

(18) CHAPTER. When your servant brings your meal to you?

2557. Narrated Abū Hurairah رَضِيَ اللَّهُ عَنْهُ: The Prophet ﷺ said, "When your servant brings your meal to you then if you, do not let him sit and share the meal, you should at least give him a mouthful or two mouthfuls of that meal or a meal or two meals, as he has prepared it."

(١٨) بَابُ إِذَا أَتَى أَحَدَكُمْ خَادِمُهُ بِطَعَامِهِ

٢٥٥٧ - حَدَّثَنَا حَجَّاجُ بْنُ مِنْهَالٍ: حَدَّثَنَا شُعْبَةُ قَالَ: أَخْبَرَنِي مُحَمَّدُ بْنُ زَيَْادٍ قَالَ: سَمِعْتُ أَبَا هُرَيْرَةَ رَضِيَ اللَّهُ عَنْهُ عَنِ النَّبِيِّ ﷺ قَالَ: «إِذَا أَتَى أَحَدَكُمْ خَادِمُهُ بِطَعَامِهِ، فَإِنْ لَمْ يُجْلِسْهُ مَعَهُ فَلْيُنَاوِلْهُ لُقْمَةً أَوْ لُقْمَتَيْنِ، أَوْ أَكْلَةً أَوْ أَكْلَتَيْنِ، فَإِنَّهُ وَلِيَّ عِلَاجِهِ». [انظر: ٥٤٦٠]

(19) CHAPTER. The slave is a guardian of the property of his master.

The Prophet ﷺ has referred the ownership of the property to the master.

(١٩) بَابُ الْعَبْدُ رَاعٍ فِي مَالِ سَيِّدِهِ، وَنَسَبَ النَّبِيُّ ﷺ الْمَالَ إِلَى السَّيِّدِ

2558. Narrated 'Abdullāh bin 'Umar رَضِيَ اللَّهُ عَنْهُمَا that he heard Allāh's Messenger ﷺ saying, "Everyone of you is a guardian and is responsible for his charge; the ruler is a guardian and is responsible for his subjects; the man is a guardian of his family and responsible for his charges; a woman is a guardian of her husband's house and responsible for her charges; and the servant is a guardian of his master's property and is responsible for his charge." I definitely heard the above from the Prophet ﷺ and think that the Prophet ﷺ also said, "A man is a guardian of his father's property and responsible for his charges; so everyone of you is a guardian and responsible for his charges."

٢٥٥٨ - حَدَّثَنَا أَبُو الْيَمَانِ: أَخْبَرَنَا شُعَيْبٌ، عَنِ الزُّهْرِيِّ قَالَ: أَخْبَرَنِي سَالِمُ بْنُ عَبْدِ اللَّهِ، عَنْ عَبْدِ اللَّهِ بْنِ عُمَرَ رَضِيَ اللَّهُ عَنْهُمَا: أَنَّهُ سَمِعَ رَسُولَ اللَّهِ ﷺ يَقُولُ: «كُلُّكُمْ رَاعٍ وَمَسْئُولٌ عَنْ رَعِيَّتِهِ، فَالْإِمَامُ رَاعٍ وَمَسْئُولٌ عَنْ رَعِيَّتِهِ، وَالرَّجُلُ فِي أَهْلِهِ رَاعٍ وَهُوَ مَسْئُولٌ عَنْ رَعِيَّتِهِ، وَالْمَرْأَةُ فِي بَيْتِ زَوْجِهَا رَاعِيَّةٌ وَهِيَ مَسْئُولَةٌ عَنْ رَعِيَّتِهَا. وَالْخَادِمُ فِي مَالِ سَيِّدِهِ رَاعٍ وَهُوَ مَسْئُولٌ عَنْ رَعِيَّتِهِ». قَالَ: فَسَمِعْتُ هَؤُلَاءِ مِنَ النَّبِيِّ ﷺ وَأَخْبِيبُ النَّبِيِّ ﷺ قَالَ: «وَالرَّجُلُ فِي مَالِ أَبِيهِ رَاعٍ وَمَسْئُولٌ عَنْ رَعِيَّتِهِ، فَكُلُّكُمْ رَاعٍ وَكُلُّكُمْ

مَسْئُولٌ عَنْ رَعِيَّتِهِ». [راجع: ٨٩٣]

(20) CHAPTER. If somebody beats a slave, he should avoid his face.

(٢٠) بَابُ إِذَا ضَرَبَ الْعَبْدُ فَلْيَجْتَنِبِ

الْوَجْهَ

2559. Narrated Abū Hurairah رَضِيَ اللَّهُ عَنْهُ: The Prophet ﷺ said, "If somebody fights (or beats somebody) then he should avoid (hitting) the face."

