدَّثَنَا إِسْمَاعِيلُ بْنُ إِبْرَاهِيمَ عَنْ
سَعِيدِ الْجَرِيرِيِّ، عَنْ أَبِي نَضْرَةَ قَالَ:
سَأَلْتُ ابْنَ عَبَّاسٍ عَنِ الصَّرْفِ؟ فَقَالَ:
أَيَّدَا يَدَيْ؟ قُلْتُ: نَعَمْ، قَالَ: لَا بَأْسَ بِهِ،

said: "Is it hand to hand?" I said: "Yes. "He said: "There is nothing wrong with it." He said: 'Did he say that? We will write to him and tell him not to give that ruling.' He said: 'By Allâh, one of the slaves of the Messenger of Allâh ﷺ brought some dates and he found them odd and said: "It seems that these are not the dates of our land." He said: "Something happened to the dates of our land" - or "our dates" - "this year, so I took this and I gave more in return." He said: "If you gave something more, you engaged in *Ribâ*. Do not do it again. If you think there is something wrong with your dates, sell them then buy whatever dates you want."

فَأَخْبَرْتُ أَبَا سَعِيدٍ، فَقُلْتُ: إِنِّي سَأَلْتُ ابْنَ عَبَّاسٍ عَنِ الصَّرْفِ؟ فَقَالَ: أَيْدًا يَدًا؟ قُلْتُ: نَعَمْ، قَالَ: فَلَا بَأْسَ بِهِ، قَالَ أَوْ قَالَ ذَلِكَ؟ إِنَّا سَكَتُبُ إِلَيْهِ فَلَا يُفْتِيكُمْوهُ، قَالَ: فَوَاللَّهِ! لَقَدْ جَاءَ بَعْضُ فِتْيَانِ رَسُولِ اللَّهِ ﷺ بِتَمْرٍ فَأَنْكَرَهُ، فَقَالَ: «كَأَنَّ هَذَا لَيْسَ مِنْ تَمْرِ أَرْضِنَا». قَالَ: كَانَ فِي تَمْرِ أَرْضِنَا - أَوْ فِي تَمْرِنَا - الْعَامَ، بَعْضُ الشَّيْءِ، فَأَخَذْتُ هَذَا وَزِدْتُ بَعْضَ الرِّيَادَةِ، فَقَالَ: «أَضَعَفْتُ، أُرْبَيْتِ، لَا تُقْرَبَنَّ هَذَا، إِذَا رَأَيْتِ مِنْ تَمْرِكَ شَيْءٌ فَبِعْهُ، ثُمَّ اشْتَرِي الَّذِي تُرِيدُ مِنَ التَّمْرِ».

[راجع: ٤٠٨٣]

[4087] 100 - (...) It was narrated that Abû Naḍrah said: "I asked Ibn 'Umar and Ibn 'Abbâs about exchange, and they did not see anything wrong with it. I was sitting with Abû Sa'eed Al-Khudrî and I asked him about exchange. He said: 'Whatever is extra is *Ribâ*,' and I did not accept it because of what they had said. He said: 'I am only narrating to you what I heard from the Messenger of Allâh ﷺ. A man who was taking care of the Prophet's date palms brought him a *Ṣâ'* of fine dates and the dates of the Prophet ﷺ were not of this type. The Prophet ﷺ said

[٤٠٨٧] ١٠٠ - (...) حَدَّثَنَا إِسْحَاقُ بْنُ إِبْرَاهِيمَ: أَخْبَرَنَا عَبْدُ الْأَعْلَى: أَخْبَرَنَا دَاوُدُ عَنْ أَبِي نَضْرَةَ قَالَ: سَأَلْتُ ابْنَ عُمَرَ وَابْنَ عَبَّاسٍ عَنِ الصَّرْفِ فَلَمْ يَرَيَا بِهِ بَأْسًا، فَأِنِّي لَقَاعِدٌ عِنْدَ أَبِي سَعِيدِ الْخُدْرِيِّ فَسَأَلْتُهُ عَنِ الصَّرْفِ؟ فَقَالَ: مَا زَادَ فَهُوَ رِبًا، فَأَنْكَرْتُ ذَلِكَ لِقَوْلِهِمَا، فَقَالَ: لَا أُحَدِّثُكَ إِلَّا مَا سَمِعْتُ مِنْ رَسُولِ اللَّهِ ﷺ، جَاءَهُ صَاحِبٌ نَخِلِهِ بِصَاعٍ مِنْ تَمْرِ طَيِّبٍ، وَكَانَ تَمْرُ النَّبِيِّ ﷺ هَذَا اللَّوْنُ، فَقَالَ لَهُ النَّبِيُّ ﷺ: «أَنْتَى لَكَ

to him: "Where did you get this?" He said: "I sold two *Ṣâ'* and bought this *Ṣâ'* with them. That is the price for this in the market." The Messenger of Allâh ﷺ said: "Woe to you, you have engaged in *Ribâ*. If you want to do that, sell your dates for another commodity and then buy whatever dates you want with it."

Abû Sa'eed said: 'Dates for dates is closer to *Ribâ* than silver for silver.'" He said: "I went to Ibn 'Umar after that and he told me not to do that, and I did not go to Ibn 'Abbâs." He said: "Abû Aṣ-Ṣabbâ' told me that he asked Ibn 'Abbâs about it in Makkah and he disapproved of it."

[4088] 101 - (1596) It was narrated that Abû Ṣâlih said: "I heard Abû Sa'eed Al-Khudrî say: 'Dînâr for Dînâr, Dirham for Dirham, like for like; whoever gives more or asks for more has engaged in *Ribâ*.' I said to him: 'Ibn 'Abbâs says something different.' He said: 'I met Ibn 'Abbâs and I said: "Do you think that what you say is something that you heard from the Messenger of Allâh ﷺ or found in the Book of Allâh?" He said: "I did not hear it from the Messenger of Allâh ﷺ and I did not find it in the Book of Allâh, but Usâmah bin Zaid told me that the Prophet ﷺ said: '*Ribâ* is in the case of delayed payment.'"

هَذَا؟» قَالَ: انْطَلَقْتُ بِصَاعَيْنِ فَاشْتَرَيْتُ بِهِ هَذَا الصَّاعَ، فَإِنَّ سِعْرَ هَذَا فِي السُّوقِ كَذَا، وَسِعْرَ هَذَا كَذَا، فَقَالَ رَسُولُ اللَّهِ ﷺ: «وَيْلَكَ أَرَبَيْتَ، إِذَا أَرَدْتَ ذَلِكَ فَبِعْ تَمْرَكَ بِسِلْعَةٍ، ثُمَّ اشْتَرِ بِسِلْعَتِكَ أَيَّ تَمْرٍ شِئْتَ».

قَالَ أَبُو سَعِيدٍ: فَالتَّمْرُ بِالتَّمْرِ أَحْوُّ أَنْ يَكُونَ رَبًّا أَمِ الْفِضَّةُ بِالْفِضَّةِ؟ قَالَ: فَأَتَيْتُ ابْنَ عُمَرَ، بَعْدُ، فَتَهَانِي وَلَمْ آتِ ابْنَ عَبَّاسٍ، قَالَ: فَحَدَّثَنِي أَبُو الصَّهْبَاءِ أَنَّهُ سَأَلَ ابْنَ عَبَّاسٍ عَنْهُ بِمَكَّةَ، فَكَرِهَهُ.

[٤٠٨٨] [١٠١] - (١٥٩٦) حَدَّثَنِي

مُحَمَّدُ بْنُ عَبَّادٍ وَمُحَمَّدُ بْنُ حَاتِمٍ وَابْنُ أَبِي عُمَرَ، جَمِيعًا عَنْ سُفْيَانَ بْنِ عُيَيْنَةَ - وَاللَّفْظُ لِابْنِ عَبَّادٍ - قَالَ: حَدَّثَنَا سُفْيَانُ عَنْ عَمْرٍو، عَنْ أَبِي صَالِحٍ قَالَ: سَمِعْتُ أَبَا سَعِيدٍ الْخُدْرِيَّ يَقُولُ: الدِّينَارُ بِالدِّينَارِ، وَالدَّرْهَمُ بِالدَّرْهَمِ، مِثْلًا بِمِثْلٍ، مَنْ زَادَ أَوْ أَزَادَ فَقَدْ أَرَبَى، فَحَدَّثْتُ لَهُ: إِنَّ ابْنَ عَبَّاسٍ يَقُولُ غَيْرَ هَذَا فَقَالَ: لَقَدْ لَقِيتُ ابْنَ عَبَّاسٍ، فَقُلْتُ: أَرَأَيْتَ هَذَا الَّذِي تَقُولُ أَشْيَاءَ سَمِعْتَهُ مِنْ رَسُولِ اللَّهِ ﷺ أَوْ وَجَدْتَهُ فِي كِتَابِ اللَّهِ عَزَّ وَجَلَّ؟ فَقَالَ: لَمْ أَسْمَعُهُ مِنْ رَسُولِ

الله ﷺ، وَلَمْ أَجِدْهُ فِي كِتَابِ اللَّهِ، وَلَكِنْ حَدَّثَنِي أُسَامَةُ بْنُ زَيْدٍ أَنَّ النَّبِيَّ ﷺ قَالَ: «الرِّبَا فِي النَّسِيئَةِ».

[4089] 102 - (...) It was narrated from 'Ubaidullâh bin Abî Yazîd that he heard Ibn 'Abbâs say: "Usâmah bin Zaid told me that the Prophet ﷺ said: 'Ribâ is only in the case of delayed payment.'"

[٤٠٨٩] ١٠٢ - (...) حَدَّثَنَا أَبُو بَكْرِ بْنُ أَبِي شَيْبَةَ وَعَمْرُو النَّاقِدُ وَإِسْحَاقُ ابْنُ إِبْرَاهِيمَ وَابْنُ أَبِي عَمَرَ - وَاللَّفْظُ لِعَمْرٍو، قَالَ إِسْحَاقُ: أَخْبَرَنَا، وَقَالَ الْأَخْرَوْنَ: حَدَّثَنَا - سُفْيَانُ بْنُ عُيَيْنَةَ عَنْ عُبَيْدِ اللَّهِ بْنِ أَبِي يَزِيدَ [أَنَّهُ] سَمِعَ ابْنَ عَبَّاسٍ يَقُولُ: أَخْبَرَنِي أُسَامَةُ بْنُ زَيْدٍ عَنِ النَّبِيِّ ﷺ قَالَ: «إِنَّمَا الرِّبَا فِي النَّسِيئَةِ».

[4090] 103 - (...) It was narrated from Ibn 'Abbâs, from Usâmah bin Zaid, that the Messenger of Allâh ﷺ said: "There is no Ribâ in that which is hand to hand."

