

24. The Book Of Gifts

٩ - (المعجم ٢٤) - كتاب الهبات

(التحفة ١٤)

Chapter 1. It Is Disliked For A Man To Buy What He Gave In Charity From The One To Whom He Gave It

(المعجم ١) - (باب كراهة شراء

الإنسان ما تصدق به ممن تصدق

عليه) (التحفة ١)

[4163] 1 - (1620) It was narrated from Zaid bin Aslam, from his father, that 'Umar bin Al-Khaṭṭâb said: "I donated a fine horse (to be ridden in *Jihâd*) in the cause of Allâh, and its owner neglected it. I thought that he would sell it for a cheap price, and I asked the Messenger of Allâh ﷺ about that. He said: 'Do not buy it, and do not take back your charity, for the one who takes back his charity is like the dog that returns to its vomit.'"

[٤١٦٣] ١ - (١٦٢٠) حَدَّثَنَا عَبْدُ اللَّهِ

ابْنُ مَسْلَمَةَ بْنِ قَعْنَبٍ: حَدَّثَنَا مَالِكُ بْنُ

أَنَسٍ عَنْ زَيْدِ بْنِ أَسْلَمَ، عَنْ أَبِيهِ؛ أَنَّ عُمَرَ

بْنَ الْخَطَّابِ قَالَ: حَمَلْتُ عَلَى فَرَسٍ عَتِيقٍ

فِي سَبِيلِ اللَّهِ، فَأَصَاعَهُ صَاحِبُهُ، فَظَنَنْتُ أَنَّهُ

بَائِعُهُ بِرُخْصٍ، فَسَأَلْتُ رَسُولَ اللَّهِ ﷺ عَنْ

ذَلِكَ؟ فَقَالَ: «لَا تَبْتِعْهُ وَلَا تَعُدْ فِي

صَدَقَتِكَ، فَإِنَّ الْعَائِدَ فِي صَدَقَتِهِ كَالْكَلْبِ

يَعُودُ فِي قَيْئِهِ».

[4164] (...) It was narrated from Mâlik bin Anas (a *Hadith* similar to no. 4163) with this chain, and he added: "Do not buy it even if he gives it to you for a Dirham."

[٤١٦٤] (...) وَحَدَّثَنِيهِ زُهَيْرُ بْنُ

حَرْبٍ: حَدَّثَنَا عَبْدُ الرَّحْمَنِ يَعْنِي ابْنَ

مَهْدِيٍّ؛ عَنْ مَالِكِ بْنِ أَنَسٍ بِهَذَا

الِإِسْنَادِ، وَزَادَ: «لَا تَبْتِعْهُ وَإِنْ أَعْطَاكَ

بِذَرَاهِمٍ».

[4165] 2 - (...) It was narrated from 'Umar that he donated a horse (to be ridden in *Jihâd*) in the cause of Allâh, and he found it with its owner who had

[٤١٦٥] ٢ - (...) حَدَّثَنِي أُمِّيَّةُ بْنُ

بَسْطَامٍ: حَدَّثَنَا يَزِيدُ يَعْنِي ابْنَ زُرَيْعٍ:

حَدَّثَنَا رُوْحٌ وَهُوَ ابْنُ الْقَاسِمِ، عَنْ زَيْدِ

neglected it. He was of poor means and 'Umar wanted to buy it, so he went to the Messenger of Allâh ﷺ and told him about that. He said: "Do not buy it, even if he gives it to you for a Dirham, for the likeness of the one who takes back his charity is that of the dog who returns to his vomit."

ابن أسلم، عن أبيه، عن عمر؛ أنه حمل على فرس في سبيل الله، فوجدَهُ عند صاحبه وقد أضاعه، وكان قليل المال، فأراد أن يشتريه، فأتى رسول الله ﷺ فذكر ذلك له فقال: «لا تشتروه، وإن أعطيته بدرهم، فإن مثل العائِد في صدقته، كمثل الكلبِ يعودُ في قيئه».

[4166] (...) It was narrated from Ibn Abî 'Umar that Sufyân narrated from Zaid bin Aslam (a *Hadîth* similar to no. 4165), but the *Hadîth* of Mâlik (no. 4163) and Rawḥ (no. 4165) is more complete and in detail.

[٤١٦٦] (...) وحدثنا ابن أبي عمر: حدثنا سفيان عن زيد بن أسلم بهذا الإسناد، غير أن حديث مالك وروح أتم وأكثر.

[4167] 3 - (1621) It was narrated from Ibn 'Umar that 'Umar bin Al-Khaṭṭâb donated a horse (to be ridden in *Jihâd*) in the cause of Allâh, and he found it offered for sale. He wanted to buy it, and he asked the Messenger of Allâh ﷺ about that. He said: "Do not buy it; do not take back your charity."

[٤١٦٧] ٣- (١٦٢١) وحدثنا يحيى ابن يحيى قال: قرأت على مالك عن نافع، عن ابن عمر؛ أن عمر بن الخطاب حمل على فرس في سبيل الله، فوجدَهُ يباع، فأراد أن يبتاعه، فسأل رسول الله ﷺ عن ذلك؟ فقال: «لا تبتعه، ولا تعد في صدقتك».

[4168] (...) A *Hadîth* like that of Mâlik (no. 4167) was narrated from Ibn 'Umar, from the Prophet ﷺ.

[٤١٦٨] (...) وحدثنا قتيبة [بن سعيد] وابن رُمح، جميعاً عن الليث بن سعد؛ وحدثنا المَقْدَمِيُّ ومُحَمَّدُ بنُ الْمُثَنَّى قالا: حدثنا يحيى وهو القَطَّانُ؛ وحدثنا ابنُ نُمَيْرٍ قال: حدثنا أبي؛ وحدثنا أبو بكر بن أبي شيبة: حدثنا أبو

أُسَامَةَ، كُلُّهُمْ عَنْ عُبَيْدِ اللَّهِ، رَ مَا عَنْ
نَافِعٍ، عَنِ ابْنِ عُمَرَ عَنِ النَّبِيِّ ﷺ بِمِثْلِ
حَدِيثِ مَالِكٍ.

[4169] 4 - (...) It was narrated from Ibn ‘Umar that ‘Umar donated a horse (to be ridden in *Jihād*) in the cause of Allāh, then he saw it being offered for sale and he wanted to buy it. He asked the Prophet ﷺ. The Messenger of Allāh ﷺ said: “Do not take back your charity, O ‘Umar.”

