

# الكافي

## AL-KAFI

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للمحدّث الجليل والعالم الفقيه الشيخ محمد بن يعقوب الكليني المعروف بثقة  
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Of the majestic narrator and the scholar, the jurist, the Sheykh  
Muhammad Bin Yaqoub Al-Kulayni

Well known as 'The trustworthy of Al-Islam Al-Kulayni'

Who died in the year 329 H

كتاب المَعِيشَةِ

THE BOOK OF SUBSISTENCE (6)

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بِسْمِ اللَّهِ الرَّحْمَنِ الرَّحِيمِ الْحَمْدُ لِلَّهِ رَبِّ الْعَالَمِينَ، وَصَلَّى اللَّهُ عَلَى سَيِّدِنَا مُحَمَّدٍ وَآلِهِ الطَّاهِرِينَ، وَسَلِّمَ تَسْلِيمًا.

In the Name of Allah<sup>azwj</sup> the Beneficent, the Merciful. The Praise is for Allah<sup>azwj</sup> Lord<sup>azwj</sup> of the Worlds, and Blessing be upon our Chief Muhammad<sup>saww</sup> and his<sup>saww</sup> Purified Progeny<sup>asws</sup>, and greetings with abundant greetings.

## باب العَرَبُونَ

### Chapter 107 – The Deposit

عِدَّةٌ مِنْ أَصْحَابِنَا عَنْ أَحْمَدَ بْنِ أَبِي عَبْدِ اللَّهِ عَنْ أَبِيهِ عَنْ وَهْبٍ عَنْ أَبِي عَبْدِ اللَّهِ ( عَلَيْهِ السَّلَامُ ) قَالَ كَانَ أَمِيرُ الْمُؤْمِنِينَ ( صَلَوَاتُ اللَّهِ عَلَيْهِ ) يَقُولُ لَا يَجُوزُ الْعَرَبُونَ إِلَّا أَنْ يَكُونَ نَقْدًا مِنَ الثَّمَنِ .

A number of our companions, from Ahmad Bin Abu Abdullah, from his father, from Wahab,

(It has been narrated) from Abu Abdullah<sup>asws</sup> having said: ‘Amir Al-Momineen<sup>asws</sup> was saying: ‘The deposit from the price is not allowed except if it happens to be cash’.<sup>1</sup>

## باب الرَّهْنِ

### Chapter 108 – The Mortgage

عِدَّةٌ مِنْ أَصْحَابِنَا عَنْ أَحْمَدَ بْنِ مُحَمَّدٍ عَنْ عَلِيِّ بْنِ الْحَكَمِ عَنْ مُحَمَّدِ بْنِ مُسْلِمٍ عَنْ أَبِي حَمْرَةَ عَنْ أَبِي جَعْفَرٍ ( عَلَيْهِ السَّلَامُ ) قَالَ سَأَلْتُهُ عَنِ الرَّهْنِ وَ الْكَفِيلِ فِي بَيْعِ النَّسِيئَةِ فَقَالَ لَا بَأْسَ بِهِ .

A number of our companions, from Ahmad Bin Muhammad, from Ali Bin Al Hakam, from Muhammad Bin Muslim, from Abu Hamza,

(It has been narrated) from Abu Ja’far<sup>asws</sup>, said, ‘I asked him<sup>asws</sup> about the mortgage and the guarantor regarding a sale on credit. So he<sup>asws</sup> said: ‘There is no problem with it’.<sup>2</sup>

مُحَمَّدُ بْنُ يَحْيَى عَنْ مُحَمَّدِ بْنِ الْحُسَيْنِ عَنْ صَفْوَانَ عَنْ يَعْقُوبَ بْنِ شُعَيْبٍ قَالَ سَأَلْتُهُ عَنْ رَجُلٍ يَبِيعُ بِالنَّسِيئَةِ وَ يَرْتَهُنُ قَالَ لَا بَأْسَ .

Muhammad Bin Yahya, from Muhammad Bin Al Husayn, from Safwan, from Yaqoub Bin Shuayb who said,

‘I asked him<sup>asws</sup> about a man who sells on credit and he takes a mortgage (security)’. He<sup>asws</sup> said: ‘There is no problem with it’.<sup>3</sup>

عَلِيُّ بْنُ إِبْرَاهِيمَ عَنْ أَبِيهِ عَنْ إِسْمَاعِيلَ بْنِ مَرَّارٍ عَنْ يُونُسَ عَنْ مُعَاوِيَةَ بْنِ عَمَّارٍ قَالَ سَأَلْتُ أَبَا عَبْدِ اللَّهِ ( عَلَيْهِ السَّلَامُ ) عَنِ الرَّجُلِ يُسَلِّمُ فِي الْحَيَّوَانِ أَوْ الطَّعَامِ وَ يَرْتَهُنُ الرَّهْنَ قَالَ لَا بَأْسَ تَسْتَوْثِقُ مِنْ مَالِكَ .

Ali Bin Ibrahim, from his father, from Ismail Bin marrar, from Yunus, from Muawiya Bin Ammar who said,

<sup>1</sup> Al Kafi – V 5 – The Book of Subsistence Ch 107 H 1

<sup>2</sup> Al Kafi – V 5 – The Book of Subsistence Ch 108 H 1

<sup>3</sup> Al Kafi – V 5 – The Book of Subsistence Ch 108 H 2

'I asked Abu Abdullah<sup>asws</sup> about the man who submits an advance payment regarding the animals, or the foodstuff, and he holds security deposit as the mortgage (for his advance payment made). He<sup>asws</sup> said: 'There is no problem with securing your wealth'.<sup>4</sup>

أَبُو عَلِيٍّ الْأَشْعَرِيُّ عَنْ مُحَمَّدِ بْنِ عَبْدِ الْجَبَّارِ عَنْ صَفْوَانَ عَنْ إِسْحَاقَ بْنِ عَمَّارٍ قَالَ سَأَلْتُ أَبَا إِبْرَاهِيمَ ( عَلَيْهِ السَّلَامُ ) عَنِ الرَّجُلِ يَكُونُ عِنْدَهُ الرَّهْنُ فَلَا يَدْرِي لِمَنْ هُوَ مِنَ النَّاسِ فَقَالَ لَا أَحَبُّ أَنْ يَبِيعَهُ حَتَّى يَجِيءَ صَاحِبُهُ فَلْتُ لَا يَدْرِي لِمَنْ هُوَ مِنَ النَّاسِ فَقَالَ فِيهِ فَضْلٌ أَوْ نُقْصَانٌ فَلْتُ فَإِنْ كَانَ فِيهِ فَضْلٌ أَوْ نُقْصَانٌ قَالَ إِنْ كَانَ فِيهِ نُقْصَانٌ فَهُوَ أَهْوَنُ يَبِيعُهُ فَيُوجِرُ فِيمَا نَقَصَ مِنْ مَالِهِ وَ إِنْ كَانَ فِيهِ فَضْلٌ فَهُوَ أَشَدُّهُمَا عَلَيْهِ يَبِيعُهُ وَ يُمَسِّكُ فَضْلَهُ حَتَّى يَجِيءَ صَاحِبُهُ .

Abu Ali Al Ashary, from Muhammad Bin Abdul Jabbar, from Safwan, from Is'haq Bin Ammar who said,

'I asked Abu Ibrahim<sup>asws</sup> (7<sup>th</sup> Imam<sup>asws</sup>) about the man who happened to have the security deposit with him, so he did not know for whom it was, from the people'. So he<sup>asws</sup> said: 'I<sup>asws</sup> do not like it that he sells it until its owner comes over'. I said, 'He does not know for whom it is, from the people'. So he<sup>asws</sup> said: 'Therein is excess or deficiency?' I said, 'Supposing if there was an excess or a deficiency in it?' He<sup>asws</sup> said: 'If there was a deficiency in it, so it is easier. He can sell it, and he compensate the deficiency from his own wealth. However, if there was an excess in it, so it is more difficult upon him. He can sell it, and he would have to keep its excess until its owner comes over'.<sup>5</sup>

عَدَّةٌ مِنْ أَصْحَابِنَا عَنْ أَحْمَدَ بْنِ مُحَمَّدَ بْنِ خَالِدٍ عَنْ أَبِيهِ عَنِ ابْنِ بُكَيْرٍ عَنْ عُبَيْدِ بْنِ زُرَّارَةَ عَنْ أَبِي عَبْدِ اللَّهِ ( عَلَيْهِ السَّلَامُ ) فِي رَجُلٍ رَهْنٌ رَهْنًا إِلَى غَيْرٍ وَقَدْ مُسِّمَى ثُمَّ غَابَ هَلْ لَهُ وَقَدْ يُبَاعُ فِيهِ رَهْنُهُ قَالَ لَا حَتَّى يَجِيءَ [صَاحِبُهُ] .

A number of our companions, from Ahmad Bin Muhammad Bin Khalid, from his father, from Ibn Bukeyr, from Ubeyr Bin Zurara,

(It has been narrated) from Abu Abdullah<sup>asws</sup> regarding a man who held a security deposit as mortgage to an unspecified time, then he was absent. Is there a time for him that he sells his security?' He<sup>asws</sup> said: 'No, until its owner comes over'.<sup>6</sup>

مُحَمَّدُ بْنُ يَحْيَى عَنْ مُحَمَّدِ بْنِ الْحُسَيْنِ عَنْ صَفْوَانَ عَنْ ابْنِ بُكَيْرٍ قَالَ سَأَلْتُ أَبَا عَبْدِ اللَّهِ ( عَلَيْهِ السَّلَامُ ) عَنِ الرَّهْنِ فَقَالَ إِنْ كَانَ أَكْثَرَ مِنْ مَالِ الْمُرْتَهِنِ فَهَلْكَ أَنْ يُؤَدِّيَ الْفَضْلَ إِلَى صَاحِبِ الرَّهْنِ وَ إِنْ كَانَ أَقَلَّ مِنْ مَالِهِ فَهَلْكَ الرَّهْنُ أَدَى إِلَيْهِ صَاحِبُهُ فَضْلًا مَالِهِ وَ إِنْ كَانَ الرَّهْنُ سَوَاءً فَلَيْسَ عَلَيْهِ شَيْءٌ .

Muhammad Bin Yahya, from Muhammad Bin Al Husayn, from Safwan, from Ibn Bukeyr who said,

'I asked Abu Abdullah<sup>asws</sup> about the security deposit, so he<sup>asws</sup> said: 'If there was more than the wealth of the mortgagee, and it is destroyed, he would have to pay the excess to the owner of the mortgage, and if it was less than his wealth, so the security deposit is destroyed, the owner of the excess would return to his companion, his wealth, and if it was such that the mortgage was equal (to the security deposit), so there is nothing upon him'.<sup>7</sup>

<sup>4</sup> Al Kafi – V 5 – The Book of Subsistence Ch 108 H 3

<sup>5</sup> Al Kafi – V 5 – The Book of Subsistence Ch 108 H 4

<sup>6</sup> Al Kafi – V 5 – The Book of Subsistence Ch 108 H 5

<sup>7</sup> Al Kafi – V 5 – The Book of Subsistence Ch 108 H 6

عِدَّةٌ مِنْ أَصْحَابِنَا عَنْ سَهْلِ بْنِ زِيَادٍ وَ أَحْمَدَ بْنِ مُحَمَّدٍ عَنِ ابْنِ مَحْبُوبٍ عَنْ أَبِي حَمْرَةَ قَالَ سَأَلْتُ أَبَا جَعْفَرٍ ( عَلَيْهِ السَّلَامُ ) عَنْ قَوْلِ عَلِيٍّ ( عَلَيْهِ السَّلَامُ ) فِي الرَّهْنِ يَتَرَادَانُ الْفَضْلُ فَقَالَ كَانَ عَلِيٌّ ( عَلَيْهِ السَّلَامُ ) يَقُولُ ذَلِكَ قُلْتُ كَيْفَ يَتَرَادَانُ فَقَالَ إِنْ كَانَ الرَّهْنُ أَفْضَلَ مِمَّا رُهِنَ بِهِ تَمَّ عَطْبُ رَدِّ الْمُرْتَهِنِ الْفَضْلَ عَلَى صَاحِبِهِ وَإِنْ كَانَ لَا يَسْتَوِي رَدَّ الرَّاهِنُ مَا نَقَصَ مِنْ حَقِّ الْمُرْتَهِنِ قَالَ وَ كَذَلِكَ كَانَ قَوْلُ عَلِيٍّ ( عَلَيْهِ السَّلَامُ ) فِي الْحَيَوَانِ وَ غَيْرِ ذَلِكَ .

A number of our companions, from Sahl Bin Ziyad, and Ahmad Bin Muhammad, from Ibn Mahboub, from Abu Hamza who said,

'I asked Abu Ja'far<sup>asws</sup> about the words of Ali<sup>asws</sup> regarding the mortgage security deposit, whether both parties would return the excess. So he<sup>asws</sup> said: 'Ali<sup>asws</sup> was saying that'. I said, 'How would they both be returning (the excess)?' So he<sup>asws</sup> said: 'If it was such that the mortgage was more than what was deposited with, then it (security deposit) was damaged, the mortgagee would return the excess upon his companion; but if it was such that it was not equal, the mortgagor would return whatever was deficient from the right of the mortgagee. And like that was the word of Ali<sup>asws</sup> regarding the animals and other than that'.<sup>8</sup>

الْحُسَيْنُ بْنُ مُحَمَّدٍ عَنْ مُعَلَّى بْنِ مُحَمَّدٍ عَنِ الْحَسَنِ بْنِ عَلِيٍّ الْوَشَاءِ عَنْ أَبَانَ عَمَّنْ أَخْبَرَهُ عَنْ أَبِي عَبْدِ اللَّهِ ( عَلَيْهِ السَّلَامُ ) أَنَّهُ قَالَ فِي الرَّهْنِ إِذَا ضَاعَ مِنْ عِنْدِ الْمُرْتَهِنِ مِنْ غَيْرِ أَنْ يَسْتَهْلِكَهُ رَجَعَ فِي حَقِّهِ عَلَى الرَّاهِنِ فَأَخَذَهُ فَإِنْ اسْتَهْلَكَهُ تَرَادَّ الْفَضْلُ بَيْنَهُمَا .

Al Husayn Bin Muhammad, from Moalla Bin Muhammad, from Al Hassan Bin Ali Al Washa, from Aban, from the one who informed him,

(It has been narrated) from Abu Abdullah<sup>asws</sup> having said: 'With regards to the mortgage, when it perishes in the presence of the mortgagee from other than him having destroyed it, it would be returned in his right upon the mortgagor, so he would take it. So if he had destroyed it, the excess would be returned between the two of them'.<sup>9</sup>

عِدَّةٌ مِنْ أَصْحَابِنَا عَنْ أَحْمَدَ بْنِ مُحَمَّدٍ وَ سَهْلِ بْنِ زِيَادٍ عَنْ أَحْمَدَ بْنِ مُحَمَّدٍ بْنِ أَبِي نَصْرِ عَنْ حَمَادِ بْنِ عَثْمَانَ عَنْ إِسْحَاقَ بْنِ عَمَّارٍ قَالَ سَأَلْتُ أَبَا إِبْرَاهِيمَ ( عَلَيْهِ السَّلَامُ ) عَنِ الرَّجُلِ يَرَهْنُ الرَّهْنَ بِمِائَةِ دِرْهَمٍ وَ هُوَ يُسَاوِي ثَلَاثِمِائَةَ دِرْهَمٍ فَيَهْلِكُ أَوْ عَلَى الرَّجُلِ أَنْ يَرُدَّ عَلَى صَاحِبِهِ مِائَتِي دِرْهَمٍ قَالَ نَعَمْ لِأَنَّهُ أَخَذَ رَهْنًا فِيهِ فَضْلٌ وَ ضَيَّعَهُ قُلْتُ فَهَلْكَ نِصْفُ الرَّهْنِ قَالَ عَلَى جِسَابِ ذَلِكَ قُلْتُ فَيَتَرَادَانُ الْفَضْلُ قَالَ نَعَمْ .

A number of our companions, from Ahmad Bin Muhammad, and Sahl Bin Ziyad, from Ahmad Bin Muhammad Bin Abu Nasr, from Hammad Bin Usman, from Is'haq Bin Ammar who said,

'I asked Abu Ibrahim<sup>asws</sup> (7<sup>th</sup> Imam<sup>asws</sup>) about the man who took a security deposit for a mortgage of one hundred Dirhams and it was equated to three hundred Dirham. So it was destroyed. Is it upon the man that he returns two hundred Dirhams to his companion?' He<sup>asws</sup> said: 'Yes, because he took the deposit wherein was excess, and wasted it'. I said, 'Supposing half deposit was destroyed?' He<sup>asws</sup> said: 'It would be upon the reckoning of that'. I said, 'So they would both be returning the excess?' He<sup>asws</sup> said: 'Yes'.<sup>10</sup>

<sup>8</sup> Al Kafi – V 5 – The Book of Subsistence Ch 108 H 7

<sup>9</sup> Al Kafi – V 5 – The Book of Subsistence Ch 108 H 8

<sup>10</sup> Al Kafi – V 5 – The Book of Subsistence Ch 108 H 9

وَبِهَذَا الْإِسْنَادِ قَالَ قُلْتُ لِأَبِي إِبْرَاهِيمَ ( عَلَيْهِ السَّلَامُ ) الرَّجُلُ يَرْهَنُ الْغَلَامَ وَ الدَّارَ فَتُصِيبُهُ الْآفَةُ عَلَى مَنْ يَكُونُ قَالَ عَلَى مَوْلَاهُ ثُمَّ قَالَ أَرَأَيْتَ لَوْ قَتَلَ قَتِيلًا عَلَى مَنْ يَكُونُ قُلْتُ هُوَ فِي عُنُقِ الْعَبْدِ قَالَ أَلَا تَرَى فَلَمْ يَذْهَبْ مَالٌ هَذَا ثُمَّ قَالَ أَرَأَيْتَ لَوْ كَانَ ثَمَنُهُ مِائَةً دِينَارٍ فَرَادَ وَ بَلَغَ مِائَتِي دِينَارٍ لِمَنْ كَانَ يَكُونُ قُلْتُ لِمَوْلَاهُ قَالَ كَذَلِكَ يَكُونُ عَلَيْهِ مَا يَكُونُ لَهُ .

And by this chain, said,

'I said to Abu Ibrahim<sup>asws</sup> (7<sup>th</sup> Imam<sup>asws</sup>), 'The man mortgages the slave and the house, so the affliction hits it, upon whom would that (loss) happen to be?' He<sup>asws</sup> said: 'Upon his master'. Then he<sup>asws</sup> said: 'What is your view if people are killed, upon who would that be?' I said, 'It would be in the neck of the slave'. He<sup>asws</sup> said: 'Do you not see that his wealth has not gone away?' Then he<sup>asws</sup> said: 'What is your view if his price was one hundred Dinars, so it increased and reached two hundred Dinars, for whom would that have been?' I said, 'For his master'. He<sup>asws</sup> said: 'Like that is what would happen to be against him, what would happen to be for him'.<sup>11</sup>

عَلِيُّ بْنُ إِبْرَاهِيمَ عَنْ أَبِيهِ عَنِ ابْنِ أَبِي عُمَيْرٍ عَنْ حَمَادٍ عَنِ الْحَلْبِيِّ فِي الرَّجُلِ يَرْهَنُ عِنْدَ الرَّجُلِ رَهْنًا فَيُصِيبُهُ شَيْءٌ أَوْ ضَاعَ قَالَ يَرْجِعُ بِمَالِهِ عَلَيْهِ .

Ali Bin Ibrahim, from his father, from Ibn Abu Umeyr, from Hammad,

(It has been narrated) from Al-Halby regarding the man who takes out a mortgage with the man, so something hits it, or a loss'. He<sup>asws</sup> said: 'He would return his wealth to him (complete)'.<sup>12</sup>

مُحَمَّدُ بْنُ يَحْيَى عَنْ مُحَمَّدِ بْنِ الْحُسَيْنِ عَنْ صَفْوَانَ عَنْ إِسْحَاقَ بْنِ عَمَّارٍ قَالَ سَأَلْتُ أَبَا إِبْرَاهِيمَ ( عَلَيْهِ السَّلَامُ ) عَنِ الرَّجُلِ يَرْهَنُ الْعَبْدَ أَوْ الثَّوْبَ أَوْ الْحُلِيَّ أَوْ مَتَاعًا مِنْ مَتَاعِ النَّبْتِ فَيَقُولُ صَاحِبُ الْمَتَاعِ لِلْمُرْتَهِنِ أَنْتَ فِي حِلٍّ مِنْ لُبْسِ هَذَا الثَّوْبِ قَالَ لِبْسِ الثَّوْبِ وَ انْتَفِعْ بِالْمَتَاعِ وَ اسْتَحْدِمِ الْخَادِمَ قَالَ هُوَ لَهُ حَلَالٌ إِذَا أَحْلَهُ وَ مَا أُجِبُ أَنْ يَفْعَلَ

Muhammad Bin Yahya, from Muhammad Bin Al Husayn, from Safwan, from Is'haq Bin Ammar who said,

'I asked Abu Ibrahim<sup>asws</sup> about the man who mortgages the slave, or the clothes, or jewellery, or goods from the chattels of the house. So the owner of the goods is saying to the mortgagee, 'You are free from wearing these clothes, so wear the clothes and spend with the goods, and make the servants to serve'. He<sup>asws</sup> said: 'It is Permissible for him when it is freed for him, and I<sup>asws</sup> would not like it if he did it'.

قُلْتُ فَارْتَهَنَ دَارًا لَهَا غَلَّةٌ لِمَنْ الْعَلَّةُ قَالَ لِصَاحِبِ الدَّارِ قُلْتُ فَارْتَهَنَ أَرْضًا بَيْضَاءَ فَقَالَ صَاحِبُ الْأَرْضِ ازْرَعْهَا لِنَفْسِكَ فَقَالَ لَيْسَ هَذَا مِثْلَ هَذَا يَزْرَعُهَا لِنَفْسِهِ فَهُوَ لَهُ حَلَالٌ كَمَا أَحْلَهُ لَهُ إِلَّا أَنَّهُ يَزْرَعُ بِمَالِهِ وَ يَعْمُرُهَا .