[٤٠٩٠] ١٠٣ - (...) حَدَّثَنَا زُهَيْرُ ابْنِ حَرْبٍ: حَدَّثَنَا عَفَّانُ؛ وَحَدَّثَنِي مُحَمَّدُ ابْنُ حَاتِمٍ: حَدَّثَنَا بِهِزٌ قَالَا: حَدَّثَنَا وَهَيْبٌ: حَدَّثَنَا ابْنُ طَاوُسٍ عَنْ أَبِيهِ، عَنِ ابْنِ عَبَّاسٍ، عَنْ أُسَامَةَ بْنِ زَيْدٍ؛ أَنَّ رَسُولَ اللَّهِ ﷺ قَالَ: «لَا رِبَا فِيمَا كَانَ يَدًا بِيَدٍ».

[4091] 104 - (...) 'Atâ' bin Abî Rabâh narrated that Abû Sa'eed Al-Khudrî met Ibn 'Abbâs and said to him: "Do you think that what you said about exchange is something that you heard from the Messenger of Allâh ﷺ, or something that you found in the Book of Allâh?" Ibn 'Abbâs said: "I do not say that it is either of

[٤٠٩١] ١٠٤ - (...) حَدَّثَنَا الْحَكَمُ بْنُ مُوسَى: حَدَّثَنِي هِغْلٌ عَنِ الْأَوْزَاعِيِّ قَالَ: حَدَّثَنِي عَطَاءُ بْنُ أَبِي رِبَاحٍ؛ أَنَّ أَبَا سَعِيدِ الْخُدْرِيِّ لَقِيَ ابْنَ عَبَّاسٍ فَقَالَ لَهُ: أَرَأَيْتَ قَوْلَكَ فِي الصَّرْفِ، [أَأَشَيْتَا سَمِعْتَهُ مِنْ رَسُولِ

them. As for the Messenger of Allâh ﷺ, you are more knowledgeable than me, and as for the Book of Allâh, I do not know it better (than you), but Usâmah bin Zaid told me that the Messenger of Allâh ﷺ said: 'Indeed, *Ribâ* is only in the case of delayed payment.'

اللَّهِ ﷺ، أَمْ شَيْءٌ وَجَدْتُهُ فِي كِتَابِ اللَّهِ عَزَّ وَجَلَّ؟ قَالَ ابْنُ عَبَّاسٍ: كَلَّا لَا أَقُولُ. أَمَّا رَسُولُ اللَّهِ ﷺ فَأَنْتُمْ أَعْلَمُ بِهِ [مَنِي] وَأَمَّا كِتَابُ اللَّهِ فَلَا أَعْلَمُهُ، وَلَكِنْ حَدَّثَنِي أُسَامَةُ بْنُ زَيْدٍ أَنَّ رَسُولَ اللَّهِ ﷺ قَالَ: «[أَلَا] إِنَّمَا الرَّبَا فِي النَّسِيئَةِ».

Chapter 19. Cursing The One Who Consumes *Ribâ* And The One Who Pays It

(المعجم ١٩) - (بَابُ لَعْنِ آكِلِ الرَّبَا وَمُوكِلِهِ) (التحفة ٤٠)

[4092] 105 - (1597) It was narrated that 'Abdullâh said: "The Messenger of Allâh ﷺ cursed the one who consumes *Ribâ* and the one who pays it." I (the narrator) said: "And the one who writes it down and the two who witness it?" He said: "We only narrate what we heard."

[٤٠٩٢] ١٠٥ - (١٥٩٧) حَدَّثَنَا عُثْمَانُ بْنُ أَبِي سَيْبَةَ وَإِسْحَاقُ بْنُ إِبْرَاهِيمَ - وَاللَّفْظُ لِعُثْمَانَ، قَالَ إِسْحَاقُ: أَخْبَرَنَا، وَقَالَ عُثْمَانُ: حَدَّثَنَا - جَرِيرٌ عَنْ مُعِيرَةَ قَالَ: سَأَلَ شَيْبَاكَ إِبْرَاهِيمَ، فَحَدَّثَنَا عَنْ عَلْقَمَةَ، عَنْ عَبْدِ اللَّهِ قَالَ: لَعَنَ رَسُولُ اللَّهِ ﷺ آكِلَ الرَّبَا وَمُوكِلَهُ. قَالَ: قُلْتُ - : وَكَاتِبُهُ وَشَاهِدِيهِ؟ قَالَ: إِنَّمَا نُحَدِّثُ بِمَا سَمِعْنَا.

[4093] 106 - (1598) It was narrated that Jâbir said: "The Messenger of Allâh ﷺ cursed the one who consumes *Ribâ* and the one who pays it, the one who writes it down and the two who witness it," and he said: "They are all the same."

[٤٠٩٣] ١٠٦ - (١٥٩٨) حَدَّثَنَا مُحَمَّدُ بْنُ الصَّبَّاحِ وَزُهَيْرُ بْنُ حَرْبٍ وَعُثْمَانُ بْنُ أَبِي شَيْبَةَ قَالُوا: حَدَّثَنَا هُشَيْمٌ: أَخْبَرَنَا أَبُو الزُّبَيْرِ عَنْ جَابِرٍ قَالَ: لَعَنَ رَسُولُ اللَّهِ ﷺ آكِلَ الرَّبَا، وَمُوكِلَهُ، وَكَاتِبَهُ، وَشَاهِدِيهِ، وَقَالَ: هُمْ سَوَاءٌ.

Chapter 20. Taking That Which Is Lawful And Leaving That Which Is Unclear

[4094] 107 - (1599) It was narrated that An-Nu'mân bin Bashîr said: "The Messenger of Allâh ﷺ said - and An-Nu'mân pointed with his fingers to his ears - "That which is lawful is clear and that which is unlawful is clear, and between them are matters which are unclear which many people do not understand. Whoever guards against the unclear matters, he will protect his religion and his honor, but whoever falls into that which is unclear, he will soon fall into that which is unlawful. Like a shepherd who grazes his flock around the sanctuary; he will soon graze in it. Verily, every king has his prohibited land and verily, the prohibited land of Allâh is that which He has forbidden. In the body there is a piece of flesh which, if it is healthy, the entire body will be healthy but if it is corrupt, the entire body will be corrupt. Verily it is the heart."

[4095] (...) Zakariyyâ narrated a similar report (as no. 4094) with this chain.

[4096]... - (...) This *Hadîth* was

(المعجم ٢٠) - (بَابُ أَخَذَ الْحَلَالَ

وَتَرَكَ الشُّبُهَاتِ) (التحفة ٤١)

[٤٠٩٤] ١٠٧ - (١٥٩٩) وَحَدَّثَنَا

مُحَمَّدُ بْنُ عَبْدِ اللَّهِ بْنِ نُمَيْرٍ الْهَمْدَانِيُّ: حَدَّثَنَا أَبِي: حَدَّثَنَا زَكَرِيَاءُ عَنِ الشَّعْبِيِّ، عَنِ الثُّعْمَانَ بْنِ بَشِيرٍ قَالَ: سَمِعْتُهُ يَقُولُ سَمِعْتُ رَسُولَ اللَّهِ ﷺ يَقُولُ: - وَأَهْوَى الثُّعْمَانُ بِإِصْبَعَيْهِ إِلَى أُذُنَيْهِ - «إِنَّ الْحَلَالَ بَيْنَ وَإِنَّ الْحَرَامَ بَيْنَ وَبَيْنَهُمَا مُشْتَبِهَاتٌ لَا يَعْلَمُهُنَّ كَثِيرٌ مِنَ النَّاسِ، فَمَنْ اتَّقَى الشُّبُهَاتِ اسْتَبْرَأَ لِدِينِهِ وَعَرْضِهِ، وَمَنْ وَقَعَ فِي الشُّبُهَاتِ وَقَعَ فِي الْحَرَامِ، كَالرَّاعِي يَرْعَى حَوْلَ الْحِمَى يُوشِكُ أَنْ يَرْتَعَ فِيهِ، أَلَا! وَإِنَّ لِكُلِّ مَلِكٍ حِمَى، أَلَا! وَإِنَّ حِمَى اللَّهِ مَحَارِمُهُ، أَلَا! وَإِنَّ فِي الْجَسَدِ مُضْغَةً، إِذَا صَلَحَتْ صَلَحَ الْجَسَدُ كُلُّهُ وَإِذَا فَسَدَتْ، فَسَدَ الْجَسَدُ كُلُّهُ، أَلَا! وَهِيَ الْقَلْبُ».

]

[٤٠٩٥] (...) [و]حَدَّثَنَا أَبُو بَكْرِ بْنُ

أَبِي شَيْبَةَ: حَدَّثَنَا وَكَيْعٌ؛ وَحَدَّثَنَا إِسْحَاقُ ابْنُ إِبْرَاهِيمَ: أَخْبَرَنِي عِيسَى بْنُ يُونُسَ قَالَ: أَخْبَرَنَا زَكَرِيَاءُ بِهَذَا الْإِسْنَادِ، مِثْلَهُ.

[٤٠٩٦] (...) [و]حَدَّثَنَا إِسْحَاقُ بْنُ

narrated from An-Nu'mân bin Bashîr from the Prophet ﷺ, except that the *Hadîth* of Zakariyyâ (no. 4094) is more complete and longer than their *Hadîth*.

[4097] 108 - (...) It was narrated from 'Âmir Ash-Sha'bî that he heard An-Nu'mân bin Bashîr, the Companion of the Messenger of Allâh ﷺ, addressing the people in Hîmş. He said: "That which is lawful is clear and that which is unlawful is clear," and he mentioned a *Hadîth* similar to that of Zakariyyâ from Ash-Sha'bî (no. 4094), up to the words: "Soon he will fall into it."

Chapter 21. Selling Camels And Stipulating That One May Ride Them

[4098] 109 - (715) Jâbir bin 'Abdullâh narrated that he was riding on a camel which had grown weak, and he wanted to let

إِبْرَاهِيمَ: أَخْبَرَنَا جَبْرِ عَنْ مُطَرِّفٍ وَأَبِي
فَرْوَةَ الْهَمْدَانِيِّ؛ وَحَدَّثَنَا قُتَيْبَةُ [بْنُ
سَعِيدٍ]: حَدَّثَنَا يَعْقُوبُ يَعْنِي ابْنَ عَبْدِ
الرَّحْمَنِ الْقَارِيَّ عَنِ ابْنِ عَجْلَانَ، عَنْ
عَبْدِ الرَّحْمَنِ ابْنِ سَعِيدٍ، كُلُّهُمَّ عَنِ
الشَّعْبِيِّ، عَنِ النُّعْمَانِ بْنِ بَشِيرٍ عَنِ
النَّبِيِّ ﷺ بِهَذَا الْحَدِيثِ، غَيْرَ أَنَّ حَدِيثَ
زَكَرِيَاءَ أَتَمَّ مِنْ حَدِيثِهِمْ، وَأَكْثَرَ.

