



Sahih Bukhari English

The Most Authenticated Book of Hadith

Muhammad Ibn Ismail al-Bukhari popularly known as Imam Bukhari, (810-870AD), was a Sunni Islamic scholar. He authored the Hadith collection named *Sahih Bukhari*, a collection which Sunni Muslims regard as the most authentic of all Hadith compilations. Bukhari wrote three works discussing narrators of Hadith with respect to their ability in conveying their material: the "brief compendium of Hadith narrators," "the medium compendium" and the "large compendium". The large compendium is published and well-identified.

Wills and Testaments (Wasaayaa)

Ahadith 43

(2738-2781)

بِسْمِ اللَّهِ الرَّحْمَنِ الرَّحِيمِ

In the name of Allah, Most Gracious, Most Merciful

Al-Wasaya

Hadith # 2738

Narrated `Abdullah bin `Umar:

Allah's Messenger (ﷺ) said,

"It is not permissible for any Muslim who has something to will to stay for two nights without having his last will and testament written and kept ready with him."

Hadith # 2739

Narrated `Amr bin Al-Harith:

When Allah's Messenger (ﷺ) died, he did not leave any Dirham or Dinar (i.e. money), a slave or a slave woman or anything else except his white mule, his arms and a piece of land which he had given in charity.

Hadith # 2740

Narrated Talha bin Musarrif:

I asked `Abdullah bin Abu `Aufa "Did the Prophet (ﷺ) make a will?" He replied, "No,"

I asked him, "How is it then that the making of a will has been enjoined on people, (or that they are ordered to make a will)?"

He replied, "The Prophet (ﷺ) bequeathed Allah's Book (i.e. Qur'an).

Hadith # 2741

Narrated Al-Aswad:

In the presence of `Aisha some people mentioned that the Prophet (ﷺ) had appointed `Ali by will as his successor.

`Aisha said, "When did he appoint him by will? Verily when he died he was resting against my chest (or said: in my lap) and he asked for a wash-basin and then collapsed while in that state, and I could not even perceive that he had died, so when did he appoint him by will?"

To leave inheritors wealthy than begging others

Hadith # 2742

Narrated Sa`d bin Abu Waqqas:

The Prophet (ﷺ) came visiting me while I was (sick) in Mecca,

He said, "May Allah bestow His Mercy on Ibn Afra (Sa`d bin Khaula)." I said, "O Allah's Messenger (ﷺ)! May I will all my property (in charity)?" He said, "No." I said, "Then may I will half of it?" He said, "No". I said, "One third?" He said: "Yes, one third, yet even one third is too much. It is better for you to leave your inheritors wealthy than to leave them poor begging others, and whatever you spend for Allah's sake will be considered as a charitable deed even the handful of food you put in your wife's mouth. Allah may lengthen your age so that some people may benefit by you, and some others be harmed by you."

At that time Sa`d had only one daughter.

To will one-third of one's property

Hadith # 2743

Narrated Ibn `Abbas:

I recommend that people reduce the proportion of what they bequeath by will to the fourth (of the whole legacy), for Allah's Messenger (ﷺ) said, "One-third, yet even one third is too much."

Hadith # 2744

Narrated Sa`d:

I fell sick and the Prophet (ﷺ) paid me a visit. I said to him, "O Allah's Messenger (ﷺ)! I invoke Allah that He may not let me expire in the land whence I migrated (i.e. Mecca)." He said, "May Allah give you health and let the people benefit by you."

I said, "I want to will my property, and I have only one daughter and I want to will half of my property (to be given in charity)." He said, "Half is too much."

I said, "Then I will one third." He said, "One-third, yet even one-third is too much."

Testator says to the executor, "Look after my son,"

Hadith # 2745

Narrated `Aisha:

Utba bin Abi Waqqas entrusted (his son) to his brother Sa`d bin Abi Waqqas saying, "The son of the slave-girl of Zam`a is my (illegal) son, take him into your custody." So during the year of the Conquest (of Mecca) Sa`d took the boy and said, "This is my brother's son whom my brother entrusted to me." 'Abu bin Zam's got up and said, "He is my brother and the son of the slave girl of my father and was born on my father's bed." Then both of them came to Allah's Apostle and Sa`d said, "O Allah's Messenger (ﷺ)! This is my brother's son whom my brother entrusted to me." Then 'Abu bin Zam`a got up and said, "This is my brother and the son of the slave-girl of my father."