[٤١٦٩] ٤ - (...) حَدَّثَنَا ابْنُ أَبِي
عُمَرَ وَعَبْدُ بْنُ حُمَيْدٍ - وَاللَّفْظُ لِعَبْدِ -
مَالِكٍ: أَخْبَرَنَا عَبْدُ الرَّزَّاقِ: أَخْبَرَنَا مَعْمَرُ
عَنِ ابْنِ أَبِي عُمَرَ، عَنْ سَالِمٍ، عَنِ ابْنِ عُمَرَ؛
أَنَّ عُمَرَ حَمَلَ عَلَى فَرَسٍ فِي سَبِيلِ اللَّهِ.
ثُمَّ رَأَاهَا تُبَاعُ فَأَرَادَ أَنْ يَشْتَرِيهَا. فَسَأَلَ
النَّبِيَّ ﷺ؟ فَقَالَ رَسُولُ اللَّهِ ﷺ: «لَا تَعُدْ
فِي صَدَقَتِكَ، يَا عُمَرُ؟».

Chapter 2. The Prohibition Of Taking Back One’s Charity After It Has Been Accepted, Except In The Case Of What A Father Gives To A Son Or Grandson

[4170] 5 - (1622) It was narrated from Ibn ‘Abbâs that the Prophet ﷺ said: “The likeness of the one who takes back his charity is that of a dog which vomits then returns to its vomit to eat it.”

(المعجم ٢) - (باب تحريم الرجوع
في الصدقة بعد القبض إلا ما وهبه
لولده وإن سفل) (التحفة ٢)

[٤١٧٠] ٥ - (١٦٢٢) حَدَّثَنِي إِبْرَاهِيمُ
ابْنُ مُوسَى الرَّازِيُّ وَإِسْحَاقُ بْنُ إِبْرَاهِيمَ قَالَا:
أَخْبَرَنَا عَيْسَى بْنُ نُوَيْسٍ: حَدَّثَنَا الْأَوْرَاعِيُّ
عَنْ أَبِي جَعْفَرٍ مُحَمَّدِ بْنِ عَلِيٍّ، عَنِ ابْنِ
الْمُسَيَّبِ، عَنِ ابْنِ عَبَّاسٍ؛ أَنَّ النَّبِيَّ ﷺ
قَالَ: «مِثْلُ الَّذِي يَرْجِعُ فِي صَدَقَتِهِ، كَمِثْلِ
الْكَلْبِ يَتَّقِي ثُمَّ يَعُودُ فِي قَيْئِهِ، فَيَأْكُلُهُ».

[4171] (...) Muḥammad bin ‘Alī bin Al-Ḥuṣain mentioned a similar report (as *Hadīth* no. 4170) with this chain.

[٤١٧١] (...) وَحَدَّثَنَا أَبُو كُرَيْبٍ
مُحَمَّدُ بْنُ الْعَلَاءِ: أَخْبَرَنَا ابْنُ الْمُبَارَكِ عَنِ

الأوزاعي قال: سمعتُ مُحَمَّدَ بْنَ عَلِيٍّ بْنِ
الحُسَيْنِ يَذْكُرُ بِهَذَا الْإِسْنَادِ، نَحْوَهُ.

[4172] (...) ‘Abdur-Rahmân bin ‘Amr narrated that Muḥammad,^[1] the son of Fâtimah, the daughter of the Messenger of Allâh ﷺ, narrated a similar *Hadîth* (as no. 4170) with this chain.

[٤١٧٢] (...) وَحَدَّثَنِي حَجَّاجُ بْنُ
الشَّاعِرِ: حَدَّثَنَا عَبْدُ الصَّمَدِ: حَدَّثَنَا
حَرْبٌ: حَدَّثَنِي يَحْيَى وَهُوَ ابْنُ أَبِي كَثِيرٍ:
حَدَّثَنِي عَبْدُ الرَّحْمَنِ بْنُ عَمْرٍو؛ أَنَّ
مُحَمَّدًا ابْنَ فَاطِمَةَ بِنْتِ رَسُولِ اللَّهِ ﷺ
حَدَّثَهُ، بِهَذَا الْإِسْنَادِ، نَحْوَ حَدِيثِهِمْ.

[4173] 6 - (...) Sa‘eed bin Al-Mûsâyyab said: “I heard Ibn ‘Abbâs say: ‘I heard the Messenger of Allâh ﷺ say: “The likeness of the one who gives charity then takes his charity back is that of a dog which vomits, then eats its vomit.”

[٤١٧٣] ٦- (...) وَحَدَّثَنِي هَرُونَ
ابْنُ سَعِيدِ الْأَيْلِيِّ وَأَحْمَدُ بْنُ عَيْسَى قَالَا:
حَدَّثَنَا ابْنُ وَهَبٍ: أَخْبَرَنِي عَمْرٍو وَهُوَ ابْنُ
الْحَارِثِ عَنْ بُكَيْرٍ؛ أَنَّهُ سَمِعَ سَعِيدَ بْنَ
الْمُسَيْبِ يَقُولُ: سَمِعْتُ ابْنَ عَبَّاسٍ يَقُولُ:
سَمِعْتُ رَسُولَ اللَّهِ ﷺ يَقُولُ: «إِنَّمَا مَثَلُ
الَّذِي يَتَصَدَّقُ بِصَدَقَةٍ ثُمَّ يَعُودُ فِي صَدَقَتِهِ،
كَمَثَلِ الْكَلْبِ يَقِيءُ ثُمَّ يَأْكُلُ قَيْئَهُ».

[4174] 7 - (...) It was narrated from Ibn ‘Abbâs that the Prophet ﷺ said: “The one who takes back his gift is like the one who returns to his vomit.”

[٤١٧٤] ٧- (...) وَحَدَّثَنَا مُحَمَّدُ بْنُ
الْمُنْتَنَى وَمُحَمَّدُ بْنُ بَشَّارٍ قَالَا: حَدَّثَنَا مُحَمَّدُ بْنُ
جَعْفَرٍ: حَدَّثَنَا شُعْبَةُ: سَمِعْتُ قَتَادَةَ يُحَدِّثُ عَنْ
سَعِيدِ بْنِ الْمُسَيْبِ، عَنْ ابْنِ عَبَّاسٍ عَنِ النَّبِيِّ ﷺ
أَنَّهُ قَالَ: «الْعَائِدُ فِي هَبَّتِهِ كَالْعَائِدِ فِي قَيْئِهِ».

[4175] (...) A similar report (as no. 4174) was narrated from Qatâdah with this chain.

[٤١٧٥] (...) وَحَدَّثَنَا مُحَمَّدُ بْنُ
الْمُنْتَنَى: حَدَّثَنَا ابْنُ أَبِي عَدِيٍّ عَنْ سَعِيدِ،
عَنْ قَتَادَةَ بِهَذَا الْإِسْنَادِ، مِثْلَهُ.

[1] He is Muḥammad bin Alî bin Al-Ḥussain the great grandson of Fâtimah ﷺ.

[4176] 8 - (...) It was narrated from Ibn ‘Abbās that the Messenger of Allāh ﷺ said: “The one who takes back his gift is like the dog that vomits then returns to its vomit.”