٢٥٥٩ - حَدَّثَنِي مُحَمَّدُ بْنُ عُثَيْدٍ
الله: حَدَّثَنَا ابْنُ وَهْبٍ قَالَ: حَدَّثَنِي
مَالِكُ بْنُ أَنَسٍ قَالَ: وَأَخْبَرَنِي ابْنُ
فُلَانٍ، عَنْ سَعِيدِ الْمَقْبُرِيِّ، عَنْ أَبِيهِ،
عَنْ أَبِي هُرَيْرَةَ رَضِيَ اللَّهُ عَنْهُ عَنْ
النَّبِيِّ ﷺ. ح وَحَدَّثَنِي عَبْدُ اللَّهِ بْنُ
مُحَمَّدٍ: حَدَّثَنَا عَبْدُ الرَّزَّاقِ: أَخْبَرَنَا
مَعْمَرٌ، عَنْ هَمَّامٍ، عَنْ أَبِي هُرَيْرَةَ
رَضِيَ اللَّهُ عَنْهُ عَنِ النَّبِيِّ ﷺ قَالَ:
«إِذَا قَاتَلَ أَحَدُكُمْ فَلْيَجْتَنِبِ الْوَجْهَ».

50 - THE BOOK OF AL-MUKĀTAB

(A slave who binds himself to pay a certain amount equivalent for his freedom by seeking writing of emancipation from his master).

CHAPTER. The sin of one who falsely accuses his slave of illegal sexual intercourse.

(1) CHAPTER. *Al-Mukātab* and the payment of his price by yearly installment.

And Allāh's Statement:

"...And such of your slaves as seek a writing (of emancipation), give them such writing, if you find that there is good and honesty in them. And give them something (yourselves) out of the wealth of Allāh which He has bestowed upon you..." (V.24:33)

Narrated Ibn Juraij: I asked 'Aṭā', "Will it be necessary for me to give a slave the writing of emancipation if I come to know that such a slave has money or property?" 'Aṭā' replied, "I consider it obligatory."

'Amr bin Dīnār asked 'Aṭā', "Have you a proof (narration) for your verdict?" He replied in the negative and added that Mūsā bin Anas told him that Sīrīn sought from Anas a writing of emancipation, and Sīrīn was a very rich slave, but Anas refused to grant him his desire. Sīrīn went to 'Umar who ordered Anas with his lash and recited:

'Give them such writing, if you find that there is good and honesty in them...' (V.24:33)

Anas then gave him a writing (of emancipation)."

2560. Narrated 'Āishah رَضِيَ اللَّهُ عَنْهَا that Barīra came to seek her help in her writing of emancipation and she had to pay five *Uqīya*

٥٠ - كتاب المكاتب

بَابُ إِنْهُمْ مَنْ قَذَفَ مَمْلُوكَهُ

(١) بَابُ الْمُكَاتَبِ وَنُجُومِهِ، فِي كُلِّ سَنَةٍ نَجْمٌ

وَقَوْلُهُ: ﴿وَالَّذِينَ يَبْتِغُونَ الْكِتَابَ بِمَا مَلَكَتْ أَيْمَانُكُمْ فَكَاتِبُوهُمْ إِنْ عَلِمْتُمْ فِيهِمْ خَيْرًا وَآتُوهُمْ مِّنْ مَّالِ اللَّهِ الَّذِي آتَاكُمْ﴾ [النور: ٣٢] وَقَالَ رَوْحٌ، عَنِ ابْنِ جُرَيْجٍ: قُلْتُ لِعَطَاءٍ: أَوْاجِبُ عَلَيَّ إِذَا عَلِمْتُ لَهُ مَالًا أَنْ أَكَاتِبَهُ؟ قَالَ: مَا أُرَاهُ إِلَّا وَاجِبًا. وَقَالَ عُمَرُو بْنُ دِينَارٍ: قُلْتُ لِعَطَاءٍ: أَتَأْتُرُهُ عَنْ أَحَدٍ؟ قَالَ: لَا. ثُمَّ أَخْبَرَنِي أَنَّ مُوسَى بْنَ أَنَسٍ أَخْبَرَهُ أَنَّ سِيرِينَ سَأَلَ أَنَسًا الْمُكَاتَبَةَ وَكَانَ كَثِيرَ الْمَالِ فَأَبَى، فَانْطَلَقَ إِلَى عُمَرَ رَضِيَ اللَّهُ عَنْهُ فَقَالَ: كَاتِبُهُ فَأَبَى فَضْرَبَهُ بِالْدَّرَّةِ وَيَتْلُو عُمَرُ ﴿فَكَاتِبُوهُمْ إِنْ عَلِمْتُمْ فِيهِمْ خَيْرًا﴾ [النور: ٣٣] فَكَاتِبُهُ.

