

45 - THE BOOK OF AL-LUQAṬA

(A well-tied pouch or purse or lost things picked up by somebody).

(1) CHAPTER. When the owner of the *Luqaṭa* informs its description exactly (proves that it belongs to him) it should be returned to him.

2426. Narrated Ubāi bin Ka'b رَضِيَ اللَّهُ عَنْهُ: I found a purse containing one hundred Dīnār. So I went to the Prophet ﷺ (and informed him about it), he said, "Make public announcement about it for one year." I did so, but nobody turned up to claim it, so I again went to the Prophet ﷺ who said, "Make public announcement for another year." I did, but none turned up to claim it. I went to him for the third time and he said, "Keep the container and the string which is used for its tying and count the money it contains, and if its owner comes, give it to him; otherwise, utilize it."

The subnarrator Salama said, "I met him (Suwaid, another subnarrator) in Makkah and he said, 'I don't know whether Ubāi made the announcement for three years or just one year.'"

(2) CHAPTER. Lost camels.

2427. Narrated Zaid bin Khālīd Al-Juhani رَضِيَ اللَّهُ عَنْهُ: A bedouin went to the Prophet ﷺ and asked him about picking up a lost thing. The Prophet ﷺ said, "Make public announcement about it for one year. Remember the description of its container and the string with which it is tied; and if somebody comes and claims it and describes it correctly (give it to him); otherwise, utilize

٤٥ - كتاب في اللقطة

(١) بَابُ إِذَا أَخْبَرَهُ رَبُّ اللَّقْطَةِ بِالْعَلَامَةِ دَفَعَ إِلَيْهِ

٢٤٢٦ - حَدَّثَنَا آدَمُ: حَدَّثَنَا شُعْبَةُ. وَحَدَّثَنِي مُحَمَّدُ بْنُ بَشَّارٍ: حَدَّثَنَا عُثْمَرُ: حَدَّثَنَا شُعْبَةُ، عَنْ سَلَمَةَ: سَمِعْتُ سُوَيْدَ ابْنَ غَفَلَةَ قَالَ: لَقِيتُ أَبِيَّ بْنَ كَعْبٍ رَضِيَ اللَّهُ عَنْهُ فَقَالَ: أَصَبْتُ ضُرَّةً فِيهَا مِائَةُ دِينَارٍ فَأَتَيْتُ النَّبِيَّ ﷺ فَقَالَ: «عَرَفَهَا حَوْلًا». فَعَرَفْتُهَا، فَلَمْ أَجِدْ مَنْ يَعْرِفُهَا، ثُمَّ أَتَيْتُهُ فَقَالَ: «عَرَفَهَا حَوْلًا»، فَعَرَفْتُهَا فَلَمْ أَجِدْ، ثُمَّ أَتَيْتُهُ ثَلَاثًا، فَقَالَ: «احْفَظْ وَعَاءَهَا وَعَدَدَهَا وَوِكَاءَهَا: فَإِنْ جَاءَ صَاحِبُهَا وَإِلَّا فَاسْتَمْتِعْ بِهَا»، فَاسْتَمْتَعْتُ فَلَقِيْتُهُ بَعْدَ بِمَكَّةَ فَقَالَ: لَا أَذْرِي ثَلَاثَةَ أَحْوَالٍ أَوْ حَوْلًا وَاحِدًا. [انظر: ٢٤٣٧]

(٢) بَابُ ضَالَّةِ الْإِبِلِ

٢٤٢٧ - حَدَّثَنِي عَمْرُو بْنُ عَبَّاسٍ: حَدَّثَنَا عَبْدُ الرَّحْمَنِ: حَدَّثَنَا سُفْيَانُ: عَنْ رَبِيعَةَ: حَدَّثَنِي زَيْدُ مَوْلَى الْمُبْعِثِ، عَنْ زَيْدِ بْنِ خَالِدٍ الْجُهَنِيِّ رَضِيَ اللَّهُ عَنْهُ قَالَ: جَاءَ أَعْرَابِيٌّ إِلَى النَّبِيِّ ﷺ فَسَأَلَهُ عَمَّا يَلْتَقِطُهُ فَقَالَ:

it.” He said, “O Allāh’s Messenger! What about a lost sheep?” The Prophet ﷺ said, “It is for you, for your brother (i.e., its owner), or for the wolf.” He further asked, “What about a lost camel?” On that the face of the Prophet ﷺ became red (with anger) and said, “You have nothing to do with it, as it has its feet, its water reserve and can reach places of water and drink, and eat trees.”

(3) CHAPTER. Lost sheep.

2428. Narrated Yahyā: Yazīd Maulā Al-Munba’ith heard Zaid bin Khālīd al-Juhānī saying, “The Prophet ﷺ was asked about *Luqaṭa*. He said, ‘Remember the description of its container and the string it is tied with, and announce it publicly for one year.’” Yazīd added, “If nobody claims then the person who has found it can spend it, and it is regarded as a trust entrusted to him.” Yahyā said, “I do not know whether the last sentence were said by the Prophet ﷺ or by Yazīd.” Zaid further said, “The Prophet ﷺ was asked, ‘What about a lost sheep?’ The Prophet ﷺ said, ‘Take it, for it is for you or for your brother (i.e., its owner) or for the wolf.’” Yazīd added that it should also be announced publicly. The man then asked the Prophet ﷺ about a lost camel. The Prophet ﷺ said, “Leave it, as it has its feet, water-container (reservoir), and it will reach a place of water and eat trees till its owner finds it.”