I said, 'Supposing he mortgages a house which had a yield for it. For whom would the yield be?' He<sup>asws</sup> said: 'For the owner of the house'. I said, 'Supposing one mortgages a barren land, so the owner of the land says, 'Cultivate it for yourself'. So he<sup>asws</sup> said: 'This is not like that. He can cultivate it for himself, for it is Permissible for him just as he has permitted it for him, except that he would be cultivating it with his own wealth and fill it'.<sup>13</sup>

<sup>11</sup> Al Kafi – V 5 – The Book of Subsistence Ch 108 H 10

<sup>12</sup> Al Kafi – V 5 – The Book of Subsistence Ch 108 H 11

<sup>13</sup> Al Kafi – V 5 – The Book of Subsistence Ch 108 H 12

عَلِيُّ بْنُ إِبْرَاهِيمَ عَنْ أَبِيهِ عَنْ عَبْدِ اللَّهِ بْنِ الْمُغَيْرَةِ عَنْ ابْنِ سِنَانَ عَنْ أَبِي عَبْدِ اللَّهِ ( عَلَيْهِ السَّلَامُ ) قَالَ قَضَى أَمِيرُ الْمُؤْمِنِينَ ( صَلَوَاتُ اللَّهِ عَلَيْهِ ) فِي كُلِّ رَهْنٍ لَهُ غَلَّةٌ أَنْ غَلَّتُهُ تُحْسَبُ لِصَاحِبِ الرَّهْنِ مِمَّا عَلَيْهِ .

Ali Bin Ibrahim, from his father, from Abdullah Bin Al Mugheira, from Ibn Sinan,

(It has been narrated) from Abu Abdullah<sup>asws</sup> having said: 'Amir Al-Momineen<sup>asws</sup> judged regarding every mortgage which had yield for it that its yield should be reckoned to be for the owner of the desposit against whatever (debt) is upon him'.<sup>14</sup>

عَلِيُّ بْنُ إِبْرَاهِيمَ عَنْ أَبِيهِ عَنْ ابْنِ أَبِي نَجْرَانَ عَنْ عَاصِمِ بْنِ حُمَيْدٍ عَنْ مُحَمَّدِ بْنِ قَيْسٍ عَنْ أَبِي جَعْفَرٍ ( عَلَيْهِ السَّلَامُ ) قَالَ إِنَّ أَمِيرَ الْمُؤْمِنِينَ ( عَلَيْهِ السَّلَامُ ) قَالَ فِي الْأَرْضِ الْبُورِ يَرْتَهِنُهَا الرَّجُلُ لَيْسَ فِيهَا ثَمَرَةٌ فَرَزَعَهَا وَانْفَقَ عَلَيْهَا مَالَهُ إِنَّهُ يَحْتَسِبُ لَهُ نَفَقَتُهُ وَعَمَلُهُ خَالِصًا ثُمَّ يَنْظُرُ نَصِيبَ الْأَرْضِ فَيَحْسِبُهُ مِنْ مَالِهِ الَّذِي ارْتَهَنَ بِهِ الْأَرْضَ حَتَّى يَسْتَوْفِيَ مَالَهُ فَإِذَا اسْتَوْفَى مَالَهُ فَلْيُدْفَعِ الْأَرْضَ إِلَى صَاحِبِهَا .

Ali Bin Ibrahim, from his father, from Ibn Abu Najran, from Aasim Bin Humeyd, from Muhammad Bin Qays,

(It has been narrated) from Abu Ja'far<sup>asws</sup> having said that Amir Al-Momineen<sup>asws</sup> said: 'With regards to the barren land which the man holds as mortgage security deposit, wherein there are no fruits, so he cultivates it and spends his wealth upon it, it would be reckoned for him, his expenditure and his work exclusively. Then he would consider a share of the land, so he would reckon it from his wealth which the land has been mortgaged with until his wealth has been fulfilled. So when his wealth has been fulfilled, let him hand over the land to its owner'.<sup>15</sup>

عَلِيُّ عَنْ أَبِيهِ عَنْ ابْنِ أَبِي عُمَيْرٍ عَنْ حَمَّادِ بْنِ الْحَلْبِيِّ قَالَ سَأَلْتُ أَبَا عَبْدِ اللَّهِ ( عَلَيْهِ السَّلَامُ ) عَنْ رَجُلٍ رَهَنَ جَارِيَتَهُ عِنْدَ قَوْمٍ أَيْحَلُّ لَهُ أَنْ يَطَّأَهَا قَالَ إِنَّ الَّذِينَ ارْتَهَنُوهَا يَحُولُونَ بَيْنَهُ وَبَيْنَ ذَلِكَ قُلْتُ إِنْ رَأَيْتَ إِنْ قَدَرَ عَلَيْهَا خَالِيًا قَالَ نَعَمْ لَا أَرَى هَذَا عَلَيْهِ حَرَامًا .

Ali, from his father, from Ibn Abu Umeyr, from Hammad, from Al Halby who said,

'I asked Abu Abdullah<sup>asws</sup> about a man who mortgaged his slave girl with a group of people. Is it Permissible for him that he copulated with her?' He<sup>asws</sup> said: 'Those who are holding her as a security desposit would hinder between him and that'. I said, 'What is your<sup>asws</sup> view if he is able upon that alone?' He<sup>asws</sup> said: 'Yes, I<sup>asws</sup> do not see that as a Prohibition upon him'.<sup>16</sup>

عِدَّةٌ مِنْ أَصْحَابِنَا عَنْ سَهْلِ بْنِ زِيَادٍ وَ أَحْمَدَ بْنِ مُحَمَّدٍ عَنْ ابْنِ مَحْبُوبٍ عَنْ أَبِي وَ لَادٍ قَالَ سَأَلْتُ أَبَا عَبْدِ اللَّهِ ( عَلَيْهِ السَّلَامُ ) عَنْ الرَّجُلِ يَأْخُذُ الدَّابَّةَ وَ الْبَعِيرَ رَهْنًا بِمَالِهِ أَلَا لَهُ أَنْ يَرْكَبَهُ قَالَ فَقَالَ إِنْ كَانَ يَعْلَفُهُ فَلَهُ أَنْ يَرْكَبَهُ وَ إِنْ كَانَ الَّذِي رَهَنَهُ عِنْدَهُ يَعْلَفُهُ فَلَيْسَ لَهُ أَنْ يَرْكَبَهُ .

A number of our companions, from Sahl Bin Ziyad, and Ahmad Bin Muhammad, from Ibn Mahboub, from Abu Wallad who said,

'I asked Abu Abdullah<sup>asws</sup> about the man who takes the animal and the camel as a security deposit for his wealth (lent out). Is it Permissible for him to ride it?' So he<sup>asws</sup>

<sup>14</sup> Al Kafi – V 5 – The Book of Subsistence Ch 108 H 13

<sup>15</sup> Al Kafi – V 5 – The Book of Subsistence Ch 108 H 14

<sup>16</sup> Al Kafi – V 5 – The Book of Subsistence Ch 108 H 15

said: 'If he had fed it, so it would be for him that he rides it, but if it was fed with the one who had mortgaged it, so it would not be for him that he rides it'.<sup>17</sup>

مُحَمَّدُ بْنُ يَحْيَى عَنْ بَعْضِ أَصْحَابِنَا عَنْ مَنْصُورِ بْنِ الْعَبَّاسِ عَنِ الْحَسَنِ بْنِ عَلِيٍّ بْنِ يَقُطِينَ عَنْ عَمْرِو بْنِ إِبْرَاهِيمَ عَنْ خَلْفِ بْنِ حَمَادٍ عَنْ إِسْمَاعِيلِ بْنِ أَبِي فَرَّةَ عَنْ أَبِي بَصِيرٍ عَنْ أَبِي عَبْدِ اللَّهِ ( عَلَيْهِ السَّلَامُ ) فِي رَجُلٍ اسْتَقْرَضَ مِنْ رَجُلٍ مِائَةَ دِينَارٍ وَ رَهْنَهُ حُلِيًّا بِمِائَةِ دِينَارٍ ثُمَّ إِنَّهُ أَتَاهُ الرَّجُلُ فَقَالَ لَهُ أَعَزَّنِي الذَّهَبَ الَّذِي رَهْنُكَ عَارِيَّةً فَأَعَارَهُ فَهَلَكَ الرَّهْنُ عِنْدَهُ أَعَلَيْهِ شَيْءٌ لِصَاحِبِ الْقَرْضِ فِي ذَلِكَ قَالَ هُوَ عَلَى صَاحِبِ الرَّهْنِ الَّذِي رَهْنَهُ وَ هُوَ الَّذِي أَهْلَكَهُ وَ لَيْسَ لِمَالِ هَذَا تَوَى .

Muhammad Bin Yahya, from one of our companions, from Mansour Bin Al Abbas, from Al Hassan Bin Ali Bin Yaqteen, from Amro Bin Ibrahim, from Khalaf Bin Hamma, from Ismail Bin Abu Qurra, from Abu Baseer,

(It has been narrated) from Abu Abdullah<sup>asws</sup> regarding a man who borrowed one hundred Dinars from a man and mortgaged his jewellery of one hundred Dinars. Then he goes over to the man so he says to him, 'Lend me the gold which I have mortgaged with you as a loan'. So he lends it to him, and the security gets destroyed with him. Is there anything upon him for the owner of the loan regarding that?' He<sup>asws</sup> said: 'It (loss) is upon the owner of the security deposit which he had mortgaged, and he is the one who destroyed it, and there is nothing upon the wealth of this one (lender)'.<sup>18</sup>

مُحَمَّدُ بْنُ جَعْفَرِ الرَّزَّازِ عَنْ مُحَمَّدِ بْنِ عَبْدِ أَحْمَدِ بْنِ سَيْفِ بْنِ عَمِيرَةَ عَنْ مَنْصُورِ بْنِ حَازِمٍ عَنْ سُلَيْمَانَ بْنِ خَالِدٍ عَنْ أَبِي عَبْدِ اللَّهِ ( عَلَيْهِ السَّلَامُ ) قَالَ إِذَا رُهْنَتْ عَبْدًا أَوْ دَابَّةً فَمَاتَ فَلَا شَيْءَ عَلَيْكَ وَ إِنْ هَلَكَتِ الدَّابَّةُ أَوْ أَبَقَ الْعِلْمُ فَانْتِ ضَامِنٌ .

Muhammad Bin Ja'far Al Razzaz, from Muhammad Bin Abdul Hameed, from Sayf Bin Ameyra, from Mansour Bin Hazim, from Suleyman Bin Khalid,

(It has been narrated) from Abu Abdullah<sup>asws</sup> having said: 'When you hold a mortgaged slave or an animal and he dies, so there is nothing upon you, but if the animal is damaged or the slave absconds, so you are responsible'.<sup>19</sup>

أَبُو عَلِيٍّ الْأَشْعَرِيُّ عَنْ مُحَمَّدِ بْنِ عَبْدِ الْجَبَّارِ عَنْ صَفْوَانَ عَنْ مُحَمَّدِ بْنِ رِيَّاحِ الْقَلَاءِ قَالَ سَأَلْتُ أَبَا الْحَسَنِ ( عَلَيْهِ السَّلَامُ ) عَنْ رَجُلٍ هَلَكَ أَخُوهُ وَ تَرَكَ صُنْدُوقًا فِيهِ رُهُونٌ بَعْضُهَا عَلَيْهِ اسْمُ صَاحِبِهِ وَ بَعْضُهَا لَا يُدْرَى لِمَنْ هُوَ وَ لَا بِكُمْ هُوَ رُهْنٌ فَمَا تَرَى فِي هَذَا الَّذِي لَا يُعْرَفُ صَاحِبُهُ فَقَالَ هُوَ كَمَالِهِ .

Abu Ali Al Ashary, from Muhammad Bin Abdul Jabbar, from Safwan, from Muhammad Bin Rayah Al Qalla'a who said,

'I asked Abu Al-Hassan<sup>asws</sup> about a man whose brother died and left a box wherein were some security deposits he had held. Upon some was the name of its owner, and with how much it had been mortgaged with, and some of these he did not know who it was for, nor with whom much it had been mortgaged with. So what is your view regarding this the owner of which is not recognised?' So he<sup>asws</sup> said: 'It would be like his own wealth'.<sup>20</sup>

<sup>17</sup> Al Kafi – V 5 – The Book of Subsistence Ch 108 H 16

<sup>18</sup> Al Kafi – V 5 – The Book of Subsistence Ch 108 H 17

<sup>19</sup> Al Kafi – V 5 – The Book of Subsistence Ch 108 H 18

<sup>20</sup> Al Kafi – V 5 – The Book of Subsistence Ch 108 H 19

مُحَمَّدُ بْنُ يَحْيَى عَنْ أَحْمَدَ بْنِ مُحَمَّدٍ عَنْ صَفْوَانَ عَنِ الْعَلَاءِ عَنْ مُحَمَّدِ بْنِ مُسْلِمٍ عَنْ أَبِي جَعْفَرٍ ( عَلَيْهِ السَّلَامُ ) فِي رَجُلٍ رَهَنَ جَارِيَتَهُ قَوْمًا أَيْحَلُّ لَهُ أَنْ يَطَّأَهَا قَالَ فَقَالَ إِنَّ الَّذِينَ ارْتَهَنُوهَا يَحُولُونَ بَيْنَهُ وَبَيْنَهَا قُلْتُ أَرَأَيْتَ إِنْ قَدَرَ عَلَيْهَا خَالِيًا قَالَ نَعَمْ لَا أَرَى بِهِ بَأْسًا .

Muhammad Bin Yahya, from Ahmad Bin Muhammad, from Safwan, from Al A'ala, from Muhammad Bin Muslim,

(It has been narrated) from Abu Ja'far<sup>asws</sup> regarding a man who mortgaged his slave girl to a group of people, it is Permissible for him that he copulates with her?' So he<sup>asws</sup> said: 'Those who are holding her as a security deposit would hinder between him and her'. I said, 'What is your<sup>asws</sup> view if he was able upon that, alone'. He<sup>asws</sup> said: 'Yes, I<sup>asws</sup> do not see a problem with it'.<sup>21</sup>

أَحْمَدُ بْنُ مُحَمَّدٍ عَنِ ابْنِ فَضَّالٍ عَنِ إِبْرَاهِيمَ بْنِ عُثْمَانَ عَنْ أَبِي عَبْدِ اللَّهِ ( عَلَيْهِ السَّلَامُ ) قَالَ قُلْتُ لَهُ رَجُلٌ لِي عَلَيْهِ دَرَاهِمٌ وَكَانَتْ دَارُهُ رَهْنًا فَأَرَدْتُ أَنْ أُبَيْعَهَا قَالَ أَعِيدَكَ بِاللَّهِ أَنْ تُخْرِجَهُ مِنْ ظِلِّ رَأْسِهِ .

Ahmad Bin Muhammad, from Ibn Fazzal, from Ibrahim Bin Usman,

(It has been narrated) from Abu Abdullah<sup>asws</sup>, said, 'I said to him<sup>asws</sup>, 'There were some Dirhams for me upon a man, and his house was a mortgage, so I intended to sell it'. He<sup>asws</sup> said: 'I<sup>asws</sup> seek Refuge for you with Allah<sup>azwj</sup> that you would remove the shade from his head'.<sup>22</sup>

أَحْمَدُ بْنُ مُحَمَّدٍ عَنْ مُحَمَّدِ بْنِ عِيْسَى عَنْ مَنْصُورِ بْنِ حَازِمٍ عَنْ هِشَامِ بْنِ سَالِمٍ عَنْ أَبِي عَبْدِ اللَّهِ ( عَلَيْهِ السَّلَامُ ) قَالَ سُئِلَ عَنْ رَجُلٍ يَكُونُ لَهُ الدَّيْنُ عَلَى الرَّجُلِ وَمَعَهُ الرَّهْنُ أَيْشْتَرِي الرَّهْنَ مِنْهُ قَالَ نَعَمْ .

Ahmad Bin Muhammad, from Muhammad Bin Isa, from Mansour Bin Hazim, from Hisham Bin Salim,

(It has been narrated) from Abu Abdullah<sup>asws</sup>, said, 'He<sup>asws</sup> was asked about a man who happened to have the debt upon the man and with him was the mortgaged (property). Can he buy the mortgaged (property) from him?' He<sup>asws</sup> said: 'Yes'.<sup>23</sup>

### باب الإختلاف في الرهن

## Chapter 109 – The differing regarding the mortgage

حُمَيْدُ بْنُ زِيَادٍ عَنِ الْحَسَنِ بْنِ مُحَمَّدٍ عَنِ غَيْرِ وَاحِدٍ عَنْ أَبَانَ عَنِ ابْنِ أَبِي يَعْفُورٍ عَنْ أَبِي عَبْدِ اللَّهِ ( عَلَيْهِ السَّلَامُ ) قَالَ إِذَا اخْتَلَفَا فِي الرَّهْنِ فَقَالَ أَحَدُهُمَا رَهْنَتُهُ بِأَلْفِ دِرْهَمٍ وَقَالَ الْآخَرُ بِمِائَةِ دِرْهَمٍ فَقَالَ يُسْأَلُ صَاحِبُ الْأَلْفِ الْبَيِّنَةَ فَإِنْ لَمْ يَكُنْ لَهُ بَيِّنَةٌ حَلَفَ صَاحِبُ الْمِائَةِ

Humeyd Bin Ziyad, from Al Hassan Bin Muhammad, from someone else, from Aban, from Ibn Abu Yafour,

(It has been narrated) from Abu Abdullah<sup>asws</sup> having said: 'When there is a differing regarding the mortgage, so one of the two says, 'I mortgaged it with a thousand Dirhams', and the other one says, 'It was with one hundred Dirhams', so he<sup>asws</sup> said: 'The owner of the thousand would be asked for the proof. So if there does not

<sup>21</sup> Al Kafi – V 5 – The Book of Subsistence Ch 108 H 20

<sup>22</sup> Al Kafi – V 5 – The Book of Subsistence Ch 108 H 21

<sup>23</sup> Al Kafi – V 5 – The Book of Subsistence Ch 108 H 22

happen to be any proof for him, the owner of the one hundred would be made to swear an oath.

وَ إِنْ كَانَ الرَّهْنُ أَقْلَ مِمَّا رُهِنَ أَوْ أَكْثَرَ وَ اخْتَلَفَا فَقَالَ أَحَدُهُمَا هُوَ رَهْنٌ وَ قَالَ الْآخَرُ هُوَ عِنْدَكَ وَ دَبِيعَةٌ فَقَالَ يُسْأَلُ صَاحِبُ الرُّدْبِيعَةِ التَّبَيُّنَةَ فَإِنْ لَمْ يَكُنْ لَهُ بَيِّنَةٌ حَلَفَ صَاحِبُ الرَّهْنِ .

And if it was such that the mortgage item was less than the security held, or more, and they both differed, so one of the two says, 'It is a security deposit', and the other one says, 'It was a trust with you', so he<sup>asws</sup> said: 'The owner of the entrustment would be asked for the proof. So if there does not happen to be any proof for him, the owner of the mortgage would be made to swear an oath'.<sup>24</sup>

مُحَمَّدُ بْنُ يَحْيَى عَنْ مُحَمَّدِ بْنِ الْحُسَيْنِ عَنْ عَلِيِّ بْنِ الْحَكَمِ عَنِ الْعَلَاءِ بْنِ رَزِينِ عَنْ مُحَمَّدِ بْنِ مُسْلِمٍ عَنْ أَبِي جَعْفَرٍ ( عَلَيْهِ السَّلَامُ ) فِي رَجُلٍ يَرَهُنُ عِنْدَ صَاحِبِهِ رَهْنًا لَا بَيِّنَةَ بَيْنَهُمَا فِيهِ فَادَّعَى الَّذِي عِنْدَهُ الرَّهْنُ أَنَّهُ بِالْأَلْفِ فَقَالَ صَاحِبُ الرَّهْنِ إِنَّمَا هُوَ بِمِائَةٍ قَالَ التَّبَيُّنَةَ عَلَى الَّذِي عِنْدَهُ الرَّهْنُ أَنَّهُ بِالْأَلْفِ وَ إِنْ لَمْ يَكُنْ لَهُ بَيِّنَةٌ فَعَلَى الرَّاهِنِ التَّبَيُّنُ .

Muhammad Bin Yahya, from Muhammad Bin Al Husayn, from Ali Bin Al Hakam, from Al A'ala Bin Razeyn, from Muhammad Bin Muslim,

(It has been narrated) from Abu Ja'far<sup>asws</sup> regarding a man who mortgaged something with his companions. There was no proof between the two of them with regards to it. So the one with whom was the mortgaged item claimed that it was with a thousand, and the owner of the mortgaged item said, 'But rather, it is with one hundred'. He<sup>asws</sup> said: '(The burden) of proof is upon the one with whom is the mortgaged item that it is with a thousand; and if there does not happen to be a proof for him, so it is upon the depositor to swear the oath'.<sup>25</sup>

مُحَمَّدُ بْنُ يَحْيَى عَنْ أَحْمَدَ بْنِ مُحَمَّدٍ عَنِ ابْنِ أَبِي عُمَيْرٍ عَنِ الْحُسَيْنِ بْنِ عُمَانَ عَنْ إِسْحَاقَ بْنِ عَمَّارٍ عَنْ أَبِي عَبْدِ اللَّهِ ( عَلَيْهِ السَّلَامُ ) فِي رَجُلٍ قَالَ لِرَجُلٍ لِي عَلَيْكَ أَلْفٌ ذَرَاهِمٍ فَقَالَ الرَّجُلُ لَا وَ لَكِنِّهَا وَ دَبِيعَةٌ فَقَالَ أَبُو عَبْدِ اللَّهِ ( عَلَيْهِ السَّلَامُ ) الْقَوْلُ صَاحِبِ الْمَالِ مَعَ يَمِينِهِ .

Muhammad Bin Yahya, from Ahmad Bin Muhammad, from Ibn Abu Umeyr, from Al Husayn Bin Usman, from Is'haq Bin Ammar,

(It has been narrated) from Abu Abdullah<sup>asws</sup> regarding a man who said to a man, 'For me, upon you is a thousand Dirham'. So the man said, 'No, but it is an entrustment'. So Abu Abdullah<sup>asws</sup> said: 'The (final) word is the word of the owner of the wealth, along with swearing of his oath'.<sup>26</sup>

مُحَمَّدُ بْنُ يَحْيَى عَنْ أَحْمَدَ بْنِ مُحَمَّدٍ عَنِ ابْنِ مَحْبُوبٍ عَنْ عَبْدِ بْنِ صُهَيْبٍ قَالَ سَأَلْتُ أَبَا عَبْدِ اللَّهِ ( عَلَيْهِ السَّلَامُ ) عَنْ مَتَاعٍ فِي يَدِ رَجُلَيْنِ أَحَدُهُمَا يَقُولُ اسْتَوَدَعْتُكَ وَ الْآخَرُ يَقُولُ هُوَ رَهْنٌ قَالَ فَقَالَ الْقَوْلُ الَّذِي يَقُولُ أَنَّهُ رَهْنٌ عِنْدِي إِلَّا أَنْ يَأْتِيَ الَّذِي ادَّعَى أَنَّهُ أَوْدَعَهُ بِشُهُودٍ .