[٤١٧٦] ٨ - (...) وَحَدَّثَنَا إِسْحَاقُ ابْنُ إِبْرَاهِيمَ: أَخْبَرَنَا الْمُخْزُومِيُّ: حَدَّثَنَا وَهَيْبٌ: حَدَّثَنَا عَبْدُ اللَّهِ بْنُ طَاوُسٍ عَنْ أَبِيهِ، عَنِ ابْنِ عَبَّاسٍ عَنْ رَسُولِ اللَّهِ ﷺ قَالَ: «الْعَائِدُ فِي هَبْتِهِ كَالْكَلْبِ، يَبْقِيءُ ثُمَّ يَعُودُ فِي قَيْئِهِ».

Chapter 3. It Is Disliked To Favor Some Of One’s Children Over Others In Gift-Giving

[4177] 9 - (1623) It was narrated that An-Nu‘mān bin Bashīr said that his father brought him to the Messenger of Allāh ﷺ and said: “I have given this son of mine a slave that belonged to me. The Messenger of Allāh ﷺ said: ‘Have you given a similar gift to all your children?’ He said: ‘No.’ The Messenger of Allāh ﷺ said: ‘Then take it back.’”

(المعجم ٣) - (بَابُ كِرَاهَةِ تَفْضِيلِ بَعْضِ الْأَوْلَادِ فِي الْهَبَةِ) (التحفة ٣)

[٤١٧٧] ٩ - (١٦٢٣) حَدَّثَنَا يَحْيَى ابْنُ يَحْيَى قَالَ: قَرَأْتُ عَلَى مَالِكٍ عَنِ ابْنِ شِهَابٍ، عَنْ حُمَيْدِ بْنِ عَبْدِ الرَّحْمَنِ وَعَنْ مُحَمَّدِ بْنِ النُّعْمَانِ بْنِ بَشِيرٍ يُحَدِّثَانِيهِ عَنِ النُّعْمَانِ بْنِ بَشِيرٍ أَنَّهُ قَالَ: إِنَّ أَبَاهُ أَتَى بِهِ رَسُولَ اللَّهِ ﷺ فَقَالَ: إِنِّي نَحَلْتُ ابْنِي هَذَا غُلَامًا كَانَ لِي، فَقَالَ رَسُولُ اللَّهِ ﷺ: «أَكُلَّ وَلَدِكَ نَحَلْتَهُ مِثْلَ هَذَا؟» فَقَالَ: لَا، فَقَالَ رَسُولُ اللَّهِ ﷺ: «فَارْجِعْهُ».

[4178] 10 - (...) It was narrated that An-Nu‘mān bin Bashīr said: “My father brought me to the Messenger of Allāh ﷺ and said: ‘I have given this son of mine a slave.’ He said: ‘Have you given a gift to all your children?’ He said: ‘No.’ He said: ‘Then take him (the slave) back.’”

[٤١٧٨] ١٠ - (...) وَحَدَّثَنَا يَحْيَى ابْنُ يَحْيَى: أَخْبَرَنَا إِبْرَاهِيمُ بْنُ سَعْدٍ عَنِ ابْنِ شِهَابٍ، عَنْ حُمَيْدِ بْنِ عَبْدِ الرَّحْمَنِ وَمُحَمَّدِ بْنِ النُّعْمَانِ، عَنِ النُّعْمَانِ بْنِ بَشِيرٍ قَالَ: أَتَى بِي أَبِي إِلَى رَسُولِ اللَّهِ ﷺ فَقَالَ: إِنِّي نَحَلْتُ ابْنِي هَذَا

عُلَامًا، فَقَالَ: «أَكَلَّ بَيْنَكَ نَحَلْتُ؟» قَالَ:
لَا، قَالَ: «فَارُدُّهُ».

[4179] 11 - (...) It was narrated from Az-Zuhrî with this chain (a *Hadîth* similar to no. 4178).

[٤١٧٩] ١١ - (...) [و]حَدَّثَنَا أَبُو
بَكْرِ بْنُ أَبِي شَيْبَةَ وَإِسْحَاقُ بْنُ إِبْرَاهِيمَ
وَأَبْنُ أَبِي عُمَرَ، عَنِ ابْنِ عُيَيْنَةَ؛ وَحَدَّثَنَا
قُتَيْبَةُ وَابْنُ رُمَحٍ عَنِ اللَّيْثِ بْنِ سَعْدٍ؛
وَحَدَّثَنِي حَزْمَلَةُ بْنُ يَحْيَى: أَخْبَرَنَا ابْنُ
وَهْبٍ قَالَ: أَخْبَرَنِي يُونُسُ؛ وَحَدَّثَنِي
إِسْحَاقُ بْنُ إِبْرَاهِيمَ وَعَبْدُ بْنُ حُمَيْدٍ قَالَا:
أَخْبَرَنَا عَبْدُ الرَّزَّاقِ: أَخْبَرَنَا مَعْمَرٌ، كُتُّهُمُ
عَنِ الزُّهْرِيِّ بِهَذَا الْإِسْنَادِ، أَمَّا يُونُسُ
وَمَعْمَرٌ فَفِي حَدِيثِهِمَا «أَكَلَّ بَيْنَكَ» وَفِي
حَدِيثِ اللَّيْثِ وَابْنِ عُيَيْنَةَ: «أَكَلَّ وَلَدِكَ»
وَرَوَايَةُ اللَّيْثِ عَنِ مُحَمَّدِ بْنِ النُّعْمَانِ
وَحُمَيْدِ بْنِ عَبْدِ الرَّحْمَنِ: أَنَّ بَشِيرًا جَاءَ
بِالنُّعْمَانِ.

[4180] 12 - (...) It was narrated from Hishâm bin 'Urwah that his father said: "An-Nu'mân bin Bashîr told us that his father gave him a slave, and the Prophet ﷺ said to him: 'What is this slave?' He said: 'My father gave him to me.' He ﷺ said (to my father): 'Did you give to all his brothers what you gave to this one?' He said: 'No.' He said: 'Then take him back.'"

[٤١٨٠] ١٢ - (...) حَدَّثَنَا قُتَيْبَةُ بْنُ
سَعِيدٍ: حَدَّثَنَا جَرِيرٌ عَنْ هِشَامِ ابْنِ
عُرْوَةَ، عَنْ أَبِيهِ، قَالَ: حَدَّثَنَا النُّعْمَانُ بْنُ
بَشِيرٍ قَالَ: وَقَدْ أَعْطَاهُ أَبُوهُ عُلَامًا، فَقَالَ
لَهُ النَّبِيُّ ﷺ: «مَا هَذَا الْعُلَامُ؟» قَالَ:
أَعْطَانِيهِ أَبِي قَالَ: «فَكُلَّ إِخْوَتِهِ أَعْطَيْتَهُ
كَمَا أَعْطَيْتَ هَذَا؟» قَالَ: لَا، قَالَ:
«فَرُدَّهُ».