«عَرَفَهَا سَنَةً ثُمَّ اعْرِفْ عِفَاصَهَا وَوِكَاءَهَا، فَإِنْ جَاءَ أَحَدٌ يُخْبِرُكَ بِهَا وَإِلَّا فَاسْتَنْفِمْهَا». قَالَ: يَا رَسُولَ اللَّهِ، فَضَالَّةُ الْعَنَمِ؟ قَالَ: «لَكَ أَوْ لِأَخِيكَ أَوْ لِلذُّبِّ»، قَالَ: ضَالَّةُ الْإِبِلِ؟ فَتَمَعَّرَ وَجْهُ النَّبِيِّ ﷺ فَقَالَ: «مَا لَكَ وَلَهَا؟ مَعَهَا حِذَاؤُهَا وَسِقَاؤُهَا، تَرِدُ الْمَاءَ وَتَأْكُلُ الشَّجَرَ». [راجع: ٩١]

(٣) بَابُ ضَالَّةِ الْعَنَمِ

٢٤٢٨ - حَدَّثَنَا إِسْمَاعِيلُ بْنُ عَبْدِ اللَّهِ قَالَ: حَدَّثَنِي سُلَيْمَانُ بْنُ بِلَالٍ، عَنْ يَحْيَى، عَنْ يَزِيدَ مَوْلَى الْمُتَنَبِّئِ: أَنَّهُ سَمِعَ زَيْدَ بْنَ خَالِدٍ رَضِيَ اللَّهُ عَنْهُ يَقُولُ: سُئِلَ النَّبِيُّ ﷺ عَنِ اللَّقْطَةِ فَرَعَمَ أَنَّهُ قَالَ: «اعْرِفْ عِفَاصَهَا وَوِكَاءَهَا، ثُمَّ عَرَفَهَا سَنَةً»، (يَقُولُ يَزِيدُ: إِنْ لَمْ تُعْرِفْ اسْتَنْفَقَ بِهَا صَاحِبُهَا وَكَانَتْ وَدِيعَةً عِنْدَهُ. قَالَ يَحْيَى: هَذَا الَّذِي لَا أُدْرِي أَهْوَى فِي الْحَدِيثِ أَمْ شَيْءٌ مِنْ عِنْدِهِ؟) ثُمَّ قَالَ: كَيْفَ تَرَى فِي ضَالَّةِ الْعَنَمِ؟ قَالَ النَّبِيُّ ﷺ: «حُذِّهَا فَإِنَّمَا هِيَ لَكَ أَوْ لِأَخِيكَ أَوْ لِلذُّبِّ». (قَالَ يَزِيدُ: وَهِيَ تُعْرِفُ أَيْضًا) ثُمَّ قَالَ: كَيْفَ تَرَى فِي ضَالَّةِ الْإِبِلِ؟ قَالَ: فَقَالَ: «دَعَهَا فَإِنَّ مَعَهَا حِذَاءَهَا وَسِقَاءَهَا تَرِدُ الْمَاءَ وَتَأْكُلُ الشَّجَرَ حَتَّى يَجِدَهَا رَبُّهَا». [راجع: ٩١]

(4) CHAPTER. If the owner of a lost thing is not found for one year, then the thing is for the one who has found it.

2429. Narrated Zaid bin Khālid رضي الله عنه: A man came and asked Allāh's Messenger ﷺ about picking a lost thing. The Prophet ﷺ said, "Remember the description of its container and the string it is tied with, and make public announcement about it for one year. If the owner shows up, give it to him; otherwise, do whatever you like with it." He then asked, "What about a lost sheep?" The Prophet ﷺ said, "It is for you, for your brother (i.e., its owner), or for the wolf." He further asked, "What about a lost camel?" The Prophet ﷺ said, "It is none of your concern. It has its water-container (reservoir) and its feet, and it will reach water and drink it and eat the trees till its owner finds it."

(٤) بَابُ إِذَا لَمْ يُوجَدْ صَاحِبُ اللُّقْطَةِ بَعْدَ سَنَةٍ فَهِيَ لِمَنْ وَجَدَهَا

٢٤٢٩ - حَدَّثَنَا عَبْدُ اللَّهِ بْنُ يُوسُفَ: أَخْبَرَنَا مَالِكٌ عَنْ رِبْعَةَ بْنِ عَبْدِ الرَّحْمَنِ، عَنْ يَزِيدَ مَوْلَى الْمُنبِيعِ، عَنْ زَيْدِ بْنِ خَالِدٍ رَضِيَ اللَّهُ عَنْهُ قَالَ: جَاءَ رَجُلٌ إِلَى رَسُولِ اللَّهِ ﷺ فَسَأَلَهُ عَنِ اللُّقْطَةِ، فَقَالَ: «اعْرِفْ عِفَاصَهَا وَوِكَاءَهَا، ثُمَّ عَرِّفْهَا سَنَةً فَإِنْ جَاءَ صَاحِبُهَا وَإِلَّا شَأْنُكَ بِهَا». قَالَ: فَسَأَلَهُ الْعَنَمَ؟ قَالَ: «هِيَ لَكَ أَوْ لِأَخِيكَ أَوْ لِلذَّبِّ». قَالَ: فَسَأَلَهُ الْإِبِلَ؟ قَالَ: «مَا لَكَ وَلَهَا؟ مَهْمَا سِيقَاوُهَا وَجَدَاوُهَا، تَرُدُّ الْمَاءَ وَتَأْكُلُ الشَّجَرَ حَتَّى يَلْقَاهَا رَبُّهَا».