٢٥٦٠ - وَقَالَ اللَّيْثُ: حَدَّثَنِي يُونُسُ عَنِ ابْنِ شِهَابٍ: قَالَ عُروَةُ:

(of gold) by five yearly installments. 'Āishah said to her, "Do you think that if I pay the whole sum at once, your masters will sell you to me, and I will free you and your *Walā*⁽¹⁾ will be for me." Barīra went to her masters and told them about that offer. They said that they would not agree to it unless her *Walā* would be for them. 'Āishah further said, "I went to Allāh's Messenger ﷺ and told him about it." Allāh's Messenger ﷺ said to her, "Buy Barīra and manumit her and the *Walā*' will be for the liberator." Allāh's Messenger ﷺ then got up and said, "What about those people who stipulate conditions that are not present in Allāh's Laws? If anybody stipulates a condition which is not in Allāh's Laws, then what he stipulates is invalid. Allāh's Conditions (Laws) are the truth and are more solid."

(2) CHAPTER. What conditions are permissible for a writing of emancipation and whoever stipulates conditions that are not (present) in Allāh's Book (i.e., not in accordance with Allāh's Laws).

Ibn 'Umar narrated (the above).

2561. Narrated 'Urwa that 'Āishah رضي الله عنها told him that Barīra came to seek her help in her writing of emancipation (for a certain sum) and at that time she had not paid anything of it. 'Āishah said to her, "Go back to your masters, and if they agree that I will pay the amount of your writing of emancipation and get your *Walā*', I will do

قَالَتْ عَائِشَةُ رَضِيَ اللَّهُ عَنْهَا: إِنَّ بَرِيرَةَ دَخَلَتْ عَلَيْهَا تَسْتَعِينُهَا فِي كِتَابَتِهَا وَعَلَيْهَا خَمْسُ أَوَاقِي نُجُمَتْ عَلَيْهَا فِي خَمْسِ سِنِينَ. فَقَالَتْ لَهَا عَائِشَةُ وَنَفِسْتُ فِيهَا: أَرَأَيْتِ إِنْ عَدَدْتُ لَهُمْ عِدَّةً وَاحِدَةً، أَبِيعُكَ أَهْلُكَ فَأُعْتِقَكَ فَيَكُونَ وَلَاؤُكَ لِي؟ فَذَهَبَتْ بَرِيرَةُ إِلَى أَهْلِهَا فَعَرَضَتْ ذَلِكَ عَلَيْهِمْ فَقَالُوا: لَا، إِلَّا أَنْ يَكُونَ لَنَا الْوَلَاءُ. قَالَتْ عَائِشَةُ: فَدَخَلْتُ عَلَى رَسُولِ اللَّهِ ﷺ فَذَكَرْتُ ذَلِكَ لَهُ، فَقَالَ لَهَا رَسُولُ اللَّهِ ﷺ: «اِشْتَرِيهَا فَأُعْتِقْهَا فَإِنَّمَا الْوَلَاءُ لِمَنْ أَعْتَقَ». ثُمَّ قَامَ رَسُولُ اللَّهِ ﷺ فَقَالَ: «مَا بَالُ رِجَالٍ يَشْتَرِطُونَ شُرُوطًا لَيْسَتْ فِي كِتَابِ اللَّهِ؟ مَنْ اشْتَرَطَ شَرْطًا لَيْسَ فِي كِتَابِ اللَّهِ فَهُوَ بَاطِلٌ، شَرْطُ اللَّهِ أَحَقُّ وَأَوْثَقُ». [راجع: ٤٥٦]

(٢) بَابُ مَا يَجُوزُ مِنْ شُرُوطِ الْمَكَاتِبِ، وَمَنْ اشْتَرَطَ شَرْطًا لَيْسَ فِي كِتَابِ اللَّهِ،

فِيهِ عَنِ ابْنِ عُمَرَ.