[٤٠٩٧] ١٠٨ - (...) حَدَّثَنَا عَبْدُ
الْمَلِكِ بْنُ شُعَيْبٍ بْنِ اللَّيْثِ بْنِ سَعْدٍ:
حَدَّثَنِي أَبِي عَنْ جَدِّي: حَدَّثَنِي خَالِدُ بْنُ
يَزِيدَ: حَدَّثَنِي سَعِيدُ بْنُ أَبِي هِلَالٍ عَنْ عَوْنِ
ابْنِ عَبْدِ اللَّهِ، عَنْ عَامِرِ الشَّعْبِيِّ؛ أَنَّهُ سَمِعَ
النُّعْمَانَ بْنَ بَشِيرٍ بْنِ سَعْدٍ، صَاحِبَ رَسُولِ
اللَّهِ ﷺ وَهُوَ يَخْطُبُ النَّاسَ بِحُمْصَ، وَهُوَ
يَقُولُ: سَمِعْتُ رَسُولَ اللَّهِ ﷺ يَقُولُ:
«الْحَلَالُ بَيْنَ وَالْحَرَامِ بَيْنَ». فَذَكَرَ بِمِثْلِ
حَدِيثِ زَكَرِيَاءَ عَنِ الشَّعْبِيِّ - إِلَى قَوْلِهِ -:
«يُوشِكُ أَنْ يَقَعَ فِيهِ».

(المعجم ٢١) - (باب بيع البعير

واستثناء ركوبه) (التحفة ٤٢)

[٤٠٩٨] ١٠٩ - (٧١٥) حَدَّثَنَا مُحَمَّدُ
ابْنُ عَبْدِ اللَّهِ بْنِ نُمَيْرٍ: حَدَّثَنَا أَبِي: حَدَّثَنَا
زَكَرِيَاءَ عَنْ عَامِرٍ: حَدَّثَنِي جَابِرُ بْنُ عَبْدِ

it go. He said: "The Prophet ﷺ caught up with me and he prayed for me and struck it, then it ran as it had never run before. He said: 'Sell it to me for an *Uqiyah*.' I said: 'No.' Then he said: 'Sell it to me.' So I sold it to him for an *Uqiyah*, but I stipulated that I would ride it back to my family. When I arrived, I brought the camel to him, and he paid me its price. Then I went back, and he sent (someone) after me and said: 'Do you think that I bargained with you so that I could take your camel? Take your camel and your Dirham, for they are yours.'"

[4099] (...) It was narrated from 'Amir: "Jâbir bin 'Abdullâh told me... a *Hadîth* like that of Ibn Numair (no. 4098)."

[4100] 110 - (...) It was narrated that Jâbir bin 'Abdullâh said: "I went on a campaign with the Messenger of Allâh ﷺ and he caught up with me while I was riding a camel of mine that had grown weak and could hardly walk. He said to me: 'What is the matter with your camel?' I said: 'It has grown weak.' The Messenger of Allâh ﷺ fell behind and prodded it, and prayed for it, and (after that) it was always in front of the other camels, running ahead of them. He said to me: 'How do you find

الله؛ أَنَّهُ كَانَ يَسِيرُ عَلَيَّ جَمَلٌ لَهُ قَدْ أَعْيَا، فَأَرَادَ أَنْ يُسَيِّئَهُ، قَالَ: فَلَحِقَنِي النَّبِيُّ ﷺ، فَدَعَا لِي وَضَرَبَهُ، فَسَارَ سَيْرًا لَمْ يَسِرْ مِثْلَهُ، قَالَ: «بِعْنِيهِ بِوَقِيَّةٍ» قُلْتُ: لَا، ثُمَّ قَالَ: «بِعْنِيهِ» فَبِعْتُهُ بِوَقِيَّةٍ، وَاسْتَشَيْتُ عَلَيْهِ حُمْلَانَهُ إِلَى أَهْلِي، فَلَمَّا بَلَغْتُ أَتَيْتُهُ بِالْجَمَلِ، فَتَقَدَّنِي ثَمَنَهُ، ثُمَّ رَجَعْتُ، فَأَرْسَلَ فِي أَثْرِي، فَقَالَ: «أَتُرَانِي مَا كَسَيْتُكَ لِأَخَذَ جَمَلَكَ؟» جَمَلَكَ وَدَرَاهِمَكَ، فَهُوَ لَكَ». [راجع: ١٦٥٦]

[٤٠٩٩] (...) وَحَدَّثَنَا عَلِيُّ بْنُ حَسْرَمٍ: أَخْبَرَنَا عَيْسَى بْنُ يُونُسَ عَنْ زَكَرِيَاءَ، عَنْ عَامِرٍ: حَدَّثَنِي جَابِرُ بْنُ عَبْدِ اللَّهِ، بِمِثْلِ حَدِيثِ ابْنِ نُمَيْرٍ.

[٤١٠٠] ١١٠ - (...) حَدَّثَنَا عُثْمَانُ بْنُ أَبِي شَيْبَةَ وَإِسْحَاقُ بْنُ إِبْرَاهِيمَ - وَاللَّفْظُ لِعُثْمَانَ - قَالَ إِسْحَاقُ: أَخْبَرَنَا وَقَالَ عُثْمَانُ: حَدَّثَنَا - جَرِيرٌ عَنْ مُغِيرَةَ، عَنِ الشَّعْبِيِّ، عَنْ جَابِرِ بْنِ عَبْدِ اللَّهِ قَالَ: غَزَوْتُ مَعَ رَسُولِ اللَّهِ ﷺ، فَتَلَحَّقَ بِي، وَتَحْتِي نَاضِحٌ لِي قَدْ أَعْيَا وَلَا يَكَادُ يَسِيرُ، قَالَ: فَقَالَ لِي: «مَا لِيَعِيرِكَ؟» قَالَ: قُلْتُ: عَلِيلٌ، قَالَ: فَتَخَلَّفَ رَسُولُ

you: camel?' I said: 'It is fine; your blessing has reached it.' He said: 'Will you sell it to me?' I felt shy, and we did not have any camel but this one, so I said: 'Yes.' So I sold it to him, on the condition that I would ride it until I reached Al-Madînah. I said to him: 'O Messenger of Allâh, I am newly married,' and I asked him for permission to go on ahead, and he gave me permission. So I went ahead of the people until I reached Al-Madînah. There my maternal uncle met me and asked about the camel, and I told him what I had done with it, and he criticized me. And the Messenger of Allâh ﷺ said to me when I asked him for permission: 'Who did you marry, a virgin or a previously-married woman?' I said: 'I married a previously-married woman.' He said: 'Why not a virgin, so you could play with her and she could play with you?' I said to him: 'O Messenger of Allâh, my father has died' - or 'was martyred' - 'and I have young sisters. I did not want to marry one who was like them, who would not teach them manners and look after them. So I married a previously-married woman who would look after them and teach them manners.' When the Messenger of Allâh ﷺ came to Al-Madînah, I took the camel to him: the next morning, and he gave me its price and returned it to me."

اللَّهُ ﷺ فَرَجَرَهُ وَدَعَا لَهُ، فَمَا زَالَ بَيْنَ يَدَيِ الْإِبِلِ قُدَّامَهَا يَسِيرُ، [قَالَ]: فَقَالَ لِي «كَيْفَ تَرَى بَعِيرَكَ؟» قَالَ: قُلْتُ: بِخَيْرٍ، قَدْ أَصَابَتْهُ بَرَكَتُكَ. قَالَ: «أَفْتَبِيعُيْنِيهِ؟» فَاسْتَحَيْتُ، وَلَمْ يَكُنْ لَنَا نَاصِحٌ غَيْرُهُ، قَالَ: فَقُلْتُ: نَعَمْ، فَبِعْتُهُ إِيَّاهُ، عَلَى أَنْ لِي فَقَارَ ظَهْرِهِ حَتَّى أُبْلَغَ الْمَدِينَةَ، قَالَ: فَقُلْتُ لَهُ: يَا رَسُولَ اللَّهِ! إِنِّي عَرُوسٌ فَاسْتَأْذَنْتُهُ، فَأَذِنَ لِي، فَتَقَدَّمْتُ النَّاسَ إِلَى الْمَدِينَةِ حَتَّى انْتَهَيْتُ، فَلَقَيْتَنِي خَالِي فَسَأَلَنِي عَنِ الْبَعِيرِ، فَأَخْبَرْتُهُ بِمَا صَنَعْتُ فِيهِ، فَلَامَنِي فِيهِ، قَالَ: وَقَدْ كَانَ رَسُولُ اللَّهِ ﷺ قَالَ لِي حِينَ اسْتَأْذَنْتُهُ «مَا تَزَوَّجْتَ؟ أَيْكْرًا أَمْ نَيْبًا؟» فَقُلْتُ لَهُ: تَزَوَّجْتُ نَيْبًا، قَالَ: «أَفَلَا تَزَوَّجْتَ بَيْكْرًا تُلَاعِبُهَا وَتُلَاعِبُكَ؟» فَقُلْتُ لَهُ: يَا رَسُولَ اللَّهِ! تُوَفِّي وَالِدِي - أَوْ اسْتُشْهِدَ - وَلِي أَحْوَاتٌ صِغَارًا، فَكْرِهْتُ أَنْ أَتَزَوَّجَ إِلَيْهِنَّ مِثْلَهُنَّ، فَلَا تُؤَدِّبُهُنَّ وَلَا تَقُومُ عَلَيْهِنَّ، فَتَزَوَّجْتُ نَيْبًا لِيَقُومَ سَبِيحَهُنَّ وَتُؤَدِّبُهُنَّ - قَالَ -: فَلَمَّا نَزِمَ رَسُولُ اللَّهِ ﷺ الْمَدِينَةَ، غَدَوْتُ إِلَيْهِ بِالْبَعِيرِ، فَأَعْطَانِي ثَمَنَهُ، وَرَدَّهُ عَلَيَّ.

[4101] 111 - (...) It was narrated that Jâbir said: "We came back from Makkah to Al-Madînah with the Messenger of Allâh ﷺ, and my camel grew weak..." and he quoted a similar *Hadîth* (as no. 4100), in which it says: "Then he said to me: 'Sell this camel of yours to me.' I said: 'No, rather it is yours.' He said: 'No, sell it to me.' I said: 'No, rather it is yours, O Messenger of Allâh.' He said: 'No, sell it to me.' So I said: 'There is a man to whom I owe an *Uqiyah* of gold; it is yours in return for that.' He said: 'I will take it, but you may ride it until Al-Madînah.' When I reached Al-Madînah, the Messenger of Allâh ﷺ said to Bilâl: 'Give him an *Uqiyah* of gold, and a little more.' So he gave me an *Uqiyah* of gold, and added a *Qirât*." He said: "I said: 'The extra that the Messenger of Allâh ﷺ gave me never left me; it was in a (money) bag of mine until the people of Ash-Shâm took it on the Day of Al-Harrah.'"