[راجع: ٩١]

(5) CHAPTER. If someone finds a piece of wood or a lash or similar things in the sea.

2430. Narrated 'Abdur-Raḥmān bin Hurmuz: Abū Hurairah رضي الله عنه said, "Allāh's Messenger ﷺ mentioned an Israeli man." Abū Hurairah then told the whole narration. (At the end of the narration it was mentioned that the creditor) went out to the sea, hoping that a boat might have brought his money. Suddenly he saw a piece of wood and he took it to his house to use as firewood. When he sawed it, he found his money and a letter in it.

[See Ḥadīth No. 2291 for details].

(٥) بَابُ إِذَا وَجَدَ خَشَبَةً فِي الْبَحْرِ أَوْ سَوْطًا أَوْ نَحْوَهُ

٢٤٣٠ - وَقَالَ اللَّيْثُ: حَدَّثَنِي جَعْفَرُ بْنُ رِبْعَةَ، عَنْ عَبْدِ الرَّحْمَنِ بْنِ هُرْمُزٍ، عَنْ أَبِي هُرَيْرَةَ رَضِيَ اللَّهُ عَنْهُ عَنْ رَسُولِ اللَّهِ ﷺ: أَنَّهُ ذَكَرَ رَجُلًا مِنْ بَنِي إِسْرَائِيلَ. وَسَاقَ الْحَدِيثَ: «فَحَرَجَ يَنْظُرُ لَعَلَّ مَرْكَبًا قَدْ جَاءَ بِمَالِهِ فَإِذَا هُوَ بِالْخَشَبَةِ فَأَخَذَهَا لِأَهْلِهِ حَطْبًا فَلَمَّا نَشَرَهَا وَجَدَ الْمَالَ

وَالصَّحِيفَةَ». [راجع: ١٤٩٨]

(6) CHAPTER. If somebody finds a date on the way.

(٦) بَابُ إِذَا وَجَدَ تَمْرَةً فِي الطَّرِيقِ

2431. Narrated Anas رَضِيَ اللَّهُ عَنْهُ: The Prophet ﷺ passed by a date fallen on the way and said, "Were I not afraid that it may be from a *Ṣadaqa* (charity), I would have eaten it."

2432. Narrated Abū Hurairah رَضِيَ اللَّهُ عَنْهُ: The Prophet ﷺ said, "Sometimes when I return home and find a date fallen on my bed, I pick it up in order to eat it, but I fear that it might be from a *Ṣadaqa* (charity), so I throw it."

(7) CHAPTER. How the *Luqaṭa* at Makkah is to be announced.

Narrated Ibn 'Abbās رَضِيَ اللَّهُ عَنْهُمَا: The Prophet ﷺ said, "Nobody should pick up the *Luqaṭa* (lost things) (of Makkah) except the one who makes public announcement for it." Ibn 'Abbās said (in another narration): The Prophet ﷺ said, "None should pick up the fallen things of Makkah except that who announces it publicly."

2433. Narrated Ibn 'Abbās رَضِيَ اللَّهُ عَنْهُمَا: Allāh's Messenger ﷺ also said, "It (i.e., Makkah's) thorny bushes should not be uprooted and its game should not be chased, and picking up its fallen things is

٢٤٣١ - حَدَّثَنَا مُحَمَّدُ بْنُ يُونُسَ: حَدَّثَنَا سُفْيَانُ، عَنْ مَنْصُورٍ، عَنْ طَلْحَةَ، عَنْ أَنَسٍ رَضِيَ اللَّهُ عَنْهُ قَالَ: مَرَّ النَّبِيُّ ﷺ بِتَمْرَةٍ فِي الطَّرِيقِ قَالَ: «لَوْلَا أَنِّي أَخَافُ أَنْ تَكُونَ مِنَ الصَّدَقَةِ لَأَكَلْتُهَا». [راجع: ٢٠٥٥]

٢٤٣٢ - وَقَالَ يَحْيَى: حَدَّثَنَا سُفْيَانُ: حَدَّثَنِي مَنْصُورٌ، وَقَالَ زَائِدَةُ، عَنْ مَنْصُورٍ، عَنْ طَلْحَةَ: حَدَّثَنَا أَنَسٌ.