٢٥٦١ - حَدَّثَنَا قُتَيْبَةُ: حَدَّثَنَا

اللَيْثُ، عَنِ ابْنِ شِهَابٍ، عَنْ عُرْوَةَ: أَنَّ عَائِشَةَ رَضِيَ اللَّهُ عَنْهَا أَخْبَرَتْهُ: أَنَّ بَرِيرَةَ جَاءَتْ تَسْتَعِينُهَا فِي كِتَابَتِهَا وَلَمْ تَكُنْ قَضَتْ مِنْ كِتَابَتِهَا شَيْئًا، قَالَتْ

(1) (H. 2560) *Walā*: See glossary.

so.” Barīra informed her masters of that but they refused and said, “If she (i.e., ‘Āishah) is seeking Allāh’s Reward, then she can do so, but your *Walā’* will be for us.” ‘Āishah mentioned that to Allāh’s Messenger ﷺ who said to her, “Buy and manumit her, as the *Walā’* is for the liberator.” Allāh’s Messenger ﷺ then got up and said, “What about the people who stipulate conditions which are not present in Allāh’s Laws? Whoever imposes conditions which are not present in Allāh’s Laws, then those conditions will be invalid, even if he imposed these conditions a hundred times. Allāh’s Conditions (Laws) are the truth and are more solid.”

لَهَا عَائِشَةُ: ارْجِعِي إِلَى أَهْلِكَ فَإِنْ أَحَبُّوا أَنْ أَقْضِيَ عَنْكَ كِتَابَتِكَ وَيَكُونَ وَلَاؤُكَ لِي فَعَلْتُ. فَذَكَرْتُ ذَلِكَ بِرَبِيرَةَ لِأَهْلِهَا فَأَبَوْا فَقَالُوا: إِنْ شَاءَتْ أَنْ تَحْتَسِبَ عَلَيْكَ فَلْتَفْعَلْ، وَيَكُونَ وَلَاؤُكَ لَنَا. فَذَكَرْتُ ذَلِكَ لِرَسُولِ اللَّهِ ﷺ فَقَالَ لَهَا رَسُولُ اللَّهِ ﷺ: «إِنِّي بَاعِي فَأُعْطِي فَإِنَّمَا الْوَلَاءُ لِمَنْ أَعْتَقَ». قَالَ: ثُمَّ قَامَ رَسُولُ اللَّهِ ﷺ فَقَالَ: «مَا بَالُ أُنَاسٍ يَشْتَرِطُونَ شُرُوطًا لَيْسَتْ فِي كِتَابِ اللَّهِ؟ مَنْ اشْتَرَطَ شَرْطًا لَيْسَ فِي كِتَابِ اللَّهِ فَلَيْسَ لَهُ، وَإِنْ شَرَطَ مِائَةَ مَرَّةٍ، شَرْطُ اللَّهِ أَحَقُّ وَأَوْثَقُ». [راجع: ٤٥٦]

2562. Narrated ‘Abdullāh bin ‘Umar رَضِيَ اللَّهُ عَنْهُمَا wanted to buy a slave-girl in order to manumit her. The girl’s masters stipulated that her *Walā’* would be for them. Allāh’s Messenger ﷺ said (to ‘Āishah), “What they stipulate should not stop you, for the *Walā’* is for the liberator.”

٢٥٦٢ - حَدَّثَنَا عَبْدُ اللَّهِ بْنُ يُوسُفَ: أَخْبَرَنَا مَالِكٌ، عَنْ نَافِعٍ، عَنْ عَبْدِ اللَّهِ بْنِ عَمْرٍو رَضِيَ اللَّهُ عَنْهُمَا قَالَ: أَرَادَتْ عَائِشَةُ رَضِيَ اللَّهُ عَنْهَا أَنْ تَشْتَرِيَ جَارِيَةً لِتُعْتِقَهَا، فَقَالَ أَهْلُهَا: عَلَى أَنْ وَلَاءَهَا لَنَا، قَالَ رَسُولُ اللَّهِ ﷺ: «لَا يَمْنَعُكَ ذَلِكَ فَإِنَّمَا الْوَلَاءُ لِمَنْ أَعْتَقَ».

[راجع: ٢١٥٦]

(3) CHAPTER. *Al-Mukātab* is permitted to ask others to help him (get his liberation).

(٣) بَابُ اسْتِعَانَةِ الْمُكَاتِبِ وَسُؤَالِهِ النَّاسِ

2563. Narrated ‘Āishah رَضِيَ اللَّهُ عَنْهَا: Barīra came (to ‘Āishah) and said, “I have made a contract of emancipation with my masters for nine *Uqiya* (of gold) to be paid in yearly installments. Therefore, I seek your help.”

