Book 10 : KITAB AL-BUYU' (THE BOOK OF TRANSACTIONS)

Chapter 1 :

PROHIBITION OF BAI' MULAMASA AND BAI' MUNABAZA

Hadith 3608: Abu Huraira (Allah be pleased with him) reported that Allah's Messenger (may peace be upon him) forbade (two types of transactions) Mulamasa and Munabadha

Hadith 3609: Abu Huraira (Allah be pleased with him) reported like this from Allah's Messenger (may peace be upon him).

Hadith 3610: Abu Huraira reported from Allah's Messenger (may peace be upon him) a hadith like this through another chain cf transmitters.

Hadith 3611: A hadith like this has been narrated on the authority of Abu Huraira (Allah be pleased with him) through another chain of transmitters.

Hadith 3612: Abu Huraira (Allah be pleased with him) reported : Two types of transactions have been forbidden (by the Holy Prophet), al-Mlulamasa and al-Munabadha. As far as Mulamasa transaction is concerned, it is that every one of them (the parties entering into transaction) should touch the garment of the other without careful consideration, and al-Munabadha is that every one of them should throw his cloth to the other and one of them should not see the cloth of his friend.

Hadith 3613: Abu Sa'id al-Khudri (Allah be pleased with him) reported: Allah's Messenger (may peace be upon him) forbade us

(from),two types of business transactions and two ways of dressing. He forbade Mulamasa and Munabadha in transactions. Mulamasa means the touching of another's garment with his hand, whether at night or by day, without turning it over except this much. Munabadha means that a man throws his garment to another and the other throws his garment, and thus confirming their contract without the inspection of mutual agreement. This hadith has been narrated on the authority of Ibn Shihab through the same chain of transmitters.

Chapter 2 :

INVALIDITY OF A TRANSACTION BY THROWING A STONE

Hadith 3614: Abu Huraira (Allah be pleased with him) reported that Allah's Messenger (may peace be upon him) forbade a transaction determined by throwing stones, and the type which involves some uncertainty.

Chapter 3 :

PROHIBITION OF HABAL AL-HABALA TRANSACTION

Hadith 3615: 'Abdullah (b.'Umar) (Allah be pleased with him) said that Allah's Messenger (may peace be upon him) forbade the transaction called habal al-habala.

Hadith 3616: Ibn 'Umar (Allah be pleased with them) reported that the people of pre-Islamic days used to sell the meat of the slaughtered camel up to habal al-habala. And habal al-habala implies that a she-camel should give birth and then the (born one should grow young) and become pregnant. Allah's Messenger (may peace be upon him) forbade them that (this transaction).

Chapter 4 :

IT IS FORBIDDEN THAT ONE SHOULD ENTER INTO A TRANSACTION ON WHICH ONE'S BROTHER HAS

ALREADY BEEN NEGOTIATING, OR ONE SHOULD PURCHASE (IN OPPOSITION) TO ONE'S BROTHER, OR ONE SHOULD CHEAT AND RETAIN MILK IN THE UDDER (IN ORDER TO DECEIVE THE PURCHASER)

Hadith 3617: **Ibn 'Umar (Allah be pleased with them) reported Allah's Messenger (may peace be upon him) as having said this: One amongst you should not enter into a transaction when another is bargaining.**

Hadith 3618: **Ibn 'Umar (Allah be pleased with them) reported Allah's Messenger (may peace be upon him) as saying: A person should not enter into a transaction when his brother is already making a transaction and he should not make a proposal of marriage when his brother has already made a proposal except when lie gives permission.**

Hadith 3619: **Abu Huraira reported Allah's Messenger (may peace be upon him) as saying: A Muslim should not purchase (in opposition) to his brother. This hadith has been narrated on the authority of Abu Huraira through another chain of transmitters but with a slight change of words.**

Hadith 3620: **Abu Huraira reported Allah's Messenger (may peace'be upon him) as saying: Do not go out to meet riders to enter into transaction with them; none of you must buy in opposition to another, nor must you bid against one another; a townsman must not sell for a man from the desert, and do not tie up udders of camels and sheep, and he who buys them after that has been done has two courses open to him: after he has milked them he may keep them if he is pleased with them, or he may return them along with a sit of dates if he is displeased with them.**

Hadith 3621: Abu Huraira (Allah be pleased with him) reported that Allah's Messenger (may peace be upon him) forbade the (people) meeting the caravan (for entering into business transaction with them), and the selling of goods by a townsman on behalf of a man of the desert, and seeking by a woman the divorce of her sister (from her husband), and outbidding (against one another), and tying up the udders (of animals), and buying of (things) in opposition to one's brother. This hadith has been narrated through another chain of transmitters.

Hadith 3622: Ibn Umar (Allah be pleased with them) reported that Allah's Messenger (may peace be upon him) forbade the outbidding (against another).

Chapter 5 :

IT IS FORBIDDEN TO MEET THE TRADERS IN THE WAY FOR GETTING UNDUE ADVANTAGE

Hadith 3623: Ibn 'Umar (Allah be pleased with them) reported Allah's Messenger (may peace be upon him) as saying: Do not go out to meet merchandise in the way, (wait)until it is brought into the market. This hadith has been reported on the authority of Ibn Numair but with a slight change of words.

Hadith 3624: This hadith has been reported on the authority of 'Ubaidullah.

Hadith 3625: Abdullah (Allah be pleased with him) reported Allah's Apostle (may peace be upon him) as saying: Do not meet the traders (in the way).

Hadith 3626: Abu Huraira (Allah be pleased with him) reported Allah's Messenger (may peace he upon him) as saying: Do not meet the merchandise (in the way).

Hadith 3627: Abu Huraira (Allah be pleased with him) reported Allah's Messenger (may peace be upon him) as saying: Do not meet the merchant in the way and enter into business transaction with him, and whoever meets him and buys from him (and in case it is done, see) that when the owner of (merchandise) comes into the market (and finds that he has been paid less price) he has the option (to declare the transaction null and void).

Chapter 6 :

IT IS FORBIDDEN FOR THE TOWNSMAN TO SELL ON BEHALF OF THE MAN OF THE DESERT

Hadith 3628: Abu Huraira (Allah be pleased with him) reported it directly from Allah's Apostle (may peace be upon him): The townsman should not sell for a man from the desert (with a view to taking advantage of his ignorance of the market conditions of the city). And Zuhair reported from the Holy Prophet (may peace be upon him) that he forbade the townsman to sell on behalf of the man from the desert.

Hadith 3629: Ibn 'Abbas (Allah be pleased with them) reported Allah's Messenger (may peace be upon him) as saying: The riders (carrying merchandise) should not be met in the way, and townsman should not sell for a man of the desert. The narrator reported. I said to Ibn 'Abbas: What do these words really imply- "The townsman for the man of the desert"? He said: That he should work as a broker on his behalf.

Hadith 3630: Jabir (Allah be pleased with him) reported Allah's

Messenger (may peace be upon him) as saying: The townsman should not sell for a man from the desert, leave the people alone, Allah will give them provision from one another. Yahya reported it with a slight change of words.

Hadith 3631: Jabir (Allah be pleased with him) reported a similar hadith from Allah's Apostle (may peace be upon him) through another chain of transmitters.

Hadith 3632: Anas b. Malik (Allah be pleased with him) reported: We were forbidden that a townsman should sell for a man of the desert, even if he is his brother or father.

Hadith 3633: Anas b. Malik (Allah be pleased with him) said: We were forbidden that a townsman should sell for a man of the desert.

Chapter 7 :

COMMAND PERTAINING TO THE SELLING OF ANIMAL WHOSE UDDER IS TIED UP

Hadith 3634: Abu Huraira (Allah be pleased with him) reported Allah's Messenger (may peace be upon him) as saying: He who bought a goat having its udder tied up should go back with it, milk it, and, if he is satisfied with its milk, he should retain it, otherwise he should return it along with a sa' of dates.

Hadith 3635: Abu Huraira (Allah be pleased with him) reported Allah's Messenger (may peace be upon him) as saying: He who buys a goat with its udder tied up has the option to retain the goat if he so desires or return it within three days, and in case he returns it he should do so along with a sa' of dates.

Hadith 3636: Abu Huraira (Allah be pleased with him) reported Allah's Apostle (may peace be upon him) as saying: lie who buys a goat having its udder tied up has the option to return it within three days. If he returns it he should pay a sa' of dates. Wheat is not essential.

Hadith 3637: Abu Huraira (Allah be pleased with him) reported Allah's Messenger (may peace be upon him) as saying: He who buys a goat having its udder tied up has two courses left for him. He may retain it, and if he desires may return it along with a sa' of dates and not wheat.

Hadith 3638: Ayyub narrated with the same chain of transmitters but with this change of words: "He who buys a goat has the option. . . ."

Hadith 3639: Hammam b. Munabbih said: Out of the ahadith which Abu Huraira (Allah be pleased with him) reported to us from Allah's Messenger (may peace be upon him) one is this that Allah's Messenger (may peace be upon him) said: If one among you buys a she-camel having its udder tied up he has the two options for him after milking it either (to retain it) or return it with a sa' of dates.

Chapter 8:

IT IS INVALID TO SELL THE COMMODITY BEFORE TAKING POSSESSION OF IT

Hadith 3640: Ibn Abbas (Allah be pleased with them) reported Allah's Messenger (may peace be upon him) as saying: He who buys foodgrain should not sell it until he has taken possession of it.

Hadith 3641: A hadith like this has been narrated through the same chain of transmitters.

Hadith 3642: Ibn Abbas (Allah be pleased with them) reported Allah's Messenger (may peace be upon him) as saying: He who buys food-rain should not sell it until he has taken possession of it. Ibn Abbas (Allah be pleased with them) said: I regard everything like food (so far as this principle is concerned).

Hadith 3643: Ibn Abbas (Allah be pleased with them) reported Allah's Messenger (may peace be upon him) as saying: He who buys food grain should not sell it, until he has weighed it (and then taken possession of it). I (Tawus) said to Ibn Abbas (Allah be pleased with them): Why is it so? Thereupon he said: Don't you see that they (the people) sell food grains against gold for the stipulated time. Abu Kuraib did not make any mention of the stipulated time.

Hadith 3644: Ibn 'Umar (Allah be pleased with them) reported Allah's Messenger (may peace be upon him) as saying: He who buys food grain should not sell it until he has taken full possession of it.

Hadith 3645: Ibn Umar (Allah be pleased with them) reported: We used to buy food grains during the lifetime of Allah's Messenger (may peace be upon him). He (the Holy Prophet) would then send to us one who commanded us to take them (the food grains) to a place other than the one where we had bought them before we sold it.

Hadith 3646: Ibn Umar (Allah be pleased with them) reported Allah's Messenger (may peace be upon him) as saying: He who buys food grain should not sell that before taking possession of it. He (the narrator) said: We used to buy food grain from the caravans in bulk, but Allah's Messenger (may peace be upon him) forbade us to re-sell that until we had shifted it to some other place.

Hadith 3647: Ibn 'Umar (Allah be pleased with them) reported Allah's Messenger (may peace be upon him) as saying: He who bought food grain should not sell it until he had taken full possession of it (after measuring it).

Hadith 3648: Ibn 'Umar (Allah be pleased with them) reported Allah's Messenger (may peace be upon him) as saying,: He who bought food grain should not sell it until he had taken possession of it.

Hadith 3649: Ibn 'Umar (Allah be pleased with them) reported that they were beaten during the lifetime of Allah's Messenger (may peace be upon him) if they had bought food grains in bulk and then sold them in the spot without shifting them (to some other place).

Hadith 3650: Salim b.'Abdullah (Allah be pleased with them) reported his father having said this: I saw people being beaten during the lifetime of Allah's Messenger (may peace be upon him) in case they bought the food grain in bulk, and then sold them at that spot before taking it to their places. This hadith is narrated on the authority of 'Ubaidullah b. Abdullah b. 'Umar through another chain of transmitters (and the words are): "His father

(Ibn 'Umar) used to buy food grains in bulk and then carried them to his people."

Hadith 3651: Abu Huraira (Allah be pleased with him) reported Allah's Messenger (may peace be upon him) as saying: He who bought food grain should not sell it until he had measured it. In the narration of Abu Bakr there the word is Ibta' instead of Ishtara.

Hadith 3652: Abu Huraira (Allah be please with him) is reported to have said to Marwan: Have you made lawful the transactions involving interest? Thereupon Marwan said: I have not done that. Thereupon Abu Huraira (may peace be upon him) said: You have made lawful the transactions with the help of documents only, whereas Allah's Messenger (may peace be upon him) forbade the transaction of food grains until full possession is taken of them. Marwan then addressed the people and forbade them to enter into such transactions (as are done with the help of documents). Sulaiman said: I saw the sentinels snatching (these documents) from the people.

Hadith 3653: Jabir b. Abdullah (Allah be pleased with them) reported Allah's Messenger (may peace be upon him) as saying: When you purchase food grains, do not sell them until you have taken possession of them.

Chapter 9:

IT IS FORBIDDEN TO SELL THE REAP OF DATES THE WEIGHT OF WHICH IS UNKNOWN

Hadith 3654: Jabir b. Abdullah (Allah be pleased with them) is reported to have said that Allah's Messenger (may peace be upon him) forbade the sale of a heap of dates the weight of which is

unknown in accordance with the known weight of dates.

Hadith 3655: This hadith is narrated on the authority of Jabir b. Abdullah (Allah be pleased with them) but with this variation that no mention is made of the dates(which one finds) at the end of the previous hadith.

