

single word of that statement of his, till this day of mine. By Allāh, but for two Verses in Allāh's Book, I would never have related any narration (from the Prophet ﷺ).” (These two Verses are): “Verily, those who conceal the clear proofs, evidences and the guidance, which we have sent down... (up to)... the Most Merciful.” (V.2:159, 160)

فَيَنْسَى مِنْ مَقَالَتِي شَيْئاً أَبَداً .
فَبَسَطْتُ نَمِرَةً لَيْسَ عَلَيَّ تَوْبٌ غَيْرُهَا
حَتَّى قَضَى النَّبِيُّ ﷺ مَقَالَتَهُ ثُمَّ
جَمَعْتُهَا إِلَى صَدْرِي ، فَوَالَّذِي بَعَثَهُ
بِالْحَقِّ مَا نَسِيتُ مِنْ مَقَالَتِهِ تِلْكَ إِلَى
يَوْمِي هَذَا . وَاللَّهِ لَوْلَا آيَاتَانِ فِي كِتَابِ
اللَّهِ مَا حَدَّثْتُكُمْ شَيْئاً أَبَداً ﴿ إِنَّ الَّذِينَ
يَكْتُمُونَ مَا أَنْزَلْنَا مِنَ الْبَيِّنَاتِ وَالْهُدَىٰ
إِلَى قَوْلِهِ : ﴿ الرَّجِيمِ ﴾ [البقرة: ١٥٩ -

[١٦٠] . [راجع: ١١٨]

42 - THE BOOK OF WATERING

٤٢ - كتاب المساقاة

CHAPTER. The Statement of Allāh تعالى: "... And We have made from water every living thing. Will they not then believe." (V.21:30)

And His Statement: "Then tell me about the water that you drink. Is it you who cause it from the rainclouds to come down, or are We the Causer of it to come down? If We willed, We verily could make it salt (and undrinkable), why then do you not give thanks (to Allāh)?" (V.56:68-70).

(1) CHAPTER. Whoever thinks that giving water in charity, or as a gift or by way of a testament is permissible, whether it is divided or not.⁽¹⁾

Narrated 'Uthmān رضي الله عنه: The Prophet ﷺ said, "Who will buy the well of Rūmah (a well-known well in Al-Madīna) (and endow it for the good of Muslims) so that he may use it as the other Muslims do without any privilege?" 'Uthmān رضي الله عنه bought it.

2351. Narrated Sahl bin Sa'd رضي الله عنه: A tumbler (full of milk or water) was brought to the Prophet ﷺ who drank from it, while on his right side there was sitting a boy who was the youngest of those who were present, and on his left side there were old men. The Prophet ﷺ asked, "O boy, will you allow me to give it (i.e., the rest of the drink) to the old men?" The boy said, "O Allāh's Messenger! I will not give preference to anyone over me to drink the rest of it from which you have

باب في الشرب وقول الله تعالى: ﴿وَجَعَلْنَا مِنَ الْمَاءِ كُلَّ شَيْءٍ حَيٍّ أَفَلَا يُؤْمِنُونَ﴾ [الأنبياء: ٣٠] وقوله جل ذكره: ﴿أَفَرَأَيْتُمُ الْمَاءَ الَّذِي تَشْرَبُونَ﴾ [٦٧] أنتم أنزلتموه من المزن أم ننزل المنزّلون﴾ [٦٨] ﴿لَوْ نَشَاءُ جَعَلْنَاهُ أُجَاجًا فَلَوْلَا تَشْكُرُونَ﴾ [الواقعة: ٦٨-٧٠] ﴿أُجَاجًا﴾: مُضَبًّا ﴿الْمَزْنُ﴾: السحاب ﴿فُرَاتًا﴾: عَذْبًا.

(١) باب من رأى صدقة الماء وهبته ووصيته جائزة، مقسوماً كان أو غير مقسوم

وقال عثمان: قال النبي ﷺ: «من يشتري بئر رومة فيكون دلوه فيها كدلاء المسلمين؟ فاشتراها عثمان رضي الله عنه».

٢٣٥١ - حَدَّثَنَا سَعِيدُ بْنُ أَبِي مَرْيَمَ: حَدَّثَنَا أَبُو عَسَانَ قَالَ: حَدَّثَنِي أَبُو حَازِمٍ. عَنْ سَهْلِ بْنِ سَعْدٍ رَضِيَ اللَّهُ عَنْهُ قَالَ: أَتَى النَّبِيَّ ﷺ بِقَدَحٍ فَشَرِبَ مِنْهُ وَعَنْ يَمِينِهِ غُلامٌ أَصْعَرُ الْقَوْمِ وَالْأَشْيَاحُ عَنْ يَسَارِهِ، فَقَالَ: «يَا غُلامُ، أَتَأْذَنُ لِي أَنْ أُعْطِيَهُ الْأَشْيَاحُ؟» قَالَ: مَا كُنْتُ لِأَوْثَرَ

(1) (Ch. 1) *Al-Bukhārī* wants to refute the opinions of those who think that water cannot be possessed. (*Fath Al-Bārī*).

drunk." So, the Prophet ﷺ gave it to him.