Muhammad Bin Yahya, from Ahmad Bin Muhammad, from Ibn Mahboub, from Abbad Bin Suheyb who said,

<sup>24</sup> Al Kafi – V 5 – The Book of Subsistence Ch 109 H 1

<sup>25</sup> Al Kafi – V 5 – The Book of Subsistence Ch 109 H 2

<sup>26</sup> Al Kafi – V 5 – The Book of Subsistence Ch 109 H 3

'I asked Abu Abdullah<sup>asws</sup> about some goods in the hands of two men. One of the two is saying, 'I had entrusted it to you', and the other is saying, 'It is a mortgaged item'. So he<sup>asws</sup> said: 'The (final) word is the word of those who is saying, 'It is a mortgaged item with me', unless if the one who claims that he had entrusted it were to come with witnesses'.<sup>27</sup>

### بَابُ ضَمَانِ الْعَارِيَةِ وَالْوَدِيعَةِ

## Chapter 110 – The guarantee of the loan and the entrustment

عَلِيُّ بْنُ إِبْرَاهِيمَ عَنْ أَبِيهِ عَنِ ابْنِ أَبِي عُمَيْرٍ عَنْ حَمَّادٍ عَنِ الْحَلْبِيِّ عَنْ أَبِي عَبْدِ اللَّهِ ( عَلَيْهِ السَّلَامُ ) قَالَ صَاحِبُ الْوَدِيعَةِ وَالْبِضَاعَةِ مُؤْتَمَنٌ وَقَالَ إِذَا هَلَكَتِ الْعَارِيَةُ عِنْدَ الْمُسْتَعِيرِ لَمْ يَضْمَنْهُ إِلَّا أَنْ يَكُونَ قَدْ اشْتَرَطَ عَلَيْهِ

Ali Bin Ibrahim, from his father, from Ibn Abu Umeyr, from Hammad, from Al Halby,

(It has been narrated) from Abu Abdullah<sup>asws</sup> having said: 'The owner of the entrustment and the merchandise are both entrusted'. And he<sup>asws</sup> said: 'When the borrowed item perishes with the borrower, he would not be responsible except if there happened to be a stipulation upon him'.

وَقَالَ فِي حَدِيثٍ آخَرَ إِذَا كَانَ مُسْلِمًا عَدْلًا فَلَيْسَ عَلَيْهِ ضَمَانٌ .

And he<sup>asws</sup> said in another Hadeeth: 'When he was a just Muslim, so there is no liability upon him'.<sup>28</sup>

عَلِيُّ بْنُ إِبْرَاهِيمَ عَنْ أَبِيهِ عَنِ عَبْدِ اللَّهِ بْنِ الْمُغْبِرَةِ عَنْ عَبْدِ اللَّهِ بْنِ سِنَانَ قَالَ قَالَ أَبُو عَبْدِ اللَّهِ ( عَلَيْهِ السَّلَامُ ) لَا يَضْمَنُ الْعَارِيَةَ إِلَّا أَنْ يَكُونَ قَدْ اشْتَرَطَ فِيهَا ضَمَانًا إِلَّا الدَّنَائِيرَ فَإِنَّهَا مَضْمُونَةٌ وَإِنْ لَمْ يَشْتَرَطْ فِيهَا ضَمَانًا .

Ali Bin Ibrahim, from his father, from Abdullah Bin Al Mugheira, from Abdullah Bin Sinan who said,

'Abu Abdullah<sup>asws</sup> said: 'There is no liability for the borrowed item except if there has been stipulation for the guarantee therein, except for the Dinars (currency), for it is under guarantee and even if there is no stipulation for a guarantee therein'.<sup>29</sup>

عَلِيُّ بْنُ إِبْرَاهِيمَ عَنْ أَبِيهِ عَنِ ابْنِ أَبِي عُمَيْرٍ عَنْ جَمِيلٍ عَنْ زُرَّارَةَ قَالَ قُلْتُ لِأَبِي عَبْدِ اللَّهِ ( عَلَيْهِ السَّلَامُ ) الْعَارِيَةُ مَضْمُونَةٌ فَقَالَ جَمِيعٌ مَا اسْتَعْرْتَهُ فَتَوَيَّ فَلَا يَلْزَمُكَ [مَا] تَوَاهُ إِلَّا الذَّهَبُ وَالْفِضَّةُ فَإِنَّهُمَا يَلْزَمَانِ إِلَّا أَنْ يُشْتَرَطَ عَلَيْهِ أَنَّهُ مَتَى مَا تَوَيَّ لَمْ يَلْزَمَكَ تَوَاهُ وَكَذَلِكَ جَمِيعٌ مَا اسْتَعْرْتِ فَاسْتَشْرَطَ عَلَيْكَ لِرَمَكِ وَالذَّهَبُ وَالْفِضَّةُ لَأَرْمَ لَكَ وَإِنْ لَمْ يُشْتَرَطْ عَلَيْكَ .

Ali Bin Ibrahim, from his father, from Ibn Abu Umeyr, from Jameel, from Zurara who said,

'I said to Abu Abdullah<sup>asws</sup>, 'The borrowed item is under guarantee?' So he<sup>asws</sup> said: 'The entirety of what is borrowed, and it gets damaged, so you are not necessitated for its damage except for the gold and the silver, for these two both necessitate (a guarantee), except if there is a stipulation upon it that when these two are damaged so its damage would not be necessitated upon you; and similar to that is the entirety of what is borrowed, and it is stipulated upon you for obligating you; and the gold and

<sup>27</sup> Al Kafi – V 5 – The Book of Subsistence Ch 109 H 4

<sup>28</sup> Al Kafi – V 5 – The Book of Subsistence Ch 110 H 1

<sup>29</sup> Al Kafi – V 5 – The Book of Subsistence Ch 110 H 2

the silver (its guarantee) is obligated for you and even if there is no such stipulation upon you'.<sup>30</sup>

الْحُسَيْنُ بْنُ مُحَمَّدٍ عَنْ مُعَلَّى بْنِ مُحَمَّدٍ عَنِ الْحَسَنِ بْنِ عَلِيٍّ عَنِ ابْنِ أَبِي جَعْفَرٍ ( عَلَيْهِ السَّلَام ) قَالَ سَأَلْتُهُ عَنِ الْعَارِيَةِ يَسْتَعِيرُهَا الْإِنْسَانُ فَتَهْلِكُ أَوْ تُسْرَقُ فَقَالَ إِذَا كَانَ أَمِينًا فَلَا غُرْمَ عَلَيْهِ

Al Husayn Bin Muhammad, from Moalla Bin Muhammad, from Al Hassan Bin Ali, from Aban, from Muhammad,

(It has been narrated) from Abu Ja'far<sup>asws</sup>, said, 'I asked him<sup>asws</sup> about the borrowed item which is borrowed by a person, so it gets destroyed or stolen. So he<sup>asws</sup> said: 'If he was trustworthy then there would be no liability upon him'.

قَالَ وَ سَأَلْتُهُ عَنِ الَّذِي يَسْتَنْبِضُ الْمَالَ فَيَهْلِكُ أَوْ يُسْرَقُ أَوْ عَلَى صَاحِبِهِ ضَمَانٌ فَقَالَ لَيْسَ عَلَيْهِ غُرْمٌ بَعْدَ أَنْ يَكُونَ الرَّجُلُ أَمِينًا.

He (the narrator) said, 'And I asked him<sup>asws</sup> about the one who runs a shop with the goods, so it either perishes or is stolen, would there be a guarantee upon its owner?' So he<sup>asws</sup> said: 'There would be no liability upon him (shop manager) after it turns out that the man was trustworthy'.<sup>31</sup>

عَلِيُّ بْنُ إِبْرَاهِيمَ عَنْ أَبِيهِ عَنْ عَبْدِ اللَّهِ بْنِ الْمُغِيرَةِ عَنْ عَبْدِ اللَّهِ بْنِ سِنَانٍ قَالَ سَأَلْتُ أَبَا عَبْدِ اللَّهِ ( عَلَيْهِ السَّلَام ) عَنِ الْعَارِيَةِ فَقَالَ لَا غُرْمَ عَلَى مُسْتَعِيرِ عَارِيَةٍ إِذَا هَلَكَتْ إِذَا كَانَ مَأْمُونًا .

Ali Bin Ibrahim, from his father, from Abdullah Bin Al Mugheira, from Abdullah Bin Sinan who said,

'I asked Abu Abdullah<sup>asws</sup> about the borrowed item, so he<sup>asws</sup> said: 'There is no liability upon the borrower for the borrowed item when it perishes, if he (the borrower) was trustworthy'.<sup>32</sup>

الْحُسَيْنُ بْنُ مُحَمَّدٍ عَنْ مُعَلَّى بْنِ مُحَمَّدٍ عَنِ الْحَسَنِ بْنِ عَلِيٍّ عَنِ ابْنِ عُثْمَانَ عَمَّنْ حَدَّثَهُ عَنْ أَبِي عَبْدِ اللَّهِ ( عَلَيْهِ السَّلَام ) فِي رَجُلٍ اسْتَعَارَ ثَوْبًا ثُمَّ عَمَدَ إِلَيْهِ فَرَهْنَهُ فَجَاءَ أَهْلُ الْمَتَاعِ إِلَى مَتَاعِهِمْ قَالَ يَأْخُذُونَ مَتَاعَهُمْ .

Al Husayn Bin Muhammad, from Moalla Bin Muhammad, from Al Hassan Bin Ali, from Aban Bin Usman, from the one who narrated it,

(It has been narrated) from Abu Abdullah<sup>asws</sup> regarding a man who borrowed clothes, then he deliberated to it so he mortgaged it. Then the rightful owners of the goods came to their goods'. He<sup>asws</sup> said: 'They can take their goods'.<sup>33</sup>

عَلِيُّ بْنُ إِبْرَاهِيمَ عَنْ أَبِيهِ عَنْ حَمَّادٍ عَنْ حَرِيْزٍ عَنْ زُرَّارَةَ قَالَ سَأَلْتُ أَبَا عَبْدِ اللَّهِ ( عَلَيْهِ السَّلَام ) عَنِ وَدِيْعَةِ الذَّهَبِ وَ الْفِضَّةِ قَالَ فَقَالَ كُلُّمَا كَانَ مِنْ وَدِيْعَةٍ وَ لَمْ تَكُنْ مضمُونَةً لَا تَلْزَمُ .

Ali Bin Ibrahim, from his father, from hammad, from Hareyz, from Zurara who said,

<sup>30</sup> Al Kafi – V 5 – The Book of Subsistence Ch 110 H 3

<sup>31</sup> Al Kafi – V 5 – The Book of Subsistence Ch 110 H 4

<sup>32</sup> Al Kafi – V 5 – The Book of Subsistence Ch 110 H 5

<sup>33</sup> Al Kafi – V 5 – The Book of Subsistence Ch 110 H 6

'I asked Abu Abdullah<sup>asws</sup> about an entrustment of the gold and the silver. So he<sup>asws</sup> said: 'Everything which was from the entrustments and was not under guarantee, (its liability) cannot be obligated'.<sup>34</sup>

عَدَّةٌ مِنْ أَصْحَابِنَا عَنْ أَحْمَدَ بْنِ مُحَمَّدٍ وَ سَهْلِ بْنِ زِيَادٍ عَنْ أَحْمَدَ بْنِ مُحَمَّدٍ بْنِ أَبِي نَصْرٍ عَنْ حَمَّادِ بْنِ عَثْمَانَ عَنْ إِسْحَاقَ بْنِ عَمَّارٍ قَالَ سَأَلْتُ أَبَا الْحَسَنِ ( عَلَيْهِ السَّلَامُ ) عَنْ رَجُلٍ اسْتَوْدَعَ رَجُلًا أَلْفَ دِرْهَمٍ فَضَاعَتْ فَقَالَ الرَّجُلُ كَانَتْ عِنْدِي وَدِيعَةً وَقَالَ الْآخَرُ إِنَّمَا كَانَتْ عَلَيْكَ قَرْضًا قَالَ الْمَالُ لِأَزْمٍ لَهُ إِلَّا أَنْ يُقِيمَ التَّيْبَةَ أَنَّهَا كَانَتْ وَدِيعَةً .

A number of our companions, from Ahmad Bin Muhammad, and Sahl Bin Ziyad, from Ahmad Bin Muhammad Bin Abu Nasr, from Hamma Bin Usman, from Is'haq Bin Ammar who said,

'I asked Abu Al-Hassan<sup>asws</sup> about a man who entrusted a man with a thousand Dirhams, so it was wasted. So the man said, 'It is an entrustment with me', and the other one said, 'But rather it was a loan upon you'. He<sup>asws</sup> said: 'The wealth would be obligated for him (to repay) except if he establishes the proof that it was an entrustment'.<sup>35</sup>

مُحَمَّدُ بْنُ يَحْيَى عَنْ مُحَمَّدِ بْنِ الْحُسَيْنِ قَالَ كَتَبْتُ إِلَى أَبِي مُحَمَّدٍ ( عَلَيْهِ السَّلَامُ ) رَجُلٌ دَفَعَ إِلَى رَجُلٍ وَدِيعَةً فَوَضَعَهَا فِي مَنْزِلٍ جَارِهِ فَضَاعَتْ فَهَلْ يَجِبُ عَلَيْهِ إِذَا خَالَفَ أَمْرَهُ وَ أَخْرَجَهَا مِنْ مِلْكِهِ فَوَقَعَ ( عَلَيْهِ السَّلَامُ ) هُوَ ضَامِنٌ لَهَا إِنْ شَاءَ اللَّهُ .

Muhammad Bin Yahya, from Muhammad Bin Al Husayn who said,

'I wrote to Abu Muhammad<sup>asws</sup>, 'A man handed over an entrustment to a man, so he placed it in the house of his neighbour, and it got wasted. So is (the repayment of it) it obligated upon him when he opposed his instruction and brought it out from his own property?' So he<sup>asws</sup> signed: 'He is responsible for it, Allah<sup>azwj</sup> Willing'.<sup>36</sup>

بَابُ ضَمَانِ الْمُضَارَبَةِ وَ مَا لَهُ مِنَ الرَّيْحِ وَ مَا عَلَيْهِ مِنَ الْوَضِيعَةِ

## Chapter 111 – Guarantor of the speculation and what is for him from the profit and what is against him from the loss

عَلِيُّ بْنُ إِبْرَاهِيمَ عَنْ أَبِيهِ عَنْ ابْنِ أَبِي عُمَيْرٍ عَنْ حَمَّادِ بْنِ الْحَلْبِيِّ عَنْ أَبِي عَبْدِ اللَّهِ ( عَلَيْهِ السَّلَامُ ) أَنَّهُ قَالَ فِي الرَّجُلِ يُعْطِي الرَّجُلَ الْمَالَ فَيَقُولُ لَهُ أَنْتَ أَرْضَ كَذَا وَ كَذَا وَ لَا تُجَاوِزْهَا وَ اسْتَرِ مِنْهَا قَالَ فَإِنْ جَاوَزَهَا وَ هَلَكَ الْمَالُ فَهُوَ ضَامِنٌ وَ إِنْ اسْتَرَى مَتَاعًا فَوَضَعَ فِيهِ فَهُوَ عَلَيْهِ وَ إِنْ رَبِحَ فَهُوَ بَيْنَهُمَا .

Ali Bin Ibrahim, from his father, from Ibn Abu Umeyr, from Hammad, from Al Halby

(It has been narrated) from Abu Abdullah<sup>asws</sup> having said: 'With regards to the man who gives the goods to the man, so he is saying to him, 'Go to such and such a land and do not exceed it, and buy from it'. He<sup>asws</sup> said: 'So if he were to exceed it and the goods are destroyed, so he would be responsible, however if he were to buy merchandise and incurs a loss in it, so it would be upon him, and if he were to profit, so it would be between the two of them'.<sup>37</sup>

<sup>34</sup> Al Kafi – V 5 – The Book of Subsistence Ch 110 H 7

<sup>35</sup> Al Kafi – V 5 – The Book of Subsistence Ch 110 H 8

<sup>36</sup> Al Kafi – V 5 – The Book of Subsistence Ch 110 H 9

<sup>37</sup> Al Kafi – V 5 – The Book of Subsistence Ch 111 H 1

مُحَمَّدُ بْنُ يَحْيَى عَنْ مُحَمَّدِ بْنِ الْحُسَيْنِ عَنْ عَلِيِّ بْنِ الْحَكَمِ عَنِ الْعَلَاءِ عَنْ مُحَمَّدِ بْنِ مُسْلِمٍ عَنْ أَحَدِهِمَا ( عَلَيْهِمَا السَّلَام ) قَالَ سَأَلْتُهُ عَنِ الرَّجُلِ يُعْطِي الْمَالَ مُضَارَبَةً وَ يَنْهَى أَنْ يَخْرُجَ بِهِ فَخَرَجَ قَالَ يُضْمَنُ الْمَالَ وَ الرَّبْحُ بَيْنَهُمَا .

Muhammad Bin Yahya, from Muhammad Bin Al Husayn, from Ali Bin Al Hakam, from Al A'ala, from Muhammad Bin Muslim,

(It has been narrated) from one of the two (5<sup>th</sup> or 6<sup>th</sup> Imam<sup>asws</sup>, said, 'I asked him<sup>asws</sup> about the man who gave some wealth for a profit-sharing speculation and forbade him from going out (from the city) with it, but he went out. He<sup>asws</sup> said: 'He would be responsible for the wealth (if lost) but the profit would be shared between the two of them'.<sup>38</sup>

عَلِيُّ بْنُ إِبْرَاهِيمَ عَنْ أَبِيهِ عَنْ ابْنِ أَبِي نَجْرَانَ عَنْ عَاصِمِ بْنِ حُمَيْدٍ عَنْ مُحَمَّدِ بْنِ قَيْسٍ عَنْ أَبِي جَعْفَرٍ ( عَلَيْهِ السَّلَام ) قَالَ قَالَ أَمِيرُ الْمُؤْمِنِينَ ( صَلَوَاتُ اللَّهِ عَلَيْهِ ) مَنْ أَنْجَرَ مَالًا وَ اشْتَرَطَ نِصْفَ الرَّبْحِ فَلَيْسَ عَلَيْهِ ضَمَانٌ وَ قَالَ مَنْ ضَمَّنَ تَاجِرًا فَلَيْسَ لَهُ إِلَّا رَأْسُ مَالِهِ وَ لَيْسَ لَهُ مِنَ الرَّبْحِ شَيْءٌ .

Ali Bin Ibrahim, from his father, from Ibn Abu Najran, from Aasim Bin Humejd, from Muhammad Bin Qays,

(It has been narrated) from Abu Ja'far<sup>asws</sup> having said: 'Amir Al-Momineen<sup>asws</sup> said: 'The one who conducts some business with wealth and half the profits are stipulated (for the lender), so there is no liability upon him'. And he<sup>asws</sup> said: 'The one who holds the merchant liable so there would not be for him except for the capital of his wealth, and there would not be for him anything from the profits (since he does not share the loss)'.<sup>39</sup>

عَلِيُّ بْنُ إِبْرَاهِيمَ عَنْ أَبِيهِ عَنِ النَّوْفَلِيِّ عَنِ السَّكُونِيِّ عَنْ أَبِي عَبْدِ اللَّهِ ( عَلَيْهِ السَّلَام ) قَالَ قَالَ أَمِيرُ الْمُؤْمِنِينَ ( صَلَوَاتُ اللَّهِ عَلَيْهِ ) فِي رَجُلٍ لَهُ عَلَى رَجُلٍ مَالٌ فَيَتَقَاضَاهُ وَ لَا يَكُونُ عِنْدَهُ فَيَقُولُ هُوَ عِنْدَكَ مُضَارَبَةً قَالَ لَا يَصْلُحُ حَتَّى يَفْبِضَهُ .

Ali Bin Ibrahim, from his father, from Al Nowfaly, from Al Sakuny,

(It has been narrated) from Abu Abdullah<sup>asws</sup> having said: 'Amir Al-Momineen<sup>asws</sup> said regarding a man who had some wealth for him upon a man, so he demanded it but it did not happen to be with him. So he said, 'It is with you on a profit-sharing basis', he<sup>asws</sup> said: 'It is not correct until he takes possession of it (then lends it out on such a basis)'.<sup>40</sup>

مُحَمَّدُ بْنُ يَحْيَى عَنْ الْعُمَرَ كِيِّ بْنِ عَلِيٍّ عَنْ عَلِيِّ بْنِ جَعْفَرٍ عَنْ أَخِيهِ أَبِي الْحَسَنِ ( عَلَيْهِ السَّلَام ) قَالَ فِي الْمُضَارِبِ مَا أَنْفَقَ فِي سَفَرِهِ فَهُوَ مِنْ جَمِيعِ الْمَالِ وَ إِذَا قَدِمَ بَلَدَهُ فَمَا أَنْفَقَ فَمِنْ نَصِيبِهِ .

Muhammad Bin Yahya, from Al Amraky Bin Ali,

(It has been narrated) from Ali son of Ja'far<sup>asws</sup>, from his brother<sup>asws</sup> Abu Al-Hassan<sup>asws</sup> having said regarding the profit-sharing speculation: 'Whatever he spends upon his journey so it would be from the entirety of the wealth (as valid

<sup>38</sup> Al Kafi – V 5 – The Book of Subsistence Ch 111 H 2

<sup>39</sup> Al Kafi – V 5 – The Book of Subsistence Ch 111 H 3

<sup>40</sup> Al Kafi – V 5 – The Book of Subsistence Ch 111 H 4

deductible expenditure), and when he comes back to his city, so whatever he spends, so it would be from his own share'.<sup>41</sup>

حُمَيْدُ بْنُ زِيَادٍ عَنِ الْحَسَنِ بْنِ مُحَمَّدِ بْنِ سَمَاعَةَ عَنْ غَيْرِ وَاحِدٍ عَنْ أَبِي بَانَ بْنِ عُثْمَانَ عَنْ إِسْحَاقَ بْنِ عَمَّارٍ قَالَ سَأَلْتُ أَبَا عَبْدِ اللَّهِ ( عَلَيْهِ السَّلَامُ ) عَنِ الرَّجُلِ يَكُونُ مَعَهُ الْمَالُ مُضَارَبَةً فَيَقْبَلُ بِرَبْحِهِ فَيَتَخَوَّفُ أَنْ يُؤْخَذَ مِنْهُ فَيَزِيدُ صَاحِبَهُ عَلَى شَرْطِهِ الَّذِي كَانَ بَيْنَهُمَا وَ إِنَّمَا يَفْعَلُ ذَلِكَ مَخَافَةً أَنْ يُؤْخَذَ مِنْهُ قَالَ لَا بَأْسَ .