Allah's Messenger (ﷺ) said, "O Abu bin Zam`a! This boy is for you as the boy belongs to the bed (where he was born), and for the adulterer is the stone (i.e. deprivation)."

Then the Prophet (ﷺ) said to his wife Sauda bint Zam`a, "Screen yourself from this boy," when he saw the boy's resemblance to `Utba. Since then the boy did not see Sauda till he died.

If a patient gives an evident clear sign by nodding

Hadith # 2746

Narrated Anas:

A Jew crushed the head of a girl between two stones. She was asked, "Who has done so to you, so-and- so? So-and-so?" Till the name of the Jew was mentioned, whereupon she nodded (in agreement). So the Jew was brought and was questioned

till he confessed.

The Prophet (ﷺ) then ordered that his head be crushed with stones.

A legal heir has no right to inherit through a will

Hadith # 2747

Narrated Ibn `Abbas:

The custom (in old days) was that the property of the deceased would be inherited by his offspring; as for the parents (of the deceased), they would inherit by the will of the deceased.

Then Allah cancelled from that custom whatever He wished and fixed for the male double the amount inherited by the female, and for each parent a sixth (of the whole legacy) and for the wife an eighth or a fourth and for the husband a half or a fourth.

Giving in charity at the time of death

Hadith # 2748

Narrated Abu Huraira:

A man asked the Prophet, "O Allah's Messenger (ﷺ)! What kind of charity is the best?" He replied.

"To give in charity when you are healthy and greedy hoping to be wealthy and afraid of becoming poor. Don't delay giving in charity till the time when you are on the death bed when you say, 'Give so much to so-and- so and so much to so-and so,' and at that time the property is not yours but it belongs to so-and-so (i.e. your inheritors).

After the payment of legacies, he may have bequeathed or debts..."

And Allah Almighty said in Surah Nisa:

إِنَّ اللَّهَ يَأْمُرُكُمْ أَنْ تُؤَدُّوا الْأَمَانَاتِ إِلَىٰ أَهْلِهَا

Allah doth command you to render back your trusts to those to whom they are due; (4:58)

It has no feature of heir or non-heir.

So paying the trust (debt) is more important than fulfilling the will

And he (pbuh), "Charity is the best after which a person becomes wealthy."

And Ibn Abbas said: A slave cannot make a will without the permission of his master

And he (pbuh) said, "The slave is the custodian of his master's property."

Hadith # 2749

Narrated Abu Huraira:

The Prophet (ﷺ) said,

"The signs of a hypocrite are three:

- Whenever he speaks he tells a lie;
- whenever he is entrusted he proves dishonest;
- whenever he promises he breaks his promise."

Hadith # 2750

Narrated `Urwa bin Az-Zubair:

Hakim bin Hizam said, "I asked Allah's Messenger (ﷺ) for something, and he gave me, and I asked him again and he gave me and said,

'O Hakim! This wealth is green and sweet (i.e. as tempting as fruits), and whoever takes it without greed then he is blessed in it, and whoever takes it with greediness, he is not blessed in it and he is like one who eats and never gets satisfied. The upper (i.e. giving) hand is better than the lower (i.e. taking) hand."

Hakim added, "I said, O Allah's Messenger (ﷺ)! By Him Who has sent you with the Truth I will never demand anything from anybody after you till I die."

Afterwards Abu Bakr used to call Hakim to give him something but he refused to accept anything from him. Then `Umar called him to give him (something) but he refused.

Then `Umar said, "O Muslims! I offered to him (i.e. Hakim) his share which Allah has ordained for him from this booty and he refuses to take it."

Thus Hakim did not ask anybody for anything after the Prophet, till he died--may Allah bestow His mercy upon him.