بِفَضْلِي مِنْكَ أَحَدًا يَا رَسُولَ اللَّهِ،
فَأَعْطَاهُ إِيَّاهُ. [انظر: ٢٣٦٦، ٢٤٥١،

٢٦٠٢، ٥٦٢٠]

2352. Narrated Az-Zuhri : Anas bin Mālik رضي الله عنه said that once a domestic sheep was milked for Allāh's Messenger ﷺ while he was in the house of Anas bin Mālik. The milk was mixed with water drawn from the well in Anas' house. A tumbler of it was presented to Allāh's Messenger ﷺ who drank from it. Then Abū Bakr was sitting on his left side and a bedouin on his right side. When the Prophet ﷺ removed the tumbler from his mouth, 'Umar was afraid that the Prophet ﷺ might give it to the bedouin, so he said, "O Allāh's Messenger! Give it to Abū Bakr who is sitting by your side." But the Prophet ﷺ gave it to the bedouin, who was to his right and said, "You should start with the one on your right side."

٢٣٥٢ - حَدَّثَنَا أَبُو الْيَمَانِ :
أَخْبَرَنَا شُعَيْبٌ، عَنِ الزُّهْرِيِّ قَالَ :
حَدَّثَنِي أَنَسُ بْنُ مَالِكٍ رَضِيَ اللَّهُ
عَنْهُ : أَنَّهُ حَلَبْتُ لِرَسُولِ اللَّهِ ﷺ شَاءً
دَاجِحٌ وَهِيَ فِي دَارِ أَنَسِ بْنِ مَالِكٍ .
وَشِيبَ لَبَنُهَا بِمَاءٍ مِنَ الْبَيْتِ الَّتِي فِي
دَارِ أَنَسٍ، فَأَعْطَى رَسُولُ اللَّهِ ﷺ
الْقَدَحَ فَشَرِبَ مِنْهُ حَتَّى إِذَا نَزَعَ الْقَدَحَ
عَنْ فِيهِ وَعَلَى يَسَارِهِ أَبُو بَكْرٍ، وَعَنْ
يَمِينِهِ أُعْرَابِيٌّ. فَقَالَ عُمَرُ وَخَافَ أَنْ
يُعْطِيَهُ الْأَعْرَابِيَّ : أَعْطَى أَبَا بَكْرٍ يَا
رَسُولَ اللَّهِ ﷺ عِنْدَكَ، فَأَعْطَاهُ الْأَعْرَابِيَّ
الَّذِي عَنْ يَمِينِهِ، ثُمَّ قَالَ : «الْأَيْمَنَ
فَالْأَيْمَنَ» . [انظر: ٢٥٧١، ٥٦١٢،

٥٦١٩]

(2) CHAPTER. Whoever said, "The owner of the water has the right to drink till he is satisfied, as the Prophet ﷺ said, 'Superfluous water should not be withheld from others.'"

(٢) بَابٌ مَنْ قَالَ : إِنَّ صَاحِبَ الْمَاءِ
أَحَقُّ بِالْمَاءِ حَتَّى يَرَوْى لِقَوْلِ النَّبِيِّ
ﷺ : لَا يُمْنَعُ فَضْلُ الْمَاءِ

2353. Narrated Abū Hurairah رضي الله عنه : Allāh's Messenger ﷺ said, "Do not withhold the superfluous water, for that will prevent people from grazing their cattle."⁽¹⁾

٢٣٥٣ - حَدَّثَنَا عَبْدُ اللَّهِ بْنُ
يُوسُفَ : أَخْبَرَنَا مَالِكٌ، عَنْ أَبِي
الرَّزَادِ، عَنِ الْأَعْرَجِ، عَنْ أَبِي هُرَيْرَةَ
رَضِيَ اللَّهُ عَنْهُ : أَنَّ رَسُولَ اللَّهِ ﷺ

(1) (H. 2353) This *Hadith* means that if one has a well near which there is a pasture and there is no other source of water in the area, one should not withhold the water from the sheep grazing there, for that would make it impossible for the sheep to graze there as they would be in great need of water after grazing. So, to withhold the water means to prevent sheep from grazing as well. (*Fath Al-Bārī*).

قَالَ: «لَا يُمْنَعُ فَضْلُ الْمَاءِ لِيُمْنَعَ بِهِ الْكَلْبُ». [انظر: ٢٣٥٤، ٦٩٦٢]

2354. Narrated Abū Hurairah رَضِيَ اللهُ عَنْهُ that Allāh's Messenger ﷺ said, "Do not withhold the superfluous water in order to withhold the superfluous grass."