٢٥٦٣ - حَدَّثَنَا عُبَيْدُ بْنُ إِسْمَاعِيلَ: حَدَّثَنَا أَبُو أُسَامَةَ، عَنْ هِشَامٍ، عَنْ أَبِيهِ، عَنْ عَائِشَةَ رَضِيَ

'Āishah said, "If your masters agree, I will pay them the sum at once and free you on condition that your *Walā'* will be for me." Barira went to her masters but they refused that offer. She (came back) and said, "I presented to them the offer but they refused, unless the *Walā'* will be for them." Allāh's Messenger ﷺ heard of that and asked me about it, and I told him about it. On that he said, "Buy and manumit her and stipulate that the *Walā'* should be for you, as *Walā'* is for the liberator." 'Āishah added, "Allāh's Messenger ﷺ then got up amongst the people, glorified and praised Allāh, and said, 'Then after: What about some people who impose conditions which are not present in Allāh's Laws? So, any condition which is not present in Allāh's Laws is invalid even if they were one hundred conditions. Allāh's Ordinance is the truth, and Allāh's Condition is stronger and more solid. Why do some men from you say, 'O so-and-so! Manumit the slave but the *Walā'* will be for me?' Verily, the *Walā'* is for the liberator."

اللَّهُ عَنْهَا قَالَتْ: جَاءَتْ بَرِيرَةُ، فَقَالَتْ: إِنِّي كَانَتْ أَهْلِي عَلَى تِسْعِ أَوَاقٍ فِي كُلِّ عَامٍ أَوْقِيَةً فَأَعْيَيْنِي. فَقَالَتْ عَائِشَةُ: إِنَّ أَحَبَّ أَهْلِكَ أَنْ أُعْذَهَا لَهُمْ عِدَّةٌ وَاحِدَةٌ وَأُعْتِقَكَ فَعَلْتُ فَيَكُونُ وَلَاؤُكَ لِي. فَذَهَبَتْ إِلَى أَهْلِهَا فَأَبَوْا ذَلِكَ عَلَيْهَا، فَقَالَتْ: إِنِّي قَدْ عَرَضْتُ ذَلِكَ عَلَيْهِمْ، فَأَبَوْا إِلَّا أَنْ يَكُونَ الْوَلَاءُ لَهُمْ. فَسَمِعَ بِذَلِكَ رَسُولُ اللَّهِ ﷺ فَسَأَلَنِي فَأَخْبَرْتُهُ فَقَالَ: «حُذِنْتُهَا فَأَعْتَقْتُهَا وَاشْتَرِطِي لَهُمُ الْوَلَاءَ، فَإِنَّ الْوَلَاءَ لِمَنْ أَعْتَقَ». قَالَتْ عَائِشَةُ: فَقَامَ رَسُولُ اللَّهِ ﷺ فِي النَّاسِ فَحَمِدَ اللَّهَ وَأَثْنَى عَلَيْهِ، ثُمَّ قَالَ: «أَمَّا بَعْدُ، مَا بَالُ رِجَالٍ يَشْتَرِطُونَ شُرُوطًا لَيْسَتْ فِي كِتَابِ اللَّهِ؟ فَأَيُّمَا شَرِطَ كَانَ لَيْسَ فِي كِتَابِ اللَّهِ فَهُوَ بَاطِلٌ وَإِنْ كَانَ مِائَةَ شَرِطٍ. فَقَضَاءُ اللَّهِ أَحَقُّ، وَشَرِطُ اللَّهِ أَوْثَقُ، مَا بَالُ رِجَالٍ مِنْكُمْ يَقُولُ أَحَدُهُمْ: أَعْتَقْ يَا فُلَانُ وَلِيَ الْوَلَاءُ، إِنَّمَا الْوَلَاءُ لِمَنْ أَعْتَقَ». [راجع: ٤٥٦]

(4) CHAPTER. The selling of a *Mukātab* on his agreement.

'Āishah رضي الله عنها said, "A *Mukātab* remains a slave as long as he has not paid the whole amount." Zaid bin Thābit said, "He remains a slave even if he owed one Dirham." Ibn 'Umar said, "He remains a slave whether living or dead, or became insane, so long as he still has to pay

(٤) بَابُ بَيْعِ الْمُكَاتِبِ إِذَا رَضِيَ وَقَالَتْ عَائِشَةُ: هُوَ عَبْدٌ مَا بَقِيَ عَلَيْهِ شَيْءٌ. وَقَالَ زَيْدُ بْنُ ثَابِتٍ: مَا بَقِيَ عَلَيْهِ ذَرْهُمٌ. وَقَالَ ابْنُ عُمَرَ: هُوَ عَبْدٌ إِنْ عَاشَ وَإِنْ مَاتَ وَإِنْ جَنَى مَا بَقِيَ عَلَيْهِ شَيْءٌ.

something (from the writing of emancipation).”