Hadith # 2751

Narrated Ibn `Umar:

I heard Allah's Messenger (ﷺ) saying,

"All of you are guardians and responsible for your charges:

- the Ruler (i.e. Imam) is a guardian and responsible for his subjects;
- and a man is a guardian of his family and is responsible for his charges;
- and a lady is a guardian in the house of her husband and is responsible for her charge;
- and a servant is a guardian of the property of his master and is responsible for his charge."

I think he also said, "And a man is a guardian of the property of his father."

If somebody finds an endowment (or bequeathes) his relatives by a will

Hadith # 2752

Narrated Anas:

The Prophet (ﷺ) said to Abu Talha, "I recommend that you divide (this garden) amongst your relatives."

Abu Talha said, "O Allah's Messenger (ﷺ)! I will do the same." So Abu Talha divided it among his relatives and cousins.

Ibn 'Abbes said, "When the Qur'anic Verse

وَأَنْذِرْ عَشِيرَتَكَ الْأَقْرَبِينَ

"Warn your nearest kinsmen."(26.214)

Was revealed, the Prophet (ﷺ) started calling the various big families of Quraish, "O Bani Fihri! O Bani Adi!"

Abu Huraira said, "When the Verse: **"Warn your nearest kinsmen"** was revealed, the Prophet (ﷺ) said (in a loud voice), "O people of Quraish!"

Are children and women included under the term of relatives (concerning wills)

Hadith # 2753

Narrated Abu Huraira:

When Allah revealed the Verse:

وَأَنْذِرْ عَشِيرَتَكَ الْأَقْرَبِينَ

"Warn your nearest kinsmen."(26.214)

Allah's Messenger (ﷺ) got up and said,

"O people of Quraish! Buy (i.e. save) yourselves (from the Hellfire) as I cannot save you from Allah's Punishment;

O Bani `Abd Manaf! I cannot save you from Allah's Punishment,

O Safiya, the Aunt of Allah's Messenger (ﷺ)! I cannot save you from Allah's Punishment;

O Fatima bint Muhammad! Ask me anything from my wealth, but I cannot save you from Allah's Punishment."

Can the founder of an endowment have the benefit of his endowment?

Hadith # 2754

Narrated Anas:

The Prophet (ﷺ) saw a man driving a Badana (i.e. camel for sacrifice) and said to him, "Ride on it."

The man said, "O Allah's Messenger (ﷺ)! It is a Bandana."

The Prophet (ﷺ) repeated his order and on the third or fourth time he said, "Ride it, (woe to you" or said: "May Allah be merciful to you).

Hadith # 2755

Narrated Abu Huraira:

Allah's Messenger (ﷺ) saw a man driving a Badana and said to him, "Ride on it," and on the second or the third time he added, "Woe to you."

If one declares his wish to found an endowment

Because Umar dedicated (his land in Khyber) and said that if his trustee eats from it, there is no harm. Here you have not specified whether you will be the guardian or someone else.

The Prophet (pbuh) said to Abu Talha that I think that you should give your land (Bagh Birhaa if you want to give charity) to your loved ones. He submitted that I will do the same. So they divided it among their relatives and uncle's boys.

If someone says that my house is a charity in the way of Allah, without giving any explanation about it being a charity for the poor, etc., then the

endowment has become permissible and now he has the right to give it to his loved ones and to others because it is a charity. While doing this, no one was appropriated

When Abu Talha said that the most favorite of my wealth is the garden of Birha and it is a charity in the way of Allah, the Prophet (peace and blessings of Allah be upon him) made it permissible (although he did not make any determination). who will they give it to).

But some people (Shafi'i) said that unless it is stated what the charity is for, it will not be permissible and the first view is more correct.

Someone said that my land or my garden is a charity from my (deceased) mother, then this is also permissible, even if it is not explained to whom the charity is for.

When someone says, "My house is Sadaqa for Allah's sake,"

Narrated Ibn `Abbas:

The mother of Sa`d bin 'Ubada died in his absence. He said,

"O Allah's Messenger (ﷺ)! My mother died in my absence; will it be of any benefit for her if I give Sadaqa on her behalf?" The Prophet (ﷺ) said, "Yes," Sa`d said, "I make you a witness that I gave my garden called Al Makhraf in charity on her behalf."