٢٣٥٤ - حَدَّثَنَا يَحْيَى بْنُ بُكَيْرٍ: حَدَّثَنَا اللَّيْثُ عَنْ عُقَيْلٍ، عَنِ ابْنِ شِهَابٍ، عَنِ ابْنِ الْمُسَيَّبِ وَأَبِي سَلَمَةَ عَنْ أَبِي هُرَيْرَةَ رَضِيَ اللهُ عَنْهُ: أَنَّ رَسُولَ اللهِ ﷺ قَالَ: «لَا تَمْنَعُوا فَضْلَ الْمَاءِ لِيَتَمْنَعُوا بِهِ فَضْلَ الْكَلْبِ». [راجع: ٢٣٥٣]

(3) CHAPTER. If one digs a well in his own land and somebody falls in it and dies, the owner is not responsible.

(٣) بَابٌ مَنْ حَفَرَ بَيْتْرًا فِي مِلْكِهِ لَمْ يَضْمَنْ

2355. Narrated Abū Hurairah رَضِيَ اللهُ عَنْهُ: Allāh's Messenger ﷺ said, "No blood-money will be charged if somebody dies in a mine, or in a well, or is killed by an animal; and if somebody finds a treasure in his land he has to give one-fifth of it to the government."⁽¹⁾

٢٣٥٥ - حَدَّثَنِي مَحْمُودٌ: أَخْبَرَنِي عَبْدُ اللهِ، عَنْ إِسْرَائِيلَ، عَنْ أَبِي حَصِينٍ، عَنْ أَبِي صَالِحٍ، عَنْ أَبِي هُرَيْرَةَ رَضِيَ اللهُ عَنْهُ قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «الْمَعْدِنُ جُبَارٌ، وَالْبَيْتْرُ جُبَارٌ، وَالْعَجْمَاءُ جُبَارٌ، وَفِي الرِّكَازِ الْخُمْسُ». [راجع: ١٤٩٩]

(4) CHAPTER. Disputes and controversies about wells and the settlement of such disputes and controversies.

(٤) بَابُ الْخُصُومَةِ فِي الْبَيْتْرِ وَالْقَضَاءِ فِيهَا

2356, 2357. Narrated 'Abdullāh (bin Mas'ūd) رَضِيَ اللهُ عَنْهُ: The Prophet ﷺ said, "Whoever takes a false oath to deprive somebody of his property will meet Allāh while He will be angry with him."

٢٣٥٦، ٢٣٥٧ - حَدَّثَنَا عَبْدَانُ، عَنْ أَبِي حَمْرَةَ، عَنِ الْأَعْمَشِ، عَنْ شَقِيقٍ، عَنِ عَبْدِ اللهِ رَضِيَ اللهُ عَنْهُ عَنِ النَّبِيِّ ﷺ قَالَ: «مَنْ حَلَفَ عَلَى

Allāh revealed: "Verily, those who

(1) (H. 2355) The owner of the well is not responsible if somebody falls and dies in it, if the well is in his land or in uncultivated land belonging to nobody. (This is true concerning mines also.) But if the well is dug on the way of the Muslims or in the land of somebody else without his permission and somebody falls and dies in it, then the person who has dug the well has to pay blood-money. If an animal has untied itself and kills somebody or spoils his property, the owner of the animal is not responsible unless he is present at the time of the accident. (Al-Qastālānī)

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

Al-Ash'ath came (to the place where 'Abdullāh was narrating) and said, "What has Abū 'Abdur-Rahmān (i.e., 'Abdullāh) been telling you? This Verse was revealed concerning me. I had a well in the land of a cousin of mine. The Prophet ﷺ asked me to bring witnesses (to confirm my claim). I said, 'I do not have witnesses.' He said, 'Let the defendant take an oath then.' I said, 'O Allāh's Messenger! He will take a (false) oath immediately.' Then the Prophet ﷺ mentioned the above narration and Allāh revealed the Verse to confirm what he had said." (See *Hadith* No.2515, 2516)

يَمِينٍ يَقْتَطِعُ بِهَا مَالَ امْرِئٍ مُسْلِمٍ هُوَ عَلَيْهَا فَاجِرٌ، لَقِيَ اللَّهَ وَهُوَ عَلَيْهِ غَضَبَانُ، فَأَنْزَلَ اللَّهُ تَعَالَى ﴿إِنَّ الَّذِينَ يَشْتَرُونَ بِعَهْدِ اللَّهِ وَأَيْمَانِهِمْ ثَمَنًا قَلِيلًا﴾ الْآيَةَ [آل عمران: ٧٧]. فَجَاءَ الْأَشْعَثُ فَقَالَ: مَا حَدَّثَكُمْ أَبُو عَبْدِ الرَّحْمَنِ؟ فِي أَنْزَلْتَ هَذِهِ الْآيَةَ. كَانَتْ لِي بئرٌ فِي أَرْضِ ابْنِ عَمِّ لِي، فَقَالَ لِي: «شُهُودَكَ» قُلْتُ: مَا لِي شُهُودٌ، قَالَ: «فِيمِنْتَهُ»، قُلْتُ: يَا رَسُولَ اللَّهِ إِذَا يَحْلِفَ، فَذَكَرَ النَّبِيَّ ﷺ هَذَا الْحَدِيثَ، فَأَنْزَلَ اللَّهُ ذَلِكَ تَصَدِيقًا لَهُ». [الحدِيث: ٢٣٥٦، انظر: ٢٤١٦، ٢٥١٥، ٢٦٦٦، ٢٦٦٩، ٢٦٧٣، ٢٦٧٦، ٤٥٤٩، ٦٦٥٩، ٦٦٧٦، ٧١٨٣، ٧٤٤٥؛ [الحدِيث: ٢٣٥٧، انظر: ٢٤١٧، ٢٥١٦، ٢٦٦٧، ٢٦٧٠، ٢٦٧٧، ٤٥٥٠، ٦٦٦٠، ٦٦٧٧، ٧١٨٤]