[4181] 13 - (...) It was narrated that An-Nu'mân bin Bashîr said: "My father gave me some of his wealth and my mother, 'Amrah bint Rawâhah, said: 'I will not approve until you ask the Messenger of Allâh ﷺ to bear witness.' So my father went to the Prophet ﷺ to ask him to bear witness to my gift. The Messenger of Allâh ﷺ said to him: 'Have you done this for all your children?' He said: 'No.' He said: 'Fear Allâh and treat your children fairly.' My father came back and took back the gift."

[4182] 14 - (...) An-Nu'mân bin Bashîr narrated that his mother, the daughter of Rawâhah, asked his father to give a gift to her son, and he kept delaying it for a year, then he decided to do that. She said: "I will not approve until you ask the Messenger of Allâh ﷺ to bear witness to what you have given to my son." So my father took me by the hand, and I was a young boy at that time. He went to the Messenger of Allâh ﷺ and said: "O Messenger of Allâh, the mother of this boy, the daughter of Rawâhah, would like you to bear witness to that which

[٤١٨١] ١٣- (...) حَدَّثَنَا أَبُو بَكْرِ
ابْنُ أَبِي شَيْبَةَ: حَدَّثَنَا عَبَادُ بْنُ الْعَوَامِ
عَنْ حُصَيْنٍ، عَنِ الشَّعْبِيِّ قَالَ: سَمِعْتُ
التُّعْمَانَ بْنَ بَشِيرٍ؛ وَحَدَّثَنَا يَحْيَى بْنُ يَحْيَى
- وَاللَّفْظُ لَهُ - أَخْبَرَنَا أَبُو الْأَحْوَصِ عَنْ
حُصَيْنٍ، عَنِ الشَّعْبِيِّ، عَنِ التُّعْمَانِ بْنِ
بَشِيرٍ قَالَ: تَصَدَّقَ عَلَيَّ أَبِي بِبَعْضِ مَالِهِ
فَقَالَتْ أُمِّي عَمْرَةَ بِنْتُ رَوَاحَةَ: لَا أَرْضَى
حَتَّى تُشْهَدَ رَسُولَ اللَّهِ ﷺ، فَاذْطَلَقَ أَبِي
إِلَى النَّبِيِّ ﷺ لِيُشْهَدَهُ عَلَيَّ صَدَقَتِي، فَقَارَ
لَهُ رَسُولُ اللَّهِ ﷺ: «أَفَعَلْتَ هَذَا بِوَلَدِكَ
كُلِّهِمْ؟» قَالَ: لَا، قَالَ: «اتَّقُوا اللَّهَ
وَاعْدِلُوا فِي أَوْلَادِكُمْ» فَرَجَعَ أَبِي، فَرَدَّ
تِلْكَ الصَّدَقَةَ.

[٤١٨٢] ١٤- (...) حَدَّثَنَا أَبُو بَكْرِ
ابْنُ أَبِي شَيْبَةَ: حَدَّثَنَا عَلِيُّ بْنُ مُسْهِرٍ عَنْ
أَبِي حَيَّانَ، عَنِ الشَّعْبِيِّ، عَنِ التُّعْمَانِ بْنِ
بَشِيرٍ؛ وَحَدَّثَنَا مُحَمَّدُ بْنُ عَبْدِ اللَّهِ بْنِ نَمِيرٍ
- وَاللَّفْظُ لَهُ - حَدَّثَنَا مُحَمَّدُ بْنُ بَشِيرٍ:
حَدَّثَنَا أَبُو حَيَّانَ التَّمِيمِيُّ عَنِ الشَّعْبِيِّ:
حَدَّثَنِي التُّعْمَانُ بْنُ بَشِيرٍ؛ أَنَّ أُمَّهُ بِنْتُ
رَوَاحَةَ سَأَلَتْ أَبَاهُ بَعْضَ الْمُوهُوبَةِ مِنْ
مَالِهِ لِابْنَتِهَا، فَالْتَوَى بِهَا سَنَةً، ثُمَّ بَدَأَ لَهُ،
فَقَالَتْ: لَا أَرْضَى حَتَّى تُشْهَدَ رَسُولَ

I have given to her son.” The Messenger of Allāh ﷺ said: “O Bashîr, do you have any other children?” He said: “Yes.” He said: “Have you given to all of them like you have given to this one?” He said: “No.” He said: “Then do not ask me to bear witness for I will not bear witness to injustice.”

[4183] 15 - (...) It was narrated from An-Nu'mân bin Bashîr that the Messenger of Allāh ﷺ said: “Do you have any other sons besides him?” He said: “Yes.” He said: “Have you given to all of them like you have given to this one?” He said: “No.” He said: “I will not bear witness to injustice.”

[4184] 16 - (...) It was narrated from An-Nu'mân bin Bashîr that the Messenger of Allāh ﷺ said to his father: “Do not ask me to bear witness to injustice.”

[4185] 17 - (...) It was narrated that An-Nu'mân bin Bashîr said: “My father took me to the Messenger of Allāh ﷺ and said: ‘O Messenger of Allāh, bear witness that I have given to this

الله ﷺ عَلَى مَا وَهَبْتَ لِابْنِي، فَأَخَذَ أَبِي بِيَدِي، وَأَنَا يَوْمَئِذٍ غُلَامٌ، فَأَتَى رَسُولَ اللَّهِ ﷺ فَقَالَ: يَا رَسُولَ اللَّهِ! إِنَّ أُمَّ هَذَا، بِنْتُ رَوَاحَةَ، أَعْجَبَهَا أَنْ أُشْهِدَكَ عَلَى الَّذِي وَهَبْتُ لِابْنِهَا، فَقَالَ رَسُولُ اللَّهِ ﷺ: «يَا بَشِيرُ أَلَيْكَ وَلَدٌ سِوَى هَذَا؟» قَالَ: نَعَمْ، قَالَ: «أَكَلْتَهُمْ وَهَبْتَ لَهُ مِثْلَ هَذَا؟» قَالَ: لَا، قَالَ: «فَلَا تُشْهِدْنِي إِذَا فِإِنِّي لَا أَشْهَدُ عَلَى جَوْرٍ».

[٤١٨٣] ١٥ - (...) حَدَّثَنَا ابْنُ نُمَيْرٍ: حَدَّثَنَا أَبِي: حَدَّثَنَا إِسْمَاعِيلُ عَنِ الشَّعْبِيِّ، عَنِ الثُّعْمَانِ بْنِ بَشِيرٍ أَنَّ رَسُولَ اللَّهِ ﷺ قَالَ: «أَلَيْكَ بَنُونَ سِوَاهُ؟» قَالَ: نَعَمْ، قَالَ: «فَكُلُّهُمْ أَعْطِيتَ مِثْلَ هَذَا؟» قَالَ: لَا. قَالَ: «فَلَا أَشْهَدُ عَلَى جَوْرٍ».