وَحَدَّثَنَا مُحَمَّدُ بْنُ مُقَاتِلٍ: أَخْبَرَنَا عَبْدُ اللَّهِ، أَخْبَرَنَا مَعْمَرٌ، عَنْ هَمَامِ بْنِ مُنَبِّهٍ، عَنْ أَبِي هُرَيْرَةَ رَضِيَ اللَّهُ عَنْهُ عَنِ النَّبِيِّ ﷺ قَالَ: «إِنِّي لَا أَتَقَلَّبُ إِلَى أَهْلِي فَأَجِدُ التَّمْرَةَ سَاقِطَةً عَلَى فِرَاشِي فَأَرْفَعُهَا لِأَكْلِهَا ثُمَّ أَخْشَى أَنْ تَكُونَ صَدَقَةً فَأُلْقِيهَا».

(٧) بَابُ كَيْفَ تُعْرَفُ لُقَطَةُ أَهْلِ مَكَّةَ؟

وَقَالَ طَاوُسٌ: عَنِ ابْنِ عَبَّاسٍ رَضِيَ اللَّهُ عَنْهُمَا، عَنِ النَّبِيِّ ﷺ قَالَ: «لَا يَلْتَقِطُ لُقَطَتَهَا إِلَّا مَنْ عَرَفَهَا». وَقَالَ خَالِدٌ، عَنْ عِكْرِمَةَ عَنْ ابْنِ عَبَّاسٍ رَضِيَ اللَّهُ عَنْهُمَا عَنِ النَّبِيِّ ﷺ قَالَ: «لَا يَلْتَقِطُ لُقَطَتَهَا إِلَّا مُعَرَّفٌ».

٢٤٣٣ - وَقَالَ أَحْمَدُ بْنُ سَعِيدٍ: حَدَّثَنَا رَوْحٌ: حَدَّثَنَا زَكَرِيَّا: حَدَّثَنَا عَمْرُو بْنُ دِينَارٍ، عَنْ عِكْرِمَةَ، عَنْ

illegal except by him who makes public announcement about it, and its grass should not be cut.” ‘Abbās said, “O Allāh’s Messenger! Except *Idhkhīr* (a kind of grass).” The Prophet ﷺ said, “Except *Idhkhīr*.”

2434. Narrated Abū Hurairah رَضِيَ اللَّهُ عَنْهُ: When Allāh gave victory to His Messenger ﷺ over the people of Makkah, Allāh’s Messenger ﷺ stood up among the people and after glorifying Allāh, said, “Allāh has prohibited fighting in Makkah and has given authority to His Messenger and the believers over it, so fighting was illegal for anyone before me, and was made legal for me for a part of a day, and it will not be legal for anyone after me. Its game should not be chased, its thorny bushes should not be uprooted, and picking up its fallen things is not allowed except for one who makes public announcement for it, and he whose relative is murdered has the option either to accept a compensation for it or to retaliate.” Al-‘Abbās said, “Except *Al-Idhkhīr*, for we use it in our graves and houses.” Allāh’s Messenger ﷺ said, “Except *Al-Idhkhīr*.” Abū Shāh, a Yemenite, stood up and said, “O Allāh’s Messenger! Get it written for me.” Allāh’s Messenger ﷺ said, “Write it for Abū Shāh.” (The sub-narrator asked Al-Auzā’ī): What did he mean by saying, “Get it written, O Allāh’s Messenger?” He replied, “The speech which he had heard from Allāh’s Messenger ﷺ.”

ابن عَبَّاسٍ رَضِيَ اللَّهُ عَنْهُمَا: أَنَّ رَسُولَ اللَّهِ ﷺ قَالَ: «لَا يُعْصَدُ عِصَاهُهَا، وَلَا يُنْفَرُ صَيْدُهَا، وَلَا تَحِلُّ لِقَطْعَتِهَا إِلَّا لِمُنْشِدٍ، وَلَا يُخْتَلَى حَلَاها». فَقَالَ عَبَّاسٌ: يَا رَسُولَ اللَّهِ إِلَّا الْإِدْخِرَ، فَقَالَ: «إِلَّا الْإِدْخِرَ».

[راجع: ١٣٤٩]

٢٤٣٤ - حَدَّثَنَا يَحْيَى بْنُ مُوسَى قَالَ: حَدَّثَنَا الْوَلِيدُ بْنُ مُسْلِمٍ: حَدَّثَنَا الْأَوْزَاعِيُّ: حَدَّثَنِي يَحْيَى بْنُ أَبِي كَثِيرٍ قَالَ: حَدَّثَنِي أَبُو سَلَمَةَ بْنُ عَبْدِ الرَّحْمَنِ قَالَ: حَدَّثَنِي أَبُو هُرَيْرَةَ رَضِيَ اللَّهُ عَنْهُ قَالَ: لَمَّا فَتَحَ اللَّهُ عَلَى رَسُولِهِ ﷺ مَكَّةَ قَامَ فِي النَّاسِ فَحَمِدَ اللَّهُ وَأَثْنَى عَلَيْهِ ثُمَّ قَالَ: «إِنَّ اللَّهَ حَبَسَ عَنْ مَكَّةَ الْقَيْلَ وَسَلَطَ عَلَيْهَا رَسُولُهُ وَالْمُؤْمِنِينَ فَإِنَّهَا لَا تَحِلُّ لِأَحَدٍ كَانَ قَبْلِي، وَإِنَّهَا أُحِلَّتْ لِي سَاعَةً مِنْ نَهَارٍ، وَإِنَّهَا لَنْ تَحِلَّ لِأَحَدٍ مِنْ بَعْدِي فَلَا يُنْفَرُ صَيْدُهَا وَلَا يُخْتَلَى شَوْكُهَا وَلَا تَحِلُّ سَاقِطَتُهَا إِلَّا لِمُنْشِدٍ. وَمَنْ قُتِلَ لَهُ قَتِيلٌ فَهُوَ بِخَيْرِ النَّظَرَيْنِ: إِمَّا أَنْ يُفْدَى وَإِمَّا أَنْ يُقْبَدَ». فَقَالَ الْعَبَّاسُ: إِلَّا الْإِدْخِرَ فَإِنَّا نَجْعَلُهُ لِقُبُورِنَا وَبُيُوتِنَا، فَقَالَ رَسُولُ اللَّهِ ﷺ: «إِلَّا الْإِدْخِرَ». فَقَامَ أَبُو شَاهٍ - رَجُلٌ مِنْ أَهْلِ الْيَمَنِ - فَقَالَ: اكْتُبُوا لِي يَا رَسُولَ اللَّهِ، فَقَالَ رَسُولُ اللَّهِ ﷺ:

«اَكْتُبُوا لِأَبِي شَاهٍ». قُلْتُ لِلْأَوْزَاعِيِّ:
مَا قَوْلُهُ: اَكْتُبُوا لِي يَا رَسُولَ اللَّهِ؟
قَالَ: هَذِهِ الْخُطْبَةُ الَّتِي سَمِعَهَا مِنْ
رَسُولِ اللَّهِ ﷺ. [راجع: ١١٢]

(8) CHAPTER. No animal may be milked without the permission of its owner.

2435. Narrated Ibn ‘Umar رضي الله عنهما: Allāh’s Messenger ﷺ said, “An animal should not be milked without the permission of its owner. Does any of you like that somebody comes to his store and breaks his container and takes away his food? The udders of the animals are the stores of their owners where their provision is kept, so nobody should milk the animals of somebody else, without the permission of its owner.”

(٨) بَابُ لَا تُحْلَبُ مَاشِيَةٌ أَحَدٍ بِغَيْرِ إِذْنِهِ

٢٤٣٥ - حَدَّثَنَا عَبْدُ اللَّهِ بْنُ يُوسُفَ: أَخْبَرَنَا مَالِكٌ، عَنْ نَافِعٍ، عَنْ عَبْدِ اللَّهِ بْنِ عُمَرَ رَضِيَ اللَّهُ عَنْهُمَا: أَنَّ رَسُولَ اللَّهِ ﷺ قَالَ: «لَا يَحْلَبُ أَحَدٌ مَاشِيَةً أَمْرِي بِغَيْرِ إِذْنِهِ، أَيْحِبُّ أَحَدُكُمْ أَنْ تُؤْتَى مَشْرُبَتُهُ فَتُكْسَرَ خِزَانَتُهُ فَيَنْتَقَلَ طَعَامُهُ؟ فَإِنَّمَا تَحْرُقُ لَهُمْ ضُرُوعُ مَوَاشِيهِمْ أَطْعِمَاتِهِمْ، فَلَا يَحْلَبُ أَحَدٌ مَاشِيَةً أَحَدٍ إِلَّا بِإِذْنِهِ»

(9) CHAPTER. If the owner of lost property comes back after a year, it should be returned to him as it is a trust with the one who has found it.

2436. Narrated Zaid bin Khālid Al-Juhānī رضي الله عنه: A man asked Allāh’s Messenger ﷺ about the Luqaṭa. He said, “Make public announcement of it for one year, then remember the description of its container and the string it is tied with; utilize the money, and if its owner comes back after that, give it to him.” The people asked, “O Allāh’s Messenger! What about a lost sheep?” Allāh’s Messenger ﷺ said, “Take it, for it is for you, for your brother, or for the wolf.” The man asked, “O Allāh’s Messenger! What about a lost camel?” Allāh’s Messenger ﷺ got angry and his cheeks or face became red, and said, “You

(٩) بَابُ إِذَا جَاءَ صَاحِبُ اللَّقْطَةِ بَعْدَ سَنَةٍ رَدَّهَا عَلَيْهِ لِأَنَّهَا وَدِيعَةٌ عِنْدَهُ

٢٤٣٦ - حَدَّثَنَا قُتَيْبَةُ بْنُ سَعِيدٍ: حَدَّثَنَا إِسْمَاعِيلُ بْنُ جَعْفَرٍ، عَنْ رِبِيعَةَ بْنِ عَبْدِ الرَّحْمَنِ عَنْ يَزِيدَ مَوْلَى الْمُتَنَبِّعِثِ، عَنْ زَيْدِ بْنِ خَالِدِ الْجُهَنِيِّ رَضِيَ اللَّهُ عَنْهُ: أَنَّ رَجُلًا سَأَلَ رَسُولَ اللَّهِ ﷺ عَنِ اللَّقْطَةِ، قَالَ: «عَرَفَهَا سَنَةً ثُمَّ اغْرِفْ وَكَاءَهَا وَعِفَاصَهَا، ثُمَّ اسْتَنْقِفْ بِهَا فَإِنْ جَاءَ رَبُّهَا فَأَدِّهَا إِلَيْهِ». فَقَالَ: يَا رَسُولَ اللَّهِ، فَضَالَّةُ الْعَظْمِ؟ قَالَ: «خُذْهَا فَإِنَّمَا هِيَ لَكَ أَوْ

have no concern with it as it has its feet, and its water-container, till its owner finds it.”