(5) CHAPTER. The sin of him who withholds water from wayfarer and travellers.

2358. Narrated Abū Hurairah رَضِيَ اللَّهُ عَنْهُ: Allāh's Messenger ﷺ said, "There are three types of people whom Allāh will neither look at them on the Day of Resurrection, nor will he purify them (from sins) and they shall have a painful torment. They are:

1. A man possessed superfluous water, on a way and he withheld it from travellers.
2. A man who gave a *Bai'a* (pledge) to a ruler and he gave it only for worldly benefits. If the ruler gives him something he gets satisfied, and if the ruler withholds

(٥) بَابُ إِثْمِ مَنْ مَنَعَ ابْنَ السَّبِيلِ مِنَ الْمَاءِ

٢٣٥٨ - حَدَّثَنَا مُوسَى بْنُ إِسْمَاعِيلَ: حَدَّثَنَا عَبْدُ الْوَاحِدِ بْنُ زِيَادٍ، عَنِ الْأَعْمَشِ قَالَ: سَمِعْتُ أَبَا صَالِحٍ يَقُولُ: سَمِعْتُ أَبَا هُرَيْرَةَ رَضِيَ اللَّهُ عَنْهُ يَقُولُ: قَالَ رَسُولُ اللَّهِ ﷺ: «ثَلَاثَةٌ لَا يَنْظُرُ اللَّهُ إِلَيْهِمْ يَوْمَ الْقِيَامَةِ وَلَا يُزَكِّيهِمْ وَلَهُمْ عَذَابٌ أَلِيمٌ: رَجُلٌ كَانَ لَهُ فَضْلٌ مَاءٍ بِالطَّرِيقِ فَمَنَعَهُ

something from him, he gets dissatisfied.

3. And a man displayed his goods for sale after the *Aṣr* prayer (and took a false oath by) saying, 'By Allāh, except Whom none has the right to be worshipped, I have been given so much for my goods,' and somebody believes him (and buys them)."

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

مِنْ ابْنِ السَّبِيلِ، وَرَجُلٌ بَايَعَ إِمَامَهُ لَا يُبَايِعُهُ إِلَّا لِدُنْيَا فَإِنْ أُعْطَاهُ مِنْهَا رَضِيَ وَإِنْ لَمْ يُعْطِهِ مِنْهَا سَخِطَ، وَرَجُلٌ أَقَامَ سِلْعَتَهُ بَعْدَ الْعَصْرِ فَقَالَ: وَاللَّهِ الَّذِي لَا إِلَهَ غَيْرُهُ لَقَدْ أُعْطِيتُ بِهَا كَدًّا وَكَذَا فَصَدَّقَهُ رَجُلٌ، ثُمَّ قَرَأَ ﴿إِنَّ الَّذِينَ يَشْتَرُونَ بِعَهْدِ اللَّهِ وَأَيْمَانِهِمْ ثَمَنًا قَلِيلًا﴾ [آل عمران: ٧٧]. [انظر: ٢٣٦٩،

٢٦٧٢، ٧٢١٢، ٧٤٤٦]

(6) CHAPTER. The dams of rivers.

2359, 2360. Narrated 'Abdullāh bin Az-Zubair رضي الله عنهما: An *Anṣārī* man quarrelled with Az-Zubair in the presence of the Prophet ﷺ about the *Ḥarra* canals which were used for irrigating the date-palms. The *Anṣārī* man said to Az-Zubair, "Let the water pass", but Az-Zubair refused to do so. So, the case was brought before the Prophet ﷺ who said to Az-Zubair, "O Zubair! Irrigate (your land) and then let the water pass to your neighbour." On that the *Anṣārī* got angry and said to the Prophet ﷺ, "Is it because he (i.e., Zubair) is your aunt's son?" On that the colour of the face of Allāh's Messenger ﷺ changed (because of anger) and he said, "O Zubair! Irrigate (your land) and then withhold the water till it reaches the walls between the pits round the trees." Zubair said, "By Allāh, I think that the following Verse was revealed on this occasion:

'But no, by your Lord, they can have no Faith, until they make you (O Muhammad ﷺ) judge in all disputes between them'." (V.4:65)

(٦) بَابُ سَكْرِ الْأَنْهَارِ

٢٣٥٩، ٢٣٦٠ - حَدَّثَنَا عَبْدُ اللَّهِ بْنُ يُوسُفَ: حَدَّثَنَا اللَّيْثُ قَالَ: حَدَّثَنِي ابْنُ شِهَابٍ، عَنْ عُرْوَةَ: عَنْ عَبْدِ اللَّهِ بْنِ الزُّبَيْرِ رَضِيَ اللَّهُ عَنْهُمَا: أَنَّهُ حَدَّثَهُ أَنَّ رَجُلًا مِنَ الْأَنْصَارِ خَاصَمَ الزُّبَيْرَ عِنْدَ النَّبِيِّ ﷺ فِي شِرَاجِ الْحَرَّةِ الَّتِي يَسْقُونَ بِهَا النَّخْلَ، فَقَالَ الْأَنْصَارِيُّ: سَرِّحِ الْمَاءَ يَمُرُّ فَأَبَى عَلَيْهِ، فَاخْتَصَمَا عِنْدَ النَّبِيِّ ﷺ، فَقَالَ رَسُولُ اللَّهِ ﷺ لِلزُّبَيْرِ: «اسْقِ يَا زُبَيْرُ ثُمَّ أَرْسِلِ الْمَاءَ إِلَى جَارِكَ»، فَعَضِبَ الْأَنْصَارِيُّ فَقَالَ: «أَنْ كَانَ ابْنُ عَمَّتِكَ؟ فَتَلَوْنَ وَجْهَ رَسُولِ اللَّهِ ﷺ ثُمَّ قَالَ: «اسْقِ يَا زُبَيْرُ ثُمَّ احْبِسِ الْمَاءَ حَتَّى يَرْجِعَ إِلَى الْجَدْرِ». فَقَالَ الزُّبَيْرُ: وَاللَّهِ إِنِّي لَأَحْسِبُ هَذِهِ الْآيَةَ نَزَلَتْ فِي ذَلِكَ: ﴿فَلَا وَرَبِّكَ لَا يُؤْمِنُونَ حَتَّى يُحَكِّمُوكَ فِيمَا شَجَرَ

بَيْنَهُمْ ﴿ [النساء: ٦٥] قَالَ مُحَمَّدُ ابْنُ
الْعَبَّاسِ: قَالَ أَبُو عَبْدِ اللَّهِ: لَيْسَ أَحَدٌ
يَذْكُرُ عُرْوَةَ عَنْ عَبْدِ اللَّهِ إِلَّا اللَّيْثُ
فَقَطُّ. [انظر: ٢٣٦١، ٢٣٦٢، ٢٧٠٨،

[٤٥٨٥

(7) CHAPTER. The land nearer to the source of water has the right to be irrigated before the one that is farther.

2361. Narrated 'Urwa رضي الله عنه: When a man from the *Anṣār* quarrelled with Az-Zubair, the Prophet ﷺ said, "O Zubair! Irrigate (your land) first and then let the water flow (to the land of the others)." On that the *Anṣārī* said (to the Prophet ﷺ), "Is it because he is your aunt's son?" On that the Prophet ﷺ said, "O Zubair! Irrigate till the water reaches the walls between the pits around the trees and then stop (i.e., let the water go to the other's land)." I think the following Verse was revealed concerning this event:

'But no, by your Lord, they can have no Faith, until they make you (O Muhammad ﷺ) judge in all disputes between them.' (V.4:65)

(8) CHAPTER. The land nearer to the source of water has the right to be covered with water up to the ankles.

2362. Narrated 'Urwa bin Az-Zubair رضي الله عنه: An *Anṣārī* man quarrelled with Az-Zubair about a canal in the *Ḥarra* which was used for irrigating date-palms. Allāh's Messenger ﷺ, ordering Az-Zubair to be moderate, said, "O Zubair! Irrigate (your land) first and then leave the water for your neighbour." The *Anṣārī* said, "Is it because he is your aunt's son?" On that the colour of the face of Allāh's Messenger ﷺ changed (because of anger) and he said, "O Zubair!