Chapter 10:

BOTH THE BUYERS AND THE SELLERS HAVE THE OPTION TO WITHDRAW THE TRANSACTION BEFORE LEAVING THE MEETING (WHERE THE BARGAIN IS STRUCK)

Hadith 3656: Ibn 'Umar (Allah be pleased with them) reported Allah's Messenger (may peace be upon him) as saying : Both parties in a business transaction have the right to annul it so long as they have not separated; except in transactions which have been made subject to the right of parties to annul them.

Hadith 3657: This hadith has been narrated on the authority of Ibn 'Umar (Allah be pleased with them) through another chain of transmitters.

Hadith 3658: Ibn 'Umar (Allah be pleased with them) reported Allah's Messenger (may peace be upon him) as saying : When two persons enter into a transaction, each of them has the right to annul it so long as they are not separated and are together (at the place of transaction); or if one gives the other the right (to annul the transaction) But if one gives the other the option, the transaction is made on this condition (i.e. one has the right to annul the transaction), it becomes binding. And if they are separated after they have made the bargain and none of them annulled it, even then the transaction is binding.

Hadith 3659: Abdullah b. 'Umar (Allah be pleased with them) reported Allah's Messenger (may peace be upon him) as saying: When two persons enter into a transaction, each one of them has the right to annul it so long as they are not separated, or their transaction gives one another (as a condition) the right of annulling, and if their transaction has the right of annulling it the transaction becomes binding. Ibn Abi Umar made this addition that whenever he (Ibn Umar) entered into a transaction with a person with the intention of not breaking it, he walked a while and then returned to him.

Hadith 3660: Ibn Umar reported Allah's Messenger (may peace be upon him) as saying: There is no transaction between two persons entering a transaction until they separate, but only when there is an option to annul it.

Chapter 11:

TRUTHFULNESS IN TRANSACITION AND DESCRIPTION (OF THE DEFECT IN THE COMMODITY)

Hadith 3661: Hakim b. Hazim (Allah be pleased with him) reported Allah's Messenger(may peace be upon him) as saying : Both parties in a business transaction have the right to annul it so long as they have not separated; and if they speak the truth and make everything clear they will be blessed in their transaction; but if they tell a lie and conceal anything the blessing on their transaction will be blotted out.

Hadith 3662: A hadith like this has been transmitted on the authority of Hakim b. Hizam (Imam Muslim) said : Hakim b. Hizam was born inside the Ka'ba and lived for one hundred and twenty years.

Chapter 12:

HE WHO DECEIVES IN BUSINESS TRANSACTION

Hadith 3663: Abdullah b. Dinar narrated that he heard Ibn 'Umar (Allah be pleased with them) saying : A man mentioned to the Messenger of Allah (may peace be upon him) that he was deceived in a business transaction, whereupon Allah's Messenger (may peace be upon him) said : When you enter into a transaction, say : There should be no attempt to deceive.

Hadith 3664: This hadith has been narrated on the authority of 'Abdullah b. Dinar with the same chain of transmitters but these words are not found in it . "When he buys he should say: There should be no attempt to deceive."

Chapter 13:

PROHIBITION OF THE SALE OF FRUITS UNTIL THEY ARE CLEARLY IN GOOD CONDITION

Hadith 3665: Ibn 'Umar (Allah be pleased with them) reported that Allah's Messenger (may peace be upon him) forbade the sale of fruits until they were clearly in good condition, he forbade it both to the seller and to the buyer.

Hadith 3666: Ibn 'Umar (Allah be pleased with them) reported that Allah's Messenger (may peace be upon him) forbade the sale of palm-trees (i.e. their fruits) until the dates began to ripen, and ears of corn until they were white and were safe from blight. He forbade the seller and the buyer.

Hadith 3667: Ibn Umar (Allah be pleased with them) reported Allah's Messenger (may peace be upon him) as saying: Do not buy fruit until its good condition becomes clear, and (the danger) of blight is no more. He said: Its good condition becoming clear

implies that it becomes red or yellow.

Hadith 3668: This hadith is reported or the authority of Yahya with the same chain of transmitters up to "until its good condition becomes clear," but lie did not mention what follows (these words).

Hadith 3669: This hadith has been narrated on the authority of Ibn 'Umar through another chain of transmitters.

Hadith 3670: Nafi, reported on the authority of Ibn Umar (Allah be pleased with them) a hadith like that narrated before.

Hadith 3671: Ibn Umar (Allah be pleased with them) reported Allah's Messenger'(may peace be upon him) as saying: Do not buy fruits (on the trees) until their good condition becomes clear. In the hadith transmitted on the authority of Shu'ba it was stated that Ibn Umar (Allah be pleased with them) was asked what good condition implied. He said: When (the danger of) blight is no more.

Hadith 3672: Jabir (Allah be pleased with him) reported that Allah's Messenger (may peace be upon him) forbade (or forbade us) the sale of fruits until they are ripe in a good condition.

Hadith 3673: Jabir b. Abdullah (Allah be pleased with them) reported Allah's Messenger (may peace be upon him) forbidding the sale of fruit until its good condition is obvious.

Hadith 3674: Abu Bakhtari reported: I asked Ibn 'Abbas (Allah

be pleased with them) about the sale of dates. He said: Allah's Messenger (may peace be upon him) forbade the sale of dates of the trees until one eats them or they are eaten (i.e. they are fit to be eaten) or until they are weighed (or measured). I said: What does it imply: "Until it is weighed"? Thereupon a person who was with him (Ibn Abbas) said: Until he is able to keep it with him (after plucking them).

Hadith 3675: Abu Huraira (Allah be pleased with him) reported Allah's Messenger (may peace be upon him) as saying: Do not sell the fruits until their good condition becomes evident."

Chapter 14 :

IT IS FORBIDDEN TO SELL FRESH DATES AGAINST DRY DATES, EXCEPT IN CASE OF AL-ARAYA

Hadith 3676: Ibn Umar (Allah be pleased with them) reported Allah's Apostle (may peace be upon him) forbidding the sale of fruits until their good condition becomes evident and the purchase of dates for dates. Zaid b. Thabit (Allah be pleased with him) said that Allah's Messenger (may peace be upon him) gave a concession in case of the sale known as al-araya, there is an addition of the word an tuba'a in the hadith transmitted by Ibn Numair.

Hadith 3677: Abu Huraira (Allah be pleased with him) reported Allah's Messenger (may peace be upon him) as saying: Do not buy the fruit until their condition is clear, and do not buy the fresh dates. A hadith like this has been reported by Ibn 'Umar through another chain of transmitters.

Hadith 3678: Sa'id b. al-Musayyib said that Allah's Messenger (may peace be upon him) forbade the transaction of Af

Muzabana and Muhaqala. Muzabana means that fresh dates on the trees should be sold against dry dates. Muhaqala implies that the wheat in the ear should be sold against the wheat and getting the land on rent for the wheat (produced in it). He (the narrator) said that the Holy Prophet (may peace be upon him) had aid: Do not sell fresh fruits on the trees until their good condition becomes manifest, and do not sell fresh dates on the trees against dry dates. Salim said: Abdullah informed me on the authority of Zaid b. Thabit, Allah's Messenger (may peace be upon him) having given concession afterwards in case of ariyya transactions by which dry dates can be exchanged with fresh dates, but he did not permit it in other cases.

Hadith 3679: **Zaid b. Thabit (Allah be pleased with him) reported Allah's Messenger (may peace he upon him) having given concession in case of 'ariyya for selling dry dates (with) fresh dates after measuring them out.**

Hadith 3680: **Zaid b. Thabit reported that Allah's Messenger (may peace be upon him) give concession in case of 'ariyya transactions according to which the members of the household give dry dates according to a measure and then eat fresh dates (in exchange for it)**

Hadith 3681: **A hadith like this has been narrated on the authority of Nafi' with the same chain of transmitters.**

Hadith 3682: **Yahya b. Sa'id reported this hadith with the same chain of transmitters but with this change: 'Ariyya implies that date-palm trees should be donated to the people and then they sell it with a measure of dry dates.**

Hadith 3683: Zaid b Thabit (Allah be pleased with him) reported that Allah's Messenger (may peace be upon him) gave concession in case of al-'ariyya transactions (for exchanging dates) for dates with measure. Yahya said: 'Ariyya implies that a person should buy fresh dates on the tree for his family to eat against a measure of dry dates.

Hadith 3684: Zaid b. Thabit (Allah be pleased with him) reported Allah's Messenger (may peace be upon him) granting concession in case of 'ariyya transactions and that implies selling of (dry dates for fresh dates) according to a measure.

Hadith 3685: Ubaidullah reported this hadith with a slight change of words on the same authority (as quoted above).

Hadith 3686: Nafi, reported this hadith with the same chain of transmitters stating that Allah's Messenger (may peace be upon him) granted concession in case of 'ariyya transactions (for exchange of the same commodity) with measure.

Hadith 3687: Bashair b. Yasir reported on the authority of some of the Companions of Allah's Messenger (may peace be upon him) among the members of his family among whom one was Sahl b. Abu Hathma that Allah's Messenger (may peace be upon him) forbade buying of fresh dates against dry dates and that it is Riba and this is Muzabana, but he made an exemption of 'ariyya (donations) of a tree or two in which case the members of a family sell dry dates and buy fresh dates for eating them.

Hadith 3688: Bushair b. Yasar reported on the authority of some

of the Companion of Allah's Messenger (may peace be upon him) that he exempted the transactions, of 'ariyya (from the direct exchange of one kind) after measuring the dry dates (in exchange for fresh dates).

Hadith 3689: Bushair b. Yasir reported on the authority of some of the Companions of Allah's Messenger (may peace be upon him) from among the members of his family that he forbade (the direct exchange of a commodity having different qualities) but with the change that Ishaq and Ibn al-Muthanna used the word Zabn in place ot Riba and Ibn Abu 'Umar used the word Riba (interest).

Hadith 3690: A hadith like this has been narrated on the authority of Sahl b. Abu Hathma.

Hadith 3691: Sahl b. Abu Hathma reported Allah's Messenger (may peace be upon him) having forbidden Muzabana, i.e. exchange of fresh dates with dry dates. except in case of those to whom donations of some trees have been made. It is for them that concession has been given.

Hadith 3692: Abu Huraira (Allah be pleased with him) reported Allah's Messenger (may peace be upon him) having given exemption of 'ariyya transactions measuring less than five wasqs or up to five wasqs (the narrator Dawud is in doubt whether it was five or less than five).

Hadith 3693: Ibn Umar (Allah be pleased them) reported Allah's Messenger (may peace be upon him) having forbidden Muzabana, and Muzabana implies the selling of fresh dates for

dry dates by measuring them out and the selling of raisins by measure for grapes.

Hadith 3694: 'Abdullah (b. Umar) reported that Allah's Apostle (may peace be upon him) forbade Muzabana, i.e. buying of fresh dates (on) the trees for dry dates by measure, and the buying of grapes for raisins by measure and the selling of field of corn for corn by measure.

Hadith 3695: A hadith like this has been narrated on the authority of 'Ubaidullah with the same chain of transmitters.

Hadith 3696: Ibn 'Umar (Allah be pleased with them) reported Allah's Messenger (may peace be upon him) having forbidden Muzabana, and Muzabana is the selling of dry dates by measure for fresh dates and the selling of raisins by measure for grapes and selling of all Ports of fruits on the basis of calculation.

Hadith 3697: Ibn 'Umar (Allah be pleased with them) reported Allah's Messenger (may peace be upon him) having forbidden Muzabana, and Muzabana implies the selling of dry dates for fresh dates on the tree with a definite measure (making it clear) that in case it increases, it belongs to me and if it is less, it is my responsibility.

Hadith 3698: A hadith like this has been transmitted on the authority of Ayyub.

Hadith 3699: Abdullah (b. Umar) (Allah be pleased with them) reported Allah's Messenger (may peace be upon him) having

forbidden Mazabana, and it implies that one should sell the fresh fruits of his orchard (for dry fruits) or, if it is fresh dates, for dry dates with a measure, or if it is grapes for raisins or if it is corn in the field for dry corn with a measure He (the Holy Prophet) in fact forbade all such transactions. Qutaiba has narrated it with a slight variation of words. This hadith has been narrated on the authority of Nafi with another chain of transmitters.

Chapter 15 :

PERTAINING TO ONE WHO SELLS DATE-PALM TREE WITH DATES HANGING ON ITS BRANCHES

Hadith 3700: Ibn Umar (Allah be pleased with them) reported Allah's Messenger (may peace be upon him) as saying: If anyone buys palm-trees after they have been fecundated the fruit belongs to the seller unless the buyer makes a proviso.

Hadith 3701: Nafi reported on the authority of Ibn Umar (Allah be pleased with them) that the Messenger of Allah (may peace be upon him) said: Whichever tree is bought with its roots, and if it is fecundated its fruit would belong to one who has grafted it except when the provision is laid down by the buyer.

Hadith 3702: Ibn Umar (Allah be pleased with them) reported Allah's Apostle (may peace be upon him) as saying: Whosoever grafts the tree and then sells its roots, its fruit will belong to one who grafts it except when provision is laid down by the buyer.

Hadith 3703: This hadith has been narrated on the authority of Nafi, with the same chain of transmitters.

Hadith 3704: Abdullah b. Umar (Allah be pleased with them) reported Allah's Messenger (may peace be upon him) as saying:

He who buys a tree after it has been fecundated, its fruit belongs to one who sells it except when the provision has been laid down by the buyer (that it will belong to him), and he who buys a slave, his property belongs to one who sells him except when a provision has been laid down by the buyer (that it will be transferred to him with the slave).

Hadith 3705: A hadith like this has been narrated on the authority of al Zuhri.

Hadith 3706: Ibn Umar reported on the authority of his father as Allah's Apostle (may peace be upon him) saying so.