[٤١٨٤] ١٦ - (...) حَدَّثَنَا إِسْحَاقُ ابْنُ إِبْرَاهِيمَ: أَخْبَرَنَا جَرِيرٌ عَنْ عَاصِمِ الْأَحْوَلِ عَنِ الشَّعْبِيِّ، عَنِ الثُّعْمَانِ بْنِ بَشِيرٍ؛ أَنَّ رَسُولَ اللَّهِ ﷺ قَالَ لِأَبِيهِ «لَا تُشْهِدْنِي عَلَى جَوْرٍ».

[٤١٨٥] ١٧ - (...) حَدَّثَنَا مُحَمَّدُ ابْنُ الْمُثَنَّى: حَدَّثَنَا عَبْدُ الْوَهَّابِ وَعَبْدُ الْأَعْلَى؛ وَحَدَّثَنَا إِسْحَاقُ بْنُ إِبْرَاهِيمَ وَيَعْقُوبُ الدُّورَقِيُّ، جَمِيعًا عَنِ ابْنِ عَلِيَّةَ

son of mine such and such of my wealth.' He said: 'Have you given to all your sons the like of what you have given to An-Nu'mân?' He said: 'No.' He said: 'Then ask someone else to bear witness to this.' Then he said: 'Would you not like them all to honor you equally?' He said: 'Of course.' He said: 'Then do not do it.'"

- وَاللَّفْظُ لَيَعْقُوبُ - قَالَ: حَدَّثَنَا إِسْمَاعِيلُ بْنُ إِبْرَاهِيمَ عَنْ دَاوُدَ بْنِ أَبِي هِنْدٍ، عَنِ الشَّعْبِيِّ، عَنِ التُّعْمَانِ بْنِ بَشِيرٍ قَالَ: انْطَلَقَ بِي أَبِي يَحْمِلُنِي إِلَى رَسُولِ اللَّهِ ﷺ فَقَالَ: يَا رَسُولَ اللَّهِ! أَشْهَدُ أَنِّي قَدْ نَحَلْتُ التُّعْمَانَ كَذَا وَكَذَا مِنْ مَالِي، فَقَالَ: «أَكُلَّ بَنِيكَ قَدْ نَحَلْتَ مِثْلَ مَا نَحَلْتَ التُّعْمَانَ؟» قَالَ: لَا، قَالَ: «فَأَشْهَدُ عَلَى هَذَا غَيْرِي»، ثُمَّ قَالَ: «أَيَسْرُكَ أَنْ يَكُونُوا إِلَيْكَ فِي الْبِرِّ سَوَاءً؟» قَالَ: بَلَى، قَالَ: «فَلَا، إِذَا».

[4186] 18 - (...) It was narrated that An-Nu'mân bin Bashîr said: "My father gave me a gift, then he brought me to the Messenger of Allâh ﷺ to bear witness to it. He said: 'Have you given this to all of your children?' He said: 'No.' He said: 'Would you not like them all to honor you as you want this one to?' He said: 'Of course.' He said: 'Then I will not bear witness.'"

Ibn 'Awn said: "I narrated it to Muḥammad and he said: 'I was told that he (ﷺ) said: "Treat your children similarly."'

[٤١٨٦] ١٨ - (...) حَدَّثَنَا أَحْمَدُ ابْنُ عُمَانَ التُّوفَلِيُّ: حَدَّثَنَا أَرْهَرُ: حَدَّثَنَا ابْنُ عَوْنٍ عَنِ الشَّعْبِيِّ، عَنِ التُّعْمَانِ بْنِ بَشِيرٍ قَالَ: نَحَلْنِي أَبِي نُحَلًّا، ثُمَّ أَتَى بِي رَسُولَ اللَّهِ ﷺ لِيُشْهَدَهُ، فَقَالَ «أَكُلَّ وَلَدِكَ أَعْطَيْتَهُ هَذَا؟» قَالَ: لَا. قَالَ: «أَلَيْسَ تُرِيدُ مِنْهُمْ الْبِرَّ مِثْلَ مَا تُرِيدُ مِنْ ذَا؟» قَالَ: بَلَى. قَالَ: «فَأِنِّي لَا أَشْهَدُ».

قَالَ ابْنُ عَوْنٍ: فَحَدَّثْتُ بِهِ مُحَمَّدًا فَقَالَ: إِنَّمَا حَدَّثْتُ أَنَّهُ قَالَ: «قَارِبُوا بَيْنَ أَبْنَائِكُمْ».

[4187] 19 - (1624) It was narrated that Jâbir said: "The wife of Bashîr said: 'Give your

[٤١٨٧] ١٩ - (١٦٢٤) حَدَّثَنَا أَحْمَدُ ابْنُ عَبْدِ اللَّهِ بْنِ يُونُسَ: حَدَّثَنَا زُهَيْرٌ:

slave to my son, and ask the Messenger of Allâh ﷺ to bear witness for me.’ So he went to the Messenger of Allâh ﷺ and said: ‘The daughter of so-and-so asked me to give my slave to her son, and she said: “Ask the Messenger of Allâh ﷺ to bear witness for me.”’ He said: ‘Does he have any brothers?’ He said: ‘Yes.’ He said: ‘Have you given to all of them something like that which you have given to him?’ He said: ‘No.’ He said: ‘This is not right. I will not bear witness to anything but that which is right and proper.’”

Chapter 4. The ‘Umrâ (Lifelong Gift)

[4188] 20 - (1625) It was narrated from Jâbir bin ‘Abdullâh that the Messenger of Allâh ﷺ said: “Any man who is given a gift for life, it belongs to him and his heirs. It belongs to the one to whom it is given, and does not go back to the one who gave it, because he has given it in such a way that it is subject to the rules of inheritance.”

[4189] 21 - (...) It was narrated that Jâbir bin ‘Abdullâh said: “I heard the Messenger of Allâh ﷺ say: ‘Whoever gives a man a gift for life, it belongs to him and his

حَدَّثَنَا أَبُو الزُّبَيْرِ عَنْ جَابِرٍ قَالَ: قَالَتْ امْرَأَةٌ بِشِيرٍ: انْحَلِ ابْنِي غُلَامَكَ، وَأَشْهَدْ لِي رَسُولَ اللَّهِ ﷺ، فَأَتَى رَسُولَ اللَّهِ ﷺ فَقَالَ: إِنَّ ابْنَةَ فُلَانٍ سَأَلْتَنِي أَنْ أَنْحَلَ ابْنَهَا غُلَامِي، وَقَالَتْ: أَشْهَدْ لِي رَسُولَ اللَّهِ ﷺ، فَقَالَ: «أَلَهُ إِخْوَةٌ؟» قَالَ نَعَمْ، قَالَ: «أَفَكُلُّهُمْ أُعْطِيَتْ مِثْلَ مَا أُعْطِيْتَهُ؟» قَالَ: لَا. قَالَ: «فَلَيْسَ يَصْلُحُ هَذَا، وَإِنِّي لَا أَشْهَدُ إِلَّا عَلَى حَقٍّ».