(٧) بَابُ شُرْبِ الْأَعْلَى قَبْلَ الْأَسْفَلِ

٢٣٦١ - حَدَّثَنَا عَبْدَانُ: أَخْبَرَنَا
عَبْدُ اللَّهِ: أَخْبَرَنَا مَعْمَرٌ، عَنِ
الرُّهْرِيِّ، عَنْ عُرْوَةَ قَالَ: خَاصِمَ
الرُّبَيْرِ رَجُلًا مِنَ الْأَنْصَارِ فَقَالَ النَّبِيُّ
ﷺ: «يَا رُبَيْرُ، اسْقِ ثُمَّ أَرْسِلْ».
فَقَالَ الْأَنْصَارِيُّ: إِنَّهُ ابْنُ عَمَّتِكَ؟
فَقَالَ عَلَيْهِ السَّلَامُ: «اسْقِ يَا رُبَيْرُ
حَتَّى يَبْلُغَ الْجَدْرَ ثُمَّ امْسِكْ». قَالَ
الرُّبَيْرُ: فَأَحْسِبُ هَذِهِ الْآيَةَ نَزَلَتْ فِي
ذَلِكَ: ﴿فَلَا وَرَبِّكَ لَا يُؤْمِنُونَ حَتَّى
يُحْكَمُواكُمُ فِي مَا شَجَرَ بَيْنَهُمْ﴾

[النساء: ٦٥]. [راجع: ٢٣٥٩]

(٨) بَابُ شُرْبِ الْأَعْلَى إِلَى الْكَعْبَيْنِ

٢٣٦٢ - حَدَّثَنَا مُحَمَّدٌ: أَخْبَرَنَا
مُحَمَّدُ بْنُ يَزِيدَ الْحَرَّانِيُّ قَالَ: أَخْبَرَنِي
ابْنُ جُرَيْجٍ قَالَ: حَدَّثَنِي ابْنُ شِهَابٍ،
عَنْ عُرْوَةَ بْنِ الرُّبَيْرِ أَنَّهُ حَدَّثَهُ: أَنَّ
رَجُلًا مِنَ الْأَنْصَارِ خَاصِمَ الرُّبَيْرِ فِي
شِرَاحٍ مِنَ الْحَرَّةِ لِيَسْقِيَهَا النَّخْلَ.
فَقَالَ رَسُولُ اللَّهِ ﷺ: «اسْقِ يَا رُبَيْرُ -

Irrigate (your land) and withhold the water till it reaches the walls that are between the pits around the trees.” So, Allāh’s Messenger ﷺ gave Az-Zubair his full right. Az-Zubair said, “By Allāh, the following Verse was revealed in that connection :

‘But no, by your Lord, they can have no Faith, until they make you (O Muhammad ﷺ) judge in all disputes between them.’” (V.4:65)

(The subnarrator), Ibn Shihāb said to Juraj (another subnarrator), “The *Anṣār* and the other people interpreted the saying of the Prophet ﷺ: ‘Irrigate (your land) and withhold the water till it reaches the walls between the pits around the trees,’ as meaning up to the ankles.”

(9) CHAPTER. The superiority of providing water (to those who need it).

2363. Narrated Abū Hurairah رَضِيَ اللهُ عَنْهُ: Allāh’s Messenger ﷺ said, “While a man was walking he felt thirsty and went down a well and drank water from it. On coming out of it, he saw a dog panting and eating mud because of excessive thirst. The man said, ‘This (dog) is suffering from the same problem as that of mine. So he (went down the well), filled his shoe with water, caught hold of it with his teeth and climbed up and watered the dog. Allāh thanked him for his (good) deed and forgave him.” The people asked, “O Allāh’s Messenger! Is there a reward for us in serving (the) animals?” He replied, “Yes, there is a reward for serving any animate (living being).”

فَأَمَرَهُ بِالْمَعْرُوفِ - ثُمَّ أَرْسَلَهُ إِلَى جَارِكِ. فَقَالَ الْأَنْصَارِيُّ: أَنْ كَانَ ابْنُ عَمَّتِكَ؟ فَتَلَوْنَ وَجْهَ رَسُولِ اللَّهِ ﷺ ثُمَّ قَالَ: «اسْقِ تُمْ أَحْسِبُ حَتَّى يَرْجِعَ الْمَاءُ إِلَى الْجَدْرِ»، وَاسْتَوْعَى لَهُ حَقَّهُ. فَقَالَ الزُّبَيْرُ: وَاللَّهِ إِنَّ هَذِهِ الْآيَةَ أَنْزَلْتَ فِي ذَلِكَ: ﴿فَلَا وَرَبِّكَ لَا يُؤْمِنُونَ حَتَّى يُحَكِّمُوكَ فِيمَا شَجَرَ بَيْنَهُمْ﴾ فَقَالَ لِي ابْنُ شِهَابٍ: فَتَدَرَّتِ الْأَنْصَارُ وَالنَّاسُ قَوْلَ النَّبِيِّ ﷺ: «اسْقِ تُمْ أَحْسِبُ حَتَّى يَرْجِعَ إِلَى الْجَدْرِ» وَكَانَ ذَلِكَ إِلَى الْكَعْبَيْنِ.