Chapter 16 :

FORBIDDANCE OF AL-MUHAQALA, AND AL MUZABANA, AND AL- MUKHABARA, AND THE SALE OF FRUITS BEFORE THEIR GOOD CONDITION IS CLEAR, AND AL-MU'AWAMA. I.E. THE SALE FOR SOME YEARS

Hadith 3707: Jabir b. Abdullah (Allah be pleased with them) reported that Allah's Messenger (may peace be upon him) had forbidden Muhaqala. and Muzabana, Mukhibara and the sale of fruits until their good condition becomes clear, and (he commanded) that (commodities) should not be sold but for the dinar and dirham except in case of araya.

Hadith 3708: Jabir b. 'Abdullah (Allah be pleased with them) reported that Allah's Messenger (may peace be upon him) forbade the types of sales as described before.

Hadith 3709: Jabir b. 'Abdullah (Allah be pleased with them) reported that Allah's Messenger (may peace be upon him) forbade Mukhabara and Muhaqala, and Muzabana, and the sale

of the fruit until it is fit for eating, and its sale but with dirham and dinar. Exception is made in case of 'araya. Ata' said: Jabir explained (these terms) for us. As for Mukhabara it is this that a wasteland is given by a person to another and he makes an investment in it and then gets a share in the produce. According to him (Jabir), Muzabana is the sell of fresh dates on the tree for dry dates with a measure, and Muhaqala in agriculture implies that one should sell the standing crop for grains with a measure.

Hadith 3710: Jabir b. Abdullah (Allah be pleased with them) reported Allah's Messenger (may peace be upon him) forbidding Muhaqala, and Muzabana, and Mukhabara, and the buying of date-palm until its fruit is ripened (ripening means that its colour becomes red or yellow, or it is fit for being eaten). And Muhaqala implies that crops in the field are bought for grains according to a customary measure. Muzabana implies that date-palm should be sold for dry dates by measuring them with wisqs, and al-Mukhabara is (a share), maybe one-third or one-fourth (in produce) or something like it. Zaid (one of the narrators) said to Ata' b. Abu Rabah (the other narrator): Did You bear Jabir b. Abdullah (Allah be pleased with them) making a mention of it that he had heard it directly from Allah's Messenger (may peace be upon him)? He said: Yes.

Hadith 3711: Jabir b. Abdullah (Allah be pleased with them) reported Allah's Messenger (may peace be upon him) forbidding Muzabana and Muhaqala, and Mukhabara, and the sale of fruits until they are ripe. I (the narrator) said to Sa'id (the other narrator): What does ripening imply? He said: It meant that they become red or become yellow and are fit for eating.

Hadith 3712: Jabir b. Abdullah (Allah be pleased with them) reported Allah's Messenger (may peace be upon him) forbidding Muhaqala and Muzabana and Mu'awama and Mukhabara. (One of the narrators)'said: Sale years ahead is Mu'awama, and making exceptional but he made an exemption of arraya.

Hadith 3713: A hadith like this has been narrated on the authority of Jabir (Allah be pleased with him) from Allah's Apostle (may peace be upon him). but he made no mention of transactions years (ahead) implying Mu'awama.

Chapter 17 :

LEASING OUT LAND

Hadith 3714: Jabir b. Abdullah (Allah be pleased with them) reported that Allah's Messenger (may peace be upon him) forbade leasing of land, and selling ahead for years and selling of fruits before they become ripe.

Hadith 3715: Jabir b. Abdullah (Allah be pleased with them) reported Allah's Messenger (may peace be upon him) having forbidden the renting of land.

Hadith 3716: Jabir b. Abdullah (Allah be pleased with them) reported Allah's Messenger (may peace be upon him) as saying: He who has land should cultivate it himself, but if he does not cultivate it himself, then he should let his brother cultivate it.

Hadith 3717: Jabir b. Abdullah (Allah be pleased with them) reported some of the Companions of Allah's Messenger (may peace be upon him) had surplus of land. Thereupon Allah's Messenger (may peace be upon him) said: He who has surplus land (in his possession) should cultivate it, or he should lend it to

his brother for benefit, but if he refuses to accept it, he should retnai it.

Hadith 3718: Jabir b. Abdullah (Allah be pleased with them) reported Allah's Messenger (may peace be upon him) having forbidden taking of rent or share of land.

Hadith 3719: Jabir (Allah be pleased with him) reported Allah's Messenger (may peace be upon him) as saying: He who has land should cultivate it, but if he does not find it possible to cultivate it, or finds himself helpless to do so, he should lend it to his Muslim brother, but he should not accept rent from him.

Hadith 3720: Sulaiman b. Musa asked Ata': Did Jabir b. 'Abdullah (Allah be pleased with them) reported Allah's Apostle (may peace be upon him) as saying: "He who has land should cultivate it himself, or let his brother cultivate it, and should not give on rent"? He said: Yes.

Hadith 3721: Jabir (Allah be pleased with him) reported Allah's Apostle (may peace be upon him) having forbidden Mukhabara.

Hadith 3722: Jabir b. Abdullah (Allah be pleased with them) heard Allah's Messenger (may peace be upon him) say: He who has surplus of land should either cultivate it himself, or let his brother cultivate it, an should not sell it. I (the narrator) said to Sa'id: What does his statement "do not sell it" mean? Does it imply "rent"? He said: Yes.

Hadith 3723: Jabir b. 'Abdullah reported: We used to cultivate

land on rent during the lifetime of Allah's Apostle (may peace be upon him) and we got a share out of the grain left in the ears after threshing them and something unspecified. Allah's Messenger (may peace be upon him) said: He who has land should cultivate it or let his brother till it, otherwise he should leave it.

Hadith 3724: Jabir b. Abdullah (Allah be pleased with them) reported: We used to get land (on rent) during the lifetime of Allah's Messenger, (may peace be upon him) with a share of one-third or one-fourth (of the produce from the land irrigated) with the help of canals. Thereupon Allah's Messenger (may peace be upon him) stood up (to address) and said: He who has land should cultivate it, and if he does not cultivate it, he should lend it to his brother, and if he does not lend it to his brother, he should then retain it.

Hadith 3725: Jabir (Allah he pleased with him) reported: I heard Allah's Apostle (may peace be upon him) as saying: He who has (surplus) land should donate it (to others), or lend it. This hadith has been narrated on the authority of A'mash with the same chain of transmitters, but with a slight change of words.

Hadith 3726: Jabir b. Abdullah (Allah be pleased with them) reported Allah's Messenger (may peace be upon him) forbidding the renting of land. Bukair (one of the narrators) said, Nan reported to me that he heard Ibn Umar (Allah be pleased with them) say: We used to give land on rent, we then abandoned this practicewhen we heard the hadith of Rafi bin Khadij.

Hadith 3727: Jabir (Allah be pleased with him) reported Allah's

Messenger (may peace be upon him) forbidding the selling (renting of) uncultivated land for two years or three.

Hadith 3728: Jabir (Allah be pleased with him) reported Allah's Apostle (may peace be upon him) forbidding selling of (produce) in advance for two years, and in the narration of Ibu Abd Shaiba (the words are) : "Selling of the fruits (on the tree) in advance for two years."

Hadith 3729: Abu Huraira (Allah be pleased with him) reported Allah's Messenger (may peace be upon him) as saying: He who has land should cultivate it or lend it to his brother, but if he refuses, he should retain his land.

Hadith 3730: Jabir b. Abdullah (Allah be pleased with them) reported: I heard Allah's Messenger (may peace be upon him) forbidding Muzabana, and Huqul. Jabir b. Abdullah (Allah be pleased with them) said: Muzabana means the selling of fruits for dry dates and Huqul is the renting of land.

Hadith 3731: Abu Huraira (Allah be pleased with him) reported Allah's Messenger (may peace be upon him) forbidding Muhaqala and Muzabana.

Hadith 3732: Abu Sa'id al-Khudri (Allah be pleased with him) reported Allah's Messenger (may peace be upon him) having forbidden Mazabana and Muhaqala. Muzibana means the buying of fruits on the trees and Muhaqala is the renting of land.

Hadith 3733: Zaid b. Amr reported: I heard Ibn Umar (Allah be

pleased with them) say: We did not see any harm in renting of the land, but as the first year was over Rafi' alleged Allah's Apostle (may peace be upon him) having forbidden that.

Hadith 3734: This hadith has been narrated on the authority of Amr b. Dinar with the same chain of transmitters but (in) the hadith transmitted on the authority of 'Uyainah (the words are) : "We abandoned it (renting) on account of that."

Hadith 3735: Ibn 'Umar (Allah be pleased with them) reported: Rafi forbade us from benefitting from our land (in the form of rent).

Hadith 3736: Nafi reported that Ibn Umar (Allah be pleased with them) rented his land during the lifetime of Allah's Messenger (may peace be upon him) and during the caliphate of Abu Bakr and that of Umar and that of Uthman (Allah be pleased with them) and during the early period of Muawiya's caliphate until at the end of Muawiya's reign, it reached him (Ibn 'Umar) that Rafi b. Khadij (Allah be pleased with him) narrated (a hadith) in which (there was a decree) of prohibition by Allah's Apostle (may peace be upon him). He (Ibn'Umar) went to him (Rafi b. Khadij) and I was with him and he asked him, whereupon he said: Allah's Messenger (may peace be upon him) used to forbid the renting of land. So Ibn Umar (Allah be pleased with them) abandoned it, and subsequently whenever he was asked about it, he said: Rafi b. Khadij (Allah be pleased with him) alleged that Allah's Messenger (may peace be upon him) forbade it.

Hadith 3737: This hadith has been narrated on the authority of

Ayyub and he made an addition in the hadith narrated by Ibn Ulayya in which he said: Ibn Umar abandoned it afterwards and he did not rent it (the land).

Hadith 3738: Nafi reported: I went to Rafi b. Khadij in the company of Ibn 'Umar (All be pleased with them) until he (Ibn 'Umar) came to him at Balat (a place near Prophet's Mosque at Medina) and he (Rafi b. Khadij) informed him that Allah's Messenger (may peace be upon him) had forbidden the renting of land.

Hadith 3739: Nafi, reported from Ibn Umar (Allah be pleated with them) that he came to Rafi and he narrated this hadith from Allah's Apostle (way peace be upon him).

Hadith 3740: Nafi, reported that Ibn Umar (Allah be pleased with them) used to rent the land, and that he was conveyed the hadith transmitted on the authority of Rafi b. Khadij. He (the narrator) said: He then went to him along with me. He (Rafi) narrated from some of his uncles in which it was mentioned that Allah's Apostle (may peace be upon him) forbade the renting of land. Ibn 'Umar (Allah be pleased with them) then abandoned this practice of renting. This hadith has been narrated through another chain of transmitters.

Hadith 3741: Salim b. Abdullah reported that AbduUah b. Umar (Allah be pleased with them) used to give land on rent until (this news) reached him that Rafi b. Khadij Ansari used to forbid the renting of land. Abdullah met him and said: Ibn Khadij, what is this that you narrate from Allah's Messenger (may peace be upon him) pertaining to renting of land? Rafi b. Khadij said to

Abdullah: I heard it from two uncles of mine and they had participated in the Battle of Badr who narrated to the members of the family that Allah's Messenger (may peace be upon him) forbade the renting of land. Abdullah said: I knew it that the land was rented during the lifetime of Allah's Messenger (may peace be upon him). Abdullah then apprehended that Allah's Messenger (may peace be upon him) might have said something new in this connection (in regard to prohibition of renting) which I failed to know. So he abandoned the renting of land.

Hadith 3742: Rafi b. Khadij (Allah be pleased with him) reported: We used to give on rent land during the lifetime of Allah's Messenger (may peace be upon him). We rented it on the share of one-third or one-fourth of the (produce) along with a definite quantity of corn. One day a person from among my uncles came to us and said: Allah's Messenger (may peace be upon him) forbade us this act which was a source of benefit to us, but the obedience to Allah and to His Messenger (may peace be upon him) is more beneficial to us. He forbade us that we should rent land with one-third or one-fourth of (the produce) and the corn of a measure, and he commanded the owner of land that he should cultivate it or let it be cultivated by other (persons) but he showed disapproval of renting it or anything besides it.

Hadith 3743: Rafi b. Khadij (Allah be pleased with him) reported: We used to give land on rent, and we rented it on one-third or one-fourth share. The rest of the hadith is the same.

Hadith 3744: This hadith has been narrated on the authority of Rafi' b. Khadij with the same chain of transmitters, but in it no mention is made of some of his uncles.

Hadith 3745: Rafi (Allah be pleased with him) reported that Zuhair b. Rafi (who was his uncle) came to me and said: Allah's Messenger (may peace be upon him) forbade a practice which was useful for us. I said: What is this? (I believe) that whatever Allah's Messenger (may peace be upon him) says is absolutely true. He (Zuhair) said that he (the Holy Prophet) asked me: What do you do with your cultivable lands? I said: Allah's Messenger, we rent those irrigated by canals for dry dates or barley. He said: Don't do that. Cultivate them or let them be cultivated (by others) or retain them yourself.

Hadith 3746: This hadith has been transmitted on the authority of Rafi from the Prophet (may peace be upon him) about this, but he did not make mention of his uncle Zuhair.

Hadith 3747: Hanzala b. Qais reported that he asked Rafi b. Khadij (Allah be pleased with him) about renting of land, whereupon he said: Allah's Messenger (may peace be upon him) forbade the renting of land. I said: Is it forbidden (even if it is paid) in gold (dinar) and silver (dirham)? Thereupon he said: If it is paid in gold and silver, there is no harm in it.