Humejd Bin Ziyad, from Al Hassan Bin Muhammad Bin Sama'at, from someone else, from Aban Bin Usman, from Is'haq Bin Ammar who said,

'I asked Abu Abdullah<sup>asws</sup> about the man who happened to have some 'الْمَالُ مُضَارَبَةً' capital for trading for him on a profit-sharing basis, so the profit turned out to be very little. So he feared that it (the capital) would be taken away from him (by the investor), so he increased it (the profit) upon his companion above his trading conditions which was between the two of them, and rather he did that out of fear of it (the capital) being taken away from him'. He<sup>asws</sup> said: 'There is no problem'.<sup>42</sup>

أَبُو عَلِيٍّ الْأَشْعَرِيُّ عَنْ مُحَمَّدِ بْنِ عَبْدِ الْجَبَّارِ عَنْ مُحَمَّدِ بْنِ إِسْمَاعِيلَ عَنْ عَلِيِّ بْنِ النُّعْمَانَ عَنْ أَبِي الصَّبَّاحِ الْكِنَانِيِّ عَنْ أَبِي عَبْدِ اللَّهِ ( عَلَيْهِ السَّلَامُ ) فِي الرَّجُلِ يَعْمَلُ بِالْمَالِ مُضَارَبَةً قَالَ لَهُ الرَّبْحُ وَ لَيْسَ عَلَيْهِ مِنَ الْوَضِيعَةِ شَيْءٌ إِلَّا أَنْ يُخَالِفَ عَنْ شَيْءٍ مِمَّا أَمَرَهُ صَاحِبُ الْمَالِ .

Abu Ali Al Ashary, from Muhammad Bin Abdul Jabbar, from Muhammad Bin Ismail, from Ali Bin Nu'man, from Abu Al Sabbah Al Kinany,

(It has been narrated) from Abu Abdullah<sup>asws</sup> regarding the man who works with the wealth on a 'مُضَارَبَةً' speculative profit-sharing basis. He<sup>asws</sup> said: 'For him would be the profit and there would be nothing upon him from the losses except if he were to oppose from anything from what he had been instructed with by the owner of the wealth'.<sup>43</sup>

عَلِيُّ بْنُ إِبْرَاهِيمَ عَنْ أَبِيهِ عَنْ ابْنِ أَبِي عُمَيْرٍ عَنْ مُحَمَّدِ بْنِ مُبَسَّرٍ قَالَ قُلْتُ لِأَبِي عَبْدِ اللَّهِ ( عَلَيْهِ السَّلَامُ ) رَجُلٌ دَفَعَ إِلَى رَجُلٍ أَلْفَ دِرْهَمٍ مُضَارَبَةً فَاشْتَرَى أَبَاهُ وَ هُوَ لَا يَعْلَمُ فَقَالَ يَقُومُ فَإِذَا زَادَ دِرْهَمًا وَاحِدًا أُعْتِقَ وَ اسْتُسْعِيَ فِي مَالِ الرَّجُلِ .

Ali Bin Ibrahim, from his father, from Ibn Abu Umeyr, from Muhammad Bin Muyassar who said,

'I said to Abu Abdullah<sup>asws</sup>, 'A man handed over a thousand Dirhams to a man for 'مُضَارَبَةً' speculation on a profit sharing basis. So he bought his own father and he (lender) did not know. So he<sup>asws</sup> said: 'He would be evaluated, so if (even) one Dirham were to increase, he would be emancipated, and he would work regarding the wealth of the man'.<sup>44</sup>

عَلِيُّ بْنُ إِبْرَاهِيمَ عَنْ أَبِيهِ عَنِ النَّوْفَلِيِّ عَنِ السَّكُونِيِّ عَنْ أَبِي عَبْدِ اللَّهِ ( عَلَيْهِ السَّلَامُ ) قَالَ قَالَ أَمِيرُ الْمُؤْمِنِينَ ( صَلَوَاتُ اللَّهِ عَلَيْهِ ) فِي الْمُضَارِبِ مَا أَنْفَقَ فِي سَفَرِهِ فَهُوَ مِنْ جَمِيعِ الْمَالِ وَ إِذَا قَدِمَ بَلَدَهُ فَمَا أَنْفَقَ فَهُوَ مِنْ نَصِيبِهِ .

Ali Bin Ibrahim, from his father, from Al Nowfaly, from Al Sakuny,

<sup>41</sup> Al Kafi – V 5 – The Book of Subsistence Ch 111 H 5

<sup>42</sup> Al Kafi – V 5 – The Book of Subsistence Ch 111 H 6

<sup>43</sup> Al Kafi – V 5 – The Book of Subsistence Ch 111 H 7

<sup>44</sup> Al Kafi – V 5 – The Book of Subsistence Ch 111 H 8

(It has been narrated) from Abu Abdullah<sup>asws</sup> having said: ‘Amir Al-Momineen<sup>asws</sup> said regarding the speculative profit-sharing: ‘Whatever he spends in his journey so it would be from the entirety of the wealth (as valid deductible expenditure), but when he proceeds back to his city, so whatever he spends, so it would be from his own share’.<sup>45</sup>

### بَابُ ضَمَانِ الصَّنَاعِ

## Chapter 112 – Liability of the manufacturer

عَلِيُّ بْنُ إِبْرَاهِيمَ عَنْ أَبِيهِ عَنِ ابْنِ أَبِي عُمَيْرٍ عَنْ حَمَّادٍ عَنِ الْحَلْبِيِّ عَنْ أَبِي عَبْدِ اللَّهِ (عليه السلام) قَالَ سُئِلَ عَنِ الْقَصَّارِ يُفْسِدُ قَالَ كُلُّ أَجِيرٍ يُعْطَى الْأَجْرَ عَلَى أَنْ يُصْلِحَ فَيُفْسِدُ فَهُوَ ضَامِنٌ .

Ali Bin Ibrahim, from his father, from Ibn Abu Umeyr, from Hammad, from Al Halby,

(It has been narrated) from Abu Abdullah<sup>asws</sup>, said, ‘He<sup>asws</sup> was asked about the bleacher who spoils. He<sup>asws</sup> said: ‘Every hired person who is given a fee upon that he would do it correctly, and he spoils it, so he would be liable’.<sup>46</sup>

عَنْهُ عَنْ أَبِيهِ عَنِ ابْنِ أَبِي عُمَيْرٍ عَنْ حَمَّادٍ عَنِ الْحَلْبِيِّ عَنْ أَبِي عَبْدِ اللَّهِ (عليه السلام) قَالَ فِي الْعَسَّالِ وَالصَّبَّاحِ مَا سُرِقَ مِنْهُمَا مِنْ شَيْءٍ فَلَمْ يَخْرُجْ مِنْهُ عَلَى أَمْرٍ بَيِّنٍ أَنَّهُ قَدْ سُرِقَ وَكُلٌّ قَلِيلٌ لَهُ أَوْ كَثِيرٌ فَإِنْ فَعَلَ فَلَيْسَ عَلَيْهِ شَيْءٌ وَإِنْ لَمْ يَقُمْ الْبَيِّنَةُ وَرَعَمَ أَنَّهُ قَدْ ذَهَبَ الَّذِي ادَّعَى عَلَيْهِ فَقَدْ ضَمِنَهُ إِنْ لَمْ يَكُنْ لَهُ بَيِّنَةٌ عَلَى قَوْلِهِ .

From him, from his father, from Ibn Abu Umeyr, from Hammad, from Al Halby,

(It has been narrated) from Abu Abdullah<sup>asws</sup> has said, ‘In the case of cleaners and dyers and the items stolen from them with no clear evidence that he has stolen, of small or large quantities, if it happens, there is nothing on him, if no evidence is presented to prove it to be his doing; but if he thinks the claimant has done it, he is liable if he fails to present evidence in support of what he says’.<sup>47</sup>

مُحَمَّدُ بْنُ يَحْيَى عَنْ أَحْمَدَ بْنِ مُحَمَّدٍ عَمَّنْ ذَكَرَهُ عَنْ ابْنِ مُسْكَانَ عَنْ أَبِي بَصِيرٍ عَنْ أَبِي عَبْدِ اللَّهِ (عليه السلام) قَالَ سَأَلْتُهُ عَنْ قَصَّارٍ دَفَعْتُ إِلَيْهِ ثَوْبًا فَرَعَمَ أَنَّهُ سُرِقَ مِنْ بَيْنِ مَتَاعِهِ قَالَ فَعَلَيْهِ أَنْ يُقِيمَ الْبَيِّنَةَ أَنَّهُ سُرِقَ مِنْ بَيْنِ مَتَاعِهِ وَ لَيْسَ عَلَيْهِ شَيْءٌ وَإِنْ سُرِقَ مَتَاعُهُ كُلُّهُ فَلَيْسَ عَلَيْهِ شَيْءٌ .

Muhammad Bin Yahya, from Ahmad Bin Muhammad, from the one who mentioned it, from Ibn Muskan, from Abu Baseer,

(It has been narrated) from Abu Abdullah<sup>asws</sup>, said, ‘I asked him<sup>asws</sup> about a bleacher to whom some clothes had been handed over, and there was an allegation that he had stolen from between his goods. He<sup>asws</sup> said: ‘So upon him (owner) is that he has to establish proof that he (bleacher) has stolen from between his goods, and there is nothing upon him (the bleacher to establish) and even if all of his goods had been stolen, so there would be nothing upon him’.<sup>48</sup>

<sup>45</sup> Al Kafi – V 5 – The Book of Subsistence Ch 111 H 9

<sup>46</sup> Al Kafi – V 5 – The Book of Subsistence Ch 112 H 1

<sup>47</sup> Al Kafi – V 5 – The Book of Subsistence Ch 112 H 2

<sup>48</sup> Al Kafi – V 5 – The Book of Subsistence Ch 112 H 3

عَلِيُّ بْنُ إِبْرَاهِيمَ عَنْ أَبِيهِ عَنْ ابْنِ أَبِي نَجْرَانَ عَنْ صَفْوَانَ عَنِ الْكَاهِلِيِّ عَنْ أَبِي عَبْدِ اللَّهِ ( عَلَيْهِ السَّلَام ) قَالَ سَأَلْتُهُ عَنِ الْقَصَّارِ يُسَلِّمُ إِلَيْهِ الثَّوبَ وَ اشْتَرَطَ عَلَيْهِ أَنْ يُعْطِيَ فِي وَقْتٍ قَالَ إِذَا خَالَفَ الْوَقْتَ وَ ضَاعَ الثَّوبُ بَعْدَ الْوَقْتِ فَهُوَ ضَامِنٌ .

Ali Bin Ibrahim, from his father, from Ibn Abu Najran, from Safwan, from Al Kahily,

(It has been narrated) from Abu Abdullah<sup>asws</sup>, said, 'I asked him<sup>asws</sup> about the bleacher, the clothes having been submitted to him, and there is a stipulation upon him that he gives in during a specified time. He<sup>asws</sup> said: 'If he were to oppose the time and wastes the clothes after the specified time, so he is liable'.<sup>49</sup>

عِدَّةٌ مِنْ أَصْحَابِنَا عَنْ أَحْمَدَ بْنِ مُحَمَّدٍ بْنِ عِيسَى عَنْ عَلِيِّ بْنِ الْحَكَمِ عَنْ إِسْمَاعِيلَ بْنِ أَبِي الصَّبَّاحِ عَنْ أَبِي عَبْدِ اللَّهِ ( عَلَيْهِ السَّلَام ) قَالَ سَأَلْتُهُ عَنِ الثَّوبِ أَذْفَعُهُ إِلَى الْقَصَّارِ فَيَجْرِفُهُ قَالَ أَعْرَمَهُ فَإِنَّكَ إِنَّمَا دَفَعْتَهُ إِلَيْهِ لِيُصْلِحَهُ وَ لَمْ تَدْفَعْهُ إِلَيْهِ لِيُفْسِدَهُ .

A number of our companions, from Ahmad Bin Muhammad Bin Isa, from Ali Bin Al Hakam, from Ismail Bin Abu Al Sabbah,

(It has been narrated) from Abu Abdullah<sup>asws</sup>, said, 'I asked him<sup>asws</sup> about the clothes handed over to the bleacher, so he burns them. He<sup>asws</sup> said: 'He is liable, for you rather handed over to him to correct them and did not handed them over to him so spoil them'.<sup>50</sup>

أَحْمَدُ بْنُ مُحَمَّدٍ عَنْ مُحَمَّدِ بْنِ يَحْيَى عَنْ غِيَاثِ بْنِ إِبْرَاهِيمَ عَنْ أَبِي عَبْدِ اللَّهِ ( عَلَيْهِ السَّلَام ) أَنَّ أَمِيرَ الْمُؤْمِنِينَ ( صَلَوَاتُ اللَّهِ عَلَيْهِ ) أَتَى بِصَاحِبِ حِمَامٍ وَضَعَتْ عِنْدَهُ النَّيَابُ فَضَاعَتْ فَلَمْ يُضْمَنْهُ وَ قَالَ إِنَّمَا هُوَ أَمِينٌ .

Ahmad Bin Muhammad, from Muhammad Bin Yahya, from Giyas Bin Ibrahim,

(It has been narrated) from Abu Abdullah<sup>asws</sup> that they came to Amir Al-Momineen<sup>asws</sup> with the owner of the bathhouse and clothes had been placed with him, so they were wasted, but he<sup>asws</sup> did not hold him liable and said: 'But rather, he is trustworthy'.<sup>51</sup>

عَلِيُّ بْنُ إِبْرَاهِيمَ عَنْ أَبِيهِ عَنِ النَّوْفَلِيِّ عَنِ السَّكُونِيِّ عَنْ أَبِي عَبْدِ اللَّهِ ( عَلَيْهِ السَّلَام ) أَنَّ أَمِيرَ الْمُؤْمِنِينَ ( عَلَيْهِ السَّلَام ) رَفَعَ إِلَيْهِ رَجُلٌ اسْتَأْجَرَ رَجُلًا لِيُصْلِحَ بَابَهُ فَضْرَبَ الْمِسْمَارَ فَأَنْصَدَعَ الْبَابُ فَضَمَّنَهُ أَمِيرُ الْمُؤْمِنِينَ ( عَلَيْهِ السَّلَام ) .

Ali Bin Ibrahim, from his father, from Al Nowfaly, from Al Sakuny,

(It has been narrated) from Abu Abdullah<sup>asws</sup> that a matter was raised to Amir Al-Momineen<sup>asws</sup> of a man who employed a man in order to repair his door, and he struck the nails and cracked the door, so Amir Al-Momineen<sup>asws</sup> held him liable'.<sup>52</sup>

عَلِيُّ بْنُ إِبْرَاهِيمَ عَنْ أَبِيهِ عَنْ إِسْمَاعِيلَ بْنِ مَرَّارٍ عَنْ يُونُسَ قَالَ سَأَلْتُ الرَّضَا ( عَلَيْهِ السَّلَام ) عَنِ الْقَصَّارِ وَ الصَّائِغِ أ يُضْمَنُونَ قَالَ لَا يُصْلِحُ النَّاسُ إِلَّا أَنْ يُضْمَنُوا قَالَ وَ كَانَ يُونُسُ يَعْمَلُ بِهِ وَ يَأْخُذُ .

Ali Bin Ibrahim, from his father, from Ismail Bin Marrar, from Yunus who said,

'I asked Al-Reza<sup>asws</sup> about the bleacher and the jeweller, are they liable?' He<sup>asws</sup> said: 'The people would not be straightened unless they are made to be liable'.

<sup>49</sup> Al Kafi – V 5 – The Book of Subsistence Ch 112 H 4

<sup>50</sup> Al Kafi – V 5 – The Book of Subsistence Ch 112 H 5

<sup>51</sup> Al Kafi – V 5 – The Book of Subsistence Ch 112 H 6

<sup>52</sup> Al Kafi – V 5 – The Book of Subsistence Ch 112 H 7

He<sup>asws</sup> said: 'And Yunus<sup>as</sup> used to work by it and seize (by it – holding people liable)'.<sup>53</sup>

### بَابُ ضَمَانِ الْجَمَالِ وَالْمَكَارِي وَاصْحَابِ السُّفُنِ

## Chapter 113 – The liability of the cameleer, and the hirer (of animals), and the owners of the ships

عَلِيُّ بْنُ إِبْرَاهِيمَ عَنْ أَبِيهِ عَنْ ابْنِ أَبِي عُمَيْرٍ عَنْ حَمَادٍ عَنِ الْحَلْبِيِّ عَنْ أَبِي عَبْدِ اللَّهِ (عَلَيْهِ السَّلَامُ) قَالَ سُئِلَ عَنْ رَجُلٍ جَمَالَ اسْتَكْرَى مِنْهُ إِبِلًا وَبِعَتْ مَعَهُ بَزَيْتٍ إِلَى أَرْضٍ فَرَعِمَ أَنْ بَعْضَ زِقَاقِ الزَّيْتِ انْخَرَقَ فَأَهْرَاقَ مَا فِيهِ فَقَالَ إِنَّهُ إِنْ شَاءَ أَخَذَ الزَّيْتِ وَقَالَ إِنَّهُ انْخَرَقَ وَكَفَنَهُ لَا يُصَدَّقُ إِلَّا بِبَيِّنَةٍ عَادِلَةٍ .

Ali Bin Ibrahim, from his father, from Ibn Abu Umeyr, from Hammad, from Al Halby,

(It has been narrated) from Abu Abdullah<sup>asws</sup>, said, 'He<sup>asws</sup> was asked about a man who hired a camel from a cameleer and sent some oil with him to a land, so he claimed that some of the containers broke and whatever was inside it was incinerated. So he<sup>asws</sup> said: 'If he so desires to he takes the oil'. And he<sup>asws</sup> said: 'It broke, but he would not be ratified except with a just proof'.<sup>54</sup>

عِدَّةٌ مِنْ أَصْحَابِنَا عَنْ أَحْمَدَ بْنِ مُحَمَّدَ بْنِ عَيْسَى عَنْ مُحَمَّدَ بْنِ يَحْيَى عَنْ يَحْيَى بْنِ الْحَجَّاجِ عَنْ خَالِدِ بْنِ الْحَجَّاجِ قَالَ سَأَلْتُ أَبَا عَبْدِ اللَّهِ (عَلَيْهِ السَّلَامُ) عَنِ الْمَلَّاحِ أَحْمِلُ مَعَهُ الطَّعَامَ ثُمَّ أَقْبِضُهُ مِنْهُ فَتَقْصَصَ فَقَالَ إِنْ كَانَ مَأْمُونًا فَلَا تُضْمَنُهُ .

A number of our companions, from Ahman Bin Muhammad Bin Isa, from Muhammad Bin Yahya, from Yahya Bin Al Hajjaj, from Khalid Bin Al Hajjaj who said,

'I asked Abu Abdullah<sup>asws</sup> about the sailor who carried foodstuff with him, then I took possession of it from him, and it was deficient'. So he<sup>asws</sup> said: 'If he was trustworthy, so you should not hold him liable'.<sup>55</sup>

عَلِيُّ بْنُ إِبْرَاهِيمَ عَنْ أَبِيهِ عَنْ ابْنِ أَبِي عُمَيْرٍ عَنْ حَمَادٍ عَنِ الْحَلْبِيِّ عَنْ أَبِي عَبْدِ اللَّهِ (عَلَيْهِ السَّلَامُ) فِي رَجُلٍ حَمَلَ مَعَ رَجُلٍ فِي سَفِينَةٍ طَعَامًا فَتَقْصَصَ قَالَ هُوَ ضَامِنٌ قُلْتُ إِنَّهُ رَبَّمَا زَادَ قَالَ تَعْلَمُ أَنَّهُ زَادَ شَيْئًا قُلْتُ لَا قَالَ هُوَ لَكَ .

Ali Bin Ibrahim, from his father, from Ibn Abu Umeyr, from Hammad, from Al Halby,

(It has been narrated) from Abu Abdullah<sup>asws</sup> regarding a man who carried a man with foodstuff along with him in a ship, and it was deficient (upon arrival). He<sup>asws</sup> said: 'He is liable'. I said, 'Sometimes it turns out to be excessive'. He<sup>asws</sup> said: 'Do you know that anything had increased?' I said, 'No'. He<sup>asws</sup> said: 'It is for you'.<sup>56</sup>

مُحَمَّدُ بْنُ يَحْيَى عَنْ مُحَمَّدِ بْنِ الْحُسَيْنِ عَنْ عَلِيِّ بْنِ الْحَكَمِ عَنْ مُوسَى بْنِ بَكْرِ عَنْ أَبِي الْحَسَنِ (عَلَيْهِ السَّلَامُ) قَالَ سَأَلْتُهُ عَنْ رَجُلٍ اسْتَأْجَرَ سَفِينَةً مِنْ مَلَّاحٍ فَحَمَلَهَا طَعَامًا وَاسْتَرَطَّ عَلَيْهِ إِنْ نَقَصَ الطَّعَامَ فَعَلَيْهِ قَالَ جَائِزٌ قُلْتُ لَهُ إِنَّهُ رَبَّمَا زَادَ الطَّعَامُ قَالَ فَقَالَ يَدَّعِي الْمَلَّاحُ أَنَّهُ زَادَ فِيهِ شَيْئًا قُلْتُ لَا قَالَ هُوَ لِصَاحِبِ الطَّعَامِ الزِّيَادَةُ وَعَلَيْهِ النَّقْصَانُ إِذَا كَانَ قَدْ اسْتَرَطَّ عَلَيْهِ ذَلِكَ .