لَأُحْيِكَ أَوْ لِلذُّبِّ». قَالَ: يَا رَسُولَ اللَّهِ، فَضَالَّةُ الْإِبِلِ؟ قَالَ: فَغَضِبَ رَسُولُ اللَّهِ ﷺ حَتَّى احْمَرَّتْ وَجْتَاهُ - أَوْ احْمَرَّ وَجْهُهُ - ثُمَّ قَالَ: «مَا لَكَ وَلَهَا؟ مَعَهَا جِذَاؤُهَا وَسِقَاؤُهَا حَتَّى يَلْقَاهَا رَبُّهَا». [راجع: ٩١]

(10) CHAPTER. Should one pick up a fallen thing, lest it should be spoilt or taken by somebody who does not deserve it?

(١٠) بَابُ هَلْ يَأْخُذُ اللَّقْطَةُ وَلَا يَدْعُهَا تَضْيَعُ حَتَّى لَا يَأْخُذَهَا مَنْ لَا يَسْتَحِقُّ؟

2437. Narrated Suwaid bin Ghafala: While I was in the company of Salmān bin Rabī'a and Zaid bin Sūhān, in one of the holy battles, I found a whip. One of them told me to drop it, but I refused to do so and said that I would give it to its owner if I found him, otherwise I would utilize it. On our return we performed Hajj and on passing by Al-Madina, I asked Ubai bin Ka'b رَضِيَ اللَّهُ عَنْهُ about it. He said, "I found a bag containing a hundred Dīnār in the lifetime of the Prophet ﷺ and took it to the Prophet ﷺ who said to me, 'Make public announcement about it for one year.' So, I announced it for one year and went to the Prophet ﷺ who said, 'Announce it publicly for another year.' So, I announced it for another year. I went to him again and he said, 'Announce for another year.' So I announced for still another year. I went to the Prophet ﷺ for the fourth time, and he said, 'Remember the amount of money, the description of its container and the string it is tied with, and if its owner comes, give it to him; otherwise, utilize it.'"

٢٤٣٧ - حَدَّثَنَا سُلَيْمَانُ بْنُ حَرْبٍ: حَدَّثَنَا شُعْبَةُ، عَنْ سَلَمَةَ بْنِ كُهَيْلٍ قَالَ: سَمِعْتُ سُؤَيْدَ بْنَ غَفَلَةَ قَالَ: كُنْتُ مَعَ سَلْمَانَ بْنِ رَبِيعَةَ وَزَيْدِ بْنِ صُوحَانَ فِي غَزَاةٍ، فَوَجَدْتُ سَوْطًا فَقَالَ لِي: أَلْقِهِ، قُلْتُ: لَا، وَلَكِنْ إِنْ وَجَدْتُ صَاحِبَهُ وَإِلَّا اسْتَمْتَعْتُ بِهِ. فَلَمَّا رَجَعْنَا حَجَجْنَا فَمَرَرْتُ بِالْمَدِينَةِ فَسَأَلْتُ أَبِيَّ بْنَ كَعْبٍ رَضِيَ اللَّهُ عَنْهُ فَقَالَ: وَجَدْتُ ضِرَّةً عَلَى عَهْدِ النَّبِيِّ ﷺ فِيهَا مِائَةُ دِينَارٍ فَأَتَيْتُ بِهَا النَّبِيَّ ﷺ فَقَالَ: «عَرَفْتُهَا حَوْلًا»، فَعَرَفْتُهَا حَوْلًا. ثُمَّ أَتَيْتُ فَقَالَ: «عَرَفْتُهَا حَوْلًا»، فَعَرَفْتُهَا حَوْلًا ثُمَّ أَتَيْتُ الرَّابِعَةَ فَقَالَ: «اعْرِفْ عِدَّتَهَا وَوِكَاءَهَا وَوِعَاءَهَا، فَإِنْ جَاءَ صَاحِبُهَا وَإِلَّا اسْتَمْتَعْ بِهَا». [راجع: ٢٤٢٦]

Salama narrated the above narration from Ubai bin Ka'b, adding, "I met the subnarrator at Makkah later on, but he did not remember whether Ka'b had announced

حَدَّثَنَا عَبْدَانُ قَالَ: أَخْبَرَنِي أَبِي

what he had found for one year or three years.”

(11) CHAPTER. Whoever announced the Luqaṭa in public and did not hand it over to the ruler.

2438. Narrated Zaid bin Khālīd رضي الله عنه: A bedouin asked the Prophet ﷺ about the Luqaṭa. The Prophet ﷺ said, “Make public announcement about it for one year and if then somebody comes and describes the container of the Luqaṭa and the string it was tied with, (give it to him); otherwise, spend it.” He then asked the Prophet ﷺ about a lost camel. The face of the Prophet ﷺ become red and he said, “You have no concern with it as it has its water reservoir and feet and it will reach water and drink and eat trees. Leave it till its owner finds it.” He then asked the Prophet ﷺ about a lost sheep. The Prophet ﷺ said, “It is for you, for your brother, or for the wolf.”