2564. Narrated ‘Amra bint ‘Abdur-Raḥmān: Barīra went to ‘Āishah, the Mother of the faithful believers رَضِيَ اللهُ عَنْهَا, to seek her help in her emancipation. ‘Āishah said to her, “If your masters agree, I will pay them your price in a lump sum and manumit you.” Barīra mentioned that offer to her masters but they refused to sell her unless the *Walā’* will be for them. ‘Āishah told Allāh’s Messenger ﷺ about it. He said, “Buy and manumit her as the *Walā’* is for the liberator.”

٢٥٦٤ - حَدَّثَنَا عَبْدُ اللَّهِ بْنُ يُسُفَ: أَخْبَرَنَا مَالِكٌ، عَنْ يَحْيَى بْنِ سَعِيدٍ، عَنْ عَمْرَةَ بِنْتِ عَبْدِ الرَّحْمَنِ: أَنَّ بَرِيرَةَ جَاءَتْ تَسْتَعِينُ عَائِشَةَ أُمَّ الْمُؤْمِنِينَ رَضِيَ اللَّهُ عَنْهَا، فَقَالَتْ لَهَا: إِنْ أَحَبَّ أَهْلُكَ أَنْ أَصَبَّ لَهُمْ ثَمَنُكَ صَبَّةً وَاحِدَةً وَأُعْتَقَكَ فَعَلْتُ. فَذَكَرَتْ بَرِيرَةُ ذَلِكَ لِأَهْلِهَا فَقَالُوا: لَا، إِلَّا أَنْ يَكُونَ الْوَلَاءُ لَنَا، قَالَ مَالِكٌ: قَالَ يَحْيَى: فَزَعَمَتْ عَمْرَةُ أَنَّ عَائِشَةَ ذَكَرَتْ ذَلِكَ لِرَسُولِ اللَّهِ ﷺ فَقَالَ: «اشْتَرِيهَا وَأُعْتِقِهَا، فَإِنَّمَا الْوَلَاءُ لِمَنْ أَعْتَقَ». [راجع: ٤٥٦]

(5) CHAPTER. If a *Mukātab* slave asks somebody to buy and free him, it is permissible for that person to buy him.

2565. Narrated ‘Abdul Wāḥid bin Aiman: I went to ‘Āishah رَضِيَ اللهُ عَنْهَا and said, “I was the slave of Utba bin Abū Lahab. ‘Utba died and his sons became my masters who sold me to Ibn Abū ‘Amr who manumitted me. The sons of ‘Utba stipulated that my *Walā’* should be for them.” ‘Āishah said, “Barīra came to me and she was given the writing of emancipation by her masters and she asked me to buy and manumit her. I agreed to it, but Barīra told me that her masters would not sell her unless her *Walā’* will be for them.” ‘Āishah said, “I am not in need of that.” When the Prophet ﷺ heard that, or he was told about it, he asked ‘Āishah about it. ‘Āishah mentioned what Barīra had told her. The Prophet ﷺ said, “Buy and manumit her

(٥) بَابُ إِذَا قَالَ الْمُكَاتَبُ: اشْتَرِنِي وَأُعْتِقْنِي، فَاشْتَرَاهُ لِذَلِكَ

٢٥٦٥ - حَدَّثَنَا أَبُو نُعَيْمٍ: حَدَّثَنَا عَبْدُ الْوَاحِدِ بْنُ أَيْمَنَ عَنْ أَبِيهِ قَالَ: دَخَلْتُ عَلَى عَائِشَةَ رَضِيَ اللَّهُ عَنْهَا فَقُلْتُ: كُنْتُ غُلَامًا لِعُتْبَةَ بِنِ أَبِي لَهَبٍ وَمَاتَ وَوَرِثَنِي بَنُوهُ، وَإِنَّهُمْ بَاغُونِي مِنْ ابْنِ أَبِي عَمْرِو فَاغْتَنِي ابْنُ، وَاشْتَرَطَ بَنُو عُتْبَةَ الْوَلَاءَ فَقَالَتْ: دَخَلْتُ بَرِيرَةَ وَهِيَ مُكَاتَبَةٌ فَقَالَتْ: اشْتَرِنِي فَأُعْتِقْنِي. قَالَتْ: نَعَمْ، قَالَتْ: لَا يَبِيعُونِي حَتَّى يَشْتَرِطُوا وَلَايَ. فَقَالَتْ: لَا حَاجَةَ

and let them stipulate whatever they like.” So, ‘Āishah bought and manumitted her and her masters stipulated that her *Walā’* should be for them. The Prophet ﷺ said, “The *Walā’* will be for the liberator even if they stipulated a hundred conditions.”