Hadith 3748: Hanzala b. Qais al-Ansri reported: I asked Rafi' b. Khadij about the renting of land for gold and silver, whereupon he said: There is no harm in it for the people let out land situated near canals and at the ends of the streamlets or portion of fields. (But it so happened) that at times this was destroyed and that was saved. whereas (on other occasions) this portion was saved and the other was destroyed and thus no rent was payable to the people (who let out lands) but for this one (which was saved). It

was due to this that he (the Holy Prophet) prohibited it. But if there is something definite and reliable (e.g. money). there is no harm in it.

Hadith 3749: Hanzala reported that he heard Rafi' b. Khadij (Allah be pleased with him) say: We were the major agriculturists of the Ansar and so we let out land (saying): The produce of this (part of land) would be ours and (the produce) of that would be theirs. But it so happened that at times this (land) gave harvest, but the other one produced nothing. So he (the Holy Prophet) forbade this. But so far as the payment in silver (dirham, a coin) is concerned, he did not forbid.

Hadith 3750: This hadith has been narrated on the authority of Yahya b. Sa'id with the same chain of transmitters.

Hadith 3751: Abdullah b. al Sa'ib reported: I asked Abdullah b. Ma'qil about Muzara'a (cultivating land on share basis in the produce). He said: Thabit b. Dahhak informed me that Allah's Messenger (may peace be upon him) forbade Muzara'a as Ibn Abu Shaiba forbade it with a slight change of words. He (the narrator) said: I asked Ibn Ma'qil but he did not name 'Abdullah.

Hadith 3752: Abdullah b. al-Sa'ib reported: We visited 'Abdullah b. Ma'qil and asked him about sharing of crops, whereupon he said: Thabit alleged that Allah's Messenger (may peace be upon him) forbade Muzara'a and commanded leasing it out on rent (for money) and said: There is no harm in it.

Hadith 3753: Mujahid said to Tiwus: Come along with me to Ibn

Rafi b. Khadij in order to listen from him the hadith transmitted on the authority of his father (pertaining to the renting of land) from Allah's Apostle (may peace be upon him). He (Tawus) scolded him and said: By Allah, it I were to know that Allah's Messenger (may peace be upon him) had forbidden it, I would have never done it. But it has been narrated to me by one who has better knowledge of it amongst them (and he meant Ibn 'Abbas) that Allah's Messenger (may peace be upon him) said: It is better if a person lends, his land to his brother (for cultivation) than that he gets recognised rent on it.

Hadith 3754: Tawus reported that he let out his land on rent, whereupon Amr said: I said to him: Abu Abd al-Rahrman, I wish if you abandon this renting of land, for they alleged that Allah's Apostle (may peace be upon him) forbade Mukhabara. He said: Amr, one who has informed me has the best knowledge of it among them (he meant Ibn Abbas). (He said) that Allah's Apostle (may peace be upon him) did not prohibit it altogether, but said: Lending of land by one among you to his brother is better for him than getting a specified amount of produce from it.

Hadith 3755: A hadith like this has been transmitted on the authority of Ibn Abbas (Allah be pleased with them).

Hadith 3756: Ibn Abbas (Allah be pleased with them) reported Allah's Apostle (may peace be upon him) as saying: If one among you lets out land to his brother, that is better for him than if he receives such and such (the definite thing). Ibn 'Abbis (Allah be pleased with them) said: It is Haql, and in the parlance of the Ansr it is Muhaqala.

Hadith 3757: Ibn Abbas (Allah be pleased with them) reported Allah's Apostle (may peace be upon him) as saying: He who has land, it is better for him that he should let it out to his brother.

Chapter 18 :

SHARING OF FRUITS

Hadith 3758: Ibn Umar (Allah be pleased with them) reported that Allah's Messenger (may peace be upon him) contracted with the people of Khaibar the (trees) on the condition that he would have half the produce in fruits and harvest.

Hadith 3759: Ibn Umar (Allah be pleased with them) reported: Allah's Messenger (may peace be upon him) handed over the land of Khaibar (on the condition) of the share of produce of fruits and harvest, and he also gave to his wives every year one hundred wasqs: eighty wasqs of dates and twenty wasqs of barley. When 'Umar became the caliph he distributed the (lands and trees) of Khaibar, and gave option to the wives of Allah's Apostle (may peace be upon him) to earmark for themselves the land and water or stick to the wasqs (that they got) every year. They differed in this matter. Some of them opted for land and water, and some of them opted for wasqs every year. 'A'isha and Hafsa were among those who opted for land and water.

Hadith 3760: Abdullah b. Umar (Allah be pleased with them) reported that Allah's Messenger (may peace be upon him) contracted with the people of Khaibar (land and trees on the condition that they should give) half of the yield from land and trees. The rest of the hadith is the same. In the hadith transmitted on the authority of AIi b. Mushir there is no mention of it, but that A'isha and Hafsa were those who opted for land and water, but he (the narrator) said: He (Hadrat 'Umar, gave option to the

wives of Allah's Apostle (may peace be upon him) that land would be earmarked for them, but he made no mention of water.

Hadith 3761: 'Abdullah b. Umar (Allah be pleased with them) reported that when Khaibar had been conquered, the Jews asked Allah's Messenger (may peace be upon him) to let them continue (cultivation in those lands) on half of the share of yield in fruits and crop, whereupon Allah's Messenger (may peace be upon him) said: I will allow you to continue here, so long as we would desire. The rest of the hadith is the same, but with this addition: "The fruit would be distributed equal to the half of Khaibar. And out of hall of the produce of the land, Allah's Apostle (may peace be be upon him) got the fifth part."

Hadith 3762: Abdullah b. Umar (Allah be pleased with them) reported that Allah's Messenger (may peace be upon him) returned to the Jews of Khaibar the date-palms of Khaibar and its land on the condition that they should work upon them with their own wealth (seeds, implements), and give half of the yield to Allah's Messenger (may peace be upon him).

Hadith 3763: Ibn Umar reported that 'Umar b. al-Khattab (Allah be pleased with him) expelled the Jews and Christians from the land of Hijaz, and that when Allah's Messenger (may peace be upon him) conquered Khaibar he made up his mind to expel the Jews from it (the territory of Khaibar) because, when that land was conquered, it came under the sway of Allah, that of His Messenger (may peace be upon him) and that of the Muslims. The jews asked Allah's Messenger (may peace be upon him) to let them continue there on the condition that they would work on it, and would get in turn half of the fruit (of the trees), whereupon

Allah's Messenger (may peace be upon him) said : We would let you continue there so long as we will desire. So they continued (to cultivate the lands) till 'Umar externed them to Taima' ang Ariha (two villages in Arabia, but out of Hijaz).

Chapter 19 :

EXCELLENCE OF PLANTING OF TRESS AND TILLING OF LAND

Hadith 3764: Jabir (Allah be pleased with him) reported Allah's Messenger (may peace be upon him) as saying: Never a Muslim plants a tree, but he has the reward of charity for him, for what is eaten out of that is charity; what is stolen out of that, what the beasts eat out of that, what the birds eat out of that is charity for him. (In short) none incurs a loss to him but it becomes a charity on his part.

Hadith 3765: Jabir (Allah be pleased with him) reported that Allah's Apostle (may peace be upon him) visited Umm Mubashshir al-Ansariya at her orchard of date-palms and said to her: Who has planted these trees of dates-a Muslim or a non-Muslim? She said : A Muslim, of course, whereupon he said: Never a Muslim plants, or cultivates a land, and it out of that men eat, or the animals eat, or anything else eats, but that becomes charity on his (planter's) behalf.

Hadith 3766: Jabir b. 'Abdullah (Allah be pleased with them) reported: I heard Allah's Messenger (may peace be upon him) saying: Never does a Muslim plant, or cultivate, but has reward for him for what the beasts eat, or the birds eat or anything else eats out of that.

Hadith 3767: Jabir b. Abdullah (Allah be pleased with them)

reported: Allah's Apostle (may peace be upon him) visited the orchard of Umm Ma'sud and said: Umm Ma'bad. he who has planted this tree, is he a Muslim or a non-Muslim? She said: Of course, he is a Muslim, whereupon he (the Holy Prophet) said: No Muslim who plants (trees) and from their fruits the human beings or the beasts or birds eat, but that would be taken as an act of charity on the Day of Resurrection.

Hadith 3768: This hadith is transmitted on the authority of Abu Muawiya (but With a slight change of words).

Hadith 3769: Anas reported Allah's Messenger (may peace be upon him) as saying Never does a Muslim plant trees or cultivate land and birds or a man or a beast eat out of them but that is a charity on his behalf.

Hadith 3770: Anas b. Malik (Allah be pleased with him) reported that Allah's Apostle (may peace be upon him) visited the date-palms of Umm Mubashshir (Allah be pleased with her), a lady from the Ansar, and said: Who planted this palm-a Muslim or an unbelievers The rest of the hadith is the same.

Chapter 20 :

REMISSION IN THE PAYMENT OF YIELD STRICKEN BY CALAMITY

Hadith 3771: Jabir b. Abdullah (Allah be pleased with them) reported Allah's Messenger (may peace be upon him) saying: If You sell fruits to your brother (and Jabir b. Ahduthh reported through another chain of narrators: If you were to sell fruits to your brother) and these is a stricken with Calamity, it is not permissible for you to get anything from him. Why do you get the wealth of your brother, without justification?

Hadith 3772: A hadith like this has been narrated on the authority of Juraij with the same chain of transmitters.

Hadith 3773: Anas (Allah be pleased with him) reported that Allah's Apostle (may peace be upon him) forbade the sale of the fruit of date-palms until it becomes mellow. We (some of the other narrators in the chain of transmitters) said: What does the word "mellow" mean? He said: (There the fruit) turns red or yellow. Don't you see if Allah had checked (the growth of) fruits; then what for the wealth of your brother would be permissible for you?

Hadith 3774: Anas b. Malik (Allah be pleased with him) reported that Allah's Messenger (may peace be upon him) forbade the sale of fruits until these are mellow. They (the companions of Anas) said: What is meant by "mellow"? He said: It implies that these became red. He said: When Allah hinders the growth of fruits, (then) what for the wealth of your brother would become permissible for you?

Hadith 3775: Anas (Allah be pleased with him) reported Allah's Apostle (may peace be upon him) as saying: If Allah does not fructify them, then what is permissible for one of you to take the wealth of his brother?

Hadith 3776: Jabir (Allah be pleased with him) reported that Allah's Apostle (may peace be upon him) commanded to make deductions in the payment of that stricken with a Calamity.

Chapter 21 :

EXCELLENCE OF MAKING REDUCTION IN THE DEBT

Hadith 3777: Abu Sa'id al-Khudri (Allah be pleeased with him) reported that in the time of Allah's Messenger (may peace be upon him) a man suffered loss in fruits he had bought and his debt increased; so Allah's Messenger (may peace be upon him) told (the people) to give him charity and they gave him charity, but that was not enough to pay the debt in full, whereupon Allah's Messenger (may peace be upon him) said to his creditors: "Take what you find, you will have nothing but alms.

Hadith 3778: This hadith has been narrated on the authority of Bukair b. al-Ashajj with the same chain of transmitters.

Hadith 3779: A'isha (Allah be pleased with her) reported: Allah's Messenger (may peace be upon him) heard the voices of altercation of two disputants at the door; both the voices were quite loud. The one demanded some remission and desired that the other one should show leniency to him, whereupon the (other one) was saying: By Allah will not do that. Then there came Allah's Messenger (may peace be upon him) to them and said: Where is he who swears by Allah that he would not do good? He said: Massenger of Allah, it is I. He may do as he desires.

Hadith 3780: Abdullah b. Ka'ab b. Malik reported from his father that he pressed in the mosque Ibn Abu Hadrad for the payment of the debt that he owed to him during the lifetime of Allah's Messenger (may peace be upon him). (In this altercation) their voices became loud, until Allah's Messenger (may peace be upon him) heard them, while he was in the house, so Allah's Messenger (may peace be upon him) came out towards them, and he lifted the curtain of his apartment and he called upon Ka'b b. Malik and said: O Ka'b. He said: At thy beck and call, Allah's

Messenger. He pointed out with the help of his hand to remit half of the loan due to him. Ka'b said: Allah's Messenger, I am ready to do that, whereupon Allah's Messenger (may peace be upon him) said (to Ibn Abu Hadrad): Stand up and make him the payment (of the rest).

Hadith 3781: Ka'b b. Malik reported that he made a demand for the payment of the debt that Ibn Abu Hadrad owed to him. This hadith is narrated through another chain of transmitters and (the words are): "He had to get the loan from Abdullah b. Hadrad al-Aslami. He met him and pressed him for payment. There was an altercation between them, until their voices became loud. There happened to pass by them Allah's Messenger (may peace be upon him) and he said: O Ka'b, and pointed out with his hand in such a way as he meant half. So he got half of what he (Ibn Abu Hadrad) owed to him and remitted the half."

Chapter 22 :

IF THE BUYER BECOMES INSOLVENT AND THE SELLER FINDS THE COMMODITY SOLD TO THE BUYER INTACT, HE CAN TAKE IT BACK

Hadith 3782: Abu Huraira (Allah be pleased with him) reported Allah's Messenger (may peace be upon him) as saying: He who found his property intact with a person (who bought it but who later on) became insolvent (or a person who became insolvent), he (the seller) is entitled to get it more than anyone else.'

Hadith 3783: This hadith has been narrated on the authority of Yahya b. Sa'id with the same chain of transmitters (but with a slight variation of words and these are) "Whenever a man becomes poor."

Hadith 3784: Abu Huraira (Allah be pleased with him) reported Allah's Apostle (may peace be upon him) saying about a person who becomes insolvent and (the thing bought by him) is found intact with him, that belongs to one who sold it.