[4102] 112 - (...) It was narrated that Jâbir bin 'Abdullâh said: "We were with the Prophet ﷺ on a journey, and my camel fell behind..." he quoted the same *Hadîth* (as no. 4101) and said: "The Messenger of Allâh ﷺ prodded it, then he said to me:

[٤١٠١] ١١١- (...) حَدَّثَنَا عُثْمَانُ
ابْنُ أَبِي شَيْبَةَ: حَدَّثَنَا جَرِيرٌ عَنِ
الْأَعْمَشِ، عَنْ سَالِمِ بْنِ أَبِي الْجَعْدِ،
عَنْ جَابِرٍ قَالَ: أَقْبَلْنَا مِنْ مَكَّةَ إِلَى الْمَدِينَةِ
مَعَ رَسُولِ اللَّهِ ﷺ، فَأَعْتَلَّ جَمَلِي. وَسَاقَ
الْحَدِيثَ بِقِصَّتِهِ، وَفِيهِ: ثُمَّ قَالَ لِي:
«بِعْنِي جَمَلَكَ هَذَا» قَالَ: قُلْتُ: لَا، بَلْ
هُوَ لَكَ، قَالَ: «لَا، بَلْ بِعْنِي» قَالَ
قُلْتُ: لَا، بَلْ هُوَ لَكَ، يَا رَسُولَ اللَّهِ!
قَالَ: «لَا، بَلْ بِعْنِي» قَالَ: قُلْتُ: فَإِنَّ
لِرَجُلٍ عَلَيَّ أُوقِيَّةٌ ذَهَبٍ، فَهُوَ لَكَ بِهَا،
قَالَ: «قَدْ أَخَذْتُهُ، فَتَبَلَّغْ عَلَيَّ إِلَى
الْمَدِينَةِ» قَالَ: فَلَمَّا قَدِمْتُ الْمَدِينَةَ، قَالَ
رَسُولُ اللَّهِ ﷺ لِبِلَالٍ: «أَعْطِهِ أُوقِيَّةً مِنْ
ذَهَبٍ، وَزِدْهُ» قَالَ: فَأَعْطَانِي أُوقِيَّةً مِنْ
ذَهَبٍ، وَزَادَنِي قِيرَاطًا، قَالَ فَقُلْتُ: لَا
تُفَارِقُنِي زِيَادَةُ رَسُولِ اللَّهِ ﷺ، قَالَ:
فَكَانَ فِي كَيْسٍ لِي، فَأَخَذَهُ أَهْلُ الشَّامِ
يَوْمَ الْحَرَّةِ.

[٤١٠٢] ١١٢- (...) حَدَّثَنَا أَبُو
كَامِلٍ الْجَحْدَرِيُّ: حَدَّثَنَا عَبْدُ الْوَاحِدِ بْنُ
زِيَادٍ:- حَدَّثَنَا الْجُرَيْرِيُّ عَنْ أَبِي نَضْرَةَ،
عَنْ جَابِرِ بْنِ عَبْدِ اللَّهِ قَالَ: كُنَّا مَعَ
النَّبِيِّ ﷺ فِي سَفَرٍ، فَتَحَلَّفَ نَاضِحِي،

‘Ride, in the Name of Allâh.’”
And he also added: “He kept on giving me more and saying: ‘May Allâh forgive you.’”

[4103] 113 - (...) It was narrated that Jâbir said: “When the Prophet ﷺ came to me while my camel had grown weak, he prodded it and it jumped. After that, I was pulling on its reins (to slow it down) so that I could listen to what he was saying, but I could not manage it. The Prophet ﷺ caught up with me and said: ‘Sell it to me.’ So I sold it to him for five *Uqiyah*. I said: ‘On condition that I may ride it back to Al-Madīnah.’ He said: ‘You may ride it back to Al-Madīnah.’ When I came to Al-Madīnah, I brought it to him and he gave me an extra *Uqiyah*, then he gave it to me.”

[4104] 114 - (...) It was narrated that Jâbir bin ‘Abdullâh said: “I traveled with the Messenger of Allâh ﷺ on one of his journeys” - I (the narrator) think he said it was a military campaign - and he narrated the *Hadīth* (as no. 4103) and added: “He said: ‘O Jâbir, have you received the price in full?’ I said: ‘Yes.’ He said: ‘The price is yours and the camel is yours. The price is yours and the camel is yours.’”

وَسَاقَ الْحَدِيثِ، وَقَالَ فِيهِ: فَنَحَسَهُ رَسُولُ اللَّهِ ﷺ، ثُمَّ قَالَ لِي: «ارْكَبْ بِاسْمِ اللَّهِ» وَزَادَ أَيْضًا: قَالَ: فَمَا زَالَ يَزِيدُنِي وَيَقُولُ: «وَاللَّهُ يَغْفِرُ لَكَ».

[٤١٠٣] [١١٣] - (...) وَحَدَّثَنِي أَبُو الرَّبِيعِ الْعَتَكِيُّ: حَدَّثَنَا حَمَادٌ: حَدَّثَنَا أَيُّوبُ عَنْ أَبِي الزُّبَيْرِ، عَنْ جَابِرٍ قَالَ: لَمَّا أَتَى عَلِيَّ النَّبِيُّ ﷺ، وَقَدْ أَغْمَا بَعِيرِي - قَالَ -: فَنَحَسَهُ فَوَثَبَ، فَكُنْتُ بَعْدَ ذَلِكَ أَحْسِسُ خِطَامَهُ لِأَسْمَعَ حَدِيثَهُ، فَمَا أَقْدِرُ عَلَيْهِ، فَلَحِقَنِي النَّبِيُّ ﷺ فَقَالَ: «بِعِينِهِ» فَعِثْتُهُ مِنْهُ بِخَمْسِ أَوْاقٍ، قَالَ قُلْتُ: عَلَيَّ أَنْ لِي ظَهْرُهُ إِلَى الْمَدِينَةِ، قَالَ: «وَلَكَ ظَهْرُهُ إِلَى الْمَدِينَةِ» - قَالَ -: فَلَمَّا قَدِمْتُ الْمَدِينَةَ أَتَيْتُهُ بِهِ، فَزَادَنِي أَوْقِيَةً، ثُمَّ وَهَبَ لِي ﷺ.

[٤١٠٤] [١١٤] - (...) حَدَّثَنَا عُقْبَةُ ابْنُ مُكْرَمٍ الْعَمِّيُّ: حَدَّثَنَا بَعْثُوبُ بْنُ إِسْحَاقَ: حَدَّثَنَا بَشِيرُ بْنُ عُقْبَةَ عَنْ أَبِي الْمُتَوَكِّلِ النَّاجِيِّ، عَنْ جَابِرِ بْنِ عَبْدِ اللَّهِ قَالَ: سَافَرْتُ مَعَ رَسُولِ اللَّهِ ﷺ فِي بَعْضِ أَسْفَارِهِ - أَظُنُّهُ قَالَ غَارِيًا - وَاقْتَصَّ الْحَدِيثَ وَزَادَ فِيهِ: قَالَ: «يَا جَابِرُ! أَتَوَفَّيْتَ الشَّمْنَ؟» قُلْتُ: نَعَمْ،

قَالَ: «لَكَ الثَّمَنُ وَلَكَ الْجَمَلُ. لَكَ الثَّمَنُ وَلَكَ الْجَمَلُ».

[4105] 115 - (...) Jâbir bin Abdullah said: "The Messenger of Allâh ﷺ bought a camel from me for two *Uqiyah* and a Dirham or two Dirham. When we came to Şîrâr, he ordered that a cow be slaughtered and they ate from it. When he came to Al-Madînah he told me to go to the *Masjid* and pray two *Rak'ah*, and he weighed out for me the price of the camel and gave me more."

[٤١٠٥] ١١٥- (...) حَدَّثَنَا عُبَيْدُ اللَّهِ بْنُ مُعَاذِ الْعَبْرِيِّ: حَدَّثَنَا أَبِي حَدَّثَنَا شُعْبَةُ عَنْ مُحَارِبٍ؛ [أَنَّهُ] سَمِعَ جَابِرَ بْنَ عَبْدِ اللَّهِ يَقُولُ: اشْتَرَى مِنِّي رَسُولُ اللَّهِ ﷺ بَعِيرًا بُوَيْبَتَيْنِ وَدِرْهَمٍ أَوْ دِرْهَمَيْنِ، قَالَ: فَلَمَّا قَدِمَ صِرَارًا أَمَرَ بِبَقْرَةٍ فذُبِحَتْ، فَأَكَلُوا مِنْهَا، فَلَمَّا قَدِمَ الْمَدِينَةَ أَمَرَنِي أَنْ آتِيَ الْمَسْجِدَ فَأُصَلِّيَ رَكْعَتَيْنِ، وَوَزَنَ لِي ثَمَنَ الْبَعِيرِ فَأَرْجَحَ لِي.

[4106] 116 - (...) This report was narrated from Jâbir from the Prophet ﷺ (a *Hadîth* similar to no. 4105), except that he said: "He bought it from me for the price that he had stipulated," but he did not mention two *Uqiyahs* and a Dirham or two Dirham. And he said: "He ordered that a cow be slaughtered when he distributed its meat."

[٤١٠٦] ١١٦- (...) حَدَّثَنِي يَحْيَى بْنُ حَبِيبِ الْحَارِثِيِّ: حَدَّثَنَا خَالِدُ ابْنُ الْحَارِثِ: حَدَّثَنَا شُعْبَةُ: أَخْبَرَنِي مُحَارِبٌ عَنْ جَابِرِ عَنِ النَّبِيِّ ﷺ بِهِدْيِهِ الْقِصَّةَ غَيْرَ أَنَّهُ قَالَ: فَاشْتَرَاهُ مِنِّي بِثَمَنِ قَدْ سَمَّاهُ، وَلَمْ يَذْكُرِ الْوَقِيتَيْنِ وَالِدِرْهَمَ وَالِدِرْهَمَيْنِ، وَقَالَ: أَمَرَ بِبَقْرَةٍ فَنُجِرَتْ، ثُمَّ قَسَمَ لَحْمَهَا.

[4107] 117 - (...) It was narrated from Jâbir that the Prophet ﷺ said to him: "I will take your camel for four Dînâr and you may ride it until Al-Madînah."

[٤١٠٧] ١١٧- (...) حَدَّثَنَا أَبُو بَكْرِ بْنُ أَبِي شَيْبَةَ: حَدَّثَنَا ابْنُ أَبِي زَائِدَةَ عَنْ ابْنِ جُرَيْجٍ، عَنْ عَطَاءٍ، عَنْ جَابِرٍ: أَنَّ النَّبِيَّ ﷺ قَالَ لَهُ: «قَدْ أَخَذْتُ جَمَلَكَ بِأَرْبَعَةِ دِينَائِرٍ، وَلَكَ ظَهْرُهُ إِلَى الْمَدِينَةِ».