If someone says, "My land is Sadaqa for Allah's sake on my mother's behalf,"

Hadith # 2756

Narrated Ibn `Abbas:

The mother of Sa`d bin 'Ubada died in his absence. He said, "O Allah's Messenger (ﷺ)! My mother died in my absence; will it be of any benefit for her if I give Sadaqa on her behalf?"

The Prophet (ﷺ) said, "Yes," Sa`d said, "I make you a witness that I gave my garden called Al Makhraf in charity on her behalf."

To give part of wealth or slaves or animals in charity or as an endowment

Hadith # 2757

Narrated Ka`b bin Malik:

I said, "O Allah's Messenger (ﷺ)! For the acceptance of my repentance I wish to give all my property in charity for Allah's sake through His Apostle ."

He said, "It is better for you to keep some of the property for yourself."

I said, "Then I will keep my share in Khaibar."

Whoever gave something to his representative to give in charity

Hadith # 2758

Narrated Anas :

When the Holy Verse:

لَنْ تَنَالُوا الْبِرَّ حَتَّى تُنْفِقُوا مِمَّا تُحِبُّونَ

By no means shall you attain Al-Birr (piety, righteousness, (3:92)

'it means here Allah's Reward i.e., Paradise), unless you spend of that which you love.', was revealed,

Abu Talha went to Allah's Messenger (ﷺ) and said, "O Allah's Messenger! Allah, the Blessed, the Superior stated in His book:

لَنْ تَنَالُوا الْبِرَّ حَتَّى تُنْفِقُوا مِمَّا تُحِبُّونَ

By no means shall you attain Al-Birr (piety, righteousness, (3:92)

and the most beloved property to me is Bairuha' (which was a garden where Allah's Messenger (ﷺ) used to go to sit in its shade and drink from its water). I gave it to the Allah and His Messenger (ﷺ) hoping for Allah's Reward in the Hereafter.

So, Allah's Messenger! Use it as Allah orders you to use it." Allah's Messenger (ﷺ) said, "Bravo! O Abu Talha, it is fruitful property. We have accepted it from you and now we return it to you. Distribute it amongst you relatives."

So, Abu Talha distributed it amongst his relatives, amongst whom were Ubai and Hassan.

When Hassan sold his share of that garden to Mu'awiyya, he was asked, "

How do you see Abu Talha's Sadaqa?"

He replied, "Who should not I sell a Sa' of date for Sa' of money?"

The garden was situated on the courtyard of the palace of Bani Jadila built by

Mu'awiya.

Allah Almighty said:

وَإِذَا حَضَرَ الْقِسْمَةَ أُولُو الْقُرْبَىٰ وَالْيَتَامَىٰ وَالْمَسَاكِينُ فَارْزُقُوهُمْ مِنْهُ وَقُولُوا لَهُمْ قَوْلًا مَعْرُوفًا

But if at the time of division other relatives, of orphans, or poor, are present, feed them out of the (property),

and speak to them words of kindness and justice. (4:8)

Hadith # 2759

Narrated Ibn `Abbas:

Some people claim that the order in the above Verse is cancelled, by Allah, it is not cancelled, but the people have stopped acting on it. There are two kinds of guardians (who are in charge of the inheritance):

- One is that who inherits; such a person should give (of what he inherits to the relatives, the orphans and the needy, etc.),

- the other is that who does not inherit (e.g. the guardian of the orphans): such a person should speak kindly and say (to those who are present at the time of distribution), "I can not give it to you (as the wealth belongs to the orphans).

Charity on behalf of a person who dies suddenly. And the execution of the vows.

Hadith # 2760

Narrated `Aisha:

A man said to the Prophet, "My mother died suddenly, and I think that if she could speak, she would have given in charity. May I give in charity on her behalf?"

He said, "Yes! Give in charity on her behalf."

Hadith # 2761

Narrated Ibn `Abbas:

Sa`d bin Ubada consulted Allah's Messenger (ﷺ) saying, "My mother died and she had an unfulfilled vow." The Prophet (ﷺ) said, "Fulfill it on her behalf."