Hadith 3785: Abu Huraira (Allah be pleased with him) reported Allah's Apostle (may peace be upon him) as saying: When a man becomes insolvent (and the other) man (the seller) finds his commodity intact with him, he is more entitled to get it (than anyone else)

Hadith 3786: This hadith has been narrated on the authority of Qatada with the same chain of transmitters (but with a change of these words): "He is more entitled to get it than any other creditor."

Hadith 3787: Abu Huraira (Allah be pleased with him) reported Allah's Messenger (may peace be upon him) as saying : When a man becomes insolvent, and the other person (seller) finds his goods intact with him, he is more entitled to get them than anyone else.

Chapter 23 :

MERIT OF GIVING RESPITE TO ONE WHO IS IN STRAITENED CIRCUMSTANCES

Hadith 3788: Hudhaifa reported Allah's Messenger (may peace be upon him) as saying The angels took away the soul of a person who had lived among people who were before you. They (the angels) said : Did you do anything good ? He said: No. they said: Try to recall. He said : I used to lend to people and order my servants to give respite to one in straitened circumstances and give allowance to the solvent, for Allah, the Exalted and Majestic,

said (to the angels) : You should ignore (his failing).

Hadith 3789: Hudhaifa reported: A person met his Lord (after death) and He said: What (good) did you do ? He said: I did no good except this that I was a rich man, and I demanded from the people (the repayment of debt that I advanced to them). I, however, accepted that which the solvent gave and remitted (the debt) of the insolvent, whereupon He (the Lord) said: You should ignore (the faults) of My servant. Abu Mas'ud (Allah be pleased with him) said: This is what I heard Allah's Messenger (may peace be upon him) as saying.

Hadith 3790: Hudhaifa (Allah be pleased with him) reported Allah's Apostle (may peace be upon him) as saying: A person died and he entered Paradise. It was said to him What (act) did you do? (Either he recalled it himself or he was made to recall), he said I used to enter into transactions with people and I gave respite to the insolvent and did not show any strictness in case of accepting a coin or demanding cash payment. (For these acts of his) he was granted pardon. Abu Mas'ud said : I heard this from Allah's Messenger (may peace be upon him).

Hadith 3791: Hudhaifa (Allah be pleased with him) reported : A servant from amongst the servants of Allah was brought to Him whom Allah had endowed with riches. He (Allah) said to him: What (did you do) in the world ? (They cannot conceal anything from Allah) He (the person) said: O my Lord, You endowed me with Your riches. I used to enter into transactions with people. It was my nature to be lenient to (my debtors). I showed leniency to the solvent and gave respite to the insolvent, whereupon Allah said : I have more right than you to do this to connive at My

servant. 'Uqba b. 'Amir al-Juhani and Abu Mas'ud said: This is what we heard from Allah's Messenger (may peace be upon him).

Hadith 3792: Abu Mas'ud (Allah be pleased with him) reported Allah's Messenger (may peace be upon him) as saying: A person from people who lived before you was called to account (by Allah at the Day of Judgment) and no good was found in his account except this that lie being a rich man had (financial) dealings with people and had commanded his servants to show leniency to the straitened ones. Upon this Allah, the Exalted and Majestic, said: We have more right to this, so overlook (his faults).

Hadith 3793: Abu Huraira (Allah be pleased with him) reported Allah's Messenger (may peace be upon him) as saying : There was a person who gave loans to the people and said to his men: When an insolvent comes to you show him leniency that Allah may overlook our (faults). So when he met Allah, He overlooked his faults (forgave him).

Hadith 3794: A hadith like this is narrated on the authority of Abu Huraira (Allah be pleased with him).

Hadith 3795: Abdullah b. Abu Qatada reported that Abu Qatada (Allah be pleased with him) demanded (the payment of his debt) from his debtor but he disappeared; later on he found him and he said: I am hard up financially, whereupon he said: (Do you state it) by God? He said: By God. Upon this he (Qatada) said: I heard Allah's Messenger (may peace be upon him) as saying : He who loves that Allah saves him from the torments of the Day of Resurrection should give respite to the insolvent or remit (his debt) This hadith has been narrated on the authority of

Ayyob with the same chain of transmitters.

Chapter 24 :

IT IS FORBIDDEN FOR A SOLVENT TO MAKE DELAY IN THE PAYMENT OF DEBT, AND THE DESIRABILITY OF A REFERENCE, AND IT IS EXCELLENT FOR THE RICH MAN TO ACCEPT THAT WHEN REFERENCE IS MADE TO HIM

Hadith 3796: Abu Huraira (Allah be pleased with him) reported Allah's Messenger (may peace be upon him) as saying: Delay (in the payment of debt) on the part of a rich man is injustice, and when one of you is retired to a rich man, he should follow him.

Hadith 3797: A hadith like this has been transmitted on the authority of Abu Huraira (Allah be pleased with him).

Chapter 25 :

PROHIBITION OF THE SALE OF EXCESS WATER IN THE BARREN LANDS, AND PREVENTING PEOPLE TO USE IT, AND HIRING A CAMEL TO COVER A SHE-CAMEL

Hadith 3798: Jabir b. 'Abdullah (,Allah be pleased with him) reported that Allah's Messenger (may peace be upon him) forbade the sale of excess water.

Hadith 3799: Jabir b. 'Abdullah (Allah be pleased with him) reported that Allah's Messenger (may peace be upon him) forbade the hiring of a Camel to cover a she-Camel and from selling water and land to be tilled. So from all this the Messenger of Allah (may peace be upon him) forbade.

Hadith 3800: Abu Huraira (Allah be pleased with him) reported Allah's Messenger (may peace be upon him) as saying: Excess water must not be withheld so that the growth of herbage may be

hindered.

Hadith 3801: Abu Huraira (Allah be pleased with him) reported Allah's Messenger (may peace be upon him) as saying: Do not withhold excess of water, so that you may prevent the growth of herbage.

Hadith 3802: Abu Huraira (Allah be pleased with him) reported Allah's Messenger (may peace be upon him) as saying: The excess of water should not be sold in order to enable the sate of herbage.

Chapter 26 :

THE PRICE OF A DOG, THE SWEETS OF A KAHIN, THE EARNINGS OF A PROSTITUTE AND THE SELLING OF A CAT ALL FORBIDDEN

Hadith 3803: Aba Mas'ud al-Ansari (Allah be pleased with him) reported that Allah's Messenger (may peace be upon him) forbade the charging of price of the dog, and earnings of a prostitute and sweets offered to a kahin.

Hadith 3804: A hadith like this is reported on the authority of Abu Mas'ud through another chain of transmitters.

Hadith 3805: Rafi b. Khadij (Allah be pleased with him) reported: I heard Allah's Apostle (may peace be upon him) as saying: The worst earning is the earning of a prostitute, the price of a dog and the earning of a cupper.

Hadith 3806: Rafi b. Khadij reported Allah'& Messenger (may peace be upon him) as saying: The price of a dog is evil, the earning of a prostitute is evil and the earning of a cupper is evil.

Hadith 3807: A hadith like this has been narrated on the authority of Rifi' b. Khadlj through another chain of transmitters.

Hadith 3808: Abu Zubair said: I asked Jabir about the price of a dog and a cat; he said: Allah's Messenger (may peace be upon him) disapproved of that.

Chapter 27 :

COMMAND OF KILLING DOGS AND THEN ITS ABROGATION, AND PROHIBITION OF KEEPING THEM BUT FOR HUNTING AND PROTECTION OF LANDS OR CATTLE OR LIKE THAT

Hadith 3809: Ibn 'Umar (Allah be pleased with them) reported Allah's Messenger (may peace be upon him) giving command for killing dogs.

Hadith 3810: Ibn 'Umar (Allah be pleased with them) reported: Allah's Messenger (may peace be upon him) ordered to kill dogs, and he sent (men) to the corners of Medina that they should be killed.

Hadith 3811: Abdullah (b. Umar) (Allah be pleased with them) reported: Allah's Messenger (may peace be upon him) ordered the killing of dogs and we would send (men) in Medina and its corners and we did not spare any dog that we did not kill, so much so that we killed the dog that accompanied the wet she-camel belonging to the people of the desert.

Hadith 3812: Ibn Umar (Allah be pleased with them) reported

that Allah's Messenger (may peace be, upon him) ordered the killing of dogs except the dog tamed for hunting, or watching of the herd of sheep or other domestic animals. It was said to Ibn Umar (Allah be pleased with them) that Abu Huraira (Allah be pleased with him) talks of (exception) about the dog for watching the field, whereupon he said: Since Abu Huraira (Allah be pleased with him) possessed land.

Hadith 3813: Abu Zubair heard Jabir b. 'Abdullah (Allah be pleased with him) saying: Allah's Messenger (may peace be upon him) ordered us to kill dogs, and we carried out this order so much so that we also kill the dog coming with a woman from the desert. Then Allah's Apostle (may peace be upon him) forbade their killing. He (the Holy Prophet further) said: It is your duty the jet-black (dog) having two spots (on the eyes), for it is a devil.

Hadith 3814: Ibn Mughaffal reported: Allah's Messenger (may peace be upon him) ordered the killing of dogs and then said: what is the trouble with them (the people of Medina)? How dogs are nuisance to them (the citizens of Medina)? He then permitted keeping of dogs for hunting and (the protection of) herds. In the hadith transmitted on the authority of Yahya, he (the Holy Prophet) permitted the keeping of dogs for (the protection of) herds, for hunting and (the protection of) cultivated land.

Hadith 3815: Ibn Umar (Allah be pleased with him) reported Allah's Messenger (may peace be upon him) as saying: He who keeps a dog other than that meant for watching the herd or for hunting loses every day out of his deeds equal to two qirat.

Hadith 3816: Salim reported on the authority of his father that

Allah's Apostle (may peace be upon him) said: He who kept a dog other than one meant for hunting or for watching the herd, lost two qirat of his reward every day.

Hadith 3817: Ibn 'Umar reported Allah's Messenger (may peace be upon him) as saying he who kept a dog other than one meant for hunting or for watching the herd lost out of his deeds (equal to) two qirat every day.

Hadith 3818: Salim b. 'Abdullah reported on the authority of his father that Allah's Messenger (may peace be upon him) said: He who kept a dog other than one meant for watching the herd or for hunting would lose every day two qirat of his good deeds. 'Abdullah and Abu Huraira also said: Or dog meant for watching the field.

Hadith 3819: Salim reported on the authority of his father (Allah be pleased with him) that Allah's Messenger (may peace be upon him) said: He who kept a dog other than one meant for hunting or for the protection of the herd would lose two qirat of his deeds every day. Salim said: Abu Huraira (Allah be pleased with him) used to say: Or the dog meant for watching the field, and he was the owner of the land.

Hadith 3820: Salim b. Abdullah reported on the authority of his father that Allah's Messenger (may peace be upon him) said: Whosoever amongst the owners of the house keeps a dog other than one meant for watching the herd or for hunting loses two qirat of his deeds every day.

Hadith 3821: Ibn Umar (Allah be pleased with them) narrated

Allah's Messenger (may peace be upon him) as saying: He who kept a dog other than one meant for watching the fields or herds or hunting would lose one qirat every day out of his reward (with God).

Hadith 3822: Abu Huraira reported Allah's Messenger (may peace be upon him) as saying : He who kept a dog which is neither meant for hunting nor for watching the animals nor for watching the fields would lose two qirat every day out of his reward; and there is no mention of the fields in the hadith transmitted by Abu Tahir.

Hadith 3823: Abu Huraira (Allah be pleased with him) reported Allah's Messenger (may peace be upon him) as saying: He who kept a dog except one meant for watching the herd, or for hunting or for watching the fields. he lost two qirat of reward every day. Zuhri said: The words of Abu Huraira (Allah be pleased with him) were conveyed to Ibn Umar who said: May Allah have mercy upon Abu Huraira; he owned a field.

Hadith 3824: Abu Huraira (Allah be pleased with him) reported Allah's Messenger (may peace be upon him) as saying: He who kept a dog would lose out of his deeds equal to one qirat every day. except (one kept) for watching the field or herd.

Hadith 3825: A hadith like this has been transmitted on the authority of Abu Huraira.

Hadith 3826: This hadith has been reported on the authority of Yahya b. Abu Kathir with the same chain of transmitters.

Hadith 3827: Abu Huraira (Allah be pleased with him) reported Allah's Messenger (may peace be upon him) as saying: He who kept a dog, but not meant for hunting or watching the herd, would lose one qirat of reward every day.

Hadith 3828: Sufyan b. Abu Zuhair (he was a person belonging to the tribe of Shanu'a and was amongst the companions of Allah's Messenger (may peace be upon him) said: I heard Messenger of Allah (may peace be upon him) as saying: He who kept a dog (other than that) which is indispensable for watching the field or the animals would lose one qirat out of his deeds every day. As-Sa'ib b Yazid (one of the narrators) said: Did you hear it from Allah's Messenger (may peace be upon him)? He said: Yes. by the Lord of this mosque.

Hadith 3829: This hadith has been narrated on the authority of Sufyan b. Abu Zuhair al-Shana'i.

Chapter 28 :

IT IS PERMISSIBLE TO GET THE WAGES OF CUPPING

Hadith 3830: It is narrated on the authority of Humaid that Anas b. Malik was asked about the earnings of the cupper. He said: Allah's Messenger (may peace be upon him) got himself cupped. His cupper was Abu Taiba and he (the Holy Prophet) commanded to give him two sa's of corn. He (the Holy Prophet) talked with the members of his family and they lightened the burden of Kharaj (tax) from him (i.e. they made remission in the charges of their own accord). He (Allah's Apostle) said: The best (treatment) which you take is cupping, or it is the best of your treatments.