لي بذلك، فَسَمِعَ بِذَلِكَ النَّبِيُّ ﷺ -
أَوْ بَلَغَهُ - فَذَكَرَ ذَلِكَ لِعَائِشَةَ،
فَذَكَرَتْ عَائِشَةُ مَا قَالَتْ لَهَا، فَقَالَ:
«اشْتَرِهَا فَأَعْتِقِهَا وَدَعِيهِمْ يَشْتَرُوهَا مَا
شَاءُوا» فَاشْتَرَتْهَا عَائِشَةُ فَأَعْتَقَتْهَا
وَاشْتَرَطَ أَهْلُهَا الْوَلَاءَ. فَقَالَ النَّبِيُّ
ﷺ: «الْوَلَاءُ لِمَنْ أَعْتَقَ وَإِنْ اشْتَرَوْا
مِائَةَ شَرْطٍ».

51 - THE BOOK OF GIFTS AND THE SUPERIORITY OF GIVING GIFTS AND THE EXHORTATION FOR GIVING GIFTS

٥١ - كتاب الهبة وفضلها والتحريض عليها

(1) CHAPTER. Superiority of giving gifts.

(١) باب فضل الهبة

2566. Narrated Abū Hurairah رَضِيَ اللَّهُ عَنْهُ: The Prophet ﷺ said, "O Muslim women! None of you should look down upon the gift sent by her she-neighbour even if it were the trotters of the sheep (fleshless part of legs)."

٢٥٦٦ - حَدَّثَنَا عَاصِمٌ بْنُ عَلِيٍّ: حَدَّثَنَا ابْنُ أَبِي ذَنْبٍ، عَنِ الْمُقْبَرِيِّ، عَنْ أَبِيهِ، عَنْ أَبِي هُرَيْرَةَ رَضِيَ اللَّهُ عَنْهُ عَنِ النَّبِيِّ ﷺ قَالَ: «يَا نِسَاءَ الْمُسْلِمَاتِ، لَا تَحْقِرَنَّ جَارَةً لَجَارَتِهَا وَلَوْ فُرْسَيْنَ شَاءَ». [انظر: ٦٠١٧]

2567. Narrated 'Urwa رَضِيَ اللَّهُ عَنْهَا: 'Āishah said to me, "O my nephew! We used to see the crescent, and then the crescent in this way we saw three crescents in two months and no fire (for cooking) used to be made in the houses of Allāh's Messenger ﷺ. I said, "O my aunt! Then what use to sustain you?" 'Āishah said, "The two black things: dates and water, our neighbours from Anṣār had some *Manā'ih*⁽¹⁾ and they used to present Allāh's Messenger ﷺ some of their milk and he used to make us drink."

٢٥٦٧ - حَدَّثَنَا عَبْدُ الْعَزِيزِ بْنُ عَبْدِ اللَّهِ الْأَوْيسِيُّ: حَدَّثَنَا ابْنُ أَبِي حَازِمٍ، عَنْ أَبِيهِ، عَنْ يَزِيدِ بْنِ رُومَانَ، عَنْ عُروَةَ، عَنْ عَائِشَةَ رَضِيَ اللَّهُ عَنْهَا: أَنَّهَا قَالَتْ لِعُرْوَةَ: ابْنُ أُخْتِي، إِنْ كُنَّا لَنَنْظُرُ إِلَى الْهِلَالِ، ثُمَّ الْهِلَالِ ثَلَاثَةَ أَهْلَةٍ فِي شَهْرَيْنِ وَمَا أُوقِدَتْ فِي أَبْيَاتِ رَسُولِ اللَّهِ ﷺ نَارٌ، فَقُلْتُ: يَا خَالَئُ، مَا كَانَ يُعِيشُكُمْ؟ قَالَتْ: الْأَسْوَدَانِ: التَّمْرُ وَالْمَاءُ، إِلَّا أَنَّهُ قَدْ كَانَ لِرَسُولِ اللَّهِ ﷺ جِيرَانٌ مِنَ الْأَنْصَارِ كَانَتْ لَهُمْ مَنَافِعُ، وَكَانُوا يَمْنَحُونَ رَسُولَ اللَّهِ ﷺ مِنْ أَلْبَانِهِمْ فَيَسْقِينَا. [انظر: ٦٤٥٨، ٦٤٥٩]

[٦٤٥٩، ٦٤٥٨]

(2) CHAPTER. Giving a little as a gift.