The witnesses in the foundation of an endowment or in giving in charity

Hadith # 2762

Narrated Ibn `Abbas:

That the mother of Sa`d bin Ubada the brother of Bani Saida died in Sa`d's absence, so he came to the Prophet saying, "O Allah's Messenger (ﷺ)! My mother died in my absence, will it benefit her if I give in charity on her behalf?"

The Prophet (ﷺ) said, "Yes."

Sa`d said, "I take you as my witness that I give my garden Al-Makhrif in charity on her behalf."

Allah Almighty said in Surah Nisa:

وَأْتُوا الْيَتَامَىٰ أَمْوَالَهُمْ وَلَا تَتَّبِعُوا الْخَبِيثَاتِ بِالطَّيِّبِ ... فَانكِحُوا مَا طَابَ لَكُمْ مِنَ النِّسَاءِ

**And give unto orphans their property and do not exchange (your) bad things
for (their) good ones;**

**and devour not their substance (by adding it) to your substance. Surely, this is
a great sin.**

**And if you fear that you shall not be able to deal justly with the orphan girls,
then marry (other) women of your choice, (4:2,3)**

Hadith # 2763

Narrated Az-Zuhri:

`Urwa bin Az-Zubair said that he asked `Aisha about the meaning of the Qur'anic Verse:--

وَإِنْ خِفْتُمْ أَلَّا تُفْسِدُوا فِي الْيَتَامَىٰ فَانكِحُوا مَا طَابَ لَكُمْ مِنَ النِّسَاءِ

**"And if you fear that you will not deal fairly with the orphan girls
then marry (other) women of your choice." (4.2-3)**

Aisha said, "It is about a female orphan under the guardianship of her guardian who is inclined towards her because of her beauty and wealth, and likes to marry her with a Mahr less than what is given to women of her standard. So they (i.e. guardians) were forbidden to marry the orphans unless they paid them a full appropriate Mahr (otherwise) they were ordered to marry other women instead of them.

Later on the people asked Allah's Messenger (ﷺ) about it. So Allah revealed the following Verse: --

وَيَسْتَفْتُونَكَ فِي النِّسَاءِ قُلِ اللَّهُ يُفْتِيكُمْ فِيهِنَّ

"They ask your instruction (O Muhammad!) regarding women.

Say: Allah instructs you regarding them..." (4.127)

and in this Verse Allah indicated that if the orphan girl was beautiful and wealthy, her guardian would have the desire to marry her without giving her an appropriate Mahr equal to what her peers could get, but if she was undesirable for lack of beauty or wealth, then he would not marry her, but seek to marry some other woman instead of her. So, since he did not marry her when he had no inclination towards her, he had not the right to marry her when he had an interest in her, unless he treated her justly by giving her a full Mahr and securing all her rights.

Allah Almighty said in Surah Nisa

وَأَبْتَلُوا أَلْيَتَمَّى حَتَّىٰ إِذَا بَلَغُوا النِّكَاحَ ... نَصِيبًا مَّفْرُوضًا

Make trial of orphans until they reach the age of marriage;
if then ye find sound judgment in them, release their property to them;
but consume it not wastefully, nor in haste against their growing up.

If the guardian is well-off, let him claim no remuneration,
but if he is poor, let him have for himself what is just and reasonable.

When ye release their property to them, take witnesses in their presence: but
all-sufficient is Allah in taking account.

From what is left by parents and those nearest related there is a share for men
and a share for women,

whether the property be small or large, a determinate share. (4:6,7)

How a guardian is to deal with an orphan's wealth

It is right for the testator to trade and work in the property of the orphan and then to eat from it according to his work.

Hadith # 2764

Narrated Ibn `Umar:

In the lifetime of Allah's Messenger (ﷺ), `Umar gave in charity some of his property, a garden of date-palms called Thamgh. `Umar said, "O Allah's Messenger (ﷺ)! I have some property which I prize highly and I want to give it in charity."