Chapter 22. It Is Permissible To Lend Animals And It Is Recommended To Pay In Full, Giving Something Better Than That Which Is Owed

[4108] 118 - (1600) It was narrated from Abû Râfi' that the Messenger of Allâh ﷺ borrowed a young camel from a man, then some *Sadaqah* camels were brought to him. He told Abû Râfi' to give the man back his camel, and Abû Râfi' came back to him and said: "I could not find anything among them but camels that were better and older." He said: "Give it to him, for the best of people are those who are best in paying off their debts."

[4109] 119 - (...) It was narrated that Abû Râfi', the freed slave of the Messenger of Allâh ﷺ, said: "The Messenger of Allâh ﷺ borrowed a young camel..." a similar report (as no. 4108), except that he said: "The best of the slaves of Allâh are those who are the best in paying off their debts."

[4110] 120 - (1601) It was narrated that Abû Hurairah said: "A man was owed something by the Messenger of Allâh ﷺ and he spoke to him in a harsh manner, so the Companions of the Prophet ﷺ wanted to go after him. The Prophet ﷺ said:

(المعجم ٢٢) - (بَابُ جَوَازِ اقْتِرَاضِ
الْحَيَوَانَ وَاسْتِحْبَابِ تَوْفِيْتِهِ خَيْرًا مِمَّا
عَلَيْهِ) (التحفة ٤٣)

[٤١٠٨] ١١٨ - (١٦٠٠) حَدَّثَنَا أَبُو
الطَّاهِرِ أَحْمَدُ بْنُ عَمْرٍو بْنِ سَرْحٍ: أَخْبَرَنَا ابْنُ
وَهْبٍ عَنْ مَالِكِ بْنِ أَنَسٍ، عَنْ زَيْدِ بْنِ أَسْلَمَ،
عَنْ عَطَاءِ بْنِ يَسَارٍ، عَنْ أَبِي رَافِعٍ؛ أَنَّ رَسُولَ
اللَّهِ ﷺ اسْتَسَلَفَ مِنْ رَجُلٍ بَكْرًا فَقَدِمَتْ عَلَيْهِ
إِبِلٌ مِنَ الصَّدَقَةِ، فَأَمَرَ أَبَا رَافِعٍ أَنْ يَفْضِي
الرَّجُلَ بَكْرَهُ، فَرَجَعَ إِلَيْهِ أَبُو رَافِعٍ فَقَالَ: لَمْ
أَجِدْ فِيهَا إِلَّا خِيَارًا رَبَاعِيًا، فَقَالَ: «أَعْطِهِ
إِيَّاهُ، إِنَّ خِيَارَ النَّاسِ أَحْسَنُهُمْ قَضَاءً».

[٤١٠٩] ١١٩ - (...) حَدَّثَنَا أَبُو
كُرَيْبٍ: حَدَّثَنَا خَالِدُ بْنُ مَخْلَدٍ عَنْ مُحَمَّدِ
ابْنِ جَعْفَرٍ: سَمِعْتُ زَيْدَ بْنَ أَسْلَمَ:
أَخْبَرَنَا عَطَاءُ بْنُ يَسَارٍ عَنْ أَبِي رَافِعٍ مَوْلَى
رَسُولِ اللَّهِ ﷺ، قَالَ: اسْتَسَلَفَ رَسُولُ
اللَّهِ ﷺ بَكْرًا، بِمِثْلِهِ، غَيْرَ أَنَّهُ قَالَ: «فَإِنَّ
خَيْرَ عِبَادِ اللَّهِ أَحْسَنُهُمْ قَضَاءً».

[٤١١٠] ١٢٠ - (١٦٠١) حَدَّثَنَا
مُحَمَّدُ بْنُ بَشَّارٍ [بْنِ عُمَانَ الْعَبْدِيُّ]:
حَدَّثَنَا مُحَمَّدُ بْنُ جَعْفَرٍ: حَدَّثَنَا شُعْبَةُ عَنْ
سَلَمَةَ بْنِ كَهَيْلٍ، عَنْ أَبِي سَلَمَةَ، عَنْ أَبِي
هُرَيْرَةَ قَالَ: كَانَ لِرَجُلٍ عَلَى رَسُولِ

‘The one who has a right is entitled to speak.’ And he said to them: ‘Buy a camel for him and give it to him.’ They said: ‘We cannot find anything but a camel that is better than his.’ He said: ‘Buy it and give it to him, for among the best of you’ - or ‘the best of you’ - ‘are those who are the best in paying off debts.’”

[4111] 121 - (...) It was narrated that Abû Hurairah said: “The Messenger of Allâh ﷺ borrowed a camel, and gave back a camel that was better than it, and he said: ‘The best of you are those who are the best in paying off debts.’”

[4112] 122 - (...) It was narrated that Abû Hurairah said: “A man came asking the Messenger of Allâh ﷺ to return a camel that he had borrowed, and he said: ‘Give him a camel that is better than his camel.’ And he said: ‘The best of you is the one who is best in paying off debts.’”

Chapter 23. The Permissibility Of Selling Animals For Animals Of The Same Kind And Of Different Quality

[4113] 123 - (1602) It was narrated that Jâbir said: “A slave came and swore allegiance to the

الله ﷺ حَقًّا، فَأَغَطَّ لَهُ، فَهَمَّ بِهِ أَصْحَابُ النَّبِيِّ ﷺ، فَقَالَ النَّبِيُّ ﷺ: «إِنَّ لِصَاحِبِ الْحَقِّ مَقَالًا»، فَقَالَ لَهُمْ: «اشْتَرُوا لَهُ سِنًا فَأَعْطُوهُ إِيَّاهُ» فَقَالُوا: إِنَّا لَا نَجِدُ إِلَّا سِنًا هُوَ خَيْرٌ مِنْ سِنِّهِ، قَالَ: «فَاشْتَرُوهُ فَأَعْطُوهُ إِيَّاهُ، فَإِنَّ مِنْ خَيْرِكُمْ - أَوْ خَيْرِكُمْ - أَحْسَنُكُمْ قَضَاءً».

[٤١١١] ١٢١ - (...) حَدَّثَنَا أَبُو كُرَيْبٍ: حَدَّثَنَا وَكَيْعٌ عَنْ عَلِيِّ بْنِ صَالِحٍ، عَنْ سَلَمَةَ بْنِ كُهَيْلٍ، عَنْ أَبِي سَلَمَةَ، عَنْ أَبِي هُرَيْرَةَ قَالَ: اسْتَفْرَضَ رَسُولُ اللَّهِ ﷺ سِنًا، فَأَعْطَى سِنًا فَوْقَهُ، وَقَالَ: «خَيْرُكُمْ مَحَاسِنُكُمْ قَضَاءً».

[٤١١٢] ١٢٢ - (...) حَدَّثَنَا مُحَمَّدُ ابْنُ عَبْدِ اللَّهِ بْنِ نُمَيْرٍ: حَدَّثَنَا أَبِي: حَدَّثَنَا سُفْيَانُ عَنْ سَلَمَةَ بْنِ كُهَيْلٍ، عَنْ أَبِي سَلَمَةَ، عَنْ أَبِي هُرَيْرَةَ قَالَ: جَاءَ رَجُلٌ يَتَقاضِي رَسُولَ اللَّهِ ﷺ بَعِيرًا، فَقَالَ: «أَعْطُوهُ سِنًا فَوْقَ سِنِّهِ»، وَقَالَ: «خَيْرُكُمْ أَحْسَنُكُمْ قَضَاءً».

(المعجم ٢٣) - (باب جواز بيع

الحيوان بالحيوان، من جنسه،

متفاضلا) (التحفة ٤٤)

[٤١١٣] ١٢٣ - (١٦٠٢) حَدَّثَنَا

يَحْيَى بْنُ يَحْيَى التَّمِيمِيُّ وَابْنُ رُمَحٍ قَالَا:

Prophet ﷺ, pledging to emigrate, and he did not realize that he was a slave. Then his master came looking for him. The Prophet ﷺ said: 'Sell him to me,' and he bought him for two black slaves. Then after that he did not accept the oath of allegiance of anyone until he had asked: 'Is he a slave?'"

Chapter 24. Pawning (*Rahn*) And Its Permissibility Whether One Is Travelling Or Not

[4114] 124 - (1603) It was narrated that 'A'ishah said: "The Messenger of Allâh ﷺ bought some food on credit from a Jew, and he gave him a coat of mail of his as collateral."

[4115] 125 - (...) It was narrated that 'A'ishah said: "The Messenger of Allâh ﷺ bought some food from a Jew and gave him an iron coat of mail as collateral."

أَخْبَرَنَا اللَّيْثُ؛ وَحَدَّثَنَا قُتَيْبَةُ بْنُ سَعِيدٍ:
حَدَّثَنَا لَيْثٌ عَنْ أَبِي الزُّبَيْرِ، عَنْ جَابِرِ
قَالَ: جَاءَ عَبْدُ فَبَايَعَ النَّبِيَّ ﷺ عَلَيَّ
الْهِجْرَةَ، وَلَمْ يَشْعُرْ أَنَّهُ عَبْدٌ، فَجَاءَ سَيِّدُهُ
يُرِيدُهُ، فَقَالَ لَهُ النَّبِيُّ ﷺ: «بِعْنِيهِ»
فَاشْتَرَاهُ بِعَبْدَيْنِ أَسْوَدَيْنِ، ثُمَّ لَمْ يَبَايِعْ
أَحَدًا بَعْدُ، حَتَّى يَسْأَلَهُ «أَعْبَدُ هُوَ؟».

(المعجم ٢٤) - (باب الرهن وجوازه
في الحضرة كالسفري) (التحفة ٤٥)

[٤١١٤] ١٢٤ - (١٦٠٣) حَدَّثَنَا
يَحْيَى بْنُ يَحْيَى وَأَبُو بَكْرِ بْنُ أَبِي شَيْبَةَ
وَمُحَمَّدُ بْنُ الْعَلَاءِ - وَاللَّفْظُ لِيَحْيَى - قَالَ
يَحْيَى: أَخْبَرَنَا، وَقَالَ الْأَخْرَانِ: حَدَّثَنَا -
أَبُو مُعَاوِيَةَ عَنِ الْأَعْمَشِ، عَنْ إِبْرَاهِيمَ،
عَنِ الْأَسْوَدِ، عَنْ عَائِشَةَ قَالَتْ: اشْتَرَى
رَسُولُ اللَّهِ ﷺ مِنْ يَهُودِيٍّ طَعَامًا بِنَسِيئَةٍ،
فَأَعْطَاهُ دِرْعًا لَهُ، رَهْنًا.

[٤١١٥] ١٢٥ - (...) حَدَّثَنَا
إِسْحَاقُ بْنُ إِبْرَاهِيمَ الْحَنْظَلِيُّ وَعَلِيُّ بْنُ
حَشْرَمٍ قَالَا: أَخْبَرَنَا عِيسَى بْنُ يُونُسَ عَنْ
الْأَعْمَشِ، عَنْ إِبْرَاهِيمَ، عَنِ الْأَسْوَدِ،
عَنْ عَائِشَةَ قَالَتْ: اشْتَرَى رَسُولُ اللَّهِ ﷺ
مِنْ يَهُودِيٍّ طَعَامًا، وَرَهْنَهُ دِرْعًا مِنْ
حَدِيدٍ.