Muhammad Bin Yahya, from Muhammad Bin Al Husayn, from Ali Bin Al Hakam, from Musa Bin Bakr,

<sup>53</sup> Al Kafi – V 5 – The Book of Subsistence Ch 112 H 8

<sup>54</sup> Al Kafi – V 5 – The Book of Subsistence Ch 113 H 1

<sup>55</sup> Al Kafi – V 5 – The Book of Subsistence Ch 113 H 2

<sup>56</sup> Al Kafi – V 5 – The Book of Subsistence Ch 113 H 3

(It has been narrated) from Abu Al-Hassan<sup>asws</sup>, said, 'I asked him<sup>asws</sup> about a man who hired a ship from a sailor, so he loaded it with foodstuff, and he stipulated upon him that if the foodstuff was deficient so it would be upon him'. He<sup>asws</sup> said: 'It is allowed'. I said to him<sup>asws</sup>, 'Sometimes the foodstuff is excessive'. So he<sup>asws</sup> said: 'Does the sailor claim that something had increased in it?' I said, 'No'. He<sup>asws</sup> said: 'It is for the owner of the foodstuff, the excess, and upon him would be the deficiency when there was a stipulation upon him for that'.<sup>57</sup>

مُحَمَّدُ بْنُ يَحْيَى عَنْ أَحْمَدَ بْنِ مُحَمَّدٍ عَنْ ابْنِ أَبِي عُمَيْرٍ عَنْ جَعْفَرِ بْنِ عُثْمَانَ قَالَ حَمَلَ أَبِي مَتَاعًا إِلَى الشَّامِ مَعَ جَمَالٍ فَذَكَرَ أَنَّ جَمَالَ مِنْهُ ضَاعَ فَذَكَرْتُ ذَلِكَ لِأَبِي عَبْدِ اللَّهِ ( عَلَيْهِ السَّلَام ) قَالَ أَتَتْهُمْهُ قُلْتُ لَا قَالَ فَلَا تُضَمَّنُهُ .

Muhammad Bin Yahya, from Ahmad Bin Muhammad, from Ibn Abu Umeyr, from Ja'far Bin Usman who said,

'My father carried goods to Syria with a cameleer, so he remembered that one load from it was lost. So I mentioned that to Abu Abdullah<sup>asws</sup>. He<sup>asws</sup> said: 'Did you accuse him?' I said, 'No'. He<sup>asws</sup> said: 'So do not hold him liable'.<sup>58</sup>

مُحَمَّدُ بْنُ يَحْيَى عَنْ أَحْمَدَ بْنِ مُحَمَّدٍ عَنِ الْعَبَّاسِ بْنِ مُوسَى عَنْ يُونُسَ بْنِ ابْنِ مُسْكَانَ عَنْ أَبِي بَصِيرٍ عَنْ أَبِي عَبْدِ اللَّهِ ( عَلَيْهِ السَّلَام ) فِي الْجَمَالِ الْكَاسِرِ الَّذِي يَحْمَلُ أَوْ يُهْرِيقُهُ قَالَ إِنْ كَانَ مَأْمُونًا فَلَيْسَ عَلَيْهِ شَيْءٌ وَإِنْ كَانَ غَيْرَ مَأْمُونٍ فَهُوَ ضَامِنٌ .

Muhammad Bin Yahya, from Ahmad Bin Muhammad, from Al Abbas Bin Musa, from Yunus, from Ibn Muskan, from Abu Baseer,

(It has been narrated) from Abu Abdullah<sup>asws</sup> regarding the cameleer who breaks that which he carries, or spills it. He<sup>asws</sup> said: 'If he was trustworthy, so there is nothing upon him, but if he was without trustworthiness, so he is liable'.<sup>59</sup>

عِدَّةٌ مِنْ أَصْحَابِنَا عَنْ سَهْلِ بْنِ زِيَادٍ عَنْ مُحَمَّدِ بْنِ الْحَسَنِ بْنِ شَمُونَ عَنْ عَبْدِ اللَّهِ بْنِ عَبْدِ الرَّحْمَنِ عَنْ مِسْمَعِ بْنِ عَبْدِ الْمَلِكِ عَنْ أَبِي عَبْدِ اللَّهِ ( عَلَيْهِ السَّلَام ) قَالَ قَالَ أَمِيرُ الْمُؤْمِنِينَ صَلَوَاتُ اللَّهِ عَلَيْهِ الْأَجِيرُ الْمَشَارِكُ هُوَ ضَامِنٌ إِلَّا مِنْ سَبْعٍ أَوْ مِنْ غَرَقٍ أَوْ حَرَقٍ أَوْ لِصِّ مُكَابِرٍ .

A number of our companions, from Sahl Bin Ziyad, from Muhammad Bin Al Hassan Bin Shamoun, from Abdullah Bin Abdul Rahman, from Misma'a Bin Abdul Malik,

(It has been narrated) from Abu Abdullah<sup>asws</sup> having said: 'Amir Al-Momineen<sup>asws</sup> said: 'A hired associate is liable except from predators, or from drowning, or burning, or an arrogant thief'.<sup>60</sup>

<sup>57</sup> Al Kafi – V 5 – The Book of Subsistence Ch 113 H 4

<sup>58</sup> Al Kafi – V 5 – The Book of Subsistence Ch 113 H 5

<sup>59</sup> Al Kafi – V 5 – The Book of Subsistence Ch 113 H 6

<sup>60</sup> Al Kafi – V 5 – The Book of Subsistence Ch 113 H 7

باب الصُّرُوفِ**Chapter 114 – The exchange**

عَدَّةٌ مِنْ أَصْحَابِنَا عَنْ أَحْمَدَ بْنِ مُحَمَّدٍ بْنِ عَيْسَى عَنْ مُحَمَّدِ بْنِ عَيْسَى عَنْ يَحْيَى بْنِ الْحَجَّاجِ عَنْ خَالِدِ بْنِ الْحَجَّاجِ قَالَ سَأَلْتُهُ عَنْ رَجُلٍ كَانَتْ لِي عَلَيْهِ مِائَةٌ دِرْهَمٍ وَعَدَا قَضَائِيهَا مِائَةٌ دِرْهَمٍ وَزَنَا قَالَ لَا بَأْسَ مَا لَمْ يَشْتَرِطْ قَالَ وَ قَالَ جَاءَ الرَّبَا مِنْ قَبْلِ الشُّرُوطِ إِنَّمَا تُفْسِدُهُ الشُّرُوطُ .

A number of our companions, from Ahmad Bin Muhammad Bin Isa, from Muhammad Bin Isa, from Yahya Bin Al Hajjaj, from Khalid Bin Al Hajjaj who said,

'I asked him<sup>asws</sup> about a man who had (a debt) upon him for me of one hundred Dirhams numberwise, so he paid it with one hundred Dirhams by weight. He<sup>asws</sup> said: 'There is no problem with what had not been stipulated'. And he<sup>asws</sup> said: 'The usury comes before the stipulations. But rather the stipulations spoil it'.<sup>61</sup>

عَدَّةٌ مِنْ أَصْحَابِنَا عَنْ أَحْمَدَ بْنِ مُحَمَّدٍ وَ سَهْلِ بْنِ زِيَادٍ عَنِ ابْنِ مَحْبُوبٍ عَنْ إِسْحَاقَ بْنِ عَمَّارٍ قَالَ قُلْتُ لِأَبِي عَبْدِ اللَّهِ ( عَلَيْهِ السَّلَامُ ) يَكُونُ لِلرَّجُلِ عِنْدِي الدَّرَاهِمُ الْوَضِحُ فَيُلْقَانِي فَيَقُولُ لِي كَيْفَ سَعْرُ الْوَضِحِ الْيَوْمَ فَأَقُولُ لَهُ كَذَا وَ كَذَا فَيَقُولُ أَلَيْسَ لِي عِنْدَكَ كَذَا وَ كَذَا أَلْفَ دِرْهَمٍ وَضَحًا فَأَقُولُ بَلَى فَيَقُولُ لِي حَوْلَهَا إِلَى دَنَائِيرٍ بِهَذَا السَّعْرِ وَ أَتَيْتُهَا لِي عِنْدَكَ فَمَا تَرَى فِي هَذَا

A number of our companions, from Ahmad Bin Muhammad, and Sahl Bin Ziyad, from Ibn Mahboub, from Is'haq Bin Ammar who said,

'I said to Abu Abdullah<sup>asws</sup>, 'There happened to be some clear Dirhams with me for a man. So he met up with me and he said to me, 'What is the price of the clear (Dirhams) today?' So I said to him, 'Such and such'. So he said, 'Isn't there such and such thousand clear Dirhams with you for me?' So I said, 'Yes'. So he said to me, 'Change these to Dinars with this price and affirm these for me with you'. So what is your<sup>asws</sup> view regarding this?'

فَقَالَ لِي إِذَا كُنْتُ قَدْ اسْتَفْصَيْتَ لَهُ السَّعْرَ يَوْمَئِذٍ فَلَا بَأْسَ بِذَلِكَ فَقُلْتُ إِنِّي لَمْ أُوَازِنُهُ وَ لَمْ أَنُفِذْهُ إِنَّمَا كَانَ كَلَامٌ بَيْنِي وَ بَيْنَهُ فَقَالَ أَلَيْسَ الدَّرَاهِمُ مِنْ عِنْدِكَ وَ الدَّنَائِيرُ مِنْ عِنْدِكَ قُلْتُ بَلَى قَالَ فَلَا بَأْسَ بِذَلِكَ .

So he<sup>asws</sup> said to me: 'When it was such that the price (rate of exchange) on that day was checked for him, so there is no problem with that'. So I said, 'I did not weigh it and did not cash it, but rather it was a speech between me and him'. So he<sup>asws</sup> said: 'Is it not that the Dirhams were with you and the Dinars were with you?' I said, 'Yes'. He<sup>asws</sup> said: 'So there is no problem with that'.<sup>62</sup>

عَدَّةٌ مِنْ أَصْحَابِنَا عَنْ أَحْمَدَ بْنِ مُحَمَّدٍ بْنِ عَيْسَى عَنْ عَلِيِّ بْنِ الْحَكَمِ عَنْ عَبْدِ الْمَلِكِ بْنِ عُنْبَةَ الْهَاشِمِيِّ قَالَ سَأَلْتُ أَبَا الْحَسَنِ مُوسَى ( عَلَيْهِ السَّلَامُ ) عَنْ رَجُلٍ يَكُونُ عِنْدَهُ دَنَائِيرٌ لِبَعْضِ خُلَطَائِهِ فَيَأْخُذُ مَكَانَهَا وَرَقًا فِي حَوَائِجِهِ وَ هُوَ يَوْمَ قُبِضَتْ سَبْعَةٌ وَ سَبْعَةٌ وَ نِصْفُ بَدِينَارٍ وَ قَدْ يَطْلُبُ صَاحِبُ الْمَالِ بَعْضَ الْوَرَقِ وَ لَيْسَتْ بِحَاضِرَةٍ فَيَبْتَاعَهَا لَهُ مِنَ الصَّيْرِ فِي هَذَا السَّعْرِ وَ نَحْوَهُ ثُمَّ يَتَعَيَّرُ السَّعْرُ قَبْلَ أَنْ يَحْتَسِبَهَا حَتَّى صَارَتْ الْوَرَقُ اثْنِي عَشَرَ دِرْهَمًا بِدِينَارٍ فَهَلْ يَصْلُحُ ذَلِكَ لَهُ وَ إِنَّمَا هِيَ بِالسَّعْرِ الْأَوَّلِ حِينَ قُبِضَتْ سَبْعَةٌ وَ سَبْعَةٌ وَ نِصْفُ بَدِينَارٍ

A number of our companions, from Ahmad Bin Muhammad Bin Isa, from Ali Bin Al Hakam, from Abdul Malik Bin Utba Al hashimy who said,

<sup>61</sup> Al Kafi – V 5 – The Book of Subsistence Ch 114 H 1

<sup>62</sup> Al Kafi – V 5 – The Book of Subsistence Ch 114 H 2

'I asked Abu Al-Hassan Musa<sup>asws</sup> about a man who happened to have Dinars with him for one of his associates. So he took paper (silver Dirhams) in place of it regarding his needs, and it (the exchange rate) on the day he took possession of it was seven and seven and a half for one Dinar, and the owner of the wealth had sought some of the silver (Dirhams) and it was not present, so he gave it to him from a money-changer with this price, and near to it. Then the price (rate) changed before he accounted until the silver (Dirhams) came to be twelve Dirhams for a Dinar. So, is that correct for him, and rather it is with the former price when he took possession of it of a seven and seven and a half for a Dinar?'

قَالَ إِذَا دَفَعَ إِلَيْهِ الْوَرِقَ بِقَدْرِ الدَّنَانِيرِ فَلَا يَضُرُّهُ كَيْفَ الصَّرُوفُ وَ لَا بَأْسَ .

He<sup>asws</sup> said: 'When the silver (Dirhams) were handed over to him in accordance with the Dinars, so it does not harm him how it was changed, and there is no problem'.<sup>63</sup>

عَلِيُّ بْنُ إِبْرَاهِيمَ عَنْ أَبِيهِ عَنِ ابْنِ أَبِي عُمَيْرٍ عَنْ حَمَّادٍ عَنِ الْحَلْبِيِّ عَنْ أَبِي عَبْدِ اللَّهِ ( عَلَيْهِ السَّلَامُ ) قَالَ سَأَلْتُهُ عَنِ الرَّجُلِ تَكُونُ عَلَيْهِ دَنَانِيرٌ قَالَ لَا بَأْسَ أَنْ يَأْخُذَ قِيَمَتَهَا دَرَاهِمًا .

Ali Bin Ibrahim, from his father, from Ibn Abu Umeyr, from Hammad, from Al Halby,

(It has been narrated) from Abu Abdullah<sup>asws</sup>, said, 'I asked him<sup>asws</sup> about the man who happened to have Dinars upon him. He<sup>asws</sup> said: 'There is no problem if he was to take its value in Dirhams'.<sup>64</sup>

عَلِيُّ بْنُ إِبْرَاهِيمَ عَنْ أَبِيهِ عَنِ حَمَّادِ بْنِ عَيْسَى عَنْ حَرِيزٍ عَنْ مُحَمَّدِ بْنِ مُسْلِمٍ قَالَ سَأَلْتُهُ عَنْ رَجُلٍ كَانَتْ لَهُ عَلَى رَجُلٍ دَنَانِيرٌ فَحَالَ عَلَيْهِ رَجُلًا آخَرَ بِالدَّنَانِيرِ أ يَأْخُذُهَا دَرَاهِمَ بِسَعْرِ الْيَوْمِ قَالَ نَعَمْ إِنْ شَاءَ .

Ali Bin Ibrahim, from his father, from hammad Bin Isa, from Hareyz, from Muhammad Bin Muslim who said,

'I asked him<sup>asws</sup> about a man who had some Dinars for him upon a man, so he assigned another man with the Dinars. Can he take it as Dirham with the (exchange) rate on the day?' He<sup>asws</sup> said: 'Yes, if he so desires it'.<sup>65</sup>

أَبُو عَلِيٍّ الْأَشْعَرِيُّ عَنْ مُحَمَّدِ بْنِ عَبْدِ الْجَبَّارِ عَنْ صَفْوَانَ عَنِ ابْنِ مُسْكَانَ عَنِ الْحَلْبِيِّ عَنْ أَبِي عَبْدِ اللَّهِ ( عَلَيْهِ السَّلَامُ ) قَالَ سَأَلْتُهُ عَنِ الرَّجُلِ يَكُونُ لَهُ الدَّنَانِيرُ دَرَاهِمٌ مَعْلُومَةٌ إِلَى أَجَلٍ فَجَاءَ الْأَجَلُ وَ لَيْسَ عِنْدَ الرَّجُلِ الَّذِي عَلَيْهِ الدَّرَاهِمُ فَقَالَ خُذْ مِنِّي دَنَانِيرَ بِصَرَفِ الْيَوْمِ قَالَ لَا بَأْسَ بِهِ .

Abu Ali Al Ashary, from Muhammad Bin Abdul Jabbar, from Safwan, from Ibn Muskan, from Al Halby,

(It has been narrated) from Abu Abdullah<sup>asws</sup>, said, 'I asked him<sup>asws</sup> about the man who happened to have the debt of known Dirhams upon him to a specified term. So the term came up and there were no Dirhams with the man upon whom was the debt. So he said, 'Take Dinars from me with the exchange rate of the day'. He<sup>asws</sup> said: 'There is no problem with it'.<sup>66</sup>

<sup>63</sup> Al Kafi – V 5 – The Book of Subsistence Ch 114 H 3

<sup>64</sup> Al Kafi – V 5 – The Book of Subsistence Ch 114 H 4

<sup>65</sup> Al Kafi – V 5 – The Book of Subsistence Ch 114 H 5

<sup>66</sup> Al Kafi – V 5 – The Book of Subsistence Ch 114 H 6

أَبُو عَلِيٍّ الْأَشْعَرِيُّ عَنْ مُحَمَّدِ بْنِ عَبْدِ الْجَبَّارِ عَنْ صَفْوَانَ بْنِ يَحْيَى عَنْ إِسْحَاقَ بْنِ عَمَّارٍ قَالَ سَأَلْتُ أَبَا إِبْرَاهِيمَ ( عَلَيْهِ السَّلَامُ ) عَنِ الرَّجُلِ يَبِيعُنِي الْوَرَقَ بِالدَّنَانِيرِ وَ أَتْرُنُ مِنْهُ فَأَزِنُ لَهُ حَتَّى أَفْرَعُ فَلَا يَكُونُ بَيْنِي وَ بَيْنَهُ عَمَلٌ إِلَّا أَنْ فِي وَرَقِهِ نَفَايَةَ وَ زِيُوفًا وَ مَا لَا يَجُوزُ فَيَقُولُ انْتَفِدْهَا وَ رُدَّ نَفَائِتَهَا

Abu Ali Al Ashary, from Muhammad Bin Abdul Jabbar, from Safwan Bin Yahya, from Is'haq Bin Ammar who said,

'I asked Abu Ibrahim<sup>asws</sup> about the man who sold me the silver (Dirhams) with the Dinars, and I weighed from it. So I weighed for him until I was free, and there was no work between me and him except regarding his silver (Dirhams) were spoilt and weak (coins) and what is not allowed (invalid coins). So he said, 'Cash these and return the invalid ones'.

فَقَالَ لَيْسَ بِهِ بَأْسٌ وَ لَكِنْ لَا تُؤَخِّرْ ذَلِكَ أَكْثَرَ مِنْ يَوْمٍ أَوْ يَوْمَيْنِ فَإِنَّمَا هُوَ الصَّرْفُ قُلْتُ فَإِنْ وَجَدْتُ فِي وَرَقِهِ فَضْلًا مَقْدَارَ مَا فِيهَا مِنَ النَّفَايَةِ فَقَالَ هَذَا اخْتِيَاظْ هَذَا أَحَبُّ إِلَيَّ .

So he<sup>asws</sup> said: 'There is no problem with it, but you should not delay that for more than one day or two days, for this, rather is the exchange'. I said, 'Supposing if he were to find in his silver (dirhams) excess of the measurement of whatever was therein from the invalid (coins)?' So he<sup>asws</sup> said: 'This is a precaution. This is more beloved to me<sup>asws</sup>, 67

صَفْوَانُ عَنْ إِسْحَاقَ بْنِ عَمَّارٍ قَالَ قُلْتُ لِأَبِي عَبْدِ اللَّهِ ( عَلَيْهِ السَّلَامُ ) الدَّرَاهِمُ بِالدَّرَاهِمِ وَ الرِّصَاصُ فَقَالَ الرِّصَاصُ بَاطِلٌ .

Safwan, from Is'haq Bin Ammar who said,

'I said to Abu Abdullah<sup>asws</sup>, 'The Dirhams by the Dirhams and the lead?' So he<sup>asws</sup> said: 'The lead is invalid'. 68

مُحَمَّدُ بْنُ يَحْيَى عَنْ مُحَمَّدِ بْنِ الْحُسَيْنِ عَنْ صَفْوَانَ عَنْ عَبْدِ الرَّحْمَنِ بْنِ الْحَجَّاجِ قَالَ سَأَلْتُهُ عَنِ الصَّرْفِ فَقُلْتُ لَهُ الرَّفْقَةُ رُبَّمَا عَجَلَتْ فَخَرَجَتْ فَلَمْ تَقْدِرْ عَلَى الدَّمَشْقِيَّةِ وَ الْبَصْرِيَّةِ وَ إِنَّمَا تَحُوزُ بِسَابُورِ الدَّمَشْقِيَّةِ وَ الْبَصْرِيَّةِ فَقَالَ وَ مَا الرَّفْقَةُ فَقُلْتُ الْقَوْمُ يَتَرَفَّقُونَ وَ يَجْتَمِعُونَ لِلْخُرُوجِ فَإِذَا عَجَلُوا قَرِيبًا لَمْ تَقْدِرْ عَلَى الدَّمَشْقِيَّةِ وَ الْبَصْرِيَّةِ فَبَعَثْنَا بِالْعَلَّةِ فَصَرَفُوا أَلْفًا وَ خَمْسِينَ دِرْهَمًا مِنْهَا بِأَلْفٍ مِنَ الدَّمَشْقِيَّةِ وَ الْبَصْرِيَّةِ فَقَالَ لَا خَيْرَ فِي هَذَا أَوْ لَا تَجْعَلُونَ فِيهَا ذَهَبًا لِمَكَانِ زِيَادَتِهَا

Muhammad Bin Yahya, from Muhammad Bin Al Husayn, from Safwan, from Abdul Rahman Bin Al Hajjaj who said,

'I asked him<sup>asws</sup> about the exchange and I said to him<sup>asws</sup>, 'Sometimes the friends hurry and go out, so we are not able (to acquire) the Damascus (Dirhams) and the Basran (Dirhams), and rather they only allow with a *Sabour* of Damascus and the Basran (*Sabour*)'. So he<sup>asws</sup> said: 'And what are the friends?' So I said, 'The group of people who are associating and they are gathering for the going out. So when they make haste, and sometimes were are not able upon (acquiring) the Damascus and the Basran (Dirham). So we send with the proceeds and they exchange it at a thousand and fifty Dirhams from it with a thousand from the Dasmascus and the Basran (Dirhams)'. So he<sup>asws</sup> said: 'There is no goodness in this. Why are you not placing gold in place of its excess?'

<sup>67</sup> Al Kafi – V 5 – The Book of Subsistence Ch 114 H 7

<sup>68</sup> Al Kafi – V 5 – The Book of Subsistence Ch 114 H 8

فَقُلْتُ لَهُ أَشْتَرِي أَلْفَ دِرْهَمٍ وَ دِينَاراً بِأَلْفِي دِرْهَمٍ فَقَالَ لَا بَأْسَ بِذَلِكَ إِنَّ أَبِي ( عَلَيْهِ السَّلَامُ ) كَانَ أَجْرَى عَلَى أَهْلِ الْمَدِينَةِ مَنِّي وَ كَانَ يَقُولُ هَذَا فَيَقُولُونَ إِنَّمَا هَذَا الْوَرَارُ لَوْ جَاءَ رَجُلٌ بِدِينَارٍ لَمْ يُعْطَ أَلْفَ دِرْهَمٍ وَ لَوْ جَاءَ بِأَلْفِ دِرْهَمٍ لَمْ يُعْطَ أَلْفَ دِينَارٍ وَ كَانَ يَقُولُ لَهُمْ نِعْمَ الشَّيْءُ الْوَرَارُ مِنَ الْحَرَامِ إِلَى الْحَلَالِ .