[راجع: ٢٣٥٩]

(٩) بَابُ فَضْلِ سَقْيِ الْمَاءِ

٢٣٦٣ - حَدَّثَنَا عَبْدُ اللَّهِ بْنُ يُوسُفَ: أَخْبَرَنَا مَالِكٌ، عَنْ سُمَيِّ، عَنْ أَبِي صَالِحٍ، عَنْ أَبِي هُرَيْرَةَ رَضِيَ اللَّهُ عَنْهُ: أَنَّ رَسُولَ اللَّهِ ﷺ قَالَ: «بَيْنَا رَجُلٌ يَمْشِي فَاشْتَدَّ عَلَيْهِ الْعَطَشُ فَنَزَلَ بِئْرًا فَشَرِبَ مِنْهَا، ثُمَّ خَرَجَ فَإِذَا هُوَ بِكَلْبٍ يَلْهَثُ، يَأْكُلُ التُّرَى مِنْ الْعَطَشِ. فَقَالَ: لَقَدْ بَلَغَ هَذَا مِثْلُ الَّذِي بَلَغَ بَيْنِي فَمَلَأُ حُقَّةً ثُمَّ أَمْسَكْتُهَا بِيَدِي، ثُمَّ رَفَعِي فَسَقَيْتُ الْكَلْبَ فَشَكَرَ اللَّهُ لَهُ فَغَفَرَ لَهُ». قَالُوا: يَا رَسُولَ اللَّهِ، وَإِنْ لَنَا فِي الْبَهَائِمِ أَجْرًا؟ قَالَ: «فِي كُلِّ كَبِدٍ رَطْبَةٍ أَجْرٌ». تَابَعَهُ حَمَادُ بْنُ

سَلَمَةَ وَالرَّبِيعُ بْنُ مُسْلِمٍ، عَنْ مُحَمَّدِ بْنِ زِيَادٍ. [راجع: ١٧٣]

2364. Narrated Asmā' bint Abī Bakr رَضِيَ اللهُ عَنْهَا: The Prophet ﷺ offered the eclipse *Ṣalāt* (prayer), and then said, "Hell was displayed so close that I said, 'O my Lord! Am I going to be one of its inhabitants?' " Suddenly he saw a woman. I think he said, "...who was being scratched by a cat." He said, "What is wrong with her?" He was told, "She had imprisoned it (i.e., the cat) till it died of hunger."

٢٣٦٤ - حَدَّثَنَا ابْنُ أَبِي مَرْيَمَ: حَدَّثَنَا نَافِعُ بْنُ عُمَرَ، عَنِ ابْنِ أَبِي مَلِيكَةَ، عَنْ أَسْمَاءَ بِنْتِ أَبِي بَكْرٍ رَضِيَ اللهُ عَنْهُمَا: أَنَّ النَّبِيَّ ﷺ صَلَّى صَلَاةَ الْكُسُوفِ فَقَالَ: «دَنَّتْ مِنِّي النَّارُ حَتَّى قُلْتُ: أَيُّ رَبِّ وَأَنَا مَعَهُمْ. فَإِذَا امْرَأَةٌ - حَبَسْتُ أَنَّهُ قَالَ: - تَخْدِشُهَا هِرَّةٌ قَالَ: مَا شَأْنُ هَذِهِ؟ قَالُوا: حَبَسْتَهَا حَتَّى مَاتَتْ جُوعاً». [راجع: ٧٤٥]

2365. Narrated 'Abdullāh bin 'Umar رَضِيَ اللهُ عَنْهُمَا: Allāh's Messenger ﷺ said, "A woman was tortured and was put in (Hell) Fire because of a cat which she had kept locked till it died of hunger." Allāh's Messenger ﷺ further said, "Allāh knows better. Allāh said (to the woman), 'You neither fed it nor watered it when you locked it up, nor did you set it free to eat the vermin of the earth.'"

٢٣٦٥ - حَدَّثَنَا إِسْمَاعِيلُ قَالَ: حَدَّثَنِي مَالِكٌ، عَنْ نَافِعٍ، عَنْ عَبْدِ اللَّهِ بْنِ عُمَرَ رَضِيَ اللهُ عَنْهُمَا: أَنَّ رَسُولَ اللَّهِ ﷺ قَالَ: «عَذَّبْتُ امْرَأَةً فِي هِرَّةٍ حَبَسْتَهَا حَتَّى مَاتَتْ جُوعاً فَدَخَلْتُ فِيهَا النَّارَ، قَالَ: فَقَالَ - وَاللَّهِ أَعْلَمُ - : لَا أَنْتِ أَطْعَمْتَيْهَا وَلَا سَقَيْتَيْهَا حِينَ حَبَسْتَيْهَا، وَلَا أَنْتِ أَرْسَلْتَيْهَا فَأَكَلَتْ مِنْ حَشَّاشِ الْأَرْضِ». [انظر: ٣٣١٨، ٣٤٨٢]

(10) CHAPTER. Whoever thinks that the owner of a tank, or of a leather water-container has more right to use the water than any other person.