(المعجم ٤) - (بَابُ الْعُمْرَى)

(التحفة ٤)

[٤١٨٨] ٢٠ - (١٦٢٥) حَدَّثَنَا يَحْيَى بْنُ يَحْيَى قَالَ: قَرَأْتُ عَلَى مَالِكٍ عَنِ ابْنِ شِهَابٍ، عَنْ أَبِي سَلَمَةَ بْنِ عَبْدِ الرَّحْمَنِ، عَنْ جَابِرِ بْنِ عَبْدِ اللَّهِ؛ أَنَّ رَسُولَ اللَّهِ ﷺ قَالَ: «أَيُّمَا رَجُلٍ أُعْمِرَ عُمْرَى لَهُ وَلَعَقِيهِ، فَإِنَّهَا لِلَّذِي أُعْطِيَهَا، لَا تَرْجِعُ إِلَى الَّذِي أُعْطَاهَا، لِأَنَّهُ أُعْطِيَ عَطَاءً وَقَعَتْ فِيهِ الْمَوَارِيثُ».

[٤١٨٩] ٢١ - (...) حَدَّثَنَا يَحْيَى بْنُ يَحْيَى وَمُحَمَّدُ بْنُ رُمْحٍ قَالَا: أَخْبَرَنَا اللَّيْثُ، وَحَدَّثَنَا قُتَيْبَةُ: حَدَّثَنَا لَيْثٌ عَنِ

children. His words ended his right to it and it belongs to the one to whom it was given for life and to his heirs.”

Yaḥyâ said at the beginning of his *Hadīth*: “Any man who is given a gift for life, it belongs to him and his children.”

ابن شهاب، عَنْ أَبِي سَلَمَةَ، عَنْ جَابِرِ
ابْنِ عَبْدِ اللَّهِ؛ أَنَّهُ قَالَ: سَمِعْتُ رَسُولَ
اللَّهِ ﷺ يَقُولُ: «مَنْ أَعْزَمَ رَجُلًا عُمْرِي لَهُ
وَلِعَقِبِهِ، فَقَدْ قَطَعَ قَوْلُهُ حَقَّهُ فِيهَا، وَهِيَ
لِمَنْ أَعْمَرَ وَلِعَقِبِهِ».

غَيْرَ أَنْ يَحْيَى قَالَ فِي أَوَّلِ حَدِيثِهِ:
«أَيُّمَا رَجُلٍ أَعْمَرَ عُمْرِي، فَهِيَ لَهُ
وَلِعَقِبِهِ».

[4190] 22 - (...) Jâbir bin ‘Abdullâh Al-Anṣârî narrated that the Messenger of Allâh ﷺ said: “Any man who gives a man a gift for life, it belongs to him (the latter) and to his heirs.” He said:^[1] “I have given it to you and your heirs so long as any one of you is still alive, then it belongs to the one to whom it was given, and it does not go back to the giver because he has given it in such a way that it is subject to the rules of inheritance.”

[٤١٩٠] ٢٢- (...) حَدَّثَنِي عَبْدُ
الرَّحْمَنِ بْنُ بَشِيرِ الْعَبْدِيُّ: حَدَّثَنَا عَبْدُ
الرَّزَّاقِ: أَخْبَرَنَا ابْنُ جُرَيْجٍ: أَخْبَرَنِي ابْنُ
شِهَابٍ عَنِ الْعُمَرِيِّ وَسُتَيْبَةَ، عَنْ حَدِيثِ
أَبِي سَلَمَةَ بْنِ عَبْدِ الرَّحْمَنِ؛ أَنَّ جَابِرَ بْنَ
عَبْدِ اللَّهِ الْأَنْصَارِيَّ أَخْبَرَهُ؛ أَنَّ رَسُولَ
اللَّهِ ﷺ قَالَ: «أَيُّمَا رَجُلٍ أَعْزَمَ رَجُلًا
عُمْرِي لَهُ وَلِعَقِبِهِ»، فَقَالَ: قَدْ أَعْطَيْتُكَهَا
وَعَقِبَكَ مَا بَقِيَ مِنْكُمْ أَحَدٌ، فَإِنَّهَا لِمَنْ
أَعْطَيْتَهَا، وَإِنَّهَا لَا تَرْجِعُ إِلَيَّ صَاحِبِهَا،
مَنْ أَجَلَ أَنَّهُ أَعْطَى عَطَاءً وَقَعَتْ فِيهِ
الْمَوَارِيثُ».

[4191] 23 - (...) It was narrated that Jâbir said: “The kind of gift for life that the Messenger of

[٤١٩١] ٢٣- (...) حَدَّثَنَا إِسْحَاقُ
ابْنُ إِبْرَاهِيمَ وَعَبْدُ بْنُ حُمَيْدٍ - وَاللَّفْظُ

^[1] This could be part of the *Hadīth* as it appears to be in the narration of it with this chain recorded by Aḥmad (3:399). Or, it could be an explanation of Abû Salamah as it appears in no. 4192.

Allâh ﷺ allowed is only when a person says: 'It is for you and your children.' But if he says it is yours as long as you live, then it goes back to its owner."

Ma'mar said: "Az-Zuhrî used to issue *Fatwas* to that effect."

[4192] 24 - (...) It was narrated from Jâbir, who is (Jâbir) bin 'Abdullâh, that the Messenger of Allâh ﷺ ruled concerning one who is given a gift for life that it belongs to him and his children, and it belongs to him absolutely, and it is not permissible for the giver to stipulate any conditions or make any exceptions.

Abû Salamah said: "Because he has given it in such a way that it is subject to the rules of inheritance, therefore any conditions that he may stipulate are overruled by the rules of inheritance."

[4193] 25 - (...) Jâbir bin 'Abdullâh said: "The Messenger of Allâh ﷺ said: 'A gift for life belongs to the one to whom it is given.'"

[4194] (...) It was narrated from

لِعَبْدٍ - قَالَ: أَخْبَرَنَا عَبْدُ الرَّزَّاقِ: أَخْبَرَنَا مَعْمَرٌ عَنِ الزُّهْرِيِّ، عَنْ أَبِي سَلَمَةَ، عَنْ جَابِرٍ قَالَ: إِنَّمَا الْعُمْرَى الَّتِي أَجَازَ رَسُولُ اللَّهِ ﷺ، أَنْ يَقُولَ: هِيَ لَكَ وَلِعَقِبِكَ، فَأَمَّا إِذَا قَالَ: هِيَ لَكَ مَا عَشْتِ، فَإِنَّهَا تَرْجِعُ إِلَى صَاحِبِهَا، قَالَ مَعْمَرٌ: وَكَانَ الزُّهْرِيُّ يُفْتِي بِهِ.