So I said to him<sup>asws</sup>, 'Can I buy a thousand Dirhams and Dinars with two thousand Dirhams'. So he<sup>asws</sup> said: 'There is no problem with that. My<sup>asws</sup> father<sup>asws</sup> used to be more accomplishing upon the people of Al-Medina that I<sup>asws</sup> was, and he<sup>asws</sup> was saying this. So they were saying, 'But rather, this is fleeing'. If a man would come with Dinars, he<sup>asws</sup> would not give a thousand Dirham, and if he came with a thousand Dirhams, he<sup>asws</sup> would give a thousand Dinars, and he<sup>asws</sup> was saying to them: 'The best thing is to flee from the Prohibitions to the Permissibles'.

عَلِيُّ بْنُ إِبْرَاهِيمَ عَنْ أَبِيهِ وَ مُحَمَّدُ بْنُ إِسْمَاعِيلَ عَنِ الْفَضْلِ بْنِ شاذَانَ عَنْ صَفْوَانَ بْنِ يَحْيَى وَ ابْنِ أَبِي عُمَيْرٍ عَنْ عَبْدِ الرَّحْمَنِ بْنِ الْحَجَّاجِ مِثْلَهُ.

Ali Bin Ibrahim, from his father, and Muhammad Bin Ismail, from Al Fazl Bin Shazaan, from Safwaan Bin Yahya, and Ibn Abu Umeyr, from Abdul Rahman Bin Al Hajjaj – similar to it'<sup>69</sup>

عَلِيُّ بْنُ إِبْرَاهِيمَ عَنْ أَبِيهِ عَنْ ابْنِ أَبِي عُمَيْرٍ عَنْ عَبْدِ الرَّحْمَنِ بْنِ الْحَجَّاجِ عَنْ أَبِي عَبْدِ اللَّهِ ( عَلَيْهِ السَّلَامُ ) قَالَ كَانَ مُحَمَّدُ بْنُ الْمُكَدَّرِ يَقُولُ لِأَبِي يَا أَبَا جَعْفَرٍ رَحِمَكَ اللَّهُ وَ اللَّهُ إِنَّا لَنَعْلَمُ أَنَّكَ لَوْ أَخَذْتَ دِينَاراً وَ الصَّرْفُ بِثَمَانِيَةِ عَشْرٍ فَدَرَّتْ الْمَدِينَةَ عَلَى أَنْ تَجِدَ مَنْ يُعْطِيكَ عَشْرِينَ مَّا وَجَدْتَهُ وَ مَا هَذَا إِلَّا فِرَاراً وَ كَانَ أَبِي يَقُولُ صَدَقْتَ وَ اللَّهُ وَ لَكِنَّهُ فِرَارٌ مِنْ بَاطِلٍ إِلَى حَقٍّ .

Ali Bin Ibrahim, from his father, from Ibn Abu Umeyr, from Abdul Rahman Bin Al Hajjaj,

(It has been narrated) from Abu Abdullah<sup>asws</sup> having said: 'Muhammad Bin Al-Munkadar was saying to my father, 'O Abu Ja'far<sup>asws</sup>, may Allah<sup>azwj</sup> have Mercy on you<sup>asws</sup>! We know that if you<sup>asws</sup> were to take Dinars and the exchange rate was with eighteen, so you<sup>asws</sup> would go around Al-Medina upon that if you<sup>asws</sup> would find one who would give you<sup>asws</sup> twenty, you<sup>asws</sup> would not find him, and what is this except for the fleeing?' And my<sup>asws</sup> father was saying: 'You speak the truth, by Allah<sup>azwj</sup>, but, fleeing it from falsehood to the truth'<sup>70</sup>

أَبُو عَلِيٍّ الْأَشْعَرِيُّ عَنْ مُحَمَّدِ بْنِ عَبْدِ الْجَبَّارِ عَنْ صَفْوَانَ بْنِ مُسْكَانَ عَنْ مُحَمَّدِ بْنِ الْحَلْبِيِّ قَالَ سَأَلْتُ أَبَا عَبْدِ اللَّهِ ( عَلَيْهِ السَّلَامُ ) عَنِ الرَّجُلِ يَسْتَبْدِلُ الْكُوفِيَّةَ بِالسَّامِيَّةِ وَرِزْناً بِوَرْنَ فَيَقُولُ الصَّبْرِيُّ لَا أُبَدِّلُ لَكَ حَتَّى تُبَدِّلَ لِي يُوسُفِيَّةً بِغَلَّةٍ وَرِزْناً بِوَرْنَ فَقَالَ لَا بَأْسَ فَقُلْنَا إِنَّ الصَّبْرِيَّ إِنَّمَا طَلَبَ فَضْلَ الْيُوسُفِيَّةِ عَلَى الْغَلَّةِ فَقَالَ لَا بَأْسَ بِهِ .

Abu Ali Al Ashary, from Muhammad Bin Abdul Jabbar, from Safwan, from Ibn Muskan, from Muhammad Al halby who said,

'I asked Abu Abdullah<sup>asws</sup> about the man who exchanges the Kufiyan (coin) with the Syrian (coin), weight by weight. So the money-changer is saying, 'I will not change for you until you change for me a Yusufiyya with a price with a profit, weight by weight. So he<sup>asws</sup> said: 'There is no problem'. So we said, 'But rather the money-changer sought the extra Yusufiyya upon the profit'. So he<sup>asws</sup> said: 'There is no problem with it'<sup>71</sup>

<sup>69</sup> Al Kafi – V 5 – The Book of Subsistence Ch 114 H 9

<sup>70</sup> Al Kafi – V 5 – The Book of Subsistence Ch 114 H 10

<sup>71</sup> Al Kafi – V 5 – The Book of Subsistence Ch 114 H 11

مُحَمَّدُ بْنُ يَحْيَى عَنْ أَحْمَدَ بْنِ مُحَمَّدٍ عَنْ مُحَمَّدِ بْنِ إِسْمَاعِيلَ عَنْ مَنْصُورِ بْنِ يُونُسَ عَنْ إِسْحَاقَ بْنِ عَمَّارٍ عَنْ عُبَيْدِ بْنِ زُرَّارَةَ قَالَ سَأَلْتُ أَبَا عَبْدِ اللَّهِ ( عَلَيْهِ السَّلَامُ ) عَنِ الرَّجُلِ يَكُونُ لِي عِنْدَهُ دَرَاهِمٌ فَأَقُولُ حَوْلَهَا دَنَانِيرٌ مِنْ غَيْرِ أَنْ أَقْبِضَ شَيْئًا قَالَ لَا بَأْسَ قُلْتُ يَكُونُ لِي عِنْدَهُ دَنَانِيرٌ فَأَقُولُ حَوْلَهَا لِي دَرَاهِمٌ وَ أَتْبِنَهَا عِنْدَكَ وَ لَمْ أَقْبِضْ مِنْهُ شَيْئًا قَالَ لَا بَأْسَ .

Muhammad Bin Yahya, from Ahmad Bin Muhammad, from Muhammad Bin Ismail, from Mansour Bin Yunus, from Is'haq Bin Ammar, from Ubeyd Bin Zurara who said,

'I asked Abu Abdullah<sup>asws</sup> about the man happened to have some Dirhams with him, for me. So I went over to him and I said, 'Change these Dinars without me having taken possession of anything'. He<sup>asws</sup> said: 'There is no problem'. I said, 'There happens to be Dinars for me, so I go over to him and said, 'Change these for me into Dirhams and keep these established with you', and I do not take anything from it?' He<sup>asws</sup> said: 'There is no problem'.<sup>72</sup>

عَلِيُّ بْنُ إِبْرَاهِيمَ عَنِ أَبِيهِ عَنِ ابْنِ أَبِي عُمَيْرٍ عَنْ حَمَّادٍ عَنِ الْحَلْبِيِّ قَالَ سَأَلْتُ أَبَا عَبْدِ اللَّهِ ( عَلَيْهِ السَّلَامُ ) عَنِ رَجُلٍ ابْتَاعَ مِنْ رَجُلٍ بَدِينًا فَأَخَذَ بِنِصْفِهِ بَيْعًا وَ بِنِصْفِهِ وَرِقًا قَالَ لَا بَأْسَ بِهِ

Ali Bin Ibrahim, from his father, from Ibn Abu Umeyr, from Hammad, from Al Halby who said,

'I asked Abu Abdullah<sup>asws</sup> about a man who bought with Dinars from a man, so he took half as goods and half as silver (Dirhams)'. He<sup>asws</sup> said: 'There is no problem with it'.

وَ سَأَلْتُهُ هَلْ يَصْلُحُ أَنْ يَأْخُذَ بِنِصْفِهِ وَرِقًا أَوْ بَيْعًا وَ يَتْرَكَ نِصْفَهُ حَتَّى يَأْتِيَ بَعْدَ فَيَأْخُذَ بِهِ وَرِقًا أَوْ بَيْعًا قَالَ مَا أَحْبَبُ أَنْ أَتْرَكَ مِنْهُ شَيْئًا حَتَّى آخُذَهُ جَمِيعًا فَلَا يَفْعَلُهُ .

And I asked him<sup>asws</sup>, 'Is it correct that he takes half as silver (Dirhams) or goods, and leave half of it until he comes over afterwards, so he takes silver (Dirhams) or goods with it?' He<sup>asws</sup> said: 'I<sup>asws</sup> do not like it that he leaves something from it until he takes it entirely, so he should not do it'.<sup>73</sup>

أَبُو عَلِيٍّ الْأَشْعَرِيُّ عَنْ مُحَمَّدِ بْنِ عَبْدِ الْجَبَّارِ عَنْ صَفْوَانَ عَنْ إِسْحَاقَ بْنِ عَمَّارٍ قَالَ سَأَلْتُ أَبَا إِبْرَاهِيمَ ( عَلَيْهِ السَّلَامُ ) عَنِ الرَّجُلِ يَأْتِينِي بِالْوَرَقِ فَأَشْتَرِيهَا مِنْهُ بِالدَّنَانِيرِ فَأَسْتَعْلُ عَنْ تَعْيِيرِ وَرَنَاهَا وَ انْتِقَادِهَا وَ فَضْلِ مَا بَيْنِي وَ بَيْنَهُ فَيُعْطِيهِ الدَّنَانِيرَ وَ أَقُولُ لَهُ إِنَّهُ لَيْسَ بَيْنِي وَ بَيْنَكَ بَيْعٌ فَإِنِّي قَدْ نَقَضْتُ الَّذِي بَيْنِي وَ بَيْنَكَ مِنَ الْبَيْعِ وَ وَرَقُكَ عِنْدِي قَرْضٌ وَ دَنَانِيرِي عِنْدَكَ قَرْضٌ حَتَّى تَأْتِيَنِي مِنَ الْعَدِّ وَ أَبَايَعَهُ قَالَ لَيْسَ بِهِ بَأْسٌ .

Abu Ali Al Ashary, from Muhammad in Abdul Jabbar, from Safwan, from Is'haq Bin Ammar who said,

'I asked Abu Ibrahim<sup>asws</sup> (7<sup>th</sup> Imam<sup>asws</sup>) about the man who came to me with the silver (Dirhams), so I bought these from him with the Dinars. So I got busy from checking its weight, and quibbling about it, and whatever the excess was between me and him therein, so I gave it as Dinars and I said to him, 'It is not a sale between me and you for I have reversed between me and you from the sale, and the silver (Dirhams) with me is a loan, and the my Dinars with you is a loan, until you come to me tomorrow and I shall sell it to you'. He<sup>asws</sup> said: 'There is no problem with it'.<sup>74</sup>

<sup>72</sup> Al Kafi – V 5 – The Book of Subsistence Ch 114 H 12

<sup>73</sup> Al Kafi – V 5 – The Book of Subsistence Ch 114 H 13

<sup>74</sup> Al Kafi – V 5 – The Book of Subsistence Ch 114 H 14

عَلِيُّ بْنُ إِبْرَاهِيمَ عَنْ أَبِيهِ وَ مُحَمَّدُ بْنُ إِسْمَاعِيلَ عَنِ الْفَضْلِ بْنِ شَاذَانَ جَمِيعاً عَنِ ابْنِ أَبِي عُمَيْرٍ عَنْ عَبْدِ الرَّحْمَنِ بْنِ الْحَجَّاجِ عَنْ أَبِي عَبْدِ اللَّهِ ( عَلَيْهِ السَّلَامُ ) فِي الْأَسْرَبِ يُشْتَرَى بِالْفِضَّةِ قَالَ إِنْ كَانَ الْعَالِبُ عَلَيْهِ الْأَسْرَبُ فَلَا بَأْسَ بِهِ .

Ali Bin Ibrahim, from his father, and Muhammad Bin Ismail, from Al Fazl Bin Shazaan, altogether, from Ibn Abu Umeyr, from Abdul Rahman Bin Al Hajjaj,

(It has been narrated) from Abu Abdullah<sup>asws</sup> regarding the lead (dirhams) bought with the silver (dirhams). He<sup>asws</sup> said: 'If the lead was predominant upon it, so there is no problem with it'.<sup>75</sup>

أَبُو عَلِيٍّ الْأَشْعَرِيُّ عَنْ مُحَمَّدِ بْنِ عَبْدِ الْجَبَّارِ عَنْ صَفْوَانَ عَنْ إِسْحَاقَ بْنِ عَمَّارٍ قَالَ سَأَلْتُ أَبَا إِبْرَاهِيمَ ( عَلَيْهِ السَّلَامُ ) عَنِ الرَّجُلِ يَكُونُ لِي عَلَيْهِ الْمَالُ فَيَقْضِي بَعْضاً دَنَانِيرَ وَ بَعْضاً دَرَاهِمَ فَإِذَا جَاءَ يُحَاسِبُنِي لِتَوْفِيقِي كَمَا يَكُونُ قَدْ تَغَيَّرَ سِعْرُ الدَّنَانِيرِ أَوْ السُّعْرَيْنِ أَحْسَبُ لَهُ الَّذِي كَانَ يَوْمَ أُعْطَانِي الدَّنَانِيرَ أَوْ سِعْرُ يَوْمِي الَّذِي أَحَاسِبُهُ قَالَ سِعْرُ يَوْمِ أُعْطَاكَ الدَّنَانِيرَ لِأَنَّكَ حَبَسْتَ مَنَفَعَتَهَا عَنْهُ .

Abu Ali Al Ashary, from Muhammad Bin Abdul Jabbar, from Safwan, from Is'haq Bin Ammar who said,

'I asked Abu Ibrahim<sup>asws</sup> about the man who happens to have the goods for me (as a debt) upon him, so he paid some as Dinars and some as Dirhams. So when he came to account with me in order to fulfill to me as it used to be, for the rate of the Dinars had changed, i.e. both the rates. Shall I account for him (the rate) which was on the day he gave me the Dinars, or the rate on the day which he came to (finalise his) account with me?' He<sup>asws</sup> said: 'The rate on the day he gave you the Dinars, because you locked its profits from it'.<sup>76</sup>

صَفْوَانُ عَنْ إِسْحَاقَ بْنِ عَمَّارٍ قَالَ قُلْتُ لِأَبِي عَبْدِ اللَّهِ ( عَلَيْهِ السَّلَامُ ) الرَّجُلُ يَجِئُنِي بِالْوَرَقِ يَبِيعُنِيهَا يُرِيدُ بِهَا وَرَقاً عِنْدِي فَهُوَ التَّقِينُ أَنَّهُ لَيْسَ يُرِيدُ الدَّنَانِيرَ لَيْسَ يُرِيدُ إِلَّا الْوَرَقَ وَ لَا يَقُومُ حَتَّى يَأْخُذَ وَرَقِي فَاسْتُرِي مِنْهُ الدَّرَاهِمَ بِالدَّنَانِيرِ فَلَا يَكُونُ دَنَانِيرُهُ عِنْدِي كَامِلَةً فَاسْتَفْرَضَ لَهُ مِنْ جَارِي فَأَعْطِيَهُ كَمَالَ دَنَانِيرِهِ وَ لَعَلِّي لَا أَحْرَزُ وَرَثَتَهَا فَقَالَ أَلَيْسَ يَأْخُذُ وَقَاءَ الَّذِي لَهُ قُلْتُ بَلَى قَالَ لَيْسَ بِهِ بَأْسٌ .

Safwan, from Is'haq Bin Ammar who said,

'I said to Abu Abdullah<sup>asws</sup>, 'The man came to me with the silver (Dirhams) to sell to me wanting by it the silver (Dirhams) which I had on me. So it is certain that he did not want the Dinars, not wanting except for the silver (Dirhams), and he did not arise (to leave) until he took my silver (Dirhams). So I bought the Dirhams for him with the Dinars, and his dinars were not with me completely, and I borrowed from him from my neighbour, and I gave it to him to complete his Dinars and maybe I did not achieve its weight'. So he<sup>asws</sup> said: 'Is it not that he took the total of that which was for him?' I said, 'Yes'. He<sup>asws</sup> said: 'There is no problem with it'.<sup>77</sup>

عَلِيُّ بْنُ إِبْرَاهِيمَ عَنْ أَبِيهِ عَنِ ابْنِ أَبِي عُمَيْرٍ عَنْ حَمَّادٍ عَنِ الْحَلْبِيِّ عَنْ أَبِي عَبْدِ اللَّهِ ( عَلَيْهِ السَّلَامُ ) قَالَ أَبِي اشْتَرَى أَرْضاً وَ اشْتَرَطَ عَلَى صَاحِبِهَا أَنْ يُعْطِيَهُ وَرَقاً كُلُّ دِينَارٍ بَعَشْرَةَ دَرَاهِمٍ .

Ali Bin Ibrahim, from his father, from Ibn Abu Umeyr, from Hammad, from Al Halby,

<sup>75</sup> Al Kafi – V 5 – The Book of Subsistence Ch 114 H 15

<sup>76</sup> Al Kafi – V 5 – The Book of Subsistence Ch 114 H 16

<sup>77</sup> Al Kafi – V 5 – The Book of Subsistence Ch 114 H 17

(It has been narrated) from Abu Abdullah<sup>asws</sup> having said: 'My<sup>asws</sup> father<sup>asws</sup> bought a land and stipulated upon its owner that he<sup>asws</sup> would give him silver (Dirhams), every Dinar with ten Dirhams'.<sup>78</sup>

عَدَّةٌ مِنْ أَصْحَابِنَا عَنْ أَحْمَدَ بْنِ مُحَمَّدٍ عَنِ الْحُسَيْنِ بْنِ سَعِيدٍ عَنْ فَضَالَةَ عَنْ أَبِي الْمُغْرَاءِ عَنْ أَبِي بصيرٍ قَالَ قُلْتُ لِأَبِي عَبْدِ اللَّهِ ( عَلَيْهِ السَّلَامُ ) أَتَى الصَّبْرَ فِي الدَّرَاهِمِ أَشْتَرِي مِنْهُ الدَّنَائِيرَ فَيُرُّ لِي بِأَكْثَرِ مِنْ حَقِّي ثُمَّ أَبْتَاغُ مِنْهُ مَكَانِي بِهَا دَرَاهِمَ قَالَ لَيْسَ بِهَا بَأْسٌ وَ لَكِنْ لَا تَزِنُ أَقْلَ مِنْ حَقِّكَ

A number of our companions, from Ahmad Bin Muhammad, from Al Husayn Bin Saeed, from Fazala, from Abu Al Magra, from Abu Baseer who said,

'I said to Abu Abdullah<sup>asws</sup>, 'I went to a money-changer and I bought the Dinars from him, so he weighed for me with more than my right. Then I bought Dirhams from him instantly'. He<sup>asws</sup> said: 'There is no problem with it, but you do not weight less than your right'.<sup>79</sup>

مُحَمَّدُ بْنُ بَحْيَى عَنْ أَحْمَدَ بْنِ مُحَمَّدٍ عَنْ مُحَمَّدِ بْنِ إِسْمَاعِيلَ عَنْ مُحَمَّدِ بْنِ الْفَضِيلِ عَنْ أَبِي الصَّبَّاحِ الْكِنَانِيِّ قَالَ سَأَلْتُ أَبَا عَبْدِ اللَّهِ ( عَلَيْهِ السَّلَامُ ) عَنِ الرَّجُلِ يَقُولُ لِلصَّانِعِ صُنْعٌ لِي هَذَا الخَاتَمِ وَ أَدَّلَ لَكَ دِرْهَمًا طَارِجًا بِدِرْهَمٍ غَلَّةٍ قَالَ لَا بَأْسَ .

Muhammad Bin Yahya, from Ahmad Bin Muhammad, from Muhammad Bin Ismail, from Muhammad Bin Al Fazeyl, from Abu Al Sabbah Al Kinany who said,

'I asked Abu Abdullah<sup>asws</sup> about the man who said to the jeweller, 'Make this ring for me and I shall change for you one new Dirham with an old one'. He<sup>asws</sup> said: 'There is no problem'.<sup>80</sup>

عَلِيُّ بْنُ إِبْرَاهِيمَ عَنْ أَبِيهِ عَنْ عَبْدِ اللَّهِ بْنِ الْمُغَيْرَةِ عَنْ عَبْدِ اللَّهِ بْنِ سِنَانَ قَالَ سَأَلْتُ أَبَا عَبْدِ اللَّهِ ( عَلَيْهِ السَّلَامُ ) عَنْ شِرَاءِ الذَّهَبِ فِيهِ الْفِضَّةُ وَ الزَّبَبُ وَ التُّرَابُ بِالدَّنَائِيرِ وَ الْوَرِقِ فَقَالَ لَا تُصَارِفُهُ إِلَّا بِالْوَرِقِ

Ali Bin Ibrahim, from his father, from Abdullah Al Mugheira, from Abdullah Bin Sinan who said,

'I asked Abu Abdullah<sup>asws</sup> about buying the gold wherein is the silver, and the mercury and the dirt, with the Dinars and the silver (Dirhams)'. So he<sup>asws</sup> said: 'Do not exchange it except with the silver (Dirhams)'.<sup>81</sup>

قَالَ وَ سَأَلْتُهُ عَنْ شِرَاءِ الْفِضَّةِ فِيهَا الرَّصَاصُ وَ الْوَرِقِ إِذَا خَلَصَتْ نَقَصَتْ مِنْ كُلِّ عَشْرَةٍ دِرْهَمَيْنِ أَوْ ثَلَاثَةً قَالَ لَا يَصْلُحُ إِلَّا بِالذَّهَبِ .