The Prophet; said, "Give it in charity (i.e. as an endowment) with its land and trees on the condition that the land and trees will neither be sold nor given as a present, nor bequeathed, but the fruits are to be spent in charity."

So `Umar gave it in charity, and it was for Allah's Cause, the emancipation of slaves, for the poor, for guests, for travelers, and for kinsmen.

The person acting as its administrator could eat from it reasonably and fairly, and could let a friend of his eat from it provided he had no intention of becoming wealthy by its means.

Hadith # 2765

Narrated `Aisha:

The following Verse: --

وَمَنْ كَانَ فَقِيرًا فَلْيَأْكُلْ بِالْمَعْرُوفِ ۚ فَإِذَا دَفَعْتُمْ إِلَيْهِمْ أَمْوَالَهُمْ فَأَشْهِدُوا عَلَيْهِمْ ۚ

but if he is poor, let him have for himself what is just and reasonable.

When ye release their property to them, take witnesses in their presence: (4:6)

was revealed in connection with the guardian of an orphan, and it means that if he is poor he can have for himself (from the orphan's wealth) what is just and reasonable according to the orphan's share of the inheritance.

Allah Almighty said in Surah Nisa:

إِنَّ الَّذِينَ يَأْكُلُونَ أَمْوَالَ الْيَتَامَىٰ ظُلْمًا إِنَّمَا يَأْكُلُونَ فِي بُطُونِهِمْ نَارًا وَسَيَصْلَوْنَ سَعِيرًا

Those who unjustly eat up the property of orphans, eat up a fire into their own bodies they will soon be enduring a blazing fire! (4:10)

Hadith # 2766

Narrated Abu Huraira:

The Prophet (ﷺ) said, "Avoid the seven great destructive sins."

The people enquire, "O Allah's Messenger (ﷺ)! What are they? " He said,

- "To join others in worship along with Allah,
- to practice sorcery,
- to kill the life which Allah has forbidden except for a just cause, (according to Islamic law),

- to eat up Riba (usury),
- to eat up an orphan's wealth,
- to give back to the enemy and fleeing from the battlefield at the time of fighting,
- and to accuse, chaste women, who never even think of anything touching chastity and are good believers.

Allah Almighty said in Surat al-Baqarah:

وَيَسْأَلُونَكَ عَنِ الْيَتَامَىٰ ... إِنَّ اللَّهَ عَزِيزٌ حَكِيمٌ

They ask thee concerning orphans. Say:

"The best thing to do is what is for their good; if ye mix their affairs with yours, they are your brethren;

but Allah knows the man who means mischief from the man who means good.

And if Allah had wished, He could have put you into difficulties: He is indeed Exalted in Power, Wise." (2:220)

Hadith # 2767

Nafi' said:

"Ibn 'Umar never refused to be appointed as guardian."

The most beloved thing to Ibn Sirin concerning an orphan's wealth was that the orphan's advisor and guardians would assemble to decide what is best for him. When Tawus was asked about something concerning an orphan's affairs, he would recite: '...

Allah knows him who means mischief from him who means good...' (2:220).

'Ata said concerning some orphans,

"The guardian is to provide for the young and the old orphans according to their needs from their shares."

The employment of an orphan

Hadith # 2768

Narrated Anas:

When Allah's Messenger (ﷺ) came to Medina; he did not have any servant. Abu Talha (Anas' step-father) took me to Allah's Messenger (ﷺ) and said, "O Allah's

Messenger (ﷺ)! Anas is a wise boy, so let him serve you."

So, I served him at home and on journeys. If I did anything, he never asked me why I did it, and if I refrained from doing anything, he never asked me why I refrained from doing it.

If one gives a piece of land as an endowment and does not mark its boundaries

Hadith # 2769

Narrated Anas bin Malik:

Abu Talha had the greatest wealth of date-palms amongst the Ansar in Medina, and he prized above all his wealth (his garden) Bairuha', which was situated opposite the Mosque (of the Prophet (ﷺ)). The Prophet used to enter it and drink from its fresh water. When the following Divine Verse came: --

لَنْ تَنَالُوا الْبِرَّ حَتَّى تُنْفِقُوا مِمَّا تُحِبُّونَ

"By no means shall you attain piety until you spend of what you love," (3.92)

Abu Talha got up saying. "O Allah's Messenger (ﷺ)! Allah says, 'You will not attain piety until you spend of what you love,' and I prize above all my wealth, Bairuha' which I want to give in charity for Allah's Sake, hoping for its reward from Allah. So you can use it as Allah directs you."