[٤١٩٢] ٢٤ - (...) حَدَّثَنَا مُحَمَّدُ ابْنُ رَافِعٍ: حَدَّثَنَا ابْنُ أَبِي فُدَيْكٍ عَنِ ابْنِ أَبِي ذُنَيْبٍ، عَنِ ابْنِ شِهَابٍ، عَنْ أَبِي سَلَمَةَ ابْنِ عَبْدِ الرَّحْمَنِ، عَنْ جَابِرٍ وَهُوَ ابْنُ عَبْدِ اللَّهِ؛ أَنَّ رَسُولَ اللَّهِ ﷺ قَضَى فِيمَنْ أَعْمَرَ عُمْرَى لَهُ وَلِعَقِبِهِ، فَهِيَ لَهُ بَتْلَةً، لَا يَجُوزُ لِمُعْطِي فِيهَا شَرْطٌ وَلَا نُسِيًا.

قَالَ أَبُو سَلَمَةَ: لِأَنَّهُ أَعْطَى عَطَاءً وَقَعَتْ فِيهِ الْمَوَارِيثُ، فَقَطَعَتِ الْمَوَارِيثُ شَرْطَهُ.

[٤١٩٣] ٢٥ - (...) حَدَّثَنَا عُبَيْدُ اللَّهِ ابْنُ عُمَرَ الْقَوَارِيرِيُّ: حَدَّثَنَا خَالِدُ بْنُ الْحَارِثِ: حَدَّثَنَا هِشَامٌ عَنْ يَحْيَى بْنِ أَبِي كَثِيرٍ: حَدَّثَنِي أَبُو سَلَمَةَ ابْنُ عَبْدِ الرَّحْمَنِ قَالَ: سَمِعْتُ جَابِرَ بْنَ عَبْدِ اللَّهِ يَقُولُ: قَالَ رَسُولُ اللَّهِ ﷺ «الْعُمْرَى لِمَنْ وَهَبَتْ لَهُ».

[٤١٩٤] (...) وَحَدَّثَنَا مُحَمَّدُ بْنُ

Jâbir bin 'Abdullâh that the Prophet of Allâh ﷺ said... a similar report (as no. 4194).

[4195] (...) It was narrated from Jâbir who attributed it to the Prophet ﷺ (a *Hadîth* similar to no. 4194).

[4196] 26 - (...) It was narrated that Jâbir said: "The Messenger of Allâh ﷺ said: 'Keep your wealth and do not squander it, for whoever gives a gift for life, it belongs to the one to whom it was given, during his lifetime and after his death, and to his children.'"

[4197] 27 - (...) A *Hadîth* like that of Abû Khaithamah (no. 4196) was narrated from Jâbir from the Prophet ﷺ. In the *Hadîth* of Ayyûb it adds: "The *Anṣâr* started to give gifts for life to the *Muhâjirîn*, and the Messenger of Allâh ﷺ said: 'Keep your wealth.'"

الْمُنْتَى: حَدَّثَنَا مُعَاذُ بْنُ هِشَامٍ: حَدَّثَنِي أَبِي عَنْ يَحْيَى بْنِ أَبِي كَثِيرٍ: حَدَّثَنَا أَبُو سَلَمَةَ بْنُ عَبْدِ الرَّحْمَنِ، عَنْ جَابِرِ بْنِ عَبْدِ اللَّهِ، أَنَّ نَبِيَّ اللَّهِ ﷺ قَالَ . بِمِثْلِهِ .

[٤١٩٥] (...) حَدَّثَنَا أَحْمَدُ بْنُ يُونُسَ: حَدَّثَنَا زُهَيْرٌ: حَدَّثَنَا أَبُو الزُّبَيْرِ، عَنْ جَابِرٍ يَرْفَعُهُ إِلَى النَّبِيِّ ﷺ؛

[٤١٩٦] ٢٦ - (...) وَحَدَّثَنَا يَحْيَى ابْنُ يَحْيَى - وَاللَّفْظُ لَهُ - : أَخْبَرَنَا أَبُو خَيْمَةَ عَنْ أَبِي الزُّبَيْرِ، عَنْ جَابِرٍ قَالَ: قَالَ رَسُولُ اللَّهِ ﷺ: «أَمْسِكُوا عَلَيْكُمْ أَمْوَالَكُمْ وَلَا تُفْسِدُوهَا، فَإِنَّهُ مَنْ أَعْمَرَ عُمْرِي فِيهَا لِلَّذِي أَعْمَرَهَا، حَيًّا وَمَيِّتًا وَلِعَقِبِهِ».

[٤١٩٧] ٢٧ - (...) حَدَّثَنَا أَبُو بَكْرِ بْنُ أَبِي شَيْبَةَ: حَدَّثَنَا مُحَمَّدُ بْنُ بَشِيرٍ: حَدَّثَنَا حَجَّاجُ بْنُ أَبِي عُمَانَ، وَحَدَّثَنَا أَبُو بَكْرِ بْنُ أَبِي شَيْبَةَ وَإِسْحَاقُ بْنُ إِبْرَاهِيمَ عَنْ وَكِيعٍ، عَنْ سُفْيَانَ؛ وَحَدَّثَنَا عَبْدُ الْوَارِثِ بْنُ عَبْدِ الصَّمَدِ: حَدَّثَنِي أَبِي عَنْ جَدِّي، عَنْ أَيُّوبَ، كُلُّ هَؤُلَاءِ، عَنْ أَبِي الزُّبَيْرِ، عَنْ جَابِرِ عَنِ النَّبِيِّ ﷺ بِمَعْنَى حَدِيثِ أَبِي خَيْمَةَ، وَفِي حَدِيثِ أَيُّوبَ مِنَ الزِّيَادَةِ قَالَ: جَعَلَ الْأَنْصَارُ يُعْمِرُونَ الْمُهَاجِرِينَ، فَقَالَ رَسُولُ اللَّهِ ﷺ: «أَمْسِكُوا عَلَيْكُمْ أَمْوَالَكُمْ».