He (the narrator) said, 'And I asked him<sup>asws</sup> about buying the silver wherein is the lead, and the silver when it is pure being two or three Dirhams deficient from every ten Dirhams. He<sup>asws</sup> said: 'It is not correct except with the gold'.<sup>81</sup>

عَدَّةٌ مِنْ أَصْحَابِنَا عَنْ أَحْمَدَ بْنِ مُحَمَّدٍ عَنِ الْحُسَيْنِ بْنِ سَعِيدٍ عَنْ عَبْدِ اللَّهِ بْنِ بَحْيَى عَنْ ابْنِ مُسْكَانَ عَنْ أَبِي عَبْدِ اللَّهِ مَوْلَى عَبْدِ رَبِّهِ قَالَ سَأَلْتُ أَبَا عَبْدِ اللَّهِ ( عَلَيْهِ السَّلَامُ ) عَنِ الْجَوْهَرِ الَّذِي يُخْرَجُ مِنَ الْمَعْدِنِ وَ فِيهِ ذَهَبٌ وَ فِضَّةٌ وَ صُفْرٌ جَمِيعًا كَيْفَ تَسْتَرِيهِ فَقَالَ تَسْتَرِيهِ بِالذَّهَبِ وَ الْفِضَّةِ جَمِيعًا .

<sup>78</sup> Al Kafi – V 5 – The Book of Subsistence Ch 114 H 18

<sup>79</sup> Al Kafi – V 5 – The Book of Subsistence Ch 114 H 19

<sup>80</sup> Al Kafi – V 5 – The Book of Subsistence Ch 114 H 20

<sup>81</sup> Al Kafi – V 5 – The Book of Subsistence Ch 114 H 21

A number of our companions, from Ahmad Bin Muhammad, from Al Husayn Bin Saeed, from Abdullah Bin Yahya, from Ibn Muskan, from Abu Abdullah, a slave of Abd Rabbih who said,

'I asked Abu Abdullah<sup>asws</sup> about the gems which are extracted from the mines and therein is gold, and silver, and brass altogether, how to buy it?' So he<sup>asws</sup> said: 'You should buy it with the gold and the silver entirely'.<sup>82</sup>

أَحْمَدُ بْنُ مُحَمَّدٍ عَنِ الْحُسَيْنِ بْنِ سَعِيدٍ عَنِ حَمَادِ بْنِ عَيْسَى عَنِ شُعَيْبِ الْعَقْرُقُوفِيِّ عَنِ أَبِي بَصِيرٍ قَالَ سَأَلْتُ أَبَا عَبْدِ اللَّهِ ( عَلَيْهِ السَّلَامُ ) عَنْ بَيْعِ السِّيفِ الْمَحْلَى بِالنَّقْدِ فَقَالَ لَا بَأْسَ بِهِ

Ahmad Bin Muhammad, from Al Husayn Bin Saeed, from Hammad Bin Isa, from Shuayb Al Aqarquqy, from Abu Baseer who said,

'I asked Abu Abdullah<sup>asws</sup> about selling the ornamented sword with the cash. So he<sup>asws</sup> said: 'There is no problem with it'.

قَالَ وَ سَأَلْتُهُ عَنْ بَيْعِهِ بِالنِّسِيئَةِ فَقَالَ إِذَا نَقَدَ مِثْلَ مَا فِي فِضَّتِهِ فَلَا بَأْسَ بِهِ أَوْ لِيُعْطِيَ الطَّعَامَ .

He (the narrator) said, 'And I asked him<sup>asws</sup> about selling it on credit. So he<sup>asws</sup> said: 'When the cash is similar to what is in its silver, so there is no problem with it, or let him give the foodstuff (as barter)'.<sup>83</sup>

عَدَّةٌ مِنْ أَصْحَابِنَا عَنْ أَحْمَدَ بْنِ أَبِي عَبْدِ اللَّهِ عَنْ عَلِيِّ بْنِ حَدِيدٍ عَنْ عَلِيِّ بْنِ مَيْمُونِ الصَّانِعِ قَالَ سَأَلْتُ أَبَا عَبْدِ اللَّهِ ( عَلَيْهِ السَّلَامُ ) عَمَّا يُكْنَسُ مِنَ التُّرَابِ فَأَبِيعُهُ فَمَا أَصْنَعُ بِهِ قَالَ تَصَدَّقْ بِهِ فَإِمَّا لَكَ وَ إِمَّا لِأَهْلِهِ قَالَ قُلْتُ فَإِنْ فِيهِ ذَهَبٌ وَ فَضَّةٌ وَ حَدِيداً فَبِأَيِّ شَيْءٍ أَبِيعُهُ قَالَ بَعُهُ بِطَعَامٍ قُلْتُ فَإِنْ كَانَ لِي قَرَابَةٌ مُحْتَاجٌ أُعْطِيهِ مِنْهُ قَالَ نَعَمْ .

A number of our companions, from Ahmad Bin Abu Abdullah, from Ali Bin Hadeed, from Ali Bin Maymoun Al Sa'ig who said,

'I asked Abu Abdullah<sup>asws</sup> about what is swept from the dirt, and I sell it. So what shall I do with it (the money)?' He<sup>asws</sup> said: 'Give it in charity with it, for either it is yours or it is for its rightful one'. I said, 'Supposing therein is gold and silver and iron, so for which thing shall I sell it?' He<sup>asws</sup> said: 'Sell it with foodstuff (as barter)'. I said, 'Supposing there are relatives for him who are needy, can I give it to them from it?' He<sup>asws</sup> said: 'Yes'.<sup>84</sup>

حُمَيْدُ بْنُ زِيَادٍ عَنِ الْحَسَنِ بْنِ مُحَمَّدِ بْنِ سَمَاعَةَ عَنْ عُبَيْرِ وَاحِدٍ عَنْ أَبَانَ بْنِ عُثْمَانَ عَنْ مُحَمَّدٍ قَالَ سُئِلَ عَنِ السِّيفِ الْمَحْلَى وَ السِّيفِ الْحَدِيدِ الْمَمُوهِ يَبِيعُهُ بِالْدِّرَاهِمِ قَالَ نَعَمْ وَ بِالذَّهَبِ وَ قَالَ إِنَّهُ يُكْرَهُ أَنْ يَبِيعَهُ بِنِيسِيئَةٍ وَ قَالَ إِذَا كَانَ التَّمَنُّ أَكْثَرَ مِنَ الْفِضَّةِ فَلَا بَأْسَ .

Humeyd Bin Ziyad, from Al Hassan Bin Muhammad Bin Sama'at, from someone else, from Aban Bin Usman, from Muhammad who said,

'He<sup>asws</sup> was asked about the ornamented sword, and the iron sword which was gilded exactly, can it be sold for the Dirhams?' He<sup>asws</sup> said: 'Yes, and with the gold'.

<sup>82</sup> Al Kafi – V 5 – The Book of Subsistence Ch 114 H 22

<sup>83</sup> Al Kafi – V 5 – The Book of Subsistence Ch 114 H 23

<sup>84</sup> Al Kafi – V 5 – The Book of Subsistence Ch 114 H 24

And he<sup>asws</sup> said: 'It is disliked that it should be sold on credit'. And he<sup>asws</sup> said: 'When the price was more than the gold (in the decor), so there is no problem'.<sup>85</sup>

عَلِيُّ بْنُ إِبْرَاهِيمَ عَنْ أَبِيهِ عَنِ ابْنِ فَضَّالٍ عَنْ عَلِيِّ بْنِ عُقْبَةَ عَنْ حَمَزَةَ عَنْ إِبْرَاهِيمَ بْنِ هِلَالٍ قَالَ قُلْتُ لِأَبِي عَبْدِ اللَّهِ ( عَلَيْهِ السَّلَامُ ) جَامٌ فِيهِ ذَهَبٌ وَفِضَّةٌ أَشْتَرِيهِ بِذَهَبٍ أَوْ فِضَّةٍ فَقَالَ إِنْ كَانَ تُقَدَّرُ عَلَى تَخْلِيصِهِ فَلَا وَ إِنْ لَمْ تُقَدَّرْ عَلَى تَخْلِيصِهِ فَلَا بَأْسَ .

Ali Bin Ibrahim, from his father, from Ibn Fazzal, from Ali Bin Uqba, from Hamza, from Ibrahim Bin Hilal who said,

'I said to Abu Abdullah<sup>asws</sup>, 'A goblet wherein is gold and silver, can it be bought with gold or silver?' So he<sup>asws</sup> said: 'If you are able upon purifying it, so no, and if you are not able upon purifying it, so there is no problem'.<sup>86</sup>

مُحَمَّدُ بْنُ يَحْيَى عَنْ مُحَمَّدِ بْنِ أَحْمَدَ عَنْ مُحَمَّدِ بْنِ عَيْسَى عَنْ عُثْمَانَ بْنِ عِيسَى عَنْ إِسْحَاقَ بْنِ عَمَّارٍ قَالَ قُلْتُ لَهُ تَجِبُنِي الدَّرَاهِمُ بَيْنَهَا الْفِضَّةُ فَتَشْتَرِيهِ بِالْفُلُوسِ فَقَالَ لَا يَجُوزُ وَ لَكِنْ أَنْظُرْ فَضْلَ مَا بَيْنَهُمَا فَرِنْ نَحَاسًا وَ زِنْ الْفِضْلَ فَاجْعَلْهُ مَعَ الدَّرَاهِمِ الْجِيَادِ وَ خُذْ وَرْنَا بِوَرْنٍ .

Muhammad Bin Yahya, from Muhammad Bin Ahmad, from Muhammad Bin Isa, from Usman Bin Isa, from Is'haq Bin Ammar who said,

'I said to him<sup>asws</sup>, 'There come to us the Dirhams between which are the remnants, for we tend to buy it with the money'. So he<sup>asws</sup> said: 'It is not allowed, but look at the remnants what is between the two, to weight brass and weight the silver (remnants), so make it to be with the good Dirhams, and take weight by weight'.<sup>87</sup>

عَلِيُّ بْنُ إِبْرَاهِيمَ عَنْ أَبِيهِ عَنِ إِسْمَاعِيلَ بْنِ مَرَّارٍ عَنْ يُوسُفَ عَنْ مُعَاوِيَةَ أَوْ غَيْرِهِ عَنْ أَبِي عَبْدِ اللَّهِ ( عَلَيْهِ السَّلَامُ ) قَالَ سَأَلْتُهُ عَنْ جَوْهَرِ الْأَسْرَبِ وَ هُوَ إِذَا خَلَصَ كَانَ فِيهِ فِضَّةٌ أَوْ يَصْلُحُ أَنْ يُسَلَّمَ الرَّجُلُ فِيهِ الدَّرَاهِمُ الْمَسْمَاةَ فَقَالَ إِذَا كَانَ الْغَالِبُ عَلَيْهِ اسْمُ الْأَسْرَبِ فَلَا بَأْسَ بِذَلِكَ يَعْنِي لَا يُعْرَفُ إِلَّا بِالْأَسْرَبِ .

Ali Bin Ibrahim, from his father, from Ismail Bin Marrar, from Yunus, from Muawiyah, or someone else,

(It has been narrated) from Abu Abdullah<sup>asws</sup>, said, 'I asked him<sup>asws</sup> about the lead jewels, and when it was pure it had silver in it. Is it correct that the man should submit an advance payment of a known amount of Dirhams with regards to it?' So he<sup>asws</sup> said: 'When it was such that the name of the lead overwhelmed it, so there is no problem with that, meaning it cannot be recognised except with the lead'.<sup>88</sup>

أَبُو عَلِيٍّ الْأَشْعَرِيُّ عَنْ مُحَمَّدِ بْنِ عَبْدِ الْجَبَّارِ وَ مُحَمَّدُ بْنُ إِسْمَاعِيلَ عَنِ الْفَضْلِ بْنِ شَادَانَ جَمِيعًا عَنْ صَفْوَانَ عَنْ عَبْدِ الرَّحْمَنِ بْنِ الْحَجَّاجِ قَالَ سَأَلْتُهُ عَنِ السُّيُوفِ الْمُحَلَّاةِ فِيهَا الْفِضَّةُ تُبَاعُ بِالذَّهَبِ إِلَى أَجَلٍ مُسَمًّى فَقَالَ إِنَّ النَّاسَ لَمْ يَخْتَلَفُوا فِي النَّسَاءِ أَنَّهُ الرَّبَا إِنَّمَا اخْتَلَفُوا فِي التَّيْدِ بِالْيَدِ فَقُلْتُ لَهُ فَبَيْعُهُ بِدَرَاهِمٍ يَنْقَدُ فَقَالَ كَانَ أَبِي يَقُولُ يَكُونُ مَعَهُ عَرْضٌ أَحَبُّ إِلَيَّ فَقُلْتُ لَهُ إِذَا كَانَتْ الدَّرَاهِمُ الَّتِي تُعْطَى أَكْثَرَ مِنَ الْفِضَّةِ الَّتِي فِيهَا فَقَالَ وَ كَيْفَ لَهُمْ بِالْإِحْتِيَاطِ بِذَلِكَ قُلْتُ لَهُ فَإِنَّهُمْ يَزْعُمُونَ أَنَّهُمْ يَعْرِفُونَ ذَلِكَ فَقَالَ إِنْ كَانُوا يَعْرِفُونَ ذَلِكَ فَلَا بَأْسَ وَ إِلَّا فَإِنَّهُمْ يَجْعَلُونَ مَعَهُ الْعَرْضَ أَحَبُّ إِلَيَّ .

Abu Ali Al Ashary, from Muhammad Bin Abdul Jabbar, and Muhammad Bin Ismail, from Al Fazl Bin Shazaan, altogether from Safwan, from Abdul Rahman Bin Al Hajjaj who said,

<sup>85</sup> Al Kafi – V 5 – The Book of Subsistence Ch 114 H 25

<sup>86</sup> Al Kafi – V 5 – The Book of Subsistence Ch 114 H 26

<sup>87</sup> Al Kafi – V 5 – The Book of Subsistence Ch 114 H 27

<sup>88</sup> Al Kafi – V 5 – The Book of Subsistence Ch 114 H 28

'I asked him<sup>asws</sup> about the ornamented swords wherein is the silver, can it be sold with the gold to a specified term?' So he<sup>asws</sup> said: 'The people are not differing regarding the credit that it is the usury. But rather, they are differing regarding the hand to hand (transaction)'. So I said to him<sup>asws</sup>, 'So can it be sold with the Dirhams in cash?' So he<sup>asws</sup> said: 'My<sup>asws</sup> father<sup>asws</sup> was saying: 'If there was something along with it, it would be more beloved to me<sup>asws</sup>'. So I said to him<sup>asws</sup>, 'When the Dirhams which are given are more than the silver which is therein?' So he<sup>asws</sup> said: 'And how would be the precaution for them with that?' I said to him<sup>asws</sup>, 'But they are claiming that they are recognising that'. So he<sup>asws</sup> said: 'If they were recognising that, so there is no problem, or else if they were making something else to be along with it, it would be more beloved to me<sup>asws</sup>'.<sup>89</sup>

مُحَمَّدُ بْنُ يَحْيَى عَنْ مُحَمَّدِ بْنِ أَحْمَدَ عَنْ مُحَمَّدِ بْنِ عِيسَى عَنْ أَبِي مُحَمَّدٍ الْأَنْصَارِيِّ عَنْ عَبْدِ اللَّهِ بْنِ سِنَانَ قَالَ قُلْتُ لِأَبِي عَبْدِ اللَّهِ ( عَلَيْهِ السَّلَامُ ) الرَّجُلُ يَكُونُ لِي عَلَيْهِ الدَّرَاهِمُ فَيُعْطِينِي الْمَكْحَلَةَ فَقَالَ الْفِضَّةُ بِالْفِضَّةِ وَ مَا كَانَ مِنْ كُحْلِ فَهُوَ دَيْنٌ عَلَيْهِ حَتَّى يَرُدَّهُ عَلَيْكَ يَوْمَ الْقِيَامَةِ .

Muhammad Bin Yahya, from Muhammad Bin Ahmad, from Muhammad Bin Isa, from Abu Muhammad Al Ansary, from Abdullah Bin Sinan who said,

'I said to Abu Abdullah<sup>asws</sup>, 'The man happens to have the Dirhams (as a debt) upon him for me, so he gives me the Kohl'. So he<sup>asws</sup> said: 'The silver is with the silver, and whatever was from Kohl, so it is a debt upon him until he returns it to you on the Day of Judgement'.<sup>90</sup>

عَلِيُّ بْنُ إِبْرَاهِيمَ عَنْ أَبِيهِ عَنِ ابْنِ أَبِي نَجْرَانَ عَنْ عَاصِمِ بْنِ حُمَيْدٍ عَنْ مُحَمَّدِ بْنِ قَيْسٍ عَنْ أَبِي جَعْفَرٍ ( عَلَيْهِ السَّلَامُ ) قَالَ قَالَ أَمِيرُ الْمُؤْمِنِينَ ( عَلَيْهِ السَّلَامُ ) لَا يَبْتَاعُ رَجُلٌ فِضَّةً بِذَهَبٍ إِلَّا يَدًا بِيَدٍ وَ لَا يَبْتَاعُ ذَهَبًا بِفِضَّةٍ إِلَّا يَدًا بِيَدٍ .

Ali Bin Ibrahim, from his father, from Ibn Abu Najran, from Aasim Bin Humejd, from Muhammad Bin Qays,

(It has been narrated) from Abu Ja'far<sup>asws</sup> having said: 'Amir Al-Momineen<sup>asws</sup> said: 'A man should not sell silver with gold except in a hand to hand (transaction), and he should not sell gold with silver except in a hand to hand (transaction)'.<sup>91</sup>

أَبُو عَلِيٍّ الْأَشْعَرِيُّ عَنْ مُحَمَّدِ بْنِ عَبْدِ الْجَبَّارِ وَ مُحَمَّدُ بْنُ إِسْمَاعِيلَ عَنِ الْفَضْلِ بْنِ شاذَانَ جَمِيعاً عَنْ صَفْوَانَ بْنِ يَحْيَى عَنْ عَبْدِ الرَّحْمَنِ بْنِ الْحَجَّاجِ قَالَ سَأَلْتُهُ عَنِ الرَّجُلِ يَشْتَرِي مِنَ الرَّجُلِ الدَّرَاهِمَ بِالدَّنَانِيرِ فَيَبِئُهَا وَ يَبْتَدُّهَا وَ يَحْسُبُ ثَمَنَهَا كَمْ هُوَ دِينَاراً ثُمَّ يَقُولُ أَرْسِلْ غَلَامَكَ مَعِيَ حَتَّى أُعْطِيَهُ الدَّنَانِيرَ فَقَالَ مَا أَحْبَبُّ أَنْ يُفَارِقَهُ حَتَّى يَأْخُذَ الدَّنَانِيرَ

Abu Ali Al Ashary, from Muhammad Bin Abdul Jabbar, and Muhammad Bin Ismail, from Al Fazl Bin Shazan altogether, from Safwan Bin Yahya, from Abdul Rahman Bin Al Hajjaj who said,

'I asked him<sup>asws</sup> about the man who bought the Dirhams from the man with the Dinars. So he weighed them, and cashed them, and counted its price how many Dinars it was. Then he said, 'Send your slave with me until I give him the Dinars'. So he<sup>asws</sup> said: 'I<sup>asws</sup> do not like it that he separates until he takes the Dinars'.

<sup>89</sup> Al Kafi – V 5 – The Book of Subsistence Ch 114 H 29

<sup>90</sup> Al Kafi – V 5 – The Book of Subsistence Ch 114 H 30

<sup>91</sup> Al Kafi – V 5 – The Book of Subsistence Ch 114 H 31

فَقُلْتُ إِنَّمَا هُوَ فِي دَارٍ وَحَدَهُ وَ أَمْكِنْتُهُمْ قَرِيبَةً بَعْضُهَا مِنْ بَعْضٍ وَ هَذَا يَشُقُّ عَلَيْهِمْ فَقَالَ إِذَا فَرَعُ مِنْ وَزْنِهَا وَ إِنْفَادَهَا فَلْيَأْمُرِ الْعُلَامَ الَّذِي يُرْسِلُهُ أَنْ يَكُونَ هُوَ الَّذِي يُبَايِعُهُ وَ يَدْفَعُ إِلَيْهِ الْوَرِقَ وَ يَفِيضُ مِنْهُ الدَّنَانِيرَ حَيْثُ يَدْفَعُ إِلَيْهِ الْوَرِقَ .

So I said, 'But rather, it is in one house, and it is possible nearby to each other, and this is grievous upon them'. So he<sup>asws</sup> said: 'When they are free from weighing it and cashing it, so let him instruct the slave who is sent that he is the one who would become the one selling it, and he would hand over the silver and take possession of the Dinars from him when he hand the silver over to him'.<sup>92</sup>

حُمَيْدُ بْنُ زِيَادٍ عَنِ الْحَسَنِ بْنِ مُحَمَّدٍ عَنْ غَيْرٍ وَاحِدٍ عَنْ أَبَانَ بْنِ عُثْمَانَ عَنْ عَبْدِ الرَّحْمَنِ بْنِ أَبِي عَبْدِ اللَّهِ عَنْ أَبِي عَبْدِ اللَّهِ ( عَلَيْهِ السَّلَامُ ) قَالَ سَأَلْتُهُ عَنْ بَيْعِ الذَّهَبِ بِالدَّرَاهِمِ فَيَقُولُ أَرْسِلْ رَسُولًا فَيَسْتَوْفِي لَكَ ثَمَنَهُ فَيَقُولُ هَاتِ وَ هَلْمْ وَ يَكُونُ رَسُولُكَ مَعَهُ .