(١٠) بَابُ مَنْ رَأَى أَنَّ صَاحِبَ الْحَوْضِ أَوْ الْقِرْبَةِ أَحَقُّ بِمَائِهِ

2366. Narrated Sahl bin Sa'd رَضِيَ اللهُ عَنْهُ: Once a tumbler (full of milk or water) was brought to Allāh's Messenger ﷺ who drank from it, while on his right side there was sitting a boy who was the youngest of those

٢٣٦٦ - حَدَّثَنَا قُتَيْبَةُ: حَدَّثَنَا عَبْدُ الْعَزِيزِ، عَنْ أَبِي حَارِثٍ، عَنْ سَهْلِ بْنِ سَعْدٍ رَضِيَ اللهُ عَنْهُ قَالَ: أَتَى رَسُولُ

who were present, and on his left side there were old men. The Prophet ﷺ asked, "O boy! Do you allow me to give (the drink) to the elder people (first)?" The boy said, "I will not give preference to anybody over me to have my share from you, O Allāh's Messenger!" So, he gave it to the boy.

الله ﷺ بَقَدَحَ فَشَرِبَ وَعَنْ يَمِينِهِ غُلامٌ هُوَ أَحَدُ الْقَوْمِ، وَالْأَشْيَاحُ عَنْ يَسَارِهِ، قَالَ: «يَا غُلامُ، أَتَأْذَنُ لِي أَنْ أُعْطِيَ الْأَشْيَاحُ؟» فَقَالَ: مَا كُنْتُ لِأَوْثَرٍ بَنَصِيبِي مِنْكَ أَحَدًا يَا رَسُولَ اللَّهِ، فَأَعْطَاهُ إِيَّاهُ.

[راجع: ٢٣٥١]

2367. Narrated Abū Hurairah رَضِيَ اللهُ عَنْهُ: The Prophet ﷺ said, "By Him in Whose Hands my soul is, some people will be driven away from my Tank [*Haud (Al-Kauthar)*] on the Day of Resurrection as strange camels are driven away from a private tank (trough)."

٢٣٦٧ - حَدَّثَنَا مُحَمَّدُ بْنُ بَشَّارٍ: حَدَّثَنَا عُندَرٌ: حَدَّثَنَا شُعْبَةُ، عَنْ مُحَمَّدِ بْنِ زِيَادٍ: سَمِعْتُ أَبَا هُرَيْرَةَ رَضِيَ اللهُ عَنْهُ، عَنِ النَّبِيِّ ﷺ قَالَ: «وَالَّذِي نَفْسِي بِيَدِهِ لَأُذَوِّدَنَّ رِجَالًا عَنْ حَوْضِي كَمَا تُذَادُ الْعَرَبِيَّةُ مِنَ الْإِبِلِ عَنِ الْحَوْضِ».

2368. Narrated Ibn 'Abbās رَضِيَ اللهُ عَنْهُمَا: The Prophet ﷺ said, "May Allāh be Merciful to the mother of Isma'il (Ishmael)! If she had left the water of Zamzam (fountain) as it was, (without constructing a basin for keeping the water), (or said, "If she had not taken handfuls of its water"), it would have been a flowing stream. Jurhum (an Arab tribe) came and asked her, 'May we settle at your dwelling?' She said, 'Yes, but you have no right to possess the water.' They agreed."

٢٣٦٨ - حَدَّثَنِي عَبْدُ اللَّهِ بْنُ مُحَمَّدٍ: أَخْبَرَنَا عَبْدُ الرَّزَّاقِ: أَخْبَرَنَا مَعْمَرٌ، عَنْ أَيُّوبَ وَكَثِيرِ بْنِ كَثِيرٍ، يَزِيدُ أَحَدُهُمَا عَلَى الْآخَرِ، عَنْ سَعِيدِ بْنِ جُبَيْرٍ قَالَ: قَالَ ابْنُ عَبَّاسٍ رَضِيَ اللهُ عَنْهُمَا: قَالَ النَّبِيُّ ﷺ: «يَرْحَمُ اللهُ أُمَّ إِسْمَاعِيلَ، لَوْ تَرَكَتْ زَمْزَمَ - أَوْ قَالَ: لَوْ لَمْ تَعْرِفِ مِنَ الْمَاءِ - لَكَانَتْ عَيْنًا مَعِينًا. وَأُقْبِلَ جُرْهُمُ فَقَالُوا: أَتَأْذِنِينَ أَنْ نَنْزِلَ عِنْدِكِ؟» قَالَتْ: نَعَمْ وَلَا حَقَّ لَكُمْ فِي الْمَاءِ، قَالُوا: نَعَمْ». [انظر: ٣٣٦٢، ٣٣٦٣،

[٣٣٦٥، ٣٣٦٤]

2369. Narrated Abū Hurairah رَضِيَ اللهُ عَنْهُ: The Prophet ﷺ said, "There are three types

٢٣٦٩ - حَدَّثَنِي عَبْدُ اللَّهِ بْنُ