[4116] 126 - (...) It was narrated from 'Aishah that the Messenger of Allâh ﷺ bought some food from a Jew to be paid for at a later date, and he gave him an iron coat of mail of his as collateral.

[٤١١٦] ١٢٦- (...) حَدَّثَنَا إِسْحَاقُ بْنُ إِبْرَاهِيمَ الْحَنْظَلِيُّ: أَخْبَرَنَا الْمَخْزُومِيُّ: حَدَّثَنَا عَبْدُ الْوَاحِدِ بْنُ زِيَادٍ، عَنِ الْأَعْمَشِ قَالَ: ذَكَرْنَا الرَّهْنَ فِي السَّلْمِ عِنْدَ إِبْرَاهِيمَ النَّخَعِيِّ، فَقَالَ: حَدَّثَنَا الْأَسْوَدُ بْنُ يَزِيدَ عَنْ عَائِشَةَ؛ أَنَّ رَسُولَ اللَّهِ ﷺ اشْتَرَى مِنْ يَهُودِيٍّ طَعَامًا إِلَى أَجَلٍ، وَرَهْنَهُ دِرْعًا لَهُ مِنْ حَدِيدٍ.

[4117] (...) A similar report (as no. 4116) was narrated from 'Aishah from the Prophet ﷺ, but he (the narrator) did not mention iron.

[٤١١٧] (...) حَدَّثَنَا أَبُو بَكْرِ بْنُ أَبِي شَيْبَةَ: حَدَّثَنَا حَفْصُ بْنُ غِيَاثٍ عَنِ الْأَعْمَشِ، عَنْ إِبْرَاهِيمَ، قَالَ: حَدَّثَنِي الْأَسْوَدُ عَنْ عَائِشَةَ، عَنِ النَّبِيِّ ﷺ مِثْلَهُ، وَلَمْ يَذْكُرْ: مِنْ حَدِيدٍ.

Chapter 25. Salam (Payment In Advance)

(المعجم ٢٥) - (بَابُ السَّلْمِ)
(التحفة ٤٦)

[4118] 127 - (1604) It was narrated that Ibn 'Abbâs said: "When the Prophet ﷺ came to Al-Madinah, they used to pay one or two years in advance for fruits. He said: 'Whoever pays for fruits in advance, let him pay in advance for a specified measure and a specified weight, for a specified amount of time.'"

[٤١١٨] ١٢٧- (١٦٠٤) حَدَّثَنَا يَحْيَى ابْنُ يَحْيَى وَعَمْرُو النَّاقِدُ - وَاللَّفْظُ لِيَحْيَى - قَالَ عَمْرُو: حَدَّثَنَا، وَقَالَ يَحْيَى: أَخْبَرَنَا - سُفْيَانُ بْنُ عُيَيْنَةَ عَنِ ابْنِ أَبِي نَجِيحٍ، عَنْ عَبْدِ اللَّهِ بْنِ كَثِيرٍ، عَنْ أَبِي الْمُنْهَالِ، عَنْ ابْنِ عَبَّاسٍ قَالَ: قَدِمَ النَّبِيُّ ﷺ الْمَدِينَةَ، وَهُمْ يُسْلِفُونَ فِي الثَّمَارِ، السَّنَةَ وَالسَّنَتَيْنِ فَقَالَ: «مَنْ سَلَفَ فِي ثَمَرٍ، فَلْيُسْلِفْ فِي كَيْلٍ مَعْلُومٍ، وَوَزْنٍ مَعْلُومٍ، إِلَى أَجَلٍ مَعْلُومٍ».

[4119] 128 - (...) It was narrated that Ibn ‘Abbâs said: “When the Messenger of Allâh ﷺ came (to Al-Madīnah), the people used to pay in advance. The Messenger of Allâh ﷺ said to them: ‘Whoever pays in advance, let him not pay in advance except for a specified measure and a specified weight.’”

[٤١١٩] ١٢٨ - (...) حَدَّثَنَا شَيْبَانُ
ابْنُ قُرُوخَ: حَدَّثَنَا عَبْدُ الْوَارِثِ عَنِ ابْنِ أَبِي
نَجِيحٍ: حَدَّثَنِي عَبْدُ اللَّهِ بْنُ كَثِيرٍ عَنْ أَبِي
الْمُنْهَالِ، عَنِ ابْنِ عَبَّاسٍ قَالَ: قَدِمَ رَسُولُ
اللَّهِ ﷺ وَالنَّاسُ يُسْلِفُونَ، فَقَالَ لَهُمْ رَسُولُ
اللَّهِ ﷺ: «مَنْ أَسْلَفَ فَلَا بُسْلِفَ إِلَّا فِي
كَيْلٍ مَعْلُومٍ، وَوَزْنٍ مَعْلُومٍ».

[4120] (...) A *Hadīth* like that of ‘Abdul-Wârīth (no. 4119) was narrated from Ibn Abî Najīh with this chain, but he did not mention “until a specified time.”

[٤١٢٠] (...) حَدَّثَنَا نَحْيَى بْنُ
نَحْيَى وَأَبُو بَكْرِ بْنُ أَبِي شَيْبَةَ وَإِسْمَاعِيلُ
ابْنُ سَالِمٍ، حَمِيصًا عَنِ ابْنِ عُيَيْنَةَ، عَنِ
ابْنِ أَبِي نَجِيحٍ بِهَذَا الْإِسْنَادِ، بِمِثْلِ
حَدِيثِ عَبْدِ الْوَارِثِ، وَلَمْ يَذْكُرْ: «إِلَى
أَجَلٍ مَعْلُومٍ».

[4121] (...) A *Hadīth* (no. 4120) like that of Ibn ‘Uyaynah was narrated from Ibn Abî Najīh with their chain, and he mentioned: “until a specified time.”

[٤١٢١] (...) حَدَّثَنَا أَبُو كُرَيْبٍ وَابْنُ
أَبِي عُمَرَ قَالَا: حَدَّثَنَا وَكَيْعٌ؛ وَحَدَّثَنَا
مُحَمَّدُ بْنُ بَشَّارٍ: حَدَّثَنَا عَبْدُ الرَّحْمَنِ بْنُ
مَهْدِيٍّ، كِلَاهُمَا عَنْ سُفْيَانَ، عَنِ ابْنِ أَبِي
نَجِيحٍ بِإِسْنَادِهِمْ، بِمِثْلِ حَدِيثِ ابْنِ عُيَيْنَةَ،
فَذَكَرَ فِيهِ: «إِلَى أَجَلٍ مَعْلُومٍ».

Chapter 26. The Prohibition Of Hoarding Staple Foods

(المعجم ٢٦) - (بابُ تحريم الاحتكار
في الأقوات) (التحفة ٤٧)

[4122] 129 - (1605) Sa‘eed bin Al-Mûsâyyab narrated that Ma‘mar said: “The Messenger of Allâh ﷺ said: ‘Whoever hoards is

[٤١٢٢] ١٢٩ - (١٦٠٥) حَدَّثَنَا عَبْدُ
اللَّهِ بْنُ مَسْلَمَةَ بْنِ قَعْبٍ: حَدَّثَنَا سُلَيْمَانُ
يَعْنِي ابْنَ بَلَّالٍ، عَنْ يَحْيَى وَهُوَ ابْنُ

a sinner.” It was said to Sa‘eed: “But you hoard.” Sa‘eed said: “Ma‘mar, the one who narrated this *Hadîth*, used to hoard.”

[4123] 130 - (...) It was narrated from Ma‘mar bin ‘Abdullâh that the Messenger of Allâh ﷺ said: “No one hoards but a sinner.”

[4124] (...) It was narrated that Ma‘mar bin Abî Ma‘mar, one of Banû ‘Adiyy bin Ka‘b, said: “The Messenger of Allâh ﷺ said...” and he mentioned a *Hadîth* like that of Sulaimân bin Bilâl from Yahyâ (no. 4122).

Chapter 27. The Prohibition Of Swearing Oaths When Selling

[4125] 131 - (1606) It was narrated from Ibn Al-Mûsâyyab that Abû Hurairah said: “I heard

سَعِيدٌ قَالَ: كَانَ سَعِيدُ ابْنِ الْمُسَيَّبِ يُحَدِّثُ؛ أَنَّ مَعْمَرًا قَالَ: قَالَ رَسُولُ اللَّهِ ﷺ: «مَنْ احْتَكَرَ فَهُوَ خَاطِيٌّ» فَقِيلَ لِسَعِيدٍ: فَإِنَّكَ تَحْتَكِرُ؟ قَالَ سَعِيدٌ: إِنَّ مَعْمَرًا الَّذِي كَانَ يُحَدِّثُ هَذَا الْحَدِيثَ كَانَ يَحْتَكِرُ.

[٤١٢٣] ١٣٠ - (...) حَدَّثَنَا سَعِيدُ ابْنُ عَمْرٍو الْأَسْثَيْيُّ: حَدَّثَنَا حَاتِمُ بْنُ إِسْمَاعِيلَ عَنْ مُحَمَّدِ بْنِ عَجَلَانَ، عَنْ مُحَمَّدِ ابْنِ عَمْرٍو بْنِ عَطَاءٍ، عَنْ سَعِيدِ بْنِ الْمُسَيَّبِ، عَنْ مَعْمَرِ بْنِ عَبْدِ اللَّهِ عَنْ رَسُولِ اللَّهِ ﷺ قَالَ: «لَا يَحْتَكِرُ إِلَّا خَاطِيٌّ».

[٤١٢٤] (...) [قَالَ إِبْرَاهِيمُ: قَالَ رَسُولُ اللَّهِ ﷺ: «مَنْ احْتَكَرَ فَهُوَ خَاطِيٌّ»] حَدَّثَنِي بَعْضُ أَصْحَابِنَا، عَنْ عَمْرٍو بْنِ عَوْنٍ: أَخْبَرَنَا خَالِدُ بْنُ عَبْدِ اللَّهِ عَنْ عَمْرٍو بْنِ يَحْيَى، عَنْ مُحَمَّدِ بْنِ عَمْرٍو، عَنْ سَعِيدِ بْنِ الْمُسَيَّبِ، عَنْ مَعْمَرِ ابْنِ أَبِي مَعْمَرٍ أَحَدِ بَنِي عَدِيٍّ بْنِ كَعْبٍ قَالَ: قَالَ رَسُولُ اللَّهِ ﷺ، فَذَكَرَ بِمِثْلِ حَدِيثِ سُلَيْمَانَ ابْنِ بِلَالٍ عَنْ يَحْيَى.