Hadith 3831: Rumaid reported that Anas b. Malik (Allah be

pleased with him) has asked about the earnings of a cupper. Then (the above-mentioned hadith was reported but with this addition) that he said: The best treatment which you get is cupping. or aloeswood and do not torture your children by pressing their uvula.

Hadith 3832: Humaid reported Anas (Allah be pleased with him) having said this: Allah's Apostle (may peace be upon him) called for young cupper belonging to us. He capped him and he (the Holy Prophet) commanded that he should be paid one sa' or one mudd or two mudds (of wheat). It was said (that charges were high) and a reduction was made in the charges.

Hadith 3833: Ibn Abbas (Allah be pleased with them) reported that Allah's Messenger (may peace be upon him) got himself cupped and he paid the clipper his charges and he put medicine in his nostrils.

Hadith 3834: Ibn 'Abbas (Allah be pleased with them) reported: The slave of Banu Bayada cupped Allah's Apostle (may peace be upon him) and he gave him his wages, and talked to his master and he reduced the charges, and if this earning was unlawful Allah's Apostle (may peace be upon him) would not have given it.

Chapter 29 :

THE SALE QF WINE IS FORBIDDEN

Hadith 3835: Abu Sa'id al-Khudri (Allah be pleased with him) reported: I heard Allah's Messenger (may peace be upon him) addressing in Medina. He said: O people, Allah is giving an indication (of the prohibition) of wine. and He is probably soon going to give an order about it. So he who has anything of it with him should sell that, and derive benefit out of it. He (the

narrator) said: We waited for some time that Allah's Apostle (may peace be upon him)said: Verily Allah, the Exalted, has forbidden wine. So who hears this verse and he has anything of it with him, he should neither drink it nor sell it. He (the narrator) said: The people then brought whatever they had of it with them on the streets of Medina and spilt that.

Hadith 3836: 'Abd al-Rahman b. Wa'ala as-Saba'i (who was an Egyptian) asked 'Abdullah b. Abbas; (Allah be pleased with them) about that which is extracted from the grapes, whereupon he said: A person presented to Allah's Messenger (may peace be upon him) a small water-skin of wine. Allah's Messenger (may peace be upon him) said to him: Do you know that Allah has forbidden it? He said: No. He then whispered to another man. Allah's Messenger (may peace be upon him) asked him what he had whispered. He said: I advised him to sell that, whereupon he (the Holy Prophet) said: Verily He Who has forbidden its drinking has forbidden its sale also. He (the narrator) said: He opened the waterskin until what was contained in it was spilt.

Hadith 3837: 'Abd al-Rahman b. Wa'ala narrated this on the authority of 'Abdullah b. Abbas.

Hadith 3838: 'A'isha (Allah be pleased with her) reported: When the concluding verses of Sura Baqara were revealed, Allah's Messenger (may peace be upon him) went out and read them out to the people and then forbade them to trade in wine.

Hadith 3839: 'A'isha (Allah be pleased with her) reported: When the concluding verses of Sura Baqara pertaining to Riba were revealed, Allah's Messenger (may peace be upon him) went out to

the mosque and he forbade the trade in wine.

Chapter 30 :

PROHIBITION OF THE SALE OF WINE, CARCASS, SWINE AND IDOLS

Hadith 3840: Jabir b. 'Abdullah (Allah be pleased with them) reported Allah's Messenger (may peace be upon him) as saying in the Year of Victory while he was in Mecca: Verily Allah and His Messenger have forbidden the sale of wine, carcass, swine and idols, It was said: Allah's Messenger, you see that the fat of the carcass is used for coating the boats and varnishing the hides and people use it for lighting purposes, whereupon he said: No, it is forbidden, Then Allah's Messenger (may peace be upon him) said: May Allah the Exalted and Majestic destroy the Jews; when Allah forbade the use of fat of the carcass for them, they melted it, and then sold it and made use of its price (received from it).

Hadith 3841: Yazid b. Abu Habib reported: 'Ata' reported to me that he heard Jabir (b. 'Abdullah) saying it that he had heard that from Allah's Messenger (may peace be upon him) in the Year of Victory.

Hadith 3842: Ibn Abbas (Allah be pleased with him) reported: This news reached 'Umar that Samura had sold wine, whereupon he said: May Allah destroy Samura; does he not know that Allah's Messenger (may peace be upon him) said: "Let there be the curse of Allah upon the Jews that fat was declared forbidden for them, but they melted it and then sold it" ?

Hadith 3843: This hadith has been narrated on the authority of 'Amr b. Dinar with the same chain of transmitters.

Hadith 3844: Abu Huraira (Allah be pleased with him) reported Allah's Messenger (may peace be upon him) as saying: May Allah destroy the Jews for Allah forbade the use of fat for them, but they sold it and made use of its price.

Chapter 31 :

RIBA (USURY)

Hadith 3845: Abu Salid al-Khudri reported Allah's Messenger (may peace be upon him) as saying: Do not sell gold for gold, except like for like, and don't increase something of it upon something; and don't sell silver unless like for like, and don't increase some thing of it upon something, and do not sell for ready money something to be given later.

Hadith 3846: Nafi' reported that Ibn 'Umar told him that a person of the tribe of Laith said that Abu Sa'id al-Kludri narrated it (the above-mentioned hadith) from tile Messenger of Allah (may peace be upon him) in a narration of Qutaiba. So 'Abduliali and Nafi' went along with him, and in the hadith transmitted by Ibn Rumh (the words are) that Nafi' said: 'Abdullah (b.'Umar) went and I along with the person belonging to Banu Laith entered (the house) of Sa'id al-Khudri, and he ('Abdullah b. Umar) said: I have been informed that you say that Allah's Messenger (may peace be upon him) forbade the sale of silver with silver except in case of like for like, and sale of gold for gold except in case of like for like. Abu Sa'id pointed towards this eyes and his ears with his fingers and said: My eyes saw, and my ears listened to Allah's Messenger (may peace be upon him) saying: Do not sell gold for gold, and do not sell silver for silver except in case of like for like, and do not increase something of it upon something, and do not sell for ready money something, not present, but hand to hand.

Hadith 3847: This hadith has been narrated on the authority of Abu Sa'id al-Khudri through another chain of transmitters.

Hadith 3848: Abu Sa'id al-Khudri (Allah be pleased with him) reported Allah's Messenger (may peace be upon him) as saying: Do not sell gold for gold and silver for silver weight for weight or of the same quality.

Hadith 3849: 'Uthman b. 'Affan reported Allah's Messenger (may peace be upon him) as saying: Do not sell a dinar for two dinars and one dirham for two dirhams.

Chapter 32 :

CONVERSION OF CURRENCY AND SELLING OF GOLD FOR SILVER ON THE SPOT

Hadith 3850: Malik b. Aus b. al-Hadathan reported: I came saying who was prepared toexchange dirhams (for my gold), whereupon Talha b. Ubaidullah (Allah be pleased with him) (as he was sitting with 'Umar b. Khattib) said: Show us your gold and then come to us (at a later time). When our servant would come we would give you your silver (dirhams due to you). Thereupon 'Umar b. al-Khattib (Allah be pleased with him) said: Not at all. By Allah, either give him his silver (coins). or return his gold to him, for Allah's Messenger (may peace be upon him) said: Exchange of silver for gold (has an element of) interest in it. except when (it is exchanged) on the spot and wheat for wheat is an interest unless both are handed over on the spot: barley for barley is interest unless both are handed over on the spot; dates for dates is interest unless both are handed over on the Spot.

Hadith 3851: This hadith has been narrated on the authority of

Zuhri with the same chain of transmitters.

Hadith 3852: Abil Qiliba reported: I was in Syria (having) a circle (of friends). in which was Muslim b. Yasir. There came Abu'l-Ash'ath. He (the narrator) said that they(the friends) called him: Abu'l-Ash'ath, Abu'l-Ash'ath, and he sat down. I said to him: Narrate to our brother the hadith of Ubada b. Samit. He said: Yes. We went out on an expedition, Mu'awiya being the leader of the people, and we gained a lot of spoils of war. And there was one silver utensil in what we took as spoils. Mu'awiya ordered a person to sell it for payment to the people (soldiers). The people made haste in getting that. The news of (this state of affairs) reached 'Ubada b. Samit, and he stood up and said: I heard Allah's Messenger (may peace be upon him) forbidding the sale of gold by gold, and silver by silver, and wheat by wheat, and barley by barley, and dates by dates, and salt by salt, except like for like and equal for equal. So he who made an addition or who accepted an addition (committed the sin of taking)interest. So the people returned what they had got. This reached Mu'awiya. and he stood up to deliver an address. He said: What is the matter with people that they narrate from the Messenger (may peace be upon him) such tradition which we did not hear though we saw him (the Holy Prophet) and lived in his company? Thereupon, Ubida b. Samit stood up and repeated that narration, and then said: We will definitely narrate what we heard from Allah's Messenger (may peace be upon him)though it may be unpleasant to Mu'awiya (or he said: Even if it is against his will). I do not mind if I do not remain in his troop in the dark night. Hammad said this or something like this.

Hadith 3853: Ubida b. al-Simit (Allah be pleased with him) reported Allah's Messenger(may peace be upon him) as saying:

Gold is to be paid for by gold, silver by silver, wheat by wheat, barley by barley, dates by dates, and salt by salt, like for like and equal for equal, payment being made hand to hand. If these classes differ, then sell as you wish if payment is made hand to hand.

Hadith 3854: Abu Sa'id al-Khudri (Allah be pleased with him) reported Allah's Messenger(may peace be upon him) as saying: Gold is to be paid for by gold, silver by silver, wheat by wheat, barley by barley, dates by dates, salt by salt, like by like, payment being made hand to hand. He who made an addition to it, or asked for an addition, in fact dealt in usury. The receiver and the giver are equally guilty.

Hadith 3855: This hadith has been narrated on the authority of Abu Sa'id al-Khudri(Allah be pleased with him) through another chain of transmitters.

Hadith 3856: Abu Huraira (Allah be pleased with him) reported Allah's Messenger(may peace be upon him) as saying: Dates are to be paid for by dates, wheat by wheat, barley by barley, salt by salt, like for like, payment being made on the spot. He who made an addition or demanded an addition, in fact, dealt in usury except in case where their classes differ. This hadith has been narrated on the authority of Fudail b.Ghazwan with the same chain of transmitters, but he made no mention of (payment being) made on the spot.

Hadith 3857: Abu Huraira (Allah be pleased with him) reported Allah's Messenger (may peace be upon him) as saying: Gold is to be paid for by gold with equal weight, like for like, and silver is to

be paid for by silver with equal weight, like for like. He who made an addition to it or demanded an addition dealt in usury.

Hadith 3858: Abu Huraira (Allah be pleased with him) reported Allah's Messenger (may peace be upon him) as saying: Let dinar be exchanged for dinar, with no addition on either side and dirham be exchanged for dirham with no addition on either side. This hadith has been narrated on the authority of Musa b. Abu Tamim with the same chain of transmitters.

Chapter 33 :

THE SALE OF SILVER FOR GOLD IS PROHIBITED WHEN PAYMENT IS TO BE MADE IN FUTURE

Hadith 3859: Abu Minhal reported: My partner sold silver to be paid in the (Hajj)season or (in the days of) Hajj. He (my partner) came to me and informed me, and I said to him: Such transaction is not desirable. He said: I sold it in the market (on loan) but nobody objected to this. I went to al-Bara' b. 'Azib and asked him, and he said: Allah's Apostle (may peace be upon him) came to Medina and we made such transaction, whereupon he said: In case the payment is made on the spot, there is no harm in it, and in case (it is 'sold) on loan, it is usury. You better go to Zaid b. Arqam, for he is a greater trader than I; so I went to him and asked him, and he said like it.

Hadith 3860: Habib reported that he heard Abu Minhal as saying: I asked al-Bara' b.Azib about the exchange of (gold for silver or vice versa), whereupon he said: you better ask Zaid b. Arqam for he knows more than I. So I asked Zaid but he said: You better ask al-Bara' for he knows more than I. Then both of them said: Allah's Messenger(may peace be upon him) forbade the sale of silver for gold when payment is to be made in future.

Hadith 3861: Abd al-Rabman b. Abia Bakra reported on the authority of his father that Allah's Messenger (may peace be upon him) forbade the sale of gold for gold, and silver for silver except equal for equal, and commanded us to buy silver for gold as we desired and buy gold for silver as we desired. A person asked him (about the nature of payment), whereupon he said: It is to be made on the spot. This is what I heard(from Allah's Messenger (may peace be upon him).

Hadith 3862: Abd al-Rabman b. Abu Bakra said: Allah's Messenger (may peace be upon him) prohibited us. The rest of the hadith is the same.

Chapter 34 :

THE SALE OF GOLD NECKLACE STUDDED WITH PEARLS

Hadith 3863: Fadala b. Ubaid al-Ansari reported: A necklace having gold and gems in it was brought to Allah's Messenger (may peace be upon him) in Khaibar and it was one of the spoils of war and was put to sale. Allah's Messenger (may peace be upon him) said: The gold used in it should be separated, and then Allah's Messenger (may peace be upon him) further said : (Sell) gold for gold with equal weight.

Hadith 3864: Fadila b. 'Ubaid (Allah be pleased with him) reported: I bought on the day (of the Victory of Khaibar) a necklace for twelve dinars (gold coins).It was made of gold studded with gems. I separated (gold from gems) in it, and found (gold) of more (worth) than twelve dinars. I made a mention of it to Allah's Apostle (may peace be upon him), whereupon he said: It should not be sold unless it is separated.