On that the Prophet (ﷺ) said, "Bravo! It is a profitable (or perishable) property. I have heard what you have said, and I recommend that you distribute this amongst your relatives."

On that Abu Talha said, "O Allah's Messenger (ﷺ)! I will do (as you have suggested)." So, Abu Talha distributed that garden amongst his relatives and cousins.

Hadith # 2770

Narrated Ibn `Abbas:

A man said to Allah's Messenger (ﷺ) , "My mother died, will it benefit her if I give in charity on her behalf?" The Prophet (ﷺ) replied in the affirmative.

The man said, "I have a garden and I make you a witness that I give it in charity on her behalf."

A jointly-owned piece of land as an endowment

Hadith # 2771

Narrated Anas:

When the Prophet (ﷺ) ordered that the mosque be built, he said, "O Bani An-Najjar! Suggest to me a price for this garden of yours."

They replied, "By Allah! We will demand its price from none but Allah."

How to write the endowment?

Hadith # 2772

Narrated Ibn `Umar:

When `Umar got a piece of land in Khaibar, he came to the Prophet (ﷺ) saying, "I have got a piece of land, better than which I have never got. So what do you advise me regarding it?"

The Prophet (ﷺ) said, "If you wish you can keep it as an endowment to be used for charitable purposes."

So, `Umar gave the land in charity (i.e. as an endowment) on the condition that the land would neither be sold nor given as a present, nor bequeathed, (and its yield)

- would be used for the poor,
- the kinsmen,
- the emancipation of slaves,
- Jihad, and
- for guests and travelers;
- and its administrator could eat in a reasonable just manner, and he also could feed his friends without intending to be wealthy by its means."

The usufruct of an endowment

Hadith # 2773

Narrated Ibn `Umar:

`Umar got some property in Khaibar and he came to the Prophet (ﷺ) and informed him about it. The Prophet said to him, "If you wish you can give it in charity."

So `Umar gave it in charity (i.e. as an endowment) the yield of which was to be used for the good of the poor, the needy, the kinsmen and the guests.

Foundation of an endowment for building a mosque

Hadith # 2774

Narrated Anas bin Malik:

When Allah's Messenger (ﷺ) came to Medina, he ordered that a mosque be built. He said, "O Bani An- Najjar! Suggest me a price for the garden of yours."

They replied, "By Allah, we will not ask its price except from Allah."

Animals, property, gold and silver as endowments

Hadith # 2775

Narrated Ibn `Umar:

Once `Umar gave a horse in charity to be used in holy fighting. It had been given to him by Allah's Apostle . `Umar gave it to another man to ride. Then `Umar was informed that the man put the horse for sale, so he asked Allah's Messenger (ﷺ) whether he could buy it.

Allah's Messenger (ﷺ) replied, "You should not buy it, for you should not take back what you have given in charity."

The salary of the administrator of an endowment

Hadith # 2776

Narrated Abu Huraira:

Allah's Messenger (ﷺ) said,

"My heirs will not inherit a Dinar or a Dirham (i.e. money), for whatever I leave (excluding the adequate support of my wives and the wages of my employees) is given in charity."

Hadith # 2777

Narrated Ibn `Umar:

When `Umar founded an endowment he stipulated that its administrator could eat from it and also feed his friend on the condition that he would not store anything for himself from it.

If somebody keeps an endowment, or stipulates that he should benefit by it as the other Muslims do

Hadith # 2778

Abu 'Abdur-Rahman narrated:

When 'Uthman was circled (by the rebels), he looked upon them from above and said, "Ias you by Allah, I ask nobody but the Companions of the Prophet (ﷺ), dont you know that Allah's Messenger (ﷺ) said, 'Whoever will (buy and) dig the well of Ruma will be granted Paradise,' and I (bought and) dug it?"