(12) CHAPTER:

2439. Narrated Abū Bakr رضي الله عنه: While I was on my way, all of a sudden I saw a shepherd driving his sheep, I asked him whose servant he was. He replied that he was the servant of a man from Quraish, and then he mentioned his name and I recognized him. I asked, “Do your sheep have some milk?” He replied in the affirmative. I said, “Are you going to milk for me?” He replied in the affirmative. I ordered him and he tied the legs of one of the sheep. Then I told him to clean the udder (teats) of dust and to remove dust off his hands. He removed the dust off his hands by clapping his hands. He

عَنْ شُعْبَةَ، عَنْ سَلَمَةَ بِهَذَا قَالَ: فَلَقِيْتُهُ بَعْدَ بِمَكَّةَ، فَقَالَ: لَا أَذْرِي أَثَلَاثَةَ أَخْوَالٍ أَوْ حَوْلًا وَاجِدًا.

(١١) بَابُ مَنْ عَرَفَ اللَّقْطَةَ وَلَمْ يَدْفَعْهَا إِلَى السُّلْطَانِ

٢٤٣٨ - حَدَّثَنَا مُحَمَّدُ بْنُ يُوسُفَ: حَدَّثَنَا سُفْيَانُ، عَنْ رَبِيعَةَ، عَنْ يَزِيدَ مَوْلَى الْمُبْعِثِ، عَنْ زَيْدِ بْنِ خَالِدٍ رَضِيَ اللَّهُ عَنْهُ: أَنَّ أَعْرَابِيًّا سَأَلَ النَّبِيَّ ﷺ عَنِ اللَّقْطَةِ قَالَ: «عَرَفُهَا سَنَةً فَإِنْ جَاءَ أَحَدٌ يُخْبِرُكَ بِعَقَاصِهَا وَوِكَائِلِهَا وَإِلَّا فَاسْتَنْفِقْ بِهَا». وَسَأَلَهُ عَنْ ضَالَّةِ الْإِبِلِ فَتَمَعَّرَ وَجْهُهُ وَقَالَ: «مَا لَكَ وَلَهَا؟ مَعَهَا سِقَاؤُهَا وَجِذَاؤُهَا، تَرُدُّ الْمَاءَ وَتَأْكُلُ الشَّجَرَ، دَعَهَا حَتَّى يَجِدَهَا رَبُّهَا». وَسَأَلَهُ عَنْ ضَالَّةِ الْغَنَمِ فَقَالَ: «هِيَ لَكَ أَوْ لِأَخِيكَ أَوْ لِلذَّبِّ». [راجع: ٩١]

(١٢) بَابُ:

٢٤٣٩ - حَدَّثَنِي إِسْحَاقُ بْنُ إِبْرَاهِيمَ: أَخْبَرَنَا النَّضْرُ: أَخْبَرَنَا إِسْرَائِيلُ، عَنْ أَبِي إِسْحَاقَ قَالَ: أَخْبَرَنِي الْبَرَاءُ، عَنْ أَبِي بَكْرٍ رَضِيَ اللَّهُ عَنْهُمَا، ح. حَدَّثَنَا عَبْدُ اللَّهِ بْنُ رَجَاءٍ: حَدَّثَنَا إِسْرَائِيلُ، عَنْ أَبِي إِسْحَاقَ عَنِ الْبَرَاءِ، عَنْ أَبِي بَكْرٍ رَضِيَ اللَّهُ عَنْهُمَا قَالَ: «انْطَلَقْتُ فَإِذَا أَنَا بِرَاعِي غَنَمٍ يَسُوقُ غَنَمَهُ فَقُلْتُ:

then milked a little milk. I put the milk for Allāh's Messenger ﷺ in a pot and closed its mouth with a piece of cloth and poured water over it till it became cold. I took it to the Prophet ﷺ and said, "Drink, O Allāh's Messenger!" He drank it till I was pleased.

مِمَّنْ أَنْتَ؟ قَالَ: لِرَجُلٍ مِنْ قُرَيْشٍ،
فَسَمَاهُ فَعْرِقَتَهُ، فَقُلْتُ: هَلْ فِي غَنَمِكَ
مِنْ لَبَنٍ؟ فَقَالَ: نَعَمْ، فَقُلْتُ: هَلْ
أَنْتَ حَالِبٌ لِي؟ قَالَ: نَعَمْ، فَأَمَرْتُهُ
فَاعْتَقَلَ شَاةً مِنْ غَنَمِهِ ثُمَّ أَمَرْتُهُ أَنْ
يَنْفُضَ ضَرْعَهَا مِنَ الْعُبَارِ، ثُمَّ أَمَرْتُهُ
أَنْ يَنْفُضَ كَفَّيْهِ فَقَالَ هَكَذَا، ضَرَبَ
إِحْدَى كَفَّيْهِ بِالْأُخْرَى فَحَلَبَ كُثْبَةً مِنْ
لَبَنٍ وَقَدْ جَعَلْتُ لِرَسُولِ اللَّهِ ﷺ إِدَاوَةً
عَلَى فِيهَا خِرْقَةٌ فَصَبَبْتُ عَلَى اللَّبَنِ
حَتَّى بَرَدَ أَسْفَلُهُ، فَانْتَهَيْتُ إِلَى النَّبِيِّ
ﷺ فَقُلْتُ: اشْرَبْ يَا رَسُولَ اللَّهِ،
فَشَرِبَ حَتَّى رَضِيتُ. [انظر: ٣٦١٥،