Hadith 3865: A hadith like this is narrated on the authority of Sa'id b. Yazid with the same chain of transmitters.

Hadith 3866: Fadala b. 'Ubaid reported: We were in the company of Allah's Messenger (may peace be upon him) on the day (of the Victory of) Khaibar, and made transaction with the Jews for the 'uqiya of gold for the dinars or three (gold coins), whereupon Allah's Messenger (may peace be upon him) said: Do not sell gold for gold but for equal weight

Hadith 3867: Hanash reported: We were along with Fadala b. Ubaid (Allah be pleased with him)in an expedition. There fell to my and my friend's lot a necklace made of gold, silver and jewels. I decided to buy that. I asked Fadala b. 'Ubaid, whereupon he said: Separate its gold and place it in one pan (of the balance) and place your gold in the other pan, and do not receive but equal for equal, for I heard Allah's Messenger(may peace be upon him) as saying: He who believes in Allah and the Hereafter should not take but equal for equal.

Chapter 35:

SALE OF WHEAT LIKE FOR LIKE

Hadith 3868: Ma'mar b. Abdullah reported that he sent his slave with a sa' of wheat and said to him: Sell it, and then buy with it barley. The slave went away and he got a sa' (of barley) and a part of sa' over and above that. When he came to Ma'mar he informed him about that, whereupon Ma'mar said to him: Why did you do that? Go back and return that, and do not accept but weight, for weight, for I used to hear from Allah's Apostle (may peace be upon him) as saying: Wheat for wheat and like for like. He (one of the narrators) said: Our food in those days consisted of barley.It was said to him (Ma'mar) that (wheat) is not like that

(barley). He replied: I am afraid these may not be similar

Hadith 3869: Abu Huraira and Abu Sa'id al-Khudri (Allah be pleased with them) reported that Allah's Messenger (may peace be upon him) deputed a person from Banu 'Adi al-Ansari to collect revenue from Khaibar. He came with a fine quality of dates, whereupon Allah's Messenger (may peace be upon him) said to him: Are all the dates of Khaibar like this? He said: Allah's Messenger, it is not so. We buy one sa' of (fine quality of dates) for two sa's out of total output (including even the inferior quality of dates), whereupon Allah's Messenger (may peace be upon him) said: Don't do that, but like for like, or sell this (the inferior quality and receive the price) and then buy with the price of that, and that would make up the measure.

Hadith 3870: Abu Huraira (Allah be pleased with him) reported that Allah's Messenger(may peace be upon him) deputed a person to collect revenue from Khaibar. He brought fine quality of dates, whereupon Allah's Messenger (may peace be upon him) said: Are all the dates of Khaibar like this)? He said: No. We got one sa' (of fine dates) for two sa's (of inferior dates), and (similarly) two sa's for three sa's. Thereupon Allah's Messenger (may peace be upon him) said: Don't do that rather sell the inferior quality of dates for dirhams (money), and then buy the superior quality with the help of dirhams.

Hadith 3871: Abd Sa'id reported: Bilal (Allah be pleased with him) came with fine quality of dates. Allah's Messenger (may peace be upon him) said to him: From where (you have brought them)? Bilal said: We had inferior quality of dates and I exchanged two sa's (of inferior quality) with one sa (of fine

quality) as food for Allah's Apostle(may peace be upon him), whereupon Allah's Messenger (may peace be upon him) said: Woe! it is in fact usury; therefore, don't do that. But when you intend to buy dates(of superior quality), sell (the inferior quality) in a separate bargain and then buy (the superior quality). And in the hadith transmitted by Ibn Sahl there is no mention of "whereupon".

Hadith 3872: Abu Sa'id (Allah be pleased with him) reported: Dates were brought to Allah's Messenger (may peace be upon him), and he said: These dates are not like our dates, whereupon a man said: We sold two sa's of our dates (in order to get) one sa', of these (fine dates), whereupon Allah's Messenger (may peace be upon him) said: That is interest; so return (these dates of fine quality), and get your (inferior dates) ; then sell our dates (for money) and buy for us (with the help of money) such (fine dates).

Hadith 3873: Abu Sa'id (Allah be pleased with him) reported: We were given to eat, during the lifetime of Allah's Messenger (may peace be upon him), dates of different qualities mixed together, and we used to sell two sa's of these for one sa, (of fine quality of dates). This reached Allah's Messenger (may peace be upon him), whereupon he said: There should be no exchange of two sa's of (inferior) dates for one sa (of fine dates) and two sa's of (inferior) wheat for one sa' of (fine) wheat. and one dirham for two dirharms.

Hadith 3874: Abu Nadra reported: I asked Ibn Abbas (Allah be pleased with them) about the conversion (of gold and silver for silver and gold). We said: Is it hand to hand exchange? I said: Yes. whereupon he said: There is no harm in it. I informed Abu

Sa'id about it, telling him that I had asked Ibn 'Abbas about it and he said: Is it hand to hand exchange? I said: Yes, whereupon he said: There is no harm in it. He(the narrator) said, or he said like it: We will soon write to him, and he will not give you this fatwa (religious verdict). He said: By Allah, someone of the boy-servants of Allah's Messenger (may peace be upon him) brought dates, but he refused to accept them (on the plea) that those did not seem to be of the dates of our land. He said: Something had happened to the dates of our land, or our dates. So I got these dates (in exchange by giving) excess (of the dates of our land), whereupon he said: You made an addition for getting the fine dates (in exchange) which tantamount to interest; don't do that (in future). Whenever you find some doubt (as regards the deteriorating quality of) your dates, sell them, and then buy the dates that you like.

Hadith 3875: Abu Nadra reported: I asked Ibn Umar and Ibn Abbas (Allah be pleased with them) about the conversion of gold with gold but they did not find any harm in that. I was sitting in the company of Abd Sa'id al-Khudri (Allah be pleased with him) and asked him about this exchange, and he said: Whatever is addition is an' interest. I refused to accept it on account of their statement (statement of Ibn 'Abbas and Ibn 'Umar). He said: I am not narrating to you except what I heard from Allah's Messenger(may peace be upon him). There came to him the owner of a date-palm with one sa' of fine dates, and the dates of Allah's Apostle (may peace be upon him) were of that color. Allah's Apostle (may peace be upon him) said to him: Where did you get these dates? I went with two sa's of (inferior dates) and bought one sa' of (these fine dates), for that is the prevailing price (of inferior dates) in the market and that is the price (of the fine quality of dates in the market), whereupon Allah's Messenger

(may peace be upon him) said: Woe be upon you! You have dealt in interest, when you decide to do it (i.e. exchange superior quality of dates for inferior quality); so you should sell your dates for another commodity (or currency) and then with the help of that commodity buy the dates you like. Abu Sa'ad said: When dates are exchanged for dates (with different qualities) there is the possibility (of the element of) interest (creeping into that) or when gold is exchanged for gold having different qualities. I subsequently came to Ibn 'Umar and he forbade me (to do it), but I did not come to Ibn 'Abbas; (Allah be pleased with them). He (the narrator) said: Abu as-Sahba' narrated to me:He asked Ibn Abbas (Allah be pleased with them) in Mecca, and he too disapproved of it.

Hadith 3876: Abu Salih reported: I heard Abu Sa'id al-Khudri (Allah be pleased with him) said: Dinar (gold) for gold and dirham for dirham can be (exchanged) with equal for equal; but he who gives more or demands more in fact deals in interest. I sald to him: Ibn 'Abbas (Allah be pleased with them) says otherwise, whereupon he said: I met Ibn 'Abbas (Allah be pleased with them) and said: Do you see what you say ; have you heard it from Allah's Messenger (may peace be upon him), or found it in the Book of Allah, the Glorious and Majestic? He said: I did not hear it from Allah's Messenger (may peace be upon him). and I did not find it in the Book of Allah (Glorious and Majestic), but Usama b. Zaid narrated it to me that Allah's Apostle(may peace be upon him) said: There can be an element of interest in credit.

Hadith 3877: Ubaidullah b. Abu Yazid heard Ibn 'Abbas (Allah be pleased with them) as saying: Usama b. Zaid reported Allah's Apostle (may peace be upon him) as saying: There can be an element of interest in credit (when the payment is not equal).

Hadith 3878: Ibn 'Abbas; (Allah be pleased with them) reported on the authority of Usama b. Zaid Allah's Messenger (may peace be upon him) as having said this: There is no element of interest when the money or commodity is exchanged hand to hand.

Hadith 3879: Ata' b. Abu Rabah reported: Abu Sa'id al-Khudri (Allah be pleased with them) met Ibn 'Abbas (Allah be pleased with them) and said to him: What do you say in regard to the conversion (of commodities or money) did you hear it from Allah's Messenger (may peace be upon him), or is it something which you found In Allah's Book, Majestic and Glorious? Thereupon Ibn Abbas (Allah be pleated with them) said: I don't say that. So far at Allah's Messenger (may peace be upon him) is concerned, you know him better, and to far as the Book of Allah to concerned, I do not know it (more than you do), but 'Usama b. Zaid (Allah be pleased with him) narrated to me Allah's Messenger (may peace be upon him) as having said this: Beware, there can be an element of interest in credit.

Chapter 36 :

HE (THE HOLY PROPHET) CURSED THE ONE WHO ACCEPTSINTEREST AND THE ONE WHO PAYS IT

Hadith 3880: 'Abdullah (b. Mas'ud) (Allah be pleased with him) said that Allah's Messenger (may peace be upon him) cursed the one who accepted interest and the one who paid it I asked about the one who recorded it, and two witnesses to it. He(the narrator) said: We narrate what we have heard.

Hadith 3881: Jabir said that Allah's Messenger (may peace be upon him) cursed the accepter of interest and its payer, and one who records it, and the two witnesses, and he said: They are all

equal.

Chapter 37 :

ACCEPTING THAT WHICH IS LAWFUL AND ABANDONING THAT WHICH IS DOUBTFUL

Hadith 3882: Nu'man b. Bashir (Allah be pleased with him) reported: I heard Allah's Messenger (may peace be upon himn) as having said this (and Nu'man) pointed towards his ears with his fingers): What is lawful is evident and what is unlawful is evident, and in between them are the things doubtful which many people do not know. So he who guards against doubtful things keeps his religion and honor blameless, and he who indulges in doubtful things indulges in fact in unlawful things, just as a shepherd who pastures his animals round a preserve will soon pasture them in it. Beware, every king has a preserve, and the things God his declared unlawful are His preserves. Beware, in the body there is a piece of flesh ; if it is sound, the whole body is sound and if it is corrupt the whole body is corrupt, and hearken it is the heart.

Hadith 3883: This hadith has been narrated on the authority of Zakariya with the same chain of transmitters.

Hadith 3884: AI-Nu'man b. Bashir reported it from Allah's Apostle (may peace be upon him). The hadith narrated by Zakariya is, however, more complete and lengthy than the other ones.

Hadith 3885: Nu'man b. Bashir b. Sa'd, a Companion of Allah's Messenger (may peace be upon him) was heard delivering a sermon at Hims and was saying: I heard Allah's Messenger (way peace be upon him) as saying: The lawful is evident and the

unlawful is evident , the rest of the hadith is the same as related by Zakariya.

Chapter 38:

THE SELLING OF THE CAMEL AND STIPULATION OF RIDING ON IT

Hadith 3886: Jabir b. 'Abdullah (Allah be pleased with them) reported that he was travelling on his camel which had grown jaded, and he decided to let it off. When Allah's Apostle (may peace be upon him) met him and prayed for him and struck it, so it trotted as it had never trotted before. He said: Sell it to me for an 'uqaya. I said: No. He again said: Sell it to me. So I sold it to him for an 'uqaya, but made the stipulation that I should be allowed to ride back to my family. Then when I came to (my place) I took the camel to him and he paid me its price in ready money. I then went back and he sent :(someone) behind me (and as I came) he said: Do you see that I asked you to reduce price for buying your camel. Take your camel and your coins; these are yours.

Hadith 3887: This hadith has been narrated on the authority of Jabir through another chain of transmitters.

Hadith 3888: Jabir b. 'Abdullah (Allah be pleased with them) reported: I went on an expedition with Allah's Messenger (may peace be upon him). He overtook me and I was on a water-carrying camel who had grown tired and did not walk (trot). He (the Holy Prophet) said to me: What is the matter with your camel ? I said: It is sick. He (the Holy Prophet) stepped behind and drove it and prayed for it, and then it always moved ahead of other camels. He (then) said: How do you find your camel? I said: It is, by the grace of your prayer, all right. He said: Would you

sell this (camel) to me? I felt shy (to say him, "No") as we had no other camel for carrying water, but (later on) I said: Yes, and to I sold it to him on the condition that (I would be permitted) to ride it until I reached Madina. I said to him: Allah's Messenger, I am newly married, so I asked his permission (to go ahead of the caravan). He permitted me, and I reached Medina well in advance of other people, until I reached my destination. There my maternal uncle met me and asked me about the camel, and I told him what I had done with regard to it. He reproved me in this connection. He (Jabir) said: When I asked his permission (to go ahead of the caravan) Allah's Messenger (may peace be upon him) inquired of me whether I had married a virgin or a non-virgin. I said to him: I have married a non-virgin. He said: Why did you not marry a virgin who would have played with you and you would have played with her? I said to him: Allah's Messenger, my father died (or he fell as a martyr), and I have small sisters to (look after), so I did not like the idea that I should marry a woman who is like them and thus be not able to teach them manners and look after them properly. So I have married a non-virgin so that she should be able to look after them and teach them manners, When Allah's Messenger (may peace be upon him) came to Medina, I went to him in the morning with the camel. He paid me its price and returned that (the camel) to me.