(المعجم ٢٧) - (بابُ النهي عن الحلف في البيع) (التحفة ٤٨)

[٤١٢٥] ١٣١ - (١٦٠٦) حَدَّثَنَا زُهَيْرٌ بْنُ حَرْبٍ: حَدَّثَنَا أَبُو صَفْوَانَ

the Messenger of Allâh ﷺ say: 'Swearing helps one to sell the goods but it erases (the blessing of) the profit.'

الْأَمْوِيُّ؛ وَحَدَّثَنِي أَبُو الطَّاهِرِ وَحَرَمَلَةُ بْنُ يَحْيَى قَالَا: أَخْبَرَنَا ابْنُ وَهَبٍ، كِلَيْهِمَا عَنْ يُونُسَ، عَنْ ابْنِ شِهَابٍ، عَنِ ابْنِ الْمُسَيَّبِ؛ أَنَّ أَبَا هُرَيْرَةَ قَالَ: سَمِعْتُ رَسُولَ اللَّهِ ﷺ يَقُولُ: «الْحَلْفُ مَنْفَقَةٌ لِلسَّلْعَةِ، مَمْحَقَةٌ لِلرِّبْحِ».

[4126] 132 - (1607) It was narrated from Abû Qatâdah Al-Anshârî that he heard the Messenger of Allâh ﷺ say: "Beware of swearing a great deal when selling, for it brings about a sale, then erases (the blessing)."

[٤١٢٦] ١٣٢ - (١٦٠٧) وَحَدَّثَنَا أَبُو بَكْرِ بْنُ أَبِي شَيْبَةَ وَأَبُو كُرَيْبٍ وَإِسْحَاقُ بْنُ إِبْرَاهِيمَ - وَاللَّفْظُ لِابْنِ أَبِي شَيْبَةَ - قَالَ إِسْحَاقُ: أَخْبَرَنَا، وَقَالَ الْآخَرَانِ: حَدَّثَنَا أَبُو أُسَامَةَ عَنِ الْوَلِيدِ بْنِ كَثِيرٍ، عَنِ مَعْبُدِ بْنِ كَعْبِ بْنِ مَالِكٍ، عَنِ أَبِي قَتَادَةَ الْأَنْصَارِيِّ؛ أَنَّهُ سَمِعَ رَسُولَ اللَّهِ ﷺ يَقُولُ: «إِيَّاكُمْ وَكَثْرَةَ الْحَلْفِ فِي الْبَيْعِ، فَإِنَّهُ يُنْفِقُ ثُمَّ يَمْحَقُ».

Chapter 28. Pre-Emption

(المعجم ٢٨) - (بَابُ الشَّفْعَةِ)

(التحفة ٤٩)

[4127] 133 - (1608) It was narrated that Jâbir bin 'Abdullâh said: "The Messenger of Allâh ﷺ said: 'Whoever has a partner in property or palm trees, he should not sell until he notifies his partner; if he agrees he may take it, and if he disagrees he may leave it.'"

[٤١٢٧] ١٣٣ - (١٦٠٨) حَدَّثَنَا أَحْمَدُ بْنُ يُونُسَ: حَدَّثَنَا زُهَيْرٌ: حَدَّثَنَا أَبُو الزُّبَيْرِ عَنْ جَابِرٍ؛ وَحَدَّثَنَا يَحْيَى بْنُ يَحْيَى: أَخْبَرَنَا أَبُو خَيْمَةَ عَنْ أَبِي الزُّبَيْرِ، عَنْ جَابِرِ بْنِ عَبْدِ اللَّهِ قَالَ: قَالَ رَسُولُ اللَّهِ ﷺ: «مَنْ كَانَ لَهُ شَرِيكٌ فِي رَبْعَةٍ أَوْ نَخْلٍ، فَلَيْسَ لَهُ أَنْ يَبِيعَ حَتَّى يُؤْذِنَ شَرِيكَهُ، فَإِنْ رَضِيَ أَخَذَ، وَإِنْ كَرِهَ تَرَكَ».

[4128] 134 - (...) It was narrated that Jâbir said: "The Messenger of Allâh ﷺ decreed pre-emption in every partnership that has not been divided, whether it is a dwelling or a garden. It is not permissible for him to sell it until he notifies his partner, and if he wishes, he may take it, and if he wishes, he may leave it. If he sells it and he did not give permission, then he has more right to it."

[4129] 135 - (...) Jâbir bin 'Abdullâh said: "The Messenger of Allâh ﷺ said: "There is pre-emption in every partnership in land, dwellings, or gardens. It is not right to sell until he offers it to his partner, who may take it or leave it. If he insists, then his partner has the greater right to it unless he notifies him."

Chapter 29. Fixing A Piece Of Wood To A Neighbor's Wall

[4130] 136 - (1609) It was narrated from Abû Hurairah that the Messenger of Allâh ﷺ said: "No one of you should prevent his neighbor from fixing a piece of wood to his wall."

[٤١٢٨] [١٣٤] - (...) حَدَّثَنَا أَبُو بَكْرِ
ابْنُ أَبِي شَيْبَةَ وَمُحَمَّدُ بْنُ عَبْدِ اللَّهِ بْنِ نُمَيْرٍ
وإِسْحَاقُ بْنُ إِبْرَاهِيمَ - وَاللَّفْظُ لِابْنِ نُمَيْرٍ -
تَمَّ إِسْحَاقُ: أَخْبَرَنَا، وَقَالَ الْآخَرَانِ:
حَدَّثَنَا - عَبْدُ اللَّهِ بْنُ إِدْرِيسَ: حَدَّثَنَا ابْنُ
حَرْجِجٍ عَنْ أَبِي الزُّبَيْرِ، عَنْ جَابِرٍ قَالَ: قَضَى
رَسُولُ اللَّهِ ﷺ بِالشُّفْعَةِ فِي كُلِّ شِرْكَةٍ لَمْ
تُقَسَّمْ، رَبْعَةً أَوْ حَائِطٍ، لَا يَجِلُّ لَهُ أَنْ يَبِيعَ
حَتَّى يُؤْذِنَ شَرِيكَهُ، فَإِنْ شَاءَ أَخَذَ وَإِنْ شَاءَ
تَرَكَ، فَإِذَا بَاعَ وَلَمْ يُؤْذِنْهُ فَهُوَ أَحَقُّ بِهِ.

[٤١٢٩] [١٣٥] - (...) وَحَدَّثَنَا أَبُو
الطَّاهِرِ: أَخْبَرَنَا ابْنُ وَهْبٍ عَنِ ابْنِ
جُرَيْجٍ؛ أَنَّ أَبَا الزُّبَيْرِ أَخْبَرَهُ؛ أَنَّهُ سَمِعَ
جَابِرَ بْنَ عَبْدِ اللَّهِ يَقُولُ: قَالَ رَسُولُ
اللَّهِ ﷺ: «الشُّفْعَةُ فِي كُلِّ شِرْكَةٍ فِي أَرْضٍ
أَوْ رُبْعٍ أَوْ حَائِطٍ، لَا يَصْلُحُ أَنْ يَبِيعَ حَتَّى
يُعْرِضَ عَلَى شَرِيكَهِ فَيَأْخُذَ أَوْ يَدَعَ، فَإِنْ
أَبَى فَشَرِيكَهُ أَحَقُّ بِهِ حَتَّى يُؤْذِنَهُ».

(المعجم ٢٩) - (بَابُ غَرْزِ الْحَشْبَةِ فِي
جِدَارِ الْجَارِ) (التحفة ٥٠)

[٤١٣٠] [١٣٦] - (١٦٠٩) حَدَّثَنَا
نَحْيَى بْنُ يَحْيَى قَالَ: قَرَأْتُ عَلَى مَالِكٍ
عَنِ ابْنِ شِهَابٍ، عَنِ الْأَعْرَجِ، عَنْ أَبِي
هُرَيْرَةَ: أَنَّ رَسُولَ اللَّهِ ﷺ قَالَ: «لَا يَمْنَعُ

Then Abû Hurairah said: "Why do I see you objecting to it? By Allâh, I will keep reminding you of it."

أَحَدُكُمْ جَارُهُ أَنْ يَغْرَزَ خَشَبَةً فِي جِدَارِهِ،
قَالَ: ثُمَّ يَقُولُ أَبُو هُرَيْرَةَ: مَا لِي
أَرَاكُمْ عَنْهَا مُعْرِضِينَ؟ وَاللَّهِ! لَأَرْمِيَنَّ بِهَا
بَيْنَ أَكْتافِكُمْ.

[4131] (...) A similar report (as no. 4130) was narrated from Az-Zuhri with this chain.

[٤١٣١] (...) حَدَّثَنَا زُهَيْرُ بْنُ
حَرْبٍ: حَدَّثَنَا سُفْيَانُ بْنُ عُيَيْنَةَ؛ وَحَدَّثَنِي
أَبُو الطَّاهِرِ وَحَرْمَلَةُ بْنُ يَحْيَى قَالَا:
أَخْبَرَنَا ابْنُ وَهَبٍ: أَخْبَرَنِي يُونُسُ؛
وَحَدَّثَنَا عَبْدُ بْنُ حُمَيْدٍ: أَخْبَرَنَا عَبْدُ
الرَّزَّاقِ: أَخْبَرَنَا مَعْمَرٌ، كُلُّهُمْ عَنِ الرَّبْرِ
بِهَذَا الْإِسْنَادِ، نَحْوَهُ.

Chapter 30. The Prohibition Of Wrongdoing, Seizing Land Unlawfully, Etc

(المعجم ٣٠) - (بابُ تحريمِ الظلم
وغصب الأرض وغيرها) (التحفة ١)

[4132] 137 - (1610) It was narrated from Sa'eed bin Zaid bin 'Amr bin Nufail that the Messenger of Allâh ﷺ said: "Whoever seizes a handspan of land unlawfully, Allâh will shackle his neck with it, to seven earths on the Day of Resurrection."

[٤١٣٢] ١٣٧ - (١٦١٠) حَدَّثَنَا
يَحْيَى بْنُ أَبِي ثَيْبٍ وَقُتَيْبَةُ بْنُ سَعِيدٍ وَعَلِيُّ بْنُ
حُجْرٍ قَالُوا: حَدَّثَنَا إِسْمَاعِيلُ وَهُوَ ابْنُ
جَعْفَرٍ عَنِ الْعَلَاءِ بْنِ عَبْدِ الرَّحْمَنِ، عَنْ
عَبَّاسِ بْنِ سَهْلِ بْنِ سَعِيدِ السَّاعِدِيِّ، عَنْ
سَعِيدِ بْنِ زَيْدِ بْنِ عَمْرٍو بْنِ نُفَيْلٍ؛ أَنَّ
رَسُولَ اللَّهِ ﷺ قَالَ: «مَنْ اقْتَطَعَ شِبْرًا مِنَ
الْأَرْضِ ظُلْمًا، طَوَّقَهُ اللَّهُ إِيَّاهُ يَوْمَ الْقِيَامَةِ
مِنْ سَبْعِ أَرْضِينَ».