(٢) بَابُ الْقَلِيلِ مِنَ الْهَبَةِ

(1) (Ch. 2567) *Manā'ih* is the plural of *Manīḥa*, which means a special sort of gift in the form of a she-camel or a sheep which is given temporarily so that its milk may be used and then it is returned to the owner.

2568. Narrated Abū Hurairah رَضِيَ اللهُ عَنْهُ: The Prophet ﷺ said, "I shall accept the invitation even if I were invited to a meal of a sheep's trotter, and I shall accept the gift even if it were an arm or a trotter of a sheep."

(3) CHAPTER. Whoever asks his friends to grant him a gift.

Narrated Abū Sa'īd that the Prophet ﷺ said, "Assign a share for me with you."

2569. Narrated Sahl رَضِيَ اللهُ عَنْهُ: The Prophet ﷺ sent for a woman from the emigrants and she had a slave who was a carpenter. The Prophet ﷺ said to her "Order your slave to prepare the wood (pieces) for the pulpit." So, she ordered her slave who went and cut the wood from the tamarisk and prepared the pulpit for the Prophet ﷺ. When he finished the pulpit, the woman informed the Prophet ﷺ that it had been finished. The Prophet ﷺ asked her to send that pulpit to him, so they brought it. The Prophet ﷺ lifted it and placed it at the place in which you see now."

2570. Narrated 'Abdullāh bin Abū Qatāda Al-Aslamī that his father رَضِيَ اللهُ عَنْهُ said, "One day I was sitting with some of the Prophet's companions on the way to Makkah. Allāh's Messenger ﷺ was ahead of us. All of my companions were in the state of *Ihrām* while I was a non-*Muhrim*. They saw an onager while I was busy repairing my

٢٥٦٨ - حَدَّثَنَا مُحَمَّدُ بْنُ بَشَّارٍ: حَدَّثَنَا ابْنُ أَبِي عَدِيٍّ، عَنْ شُعْبَةَ، عَنْ سُلَيْمَانَ، عَنْ أَبِي حَازِمٍ، عَنْ أَبِي هُرَيْرَةَ رَضِيَ اللَّهُ عَنْهُ عَنِ النَّبِيِّ ﷺ قَالَ: «لَوْ دُعِيتُ إِلَى ذِرَاعٍ أَوْ كُرَاعٍ لَأَجَبْتُ، وَلَوْ أُهْدِيَ إِلَيَّ ذِرَاعٌ أَوْ كُرَاعٌ لَقَبَلْتُ». [انظر: ٥١٧٨]

(٣) بَابُ مَنْ اسْتَوْهَبَ مِنْ أَصْحَابِهِ شَيْئًا

وقال أبو سعيد: قال النبي ﷺ: اضربوا لي معكم سهمًا.

٢٥٦٩ - حَدَّثَنَا ابْنُ أَبِي مَرْيَمَ: حَدَّثَنَا أَبُو عَسَّانَ قَالَ: حَدَّثَنِي أَبُو حَازِمٍ، عَنْ سَهْلِ رَضِيَ اللَّهُ عَنْهُ: أَنَّ النَّبِيَّ ﷺ أُرْسِلَ إِلَى امْرَأَةٍ مِنَ الْمُهَاجِرِينَ وَكَانَ لَهَا غُلَامٌ نَجَّارٌ، قَالَ لَهَا: «مُرِّي عَبْدَكَ فَلْيَعْمَلْ لَنَا أَعْوَادَ الْمُنْبَرِ». فَأَمَرَتْ عَبْدَهَا فَذَهَبَ فَقَطَعَ مِنَ الطَّرَفَاءِ فَصَنَعَ لَهُ مُنْبَرًا. فَلَمَّا قَضَاهُ أُرْسِلَتْ إِلَى النَّبِيِّ ﷺ أَنَّهُ قَدْ قَضَاهُ، قَالَ ﷺ: «أُرْسِلِي بِهِ إِلَيَّ»، فَجَاؤَا بِهِ فَاحْتَمَلَهُ النَّبِيُّ ﷺ فَوَضَعَهُ حَيْثُ تَرَوْنَ. [راجع: ٣٧٧]

٢٥٧٠ - حَدَّثَنَا عَبْدُ الْعَزِيزِ بْنُ عَبْدِ اللَّهِ قَالَ: حَدَّثَنِي مُحَمَّدُ بْنُ جَعْفَرٍ، عَنْ أَبِي حَازِمٍ، عَنْ عَبْدِ اللَّهِ بْنِ أَبِي قَتَادَةَ السَّلَمِيِّ، عَنْ أَبِيهِ رَضِيَ اللَّهُ عَنْهُ قَالَ: كُنْتُ يَوْمًا جَالِسًا مَعَ