٣٦٥٢، ٣٩٠٨، ٣٩١٧، ٥٦٠٧]

46 - THE BOOK OF AL-MAZĀLIM (THE OPPRESSIONS)

Concerning oppressions and unlawful
taking (of something) by violence.

٤٦ - كتاب المظالم

في المَظَالِمِ وَالْعَصَبِ،

And the Statement of Allāh تعالى :

“Consider not that Allāh is unaware of that which the *Zālimūn* (polytheists, wrong-doers) do, but He gives them respite up to a Day when the eyes will stare in horror. (They will be) hastening forward with necks outstretched, their heads raised up (towards the sky), their gaze returning not towards them and their hearts empty (from thinking because of extreme fear). And warn (O Muḥammad ﷺ) mankind of the Day when the torment will come unto them; then the wrong-doers will say: ‘Our Lord! Respite us for a little while, we will answer Your Call and follow the Messengers!’ (It will be said): ‘Had you not sworn aforetime that you would not leave (the world for the Hereafter). And you dwelt in dwellings of men who wronged themselves, and it was clear to you how We had dealt with them. And We put forth (many) parables for you.’ Indeed they planned their plot, and their plot was with Allāh, though their plot was not such as to remove the mountains (real mountains or the Islāmic laws) from their places (as it is of no importance)⁽¹⁾. So think not that Allāh will fail to keep His Promise to His Messengers. Certainly Allāh is All-Mighty, All-Able of Retribution.” (V.14:42-47)

وَقَوْلِ اللَّهِ تَعَالَى: ﴿وَلَا تَحْسَبَنَّ اللَّهَ غَفْلًا عَمَّا يَعْمَلُ الظَّالِمُونَ إِنَّمَا يُؤَخِّرُهُمْ لِيَوْمٍ تَشْخَصُ فِيهِ الْأَبْصَارُ﴾^(١٤) مُهْطِعِينَ مُقْنِعِي رُءُوسِهِمْ لَا يَرْتَدُّ إِلَيْهِمْ طَرْفُهُمْ وَأَفْئِدَتُهُمْ هَوَاءٌ ﴿١٥﴾ رَافِعِي رُءُوسِهِمْ. الْمُقْنِعُ وَالْمُقْنِعُ وَاحِدٌ.

قَالَ مُجَاهِدٌ: مُهْطِعِينَ: مُدْيِمِي النَّظَرِ. وَقَالَ غَيْرُهُ: مُسْرِعِينَ ﴿لَا يَرْتَدُّ إِلَيْهِمْ طَرْفُهُمْ وَأَفْئِدَتُهُمْ هَوَاءٌ﴾ يَعْنِي جُوفًا لَا عَقُولَ لَهُمْ ﴿وَأَنْذِرِ النَّاسَ يَوْمَ يَأْتِيهِمُ الْعَذَابُ فَيَقُولُ الَّذِينَ الَّذِينَ ظَلَمُوا رَبَّنَا أَخْرَنَا مِنْ أَجْلِ قَرِيبٍ نَجْتِ دَعْوَتَكَ وَتَتَّبِعَ الرُّسُلَ أَوَلَمْ نَكُونُوا أَقْسَمْتُمْ مِنْ قَبْلِ مَا لَكُمْ مِنْ رِوَالٍ﴾^(١٦) وَسَكَنْتُمْ فِي مَسْكَانٍ الَّذِينَ ظَلَمُوا أَنْفُسَهُمْ وَبَيَّكَ لَكُمْ كَيْفَ فَعَلْنَا بِهِمْ وَضَرَبْنَا لَكُمْ الْأَمْثَالَ ﴿١٧﴾ وَقَدْ مَكَرُوا مَكْرَهُمْ وَعِنْدَ اللَّهِ مَكْرُهُمْ وَإِنْ كَانَ مَكْرُهُمْ لِتَزُولَ مِنْهُ الْجِبَالُ ﴿١٨﴾ فَلَا تَحْسَبَنَّ اللَّهَ تَخْلِفَ وَعْدَهُ رُسُلَهُ إِنَّ اللَّهَ عَزِيزٌ ذُو انْتِقَامٍ ﴿١٩﴾ [إبراهيم: ٤٢ - ٤٧].

(1) CHAPTER. Retaliation (on the Day of Judgement) in cases of oppressions.

(١) بَابُ قِصَاصِ الْمَظَالِمِ

(1) (Ch. 1) It is said in *Tafsir Ibn Kathīr* as regarding this Verse that the Quraish pagans plotted against Prophet Muḥammad ﷺ to kill him but they failed and were unable to carry out their plot which they plotted.