[4133] 138 - (...) It was narrated from 'Umar bin Muḥammad, that his father narrated to him from

[٤١٣٣] ١٣٨ - (...) حَدَّثَنَا
حَرْمَلَةُ بْنُ يَحْيَى: أَخْبَرَنَا عَبْدُ اللَّهِ بْنُ

Sa'eed bin Zaid bin 'Amr bin Nufail, that Arwâ disputed with him about part of his house and he said: "Let her take it, for I heard the Messenger of Allâh ﷺ say: 'Whoever seizes a handspan of land unlawfully, his neck will be shackled to seven earths on the Day of Resurrection.' O Allâh, if she is lying, take away her sight and make her grave in her house."

He said: "I saw her blind, clinging to the walls and saying: 'The supplication of Sa'eed bin Zaid afflicted me.' While she was walking in the house, she came to a well in the house and fell in, and it became her grave."

[4134] 139 - (...) It was narrated from Hishâm bin 'Urwah, from his father, that Arwâ bint Uwais claimed that Sa'eed bin Zaid had taken some of her land, and she referred her dispute with him to Marwân bin Al-Hakam. Sa'eed said: "Would I take any of her land after what I heard from the Messenger of Allâh ﷺ?" He said: "What did you hear from the Messenger of Allâh ﷺ?" He said: "I heard the Messenger of Allâh ﷺ say: 'Whoever takes a handspan of land unlawfully, his neck will be shackled to seven earths.'" Marwân said to him: "I will not ask you for any proof after this." He (Sa'eed) said: "O Allâh, if she is lying then

وَهَبِ: حَدَّثَنِي عُمَرُ بْنُ مُحَمَّدٍ؛ أَنَّ أَبَاهُ حَدَّثَهُ عَنْ سَعِيدِ بْنِ زَيْدِ بْنِ عَمْرِو بْنِ نُفَيْلٍ؛ أَنَّ أَرْوَى خَاصَمَتْهُ فِي بَعْضِ دَارِهِ فَقَالَ: دَعُوهَا وَإِيَّاهَا، فَإِنِّي سَمِعْتُ رَسُولَ اللَّهِ ﷺ يَقُولُ: «مَنْ أَخَذَ شِبْرًا مِنَ الْأَرْضِ بِغَيْرِ حَقِّهِ، طُوِّقَهُ فِي سَبْعِ أَرْضِينَ يَوْمَ الْقِيَامَةِ»، اللَّهُمَّ! إِنْ كَانَتْ كَاذِبَةً فَأَعْمِ بَصَرَهَا، وَاجْعَلْ قَبْرَهَا فِي دَارِهَا.

قَالَ: فَرَأَيْتُهَا عَمِيَاءَ تَلْتَمِسُ الْجُدْرَ تَقُولُ: أَصَابَتْنِي دَعْوَةُ سَعِيدِ بْنِ زَيْدٍ، فَبَيْنَمَا هِيَ تَمْشِي فِي الدَّارِ مَرَّتْ عَلَى بئرِ فِي الدَّارِ، فَوَقَعَتْ فِيهَا، فَكَانَتْ قَبْرَهَا.

[٤١٣٤] ١٣٩ - (...) حَدَّثَنَا أَبُو الرَّبِيعِ الْعَتَكِيُّ: حَدَّثَنَا حَمَادُ بْنُ زَيْدٍ عَنْ هِشَامِ بْنِ عُرْوَةَ، عَنْ أَبِيهِ؛ أَنَّ أَرْوَى بِنْتَ أُوَيْسٍ ادَّعَتْ عَلَى سَعِيدِ بْنِ زَيْدٍ؛ أَنَّهُ أَخَذَ شَيْئًا مِنْ أَرْضِهَا، فَخَاصَمَتْهُ إِلَى مَرْوَانَ بْنِ الْحَكَمِ، فَقَالَ سَعِيدٌ: أَنَا كُنْتُ أَخَذُ مِنْ أَرْضِهَا شَيْئًا بَعْدَ الَّذِي سَمِعْتُ مِنْ رَسُولِ اللَّهِ ﷺ؟ قَالَ: وَمَا سَمِعْتُ مِنْ رَسُولِ اللَّهِ ﷺ؟ قَالَ: سَمِعْتُ رَسُولَ اللَّهِ ﷺ يَقُولُ: «مَنْ أَخَذَ شِبْرًا مِنَ الْأَرْضِ ظُلْمًا طُوِّقَهُ إِلَى سَبْعِ أَرْضِينَ»، فَقَالَ لَهُ مَرْوَانُ: لَا أَسْأَلُكَ بَيْنَهُ بَعْدَ هَذَا

make her eyes blind and cause her to die in her own land.” And she did not die until her sight was gone, then while she was walking on her land she fell into a pit and died.

[4135] 140 - (...) It was narrated that Sa'eed bin Zaid said: “I heard the Prophet ﷺ say: ‘Whoever seizes a handspan of land unlawfully, his neck will be shackled to seven earths on the Day of Resurrection.’”

[4136] 141 - (1611) It was narrated that Abû Hurairah said: “The Messenger of Allâh ﷺ said: ‘No one seizes a handspan of land unlawfully, but Allâh will shackle his neck to seven earths on the Day of Resurrection.’”

[4137] 142 - (1612) It was narrated from Muḥammad bin Ibrâhîm that Abû Salamah, who had a dispute with his people concerning some land, told him that he entered upon 'Āishah and told her about that. She said: “O Abû Salamah, stay away from this land, for the Messenger of Allâh ﷺ said: ‘Whoever wrongs another with regard to (even) a

فَقَالَ: اللَّهُمَّ! إِنْ كَانَتْ كَاذِبَةً فَعَمَّ بَصَرَهَا وَأَقْتُلْهَا فِي أَرْضِهَا، قَالَ: فَمَا مَاتَتْ حَتَّى ذَهَبَ بَصَرُهَا، ثُمَّ بَيْنَا هِيَ تَمْشِي فِي أَرْضِهَا إِذْ وَقَعَتْ فِي حُفْرَةٍ فَمَاتَتْ.

[٤١٣٥] ١٤٠ - (...) حَدَّثَنَا أَبُو بَكْرِ بْنُ أَبِي شَيْبَةَ: حَدَّثَنَا يَحْيَى ابْنُ زَكَرِيَاءَ بْنِ أَبِي زَائِدَةَ عَنْ هِشَامٍ، عَنْ أَبِيهِ، عَنْ سَعِيدِ بْنِ زَيْدٍ قَالَ: سَمِعْتُ النَّبِيَّ ﷺ يَقُولُ: «مَنْ أَخَذَ شِبْرًا مِنَ الْأَرْضِ ظُلْمًا، فَإِنَّهُ يُطَوَّقُهُ يَوْمَ الْقِيَامَةِ مِنْ سَبْعِ أَرْضِينَ».

[٤١٣٦] ١٤١ - (١٦١١) وَحَدَّثَنِي زُهَيْرُ بْنُ حَرْبٍ: حَدَّثَنَا جَرِيرٌ عَنْ سُهَيْلٍ، عَنْ أَبِيهِ، عَنْ أَبِي هُرَيْرَةَ قَالَ: قَالَ رَسُولُ اللَّهِ ﷺ: «لَا يَأْخُذُ أَحَدٌ شِبْرًا مِنَ الْأَرْضِ بِغَيْرِ حَقِّهِ، إِلَّا طَوَّقَهُ اللَّهُ إِلَى سَبْعِ أَرْضِينَ يَوْمَ الْقِيَامَةِ».

[٤١٣٧] ١٤٢ - (١٦١٢) حَدَّثَنَا أَحْمَدُ بْنُ إِبْرَاهِيمَ الدَّوْرَقِيِّ: حَدَّثَنَا عَبْدُ الصَّمَدِ يَعْني ابْنَ عَبْدِ الْوَارِثِ: حَدَّثَنَا حَرْبٌ وَهُوَ ابْنُ سَدَادٍ: حَدَّثَنَا يَحْيَى وَهُوَ ابْنُ أَبِي كَثِيرٍ عَنْ مُحَمَّدِ بْنِ إِبْرَاهِيمَ؛ أَنَّ أَبَا سَلَمَةَ حَدَّثَهُ، وَكَانَ بَيْنَهُ وَبَيْنَ قَوْمِهِ خُصُومَةٌ فِي أَرْضٍ، وَأَنَّهُ دَخَلَ عَلَى

handspan of land, his neck will be shackled to seven earths.”

[4138] (...) Abû Salamah narrated that he entered upon ‘Āishah... a similar report (as no. 4137).

Chapter 31. The Width Of The Road If There Is A Dispute About It

[4139] 143 - (1613) It was narrated from Abû Hurairah that the Prophet ﷺ said: “If you dispute concerning the road, make its width seven cubits.”

عَائِشَةَ فَذَكَرَ ذَلِكَ لَهَا فَقَالَتْ: يَا أَبَا سَلَمَةَ! اجْتَنِبِ الْأَرْضَ، فَإِنَّ رَسُولَ اللَّهِ ﷺ قَالَ: «مَنْ ظَلَمَ فَيْدَ شِبْرٍ مِنَ الْأَرْضِ طَوَّقَهُ مِنْ سَبْعِ أَرْضِينَ».

[٤١٣٨] (...) وَحَدَّثَنِي إِسْحَاقُ بْنُ مَنْصُورٍ: أَخْبَرَنَا حَبَّانُ بْنُ هِلَالٍ: حَدَّثَنَا أَبَانُ: حَدَّثَنَا يَحْيَى؛ أَنَّ مُحَمَّدَ بْنَ إِبْرَاهِيمَ حَدَّثَهُ؛ أَنَّ أَبَا سَلَمَةَ حَدَّثَهُ؛ أَنَّهُ دَخَلَ عَلَى عَائِشَةَ، فَذَكَرَ مِثْلَهُ.

(المعجم ٣١) - (بَابُ قَدْرِ الطَّرِيقِ إِذَا ااخْتَلَفُوا فِيهِ) (التحفة ٥٢)

[٤١٣٩] ١٤٣ - (١٦١٣) حَدَّثَنِي أَبُو كَامِلٍ فَضَيْلُ بْنُ حُسَيْنِ الْجَحْدَرِيُّ: حَدَّثَنَا عَبْدُ الْعَزِيزِ بْنُ الْمُخْتَارِ: حَدَّثَنَا خَالِدُ الْحَذَاءُ عَنْ يُونُسَ بْنِ عَبْدِ اللَّهِ، عَنْ أَبِيهِ، عَنْ أَبِي هُرَيْرَةَ؛ أَنَّ النَّبِيَّ ﷺ قَالَ: «إِذَا ااخْتَلَفْتُمْ فِي الطَّرِيقِ، جُعِلَ عَرْضُهُ سَبْعَ أَدْرُعٍ».