Don't you know that he said. 'Whoever equip the army of 'Usra (i.e., Tabuk's Ghazwa) will be granted Paradise,' and I equipped it?"

They attested whatever he said.

When 'Umar founded his endowment he said, "Its administrator can eat from it."

The management of the endowment can be taken over by the founder himself or any other person, for both cases are permissible.

"We will demand its price, from none but Allah."

Hadith # 2779

Narrated Anas:

The Prophet (ﷺ) said (at the time of building the Mosque), "O Ban, An-Najjar! Suggest to me a price for your garden."

They replied, "We do not ask its price except from Allah."

"When death approaches any of you, and you make a bequest..."

يَا أَيُّهَا الَّذِينَ آمَنُوا شَهَادَةُ بَيْنِكُمْ إِذَا حَضَرَ أَحَدَكُمُ الْمَوْتُ ... وَاللَّهُ لَا يَهْدِي الْقَوْمَ
الْفَاسِقِينَ

O ye who believe! when death approaches any of you, (take) witnesses among yourselves when making bequests,

two just men of your own (brotherhood) or others from outside if ye are journeying through the earth, and the chance of death befalls you (thus).

If ye doubt (their truth), detain them both after prayer, and let them both

swear by Allah: "We wish not in this for any worldly gain, even though the (beneficiary) be our near relation: we shall hide not the evidence before Allah: if we do, then behold! the sin be upon us!"

But if it gets known that these two were guilty of the sin (of perjury).

Let two others stand forth in their places, nearest in kin from among those who claim a lawful right: let them swear by Allah:

"We affirm that our witness is truer than that of those two, and that we have not trespassed (beyond the truth): if we did, behold! the wrong be upon us!

That is most suitable: that they may give the evidence in its true nature and shape, or else they would fear that other oaths would be taken after theirs.

But fear Allah, and listen (to His counsel) : for Allah guideth not a rebellious people. (5:106-8)

Hadith # 2780

Ibn 'Abbas said,

"A man from the tribe of Bani Sahm went out in the company of Tamim Ad-Dari and 'Adi bin Badda'. The man of Bani Sahm died in a land where there was no Muslim. When Tamim and 'Adi returned conveying the property of the deceased, they claimed that they had lost a silver bowl with gold engraving.

Allah's Messenger (ﷺ) made them take an oath (to confirm their claim), and then the bowl was found in Makkah with some people who claimed that they had bought it from Tamim and 'Adu,

Then two witnesses from the relatives of the deceased got up and swore that their witnesses were more valid than the witnesses of 'Adi and Tamim, and that the bowl belonged to their deceased fellow. So, this verse was revealed in connection with this case;

يَا أَيُّهَا الَّذِينَ آمَنُوا شَهَادَةُ بَيْنِكُمْ إِذَا حَضَرَ أَحَدَكُمُ الْمَوْتُ

'O you who believe! When death approached any of you ...'," (5:106)

The payments of the debts of the deceased

Hadith # 2781

Narrated Jabir bin `Abdullah Al-Ansari:

My father was martyred on the day (of the Ghazwa) of Uhud and left six daughters and some debts to be paid. When the time of plucking the date-fruits came, I went to Allah's Messenger (ﷺ) and said, "O Allah's Apostle! you know that my father was

martyred on Uhud's day and owed much debt, and I wish that the creditors would see you." The Prophet (ﷺ) said, "Go and collect the various kinds of dates and place them separately in heaps"

I did accordingly and called him. On seeing him, the creditors started claiming their rights pressingly at that time. When the Prophet (ﷺ) saw how they behaved, he went round the biggest heap for three times and sat over it and said, "Call your companions (i.e. the creditors)." Then he kept on measuring and giving them, till Allah cleared all my father's debts. By Allah, it would have pleased me that Allah would clear the debts of my father even though I had not taken a single date to my sisters.

But by Allah, all the heaps were complete, (as they were) and I looked at the heap where Allah's Messenger (ﷺ) was sitting and noticed as if not a single date had been taken thereof.



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