Hadith 3889: Jabir reported: We went from Mecca to Medina with Allah's Messenger(may peace be upon him) when my camel fell ill, and the rest of the hadith is the same. (But it in also narrated in it:) He (the Holy Prophet) said to me: Sell your camel to me. I said: No, but it is yours. He said: No. (it can't be), but sell it to me.I said: No, but, Allah's Messenger, it is yours. He said: No, it can't be, but sell it to me. I said: Then give me an 'uqaya of gold for I owe that to a person and then it would be yours. He

(the Holy Prophet) said: I take it (for an 'uqiya of gold) and you reach Medina on it. As I reached Medina, Allah's Messenger (may peace be upon him)said to Bilal: Give him an 'uqiya of gold and make some extra payment too. He (Jabir) said: He gave me an 'uqiya of gold and made an addition of a qirat. He (Jabir) said: The addition made by Allah's Messenger (may peace be upon him) was with me (as a sacred trust for blessing) and lay with me in a pocket until the people of Syria took it on the Day of Harra.

Hadith 3890: **Jabir b. 'Abdullah (Allah be pleased with them) reported: We were with Allah's Messenger (may peace be upon him) in a journey and my camel meant for carrying water lagged behind. The rest of the hadith is the same and it is mentioned also: Allah's Messenger (may peace be upon him) pricked it and then said to me: Ride in the name of Allah. He constantly made addition (in prayers for me) and went on saying. May Allah forgive you!**

Hadith 3891: **Jabir (Allah be pleased with him) reported: My camel had grown tired as Allah's Messenger (may peace be upon him) came to me. He goaded it and it began to jump. After that I tried to restrain its rein so that I could listen to his (Prophet's) words, but I could not do that. Allah's Apostle (may peace be upon him) met me and said: Sell it to me, and I sold it for five 'uqiyas. I said: On the condition that I may use it as a ride (for going back) to Medina. He (the Holy Prophet) said: Well, you may use it as a ride up till Medina. When I came to Medina I handed over that to him and he made an addition of an uqiya (to that amount which had been agreed upon) and then presented that (camel) to me.**

Hadith 3892: Abd Mutawakkil al-Najl reported from Jabir b. 'Abdullah (Allah be pleased with them) who said: I accompanied Allah's Messenger (may peace be upon him) in one of his journeys (the narrator says, he said in Jihad), and he narrated the rest of the hadith, and made this addition: He (the Holy Prophet) said: Jabir, have you received the price? I said: Yes, whereupon he said: Yours is the price as well as the camel ; yours is the price as well as the camel.

Hadith 3893: Jabir b. 'Abdullah (Allah be pleased with them) reported: Allah's Messenger (may peace be upon him) bought a camel from me for two 'uqiyas and a dirham or two dirhams. As he reached Sirar (a village near Medina), he commanded a cow to be slaughtered and it was slaughtered, and they ate of that, and as he (the Holy Prophet) reached Medina he ordered me to go to the mosque and offer two rak'ahs of prayer, and he measured for me the price of the camel and even made an excess payment to me.

Hadith 3894: Jabir b. 'Abdullah (Allah be pleased with them) reported this narration from Allah's Apostle (may peace be upon him) but with this variation that he said: He (the Holy Prophet) bought the camel from me on a stipulated price. And he did not mention two 'uqiyas and a dirham or two dirhams, and he commanded a cow (to be slaughtered) and it was slaughtered, and he then distributed its flesh.

Hadith 3895: Jabir (Allah be pleased with him) reported that Allah's Apostle (may peace be upon him) said to him: I have taken your camel for four dinars, and you may ride upon it to Medina.

Chapter 39:

HE WHO TOOK SOMETHING AS A LOAN AND MADE ITS PAYMENT BACK, OVER AND ABOVE THAT (IS APPROVED) AND BEST AMONG YOU IS ONE WHO IS BEST IN MAKING PAYMENT

Hadith 3896: **Abu Rafi' reported that Allah's Messenger (may peace be upon him) took from a man as a loan a young camel (below six years). Then the camels of Sadaqa were brought to him. He ordered Abu Rafi' to return to that person the young camel (as a return of the loan). Abu Rafi' returned to him and said: I did not find among them but better camels above the age of six. He (the Holy Prophet) said: Give that to him for the best men are those who are best in paying off the debt.**

Hadith 3897: **Abu Rafi', the freed slave of Allah's Messenger (may peace be upon him), said: Allah's Messenger (may peace be upon him) took as a loan (the rest of the hadith is the same), but with this variation that he (the Holy Prophet) said: Good amongst the servants of Allah is he who is best in paying off the debt.**

Hadith 3898: **Abu Huraira (Allah be pleased with him) reported: Allah's Messenger (may peace be upon him) owed (something) to a person. He behaved in an uncivil manner with him. This vexed the Companions of the Holy Prophet (may peace be upon him), whereupon Allah's Apostle (may peace be upon him) said: He who has a right is entitled to speak, and said to them (his Companions): Buy a camel for him and give that to him. They said: We do not find a camel (of that age) but one with better age than that. He said: Buy that and give that to him, for best of you or best amongst you are those who are best in paying off debt.**

Hadith 3899: Abu Huraira (Allah be pleased with him) reported: Allah's Messenger (may peace be upon him) took a camel on loan, and then returned him (the lender) the camel of a more mature age and said: Good among you are those who are good in clearing off the debt.

Hadith 3900: Abu Huraira (Allah be pleased with him) reported: There came a person demanding a camel from Allah's Messenger (may peace be upon him). He (the Holy Prophet) said: Give him (the camel) of that age or of more mature age, and said: Best among you is one who is best in clearing off the debt.

Hadith 3901: Jabir (Allah be pleased with him) reported: There came a slave and pledged allegiance to Allah's Apostle (may peace be upon him) on migration; he (the Holy Prophet) did not know that he was a slave. Then there came his master and demanded him back, whereupon Allah's Apostle (may peace be upon him) said: Sell him to me. And he bought him for two black slaves, and he did not afterwards take allegiance from anyone until he had asked him whether he was a slave (or a free man)

Chapter 40:

PLEDGE AND ITS PERMISSIBILITY WHETHER AT RESIDENCE OR IN A JOURNEY

Hadith 3902: 'A'isha (Allah be pleased with her) reported that Allah's Messenger (may peace be upon him) bought some grain from a Jew on credit and gave him a coat-of- mail of his as a pledge.

Hadith 3903: 'A'isha (Allah be pleased with her) reported: Allah's Messenger (may peace be upon him) bought from a Jew

grain (as loan) and pledged him his iron coat-of-mail.

Hadith 3904: 'A'isha (Allah be pleased with her) reported that Allah's Messenger (may peace be upon him) bought from a Jew grain for a specified time; and gave him iron coat-of-mail of his as a pledge.

Hadith 3905: This hadith has been narrated on the authority of 'A'isha (Allah be pleased with her), through another chain ol transmitters, but no mention was made of (its being made) of iron.

Chapter 41:

OF SALAM SALE

Hadith 3906: Ibn 'Abbas (Allah be pleased with them) reported that when Allah's Prophet (may peace be upon him) came to Medina, they were paying one and two years in advance for fruits, so he said: Those who pay in advance for anything must do so for a specified weight and for a definite time.

Hadith 3907: Ibn 'Abbas (Allah be pleased with them) reported that when Allah's Messenger (may peace be upon him) came to (Medina) and the people were paying in advance (for the fruits, etc.), he said to them: He who makes an advance payment should not make advance payment except for a specified measure and weight (and for a specified period).

Hadith 3908: Ibn Abu Najih has narrated a hadith like this with the same chain of transmitters, but he has not mentioned: "for a definite period".

Hadith 3909: This hadith has been narrated by Ibn Abu Najih through another chain of transmitters mentioning in it "for a specified period".

Chapter 42 :

HOARDING OF FOODSTUFF IS FORBIDDEN

Hadith 3910: Ma'mar (Allah be pleased with him) reported Allah's Messenger (may peace be upon him) as saying: He who hoards is a sinner. It was said to Sa'id (b. al-Musayyib): You also hoard. Sa'id said: Ma'mar who narrated this badith also hoarded.

Hadith 3911: Ma'mar b. Abdullah reported Allah's Messenger (may peace be upon him) as saying: No one hoards but the sinner.

Hadith 3912: This hadith has been transmitted on the authority of Sulaiman b. Bilal from Yahya.

Chapter 43:

PROHIBITION OF TAKING OATH IN BUSINESS TRANSACTION

Hadith 3913: Abu Huraira (Allah be pleased with him) said he heard Allah's Messenger (may peace be upon him) as saying: Swearing produces a ready sale for a commodity, but blots out the blessing.

Hadith 3914: Abu Qatada al-Ansari (Allah be pleased with him) reported he heard Allah's Messenger (may peace be upon him) say: Beware of swearing; it produces a ready sale for a commodity, but blots out the blessing.

Chapter 44:

SHUF'A (PRE-EMPTION)

Hadith 3915: Jabir b. 'Abdullah (Allah be pleased with them) reported Allah's Messenger(may peace be upon him) as saying: He who has a partner in a dwelling or a garden, it is not lawful for him to sell that until he is permitted by his partner. If he (the partner) agrees, he should go in for that, and if he disapproves of that, he should abandon(the idea of selling it).

Hadith 3916: Jabir bin 'Abdullah (Allah be pleased with them) said that the Messenger of Allah (may peace be upon him) decreed pre-emption in every joint ownership and not divided-the one-it may be a dwelling or a garden. It is not lawful for him(for the partner) to sell that until his partner gives his consent. He (the partner) is entitled to buy it when he desires and he can abandon it if he so likes. And if he (the one partner) sells it without getting the consent of the (other partner), he has the greatest right to it.

Hadith 3917: Jabir b. 'Abdullah (Allah be pleased with them) reported Allah's Messenger(may peace be upon him) as saying: There is pre-emption in everything which is shared, be it land, or a dwelling or a garden. It is not proper to sell it until he informs his partner; he may go in for that, or he may abandon it; and it he (the partner intending to sell his share) does not do that, then his partner has the greatest right to it until he permits him.

Hadith 3918: Abu Huraira (Allah be pleased with him) reported Allah's Messenger (may peace be upon him) as saying: None among you should prevent his neighbor from fixing a beam in his wall. Abu Huraira (Allah be pleased with him) then said: What is this that I see you evading (this injunction of the Holy Prophet)? By Allah, I will certainly throw it between your shoulders

(narrate this to you.)

Hadith 3919: This hadith is narrated on the authority of Zuhri with the same chain of transmitters.

Chapter 45:

IT IS FORBIDDEN TO SEIZE LAND AND OTIIER THINGS WITHOUT LEGITIMATE RIGHT

Hadith 3920: Sa'id b. Zaid b. 'Amr b. Nufail (Allah be pleased with them) reported Allah's Messenger (may peace be upon him) as saying: He who wrongly took a span of land, Allah shall make him carry around his neck seven earths.

Hadith 3921: Sa'id b. Zaid b. 'Amr b. Nufail (Allah be pleased with them) reported that Arwi (bint Uwais) disputed with him (in regard to a part of the land) of his hodse. He said: Leave it and take off your claim from it, for I heard Allah's Messenger (may peace be upon him) as saying: He who took a span of land without his right would be made to wear around his neck seven earths on the Day of Resurrection. He (Sa'id b. Zaid) said: O Allah, make her blind if she has told a lie and make her grave in her house. He (the narrator) said: I saw her blind groping (her way) by touching the walls and saying: The curse of Sa'id b. Zaid has hit me. And it so happened that as she was walking in her house, she passed by a well in her house and fell therein and that be- came her grave.

Hadith 3922: Hisham b. Urwa reported on the authority of his father (Allah be pleased with him) that Arwa bint Uwais disputed with Sa'id b. Zaid that he had seized some of the land belonging to her. She brought this dispute before Marwan b. al-Hakam. Sa'id said: How could I take a part of her land, after what I

heard from Allah's Messenger (may peace be upon'him)? He (Marwan) said: What did you hear from Allah's Messenger (may peace be upon him) ? He said: I heard Allah's Messenger (may peace be upon him) say: He who wrongly took a span of land would be made to wear around his neck seven earths. Marwan said: I do not ask any evidence from you after this. He (Sa'id) said: O Allah, make her blind if she has told a lie and kill her in her own land. He (the narrator) said: She did not die until she had lost her eyesight, and (one day) as she was walking in her land, she fell down into a pit and died.

Hadith 3923: Sa'id b. Zaid reported: I heard Allah's Apostle (may peace be upon him) say: He who took a span of earth wrongly would be made to wear around his neck seven earths on the Day of Resurrection.

Hadith 3924: Abu Huraira (Allah be pleased with him) reported Allah's Messenger (may peace he upon him) as saying: One should not take a span of land without having legitimate right to it, otherwise Allah would make him wear (around his neck) seven earths on the Day of Resurrection.

Hadith 3925: Muhammad b. Ibrahim said that Abu Salama reported to him that there was between him and his people dispute over a piece of land, and he came to 'A'isha and mentioned that to her, whereupon she said: Abu Salama, abstain from getting this land, for Allah's Messenger (may peace be upon him) said: He who usurps even a span of land would be made to wear around his neck seven earths.

Hadith 3926: This hadith has been narrated on the authority of

Abu Salama with another chain of transmitters.

Chapter 46:

HOW MUCH LAND IS TO BE SPARED WHEN THERE IS DISAGREEMENT OVER THE BREADTH OF PATH

Hadith 3927: **Abu Haraira reported Allah's Apostle (may peace be upon him) as saying: When you disagree about a path, its breadth should be made seven cubits.**