[4198] 28 - (...) It was narrated from Abû Az-Zubair, that Jâbir said: "A woman in Al-Madînah gave a garden of hers as a gift for life to a son of hers, then he died and she died after him, and he left behind a son, but he also had brothers who were the sons of the woman who had given the gift for life. The children of the woman who had given the gift said: 'The garden should come back to us.' But the sons of the one to whom it had been given said: 'No, it belonged to our father in life and in death.' They referred the dispute to Ṭâriq, the freed slave of 'Uthmân, and he called Jâbir, who bore witness that the Messenger of Allâh ﷺ had said, that a gift for life belonged to the one to whom it was given. Ṭâriq ruled on that basis, then he wrote to 'Abdul-Malik and told him about that, and he told him of Jâbir's testimony. 'Abdul-Malik said: 'Jâbir spoke the truth.' So Ṭâriq issued a ruling on that basis, and that garden still belongs to the descendents of the one to whom it was given for life, to this day."

[4199] 29 - (...) It was narrated from Sulaimân bin Yasâr that Ṭâriq ruled that a gift given for life belongs to the heir, because of what Jâbir bin 'Abdullâh narrated from the Messenger of Allâh ﷺ.

[٤١٩٨] ٢٨ - (...) حَدَّثَنِي مُحَمَّدُ ابْنُ رَافِعٍ وَإِسْحَاقُ بْنُ مَنْصُورٍ - وَاللَّفْظُ لِابْنِ رَافِعٍ - قَالَ: حَدَّثَنَا عَبْدُ الرَّزَّاقِ: أَخْبَرَنَا ابْنُ جُرَيْجٍ: أَخْبَرَنِي أَبُو الزُّبَيْرِ عَنْ جَابِرٍ قَالَ: أَعْمَرَتِ امْرَأَةٌ بِالْمَدِينَةِ حَائِطًا لَهَا ابْنًا لَهَا، ثُمَّ تُوُفِّيَتْ، وَتُوُفِّيَتْ بَعْدَهُ، وَتَرَكَ وَلَدًا، وَلَهُ إِخْوَةٌ بَنُونَ لِلْمُعْمَرَةِ، فَقَالَ وَلَدُ الْمُعْمَرَةِ: رَجَعَ الْحَائِطُ إِلَيْنَا، وَقَالَ بَنُو الْمُعْمَرِ: بَلْ كَانَ لِأَبِينَا حَيَاتُهُ وَمَوْتُهُ، فَاخْتَصَمُوا إِلَى طَارِقِ مَوْلَى عُثْمَانَ، فَدَعَا جَابِرًا فَشَهِدَ عَلَيَّ رَسُولُ اللَّهِ ﷺ بِالْعُمَرَى لِصَاحِبِهَا، فَقَضَى بِذَلِكَ طَارِقٌ، ثُمَّ كَتَبَ إِلَى عَبْدِ الْمَلِكِ فَأَخْبَرَهُ بِذَلِكَ، وَأَخْبَرَهُ بِشَهَادَةِ جَابِرٍ، فَقَالَ عَبْدُ الْمَلِكِ: صَدَقَ جَابِرٌ، فَأَمَضَى ذَلِكَ طَارِقٌ، فَإِنَّ ذَلِكَ الْحَائِطَ لِبَنِي الْمُعْمَرِ حَتَّى الْيَوْمِ.

[٤١٩٩] ٢٩ - (...) حَدَّثَنَا أَبُو بَكْرِ بْنُ أَبِي شَيْبَةَ وَإِسْحَاقُ بْنُ إِبْرَاهِيمَ - وَاللَّفْظُ لِأَبِي بَكْرٍ - قَالَ إِسْحَاقُ: أَخْبَرَنَا، وَقَالَ أَبُو بَكْرٍ: حَدَّثَنَا - سُفْيَانُ ابْنُ عُيَيْنَةَ عَنْ عَمْرٍو، عَنْ سُلَيْمَانَ بْنِ

يَسَارٍ؛ أَنْ طَارِقًا قَضَى بِالْعُمَرَى لِلْوَارِثِ،
لِقَوْلِ جَابِرِ [بْنِ عَبْدِ اللَّهِ] عَنْ رَسُولِ
اللَّهِ ﷺ .

[4200] 30 - (...) It was narrated from Jâbir bin ‘Abdullâh that the Prophet ﷺ said: “A gift for life is permissible.”

[٤٢٠٠] ٣٠- (...) حَدَّثَنَا مُحَمَّدُ
ابْنُ الْمُثَنَّى وَمُحَمَّدُ بْنُ بَشَّارٍ قَالَا: حَدَّثَنَا
مُحَمَّدُ بْنُ جَعْفَرٍ: حَدَّثَنَا شُعْبَةُ قَالَ:
سَمِعْتُ قَتَادَةَ يُحَدِّثُ عَنْ عَطَاءٍ، عَنْ
جَابِرِ بْنِ عَبْدِ اللَّهِ عَنِ النَّبِيِّ ﷺ قَالَ:
«الْعُمَرَى جَائِزَةٌ».

[4201] 31 - (...) It was narrated from Jâbir that the Prophet ﷺ said: “A gift for life is part of the estate of its owner.”

[٤٢٠١] ٣١- (...) حَدَّثَنَا يَحْيَى
ابْنُ حَبِيبٍ الْحَارِثِيُّ: حَدَّثَنَا خَالِدٌ يَعْنِي
ابْنَ الْحَارِثِ، حَدَّثَنَا سَعِيدٌ عَنْ قَتَادَةَ،
عَنْ عَطَاءٍ، عَنْ جَابِرِ عَنِ النَّبِيِّ ﷺ أَنَّهُ
قَالَ: «الْعُمَرَى مِيرَاثٌ لِأَهْلِهَا».

[4202] 32 - (1626) It was narrated from Abû Hurairah that the Prophet ﷺ said: “A gift for life is permissible.”

[٤٢٠٢] ٣٢- (١٦٢٦) حَدَّثَنَا مُحَمَّدُ
ابْنُ الْمُثَنَّى وَابْنُ بَشَّارٍ قَالَا: حَدَّثَنَا مُحَمَّدُ بْنُ
جَعْفَرٍ: حَدَّثَنَا شُعْبَةُ عَنْ قَتَادَةَ، عَنِ النَّضْرِ بْنِ
أَنْسٍ، عَنْ بَشِيرِ بْنِ نَهْيكٍ، عَنْ أَبِي هُرَيْرَةَ
عَنِ النَّبِيِّ ﷺ قَالَ: «الْعُمَرَى جَائِزَةٌ».

[4203] (...) It was narrated from Qatâdah (a *Hadîth* similar to no. 4201) with this chain, except that he said: “part of the estate of its owner” or he said, “permissible.”

[٤٢٠٣] (...) وَحَدَّثَنِيهِ يَحْيَى بْنُ
حَبِيبٍ: حَدَّثَنَا خَالِدٌ يَعْنِي ابْنَ الْحَارِثِ:
حَدَّثَنَا سَعِيدٌ عَنْ قَتَادَةَ بِهَذَا الْإِسْنَادِ، غَيْرَ
أَنَّهُ قَالَ «مِيرَاثٌ لِأَهْلِهَا» أَوْ قَالَ
«جَائِزَةٌ».