Humeyd Bin Ziyad, from Al Hassan Bin Muhammad, from someone else, from Aban Bin Usman, from Abdul Rahman Bin Abu Abdullah,

(It has been narrated) from Abu Abdullah<sup>asws</sup>, said, 'I asked him<sup>asws</sup> about selling the gold with the Dirhams, so he<sup>asws</sup> said: 'Send a messenger so he would fulfill its price for you, and he should be saying, 'Give and take', and your messenger would happen to be with him'.<sup>93</sup>

## باب آخر

### Chapter 115 – Another Chapter

عَلِيُّ بْنُ إِبْرَاهِيمَ عَنْ مُحَمَّدِ بْنِ عَيْسَى عَنْ يُونُسَ قَالَ كَتَبْتُ إِلَى أَبِي الْحَسَنِ الرِّضَا ( عَلَيْهِ السَّلَامُ ) أَنَّ لِي عَلَى رَجُلٍ ثَلَاثَةَ آلَافٍ دِرْهَمٍ وَ كَانَتْ تِلْكَ الدَّرَاهِمُ تَنْفُقُ بَيْنَ النَّاسِ تِلْكَ الْأَيَّامَ وَ لَيْسَتْ تَنْفُقُ الْيَوْمَ فَلِي عَلَيْهِ تِلْكَ الدَّرَاهِمُ بِأَعْيَانِهَا أَوْ مَا يَنْفُقُ الْيَوْمَ بَيْنَ النَّاسِ قَالَ فَكَتَبْتُ إِلَيْ لِكَ أَنْ تَأْخُذَ مِنْهُ مَا يَنْفُقُ بَيْنَ النَّاسِ كَمَا أُعْطِيْتَهُ مَا يَنْفُقُ بَيْنَ النَّاسِ .

Ali Bin Ibrahim, from Muhammad Bin Isa, from Yunus who said,

'I wrote to Abu Al-Hassan Al-Reza<sup>asws</sup> that for me are three thousand Dirhams upon a man, and those Dirhams used to be spent between the people in those days (normal currency), and these are not being spent today (in circulation). So is there (a debt) upon him of those very Dirhams exactly or whatever is being spend (in circulation) today between the people?' So he<sup>asws</sup> wrote to me: 'For you is that you should take from him what is being spent (in circulation) between the people just as you had given it to him what was being spend (in circulation) between the people'.<sup>94</sup>

## باب إنفاق الدرهم المَحْمُولِ عَلَيْهَا

### Chapter 116 – Disbursement of the Dirhams coated over

عَلِيُّ بْنُ إِبْرَاهِيمَ عَنْ أَبِيهِ عَنْ ابْنِ أَبِي عُمَيْرٍ عَنْ حَمَّادِ بْنِ عُثْمَانَ عَنْ عُمَرَ بْنِ يَزِيدَ عَنْ أَبِي عَبْدِ اللَّهِ ( عَلَيْهِ السَّلَامُ ) فِي إِنْفَاقِ الدَّرَاهِمِ الْمَحْمُولِ عَلَيْهَا فَقَالَ إِذَا كَانَ الْعَالِبُ عَلَيْهَا الْفِضَّةَ فَلَا بَأْسَ .

<sup>92</sup> Al Kafi – V 5 – The Book of Subsistence Ch 114 H 32

<sup>93</sup> Al Kafi – V 5 – The Book of Subsistence Ch 114 H 33

<sup>94</sup> Al Kafi – V 5 – The Book of Subsistence Ch 115 H 1

Ali Bin Ibrahim, from his father, from Ibn Abu Umeyr, from Hammad Bin usman, from Umar Bin Yazeed,

(It has been narrated) from Abu Abdullah<sup>asws</sup> regarding the disbursement of the Dirhams coated over. So he<sup>asws</sup> said: 'When it was such that the silver overwhelmed upon it, so there is no problem'.<sup>95</sup>

عَلِيُّ بْنُ إِبْرَاهِيمَ عَنْ أَبِيهِ عَنِ ابْنِ أَبِي عُمَيْرٍ عَنْ عَلِيِّ بْنِ رَبَائِبٍ قَالَ لَا أَعْلَمُهُ إِلَّا عَنْ مُحَمَّدِ بْنِ مُسْلِمٍ قَالَ قُلْتُ لِأَبِي عَبْدِ اللَّهِ ( عَلَيْهِ السَّلَامُ ) الرَّجُلُ يَعْمَلُ الدَّرَاهِمَ يَحْمِلُ عَلَيْهَا النِّحَاسَ أَوْ غَيْرَهُ ثُمَّ يَبِيعُهَا فَقَالَ إِذَا كَانَ بَيْنَ النَّاسِ ذَلِكَ فَلَا بَأْسَ .

Ali Bin Ibrahim, from his father, from Ibn Abu Umeyr, from Ali Bin Raib who said, 'I do not know it except from Muhammad Bin Muslim who said,

'I said to Abu Abdullah<sup>asws</sup>, 'The man works on the Dirhams and coats the brass over it, or something else, then he sells it'. So he<sup>asws</sup> said: 'When it was such between the people, so there is no problem'.<sup>96</sup>

مُحَمَّدُ بْنُ يَحْيَى عَمَّنْ حَدَّثَهُ عَنْ جَمِيلٍ عَنْ حَرِيزِ بْنِ عَبْدِ اللَّهِ قَالَ كُنْتُ عِنْدَ أَبِي عَبْدِ اللَّهِ ( عَلَيْهِ السَّلَامُ ) فَدَخَلَ عَلَيْهِ قَوْمٌ مِنْ أَهْلِ سِجِسْتَانَ فَسَأَلُوهُ عَنِ الدَّرَاهِمِ الْمَحْمُولِ عَلَيْهَا فَقَالَ لَا بَأْسَ إِذَا كَانَ جَوَازاً لِمِصْرٍ .

Muhammad Bin Yahya, from the one who narrated it, from Jameel, from Hareyz Bin Abdullah who said,

'I was in the presence of Abu Abdullah<sup>asws</sup>, so a group of people came over to him<sup>asws</sup> from the inhabitants of Sijistan. So they asked him<sup>asws</sup> about the Dirhams coated over. So he<sup>asws</sup> said: 'There is no problem when it was licenced (currency) in a city'.<sup>97</sup>

مُحَمَّدُ بْنُ يَحْيَى عَنْ أَحْمَدَ بْنِ مُحَمَّدٍ عَنِ الْبُرْقِيِّ عَنِ الْفَضْلِ أَبِي الْعَبَّاسِ قَالَ سَأَلْتُ أَبَا عَبْدِ اللَّهِ ( عَلَيْهِ السَّلَامُ ) عَنِ الدَّرَاهِمِ الْمَحْمُولِ عَلَيْهَا فَقَالَ إِذَا أَنْفَقَتْ مَا يَجُوزُ بَيْنَ أَهْلِ الْبَلَدِ فَلَا بَأْسَ وَإِنْ أَنْفَقَتْ مَا لَا يَجُوزُ بَيْنَ أَهْلِ الْبَلَدِ فَلَا .

Muhammad Bin Yahya, from Ahmad Bin Muhammad, from Al Barqy, from Al Fazl Abu Al Abbas who said,

'I asked Abu Abdullah<sup>asws</sup> about the Dirhams coated over. So he<sup>asws</sup> said: 'When it is disbursed what is allowed between the people of the city, so there is no problem, however, if the disbursement is what is not allowed between the people of the city, so no'.<sup>98</sup>

### بَابُ الرَّجُلِ يُقْرِضُ الدَّرَاهِمَ وَيَأْخُذُ أَجْوَدَ مِنْهَا

## Chapter 117 – The man borrows the Dirhams and take the good ones from it

عَلِيُّ بْنُ إِبْرَاهِيمَ عَنْ أَبِيهِ عَنِ ابْنِ أَبِي عُمَيْرٍ عَنْ حَمَّادٍ عَنِ الْحَلْبِيِّ عَنْ أَبِي عَبْدِ اللَّهِ ( عَلَيْهِ السَّلَامُ ) قَالَ سَأَلْتُهُ عَنِ الرَّجُلِ يَسْتَقْرِضُ الدَّرَاهِمَ الْبَيْضَ عَدَدًا ثُمَّ يُعْطِي سُودًا وَقَدْ عَرَفَ أَنَّهَا أَثْقَلُ مِمَّا أَخَذَ وَتَطْيِبُ نَفْسُهُ أَنْ يَجْعَلَ لَهُ فَضْلَهَا فَقَالَ لَا بَأْسَ بِهِ إِذَا لَمْ يَكُنْ فِيهِ شَرْطٌ وَلَوْ وَهَدَهَا لَهُ كُلَّهَا صَلَحَ .

<sup>95</sup> Al Kafi – V 5 – The Book of Subsistence Ch 116 H 1

<sup>96</sup> Al Kafi – V 5 – The Book of Subsistence Ch 116 H 2

<sup>97</sup> Al Kafi – V 5 – The Book of Subsistence Ch 116 H 3

<sup>98</sup> Al Kafi – V 5 – The Book of Subsistence Ch 116 H 4

Ali Bin Ibrahim, from his father, from Ibn Abu Umeyr, from Hammad, from Al Halby,

(It has been narrated) from Abu Abdullah<sup>asws</sup>, said, 'I asked him<sup>asws</sup> about the man who borrows the white Dirhams, numbered, then he gives black ones, and he recognises that these are heavier than what he has taken, and is agreeable himself that he makes the extra to be for him. So he<sup>asws</sup> said: 'There is no problem with it where there does not happen to be a stipulation in it, and if he was to gift all of these (extra ones) to him, it would be correct'.<sup>99</sup>

عِدَّةٌ مِنْ أَصْحَابِنَا عَنْ سَهْلِ بْنِ زِيَادٍ وَ أَحْمَدَ بْنِ مُحَمَّدٍ جَمِيعاً عَنْ ابْنِ مَحْبُوبٍ عَنْ خَالِدِ بْنِ جَرِيرٍ عَنْ أَبِي الرَّبِيعِ قَالَ سَأَلَ أَبُو عَبْدِ اللَّهِ ( عَلَيْهِ السَّلَامُ ) عَنْ رَجُلٍ أَقْرَضَ رَجُلًا دِرَاهِمَ فَرَدَّ عَلَيْهِ أَجُودَ مِنْهَا بِطَيِّبَةٍ نَفْسِهِ وَ قَدْ عَلِمَ الْمُسْتَقْرِضُ وَ الْقَارِضُ أَنَّهُ إِذَا أَقْرَضَهُ لِيُعْطِيَهُ أَجُودَ مِنْهَا قَالَ لَا بَأْسَ إِذَا طَابَتْ نَفْسُ الْمُسْتَقْرِضِ .

A number of our companions, from Sahl Bin Ziyad, and Ahmad Bin Muhammad altogether, from Ibn Mahboub, from Khalid Bin Jareer, from Abu Al Rabie who said,

'Abu Abdullah<sup>asws</sup> was asked about a man who lent Dirhams to a man, so he returned to him good ones from it with agreement from himself, and the borrower and the lender knew that rather it was lent in order for good ones to be given back from it'. He<sup>asws</sup> said: 'There is no problem when the borrower agreed himself'.<sup>100</sup>

عَلِيُّ بْنُ إِبْرَاهِيمَ عَنْ أَبِيهِ عَنِ ابْنِ أَبِي عُمَيْرٍ عَنْ حَمَّادٍ عَنِ الْحَلْبِيِّ عَنْ أَبِي عَبْدِ اللَّهِ ( عَلَيْهِ السَّلَامُ ) قَالَ إِذَا أَقْرَضْتَ الدَّرَاهِمَ تَمَّ أَتَاكَ بِخَيْرٍ مِنْهَا فَلَا بَأْسَ إِذَا لَمْ يَكُنْ بَيْنَكُمَا شَرْطٌ .

Ali Bin Ibrahim, from his father, from Ibn Abu Umeyr, from Hammad, from Al Halby,

(It has been narrated) from Abu Abdullah<sup>asws</sup> having said: 'When you lend the Dirhams, then better than there are given back to you, so there is no problem when there does not happen to be a stipulation between the two of you'.<sup>101</sup>

مُحَمَّدُ بْنُ يَحْيَى عَنْ مُحَمَّدِ بْنِ الْحُسَيْنِ عَنْ صَفْوَانَ عَنْ يَعْقُوبَ بْنِ شُعَيْبٍ قَالَ سَأَلْتُ أَبَا عَبْدِ اللَّهِ ( عَلَيْهِ السَّلَامُ ) عَنِ الرَّجُلِ يُقْرِضُ الرَّجُلَ الدَّرَاهِمَ الْعِلَّةَ فَيَأْخُذُ مِنْهُ الدَّرَاهِمَ الطَّارِجِيَّةَ طَيِّبَةً بِهَا نَفْسُهُ فَقَالَ لَا بَأْسَ وَ ذَكَرَ ذَلِكَ عَنْ عَلِيٍّ ( عَلَيْهِ السَّلَامُ ) .

Muhammad Bin yahya, from Muhammad Bin Al Husayn, from Safwan, from Yaqoub Bin Shuayb who said,

'I asked Abu Abdullah<sup>asws</sup> about the man who lent Dirhams impure to the man and took the new ones from him with his agreement. So he<sup>asws</sup> said: 'There is no problem', and he<sup>asws</sup> mentioned: 'That is from Ali<sup>asws</sup>'.<sup>102</sup>

مُحَمَّدُ بْنُ يَحْيَى عَنْ أَحْمَدَ بْنِ مُحَمَّدٍ عَنِ ابْنِ فَضَّالٍ عَنْ يُونُسَ بْنِ يَعْقُوبَ عَنْ أَبِي مَرْيَمَ عَنْ أَبِي عَبْدِ اللَّهِ ( عَلَيْهِ السَّلَامُ ) قَالَ إِنَّ رَسُولَ اللَّهِ ( صَلَّى اللَّهُ عَلَيْهِ وَآلِهِ ) كَانَ يُكُونُ عَلَيْهِ النَّبِيُّ فَيُعْطِي الرَّبَاعَ .

Muhammad Bin Yahya, from Ahmad Bin Muhammad, from Ibn Fazzal, from Yunus Bin Yaqoub, from Abu Maryam,

<sup>99</sup> Al Kafi – V 5 – The Book of Subsistence Ch 117 H 1

<sup>100</sup> Al Kafi – V 5 – The Book of Subsistence Ch 117 H 2

<sup>101</sup> Al Kafi – V 5 – The Book of Subsistence Ch 117 H 3

<sup>102</sup> Al Kafi – V 5 – The Book of Subsistence Ch 117 H 4

(It has been narrated) from Abu Abdullah<sup>asws</sup> having said that Rasool-Allah<sup>saww</sup>, when there happened to be the (debt of) a five-year old camel upon him<sup>saww</sup>, gave back the heavier one'.<sup>103</sup>

أَبُو عَلِيٍّ الْأَشْعَرِيُّ عَنْ مُحَمَّدِ بْنِ عَبْدِ الْجَبَّارِ وَ مُحَمَّدِ بْنِ إِسْمَاعِيلَ عَنِ الْفَضْلِ بْنِ شَادَانَ عَنْ صَفْوَانَ عَنْ عَبْدِ الرَّحْمَنِ بْنِ الْحَجَّاجِ قَالَ سَأَلْتُ أَبَا عَبْدِ اللَّهِ ( عَلَيْهِ السَّلَامُ ) عَنِ الرَّجُلِ يَسْتَقْرِضُ مِنَ الرَّجُلِ الدَّرَاهِمَ فَيَرُدُّ عَلَيْهِ الْمُنْقَالَ أَوْ يَسْتَقْرِضُ الْمُنْقَالَ فَيَرُدُّ عَلَيْهِ الدَّرَاهِمَ فَقَالَ إِذَا لَمْ يَكُنْ شَرْطُ فَلَا بَأْسَ وَ ذَلِكَ هُوَ الْفَضْلُ إِنَّ أَبِي رَجِمَهُ اللَّهُ كَانَ يَسْتَقْرِضُ الدَّرَاهِمَ الْفُسُولَةَ فَيُدْخِلُ عَلَيْهِ الدَّرَاهِمَ الْجَلَالَ فَقَالَ يَا بُنَيَّ رُدَّهَا عَلَيَّ الَّذِي اسْتَقْرَضْتُهَا مِنْهُ فَأَقُولُ يَا أَبَاهُ إِنَّ دَرَاهِمَهُ كَانَتْ فُسُولَةً وَ هَذِهِ خَيْرٌ مِنْهَا فَيَقُولُ يَا بُنَيَّ إِنَّ هَذَا هُوَ الْفَضْلُ فَأَعْطِهِ إِيَّاهَا .

Abu Ali Al Ashary, from Muhammad Bin Abdul Jabbar, and Muhammad Bin Ismail, from Al Fazl Bin Shazaan, from Safwan, from Abdul Rahman Bin Al Hajjan who said,

'I asked Abu Abdullah<sup>asws</sup> about the man who borrows the Dirhams from the man and he returned to him the *Misqaal* (a unit of weight), or he borrows the *Misqaal* and he returned the Dirhams to him. So he<sup>asws</sup> said: 'When there does not happen to be a stipulation, so there is no problem, and that is the excess. My<sup>asws</sup> father<sup>asws</sup>, may Allah<sup>azwj</sup> have Mercy on him<sup>asws</sup>, had borrowed the inferior Dirhams, so he<sup>asws</sup> included the superior Dirhams and said to me<sup>asws</sup>: 'O my<sup>asws</sup> son<sup>asws</sup>! Return these upon the one whom I<sup>asws</sup> had borrowed from'. So I<sup>asws</sup> said: 'O father<sup>asws</sup>! His Dirhams were inferior, and these ones are better from those'. So he<sup>asws</sup> said: 'O my<sup>asws</sup> son<sup>asws</sup>! This is the grace, so give it to him'.<sup>104</sup>

أَبُو عَلِيٍّ الْأَشْعَرِيُّ عَنْ مُحَمَّدِ بْنِ عَبْدِ الْجَبَّارِ عَنْ عَلِيِّ بْنِ النُّعْمَانَ عَنْ بَعْضِ بْنِ شُعَيْبٍ قَالَ سَأَلْتُ أَبَا عَبْدِ اللَّهِ ( عَلَيْهِ السَّلَامُ ) عَنِ الرَّجُلِ يَكُونُ عَلَيْهِ جَلَّةٌ مِنْ بُسْرِ فَيَأْخُذُ مِنْهُ جَلَّةٌ مِنْ رُطْبٍ وَ هِيَ أَقَلُّ مِنْهَا قَالَ لَا بَأْسَ فَلْتُ فَيَكُونُ لِي عَلَيْهِ جَلَّةٌ مِنْ بُسْرِ فَأَخَذُ مِنْهُ جَلَّةٌ مِنْ تَمْرٍ وَ هِيَ أَكْثَرُ مِنْهَا قَالَ لَا بَأْسَ إِذَا كَانَ مَعْرُوفًا بَيْنَكُمَا .

Abu Ali Al Ashary, from Muhammad Bin Abdul Jabbar, from Ali Bin Al Nu'man, from Yaqoub Bin Shuayb who said,

'I asked Abu Abdullah<sup>asws</sup> about the man who happened to have a basket of unripened dates (as a debt) upon him, so he takes back a basket of fresh dates, and these are less from those'. He<sup>asws</sup> said: 'There is no problem'. I said, 'Supposing there happens to be for me (a debt) upon him of a basket of unripened debts, so I take a basket of fresh dates from him, and it is more than those?' He<sup>asws</sup> said: 'There is no problem when it was a well-known (practice) between the two of you'.<sup>105</sup>

### بَابُ الْقَرْضِ يَجْرُ الْمُنْفَعَةُ

## Chapter 118 – The loan which attracts the benefit

عَلِيُّ بْنُ إِبْرَاهِيمَ عَنْ أَبِيهِ عَنِ ابْنِ أَبِي عُمَيْرٍ عَنْ أَبِي أَيُّوبَ عَنِ مُحَمَّدِ بْنِ مُسْلِمٍ وَ غَيْرِهِ قَالَ سَأَلْتُ أَبَا عَبْدِ اللَّهِ ( عَلَيْهِ السَّلَامُ ) عَنِ الرَّجُلِ يَسْتَقْرِضُ مِنَ الرَّجُلِ قَرْضًا وَ يُعْطِيهِ الرَّهْنَ إِمَّا خَادِمًا وَ إِمَّا أَنْيَّةً وَ إِمَّا نَيْبًا فَيَحْتَاجُ إِلَى شَيْءٍ مِنْ مَنفَعَتِهِ فَيَسْتَأْذِنُهُ فِيهِ فَيَأْذِنُ لَهُ قَالَ إِذَا طَابَتْ نَفْسُهُ فَلَا بَأْسَ فَلْتُ إِنَّ مِنْ عِنْدَنَا يَرُودُونَ أَنَّ كُلَّ قَرْضٍ يَجْرُ مَنفَعَةٌ فَهُوَ فَاسِدٌ فَقَالَ أَوْ لَيْسَ خَيْرُ الْقَرْضِ مَا جَرَّ مَنفَعَةٌ .

<sup>103</sup> Al Kafi – V 5 – The Book of Subsistence Ch 117 H 5

<sup>104</sup> Al Kafi – V 5 – The Book of Subsistence Ch 117 H 6

<sup>105</sup> Al Kafi – V 5 – The Book of Subsistence Ch 117 H 7

Ali Bin Ibrahim, from his father, from Ibn Abu Umeyr, from Abu Ayoub, from Muhammad Bin Muslim and someone else who said,

'I asked Abu Abdullah<sup>asws</sup> about the man who borrowed a loan from the man and gave him the security deposit, either a servant, or a utensil, or clothes. So he (lender) was needy to the thing (deposited as security) for its benefits. So he sought permission with regards to it, so he (the borrower) permitted him. He<sup>asws</sup> said: 'When he agreed himself, so there is no problem'. I said, 'The ones among us are reporting that every loan which attracts benefits, so it is invalid'. So he<sup>asws</sup> said: 'Or is it not the case that the best of the loans is what attracts a benefit?'<sup>106</sup>

مُحَمَّدُ بْنُ يَحْيَىٰ عَنْ مُحَمَّدِ بْنِ الْحُسَيْنِ عَنْ صَفْوَانَ عَنِ ابْنِ بُكَيْرٍ عَنْ مُحَمَّدِ بْنِ عَبْدِ اللَّهِ قَالَ سَأَلْتُ أَبَا عَبْدِ اللَّهِ ( عَلَيْهِ السَّلَامُ )  
عَنِ الْقَرْضِ يَجْرُ الْمُنْفَعَةَ فَقَالَ خَيْرُ الْقَرْضِ الَّذِي يَجْرُ الْمُنْفَعَةَ .

Muhammad Bin Yahya, from Muhammad Bin Al Husayn, from Safwan, from Ibn Bukeyr, from Muhammad Bin Abdat who said,

'I asked Abu Abdullah<sup>asws</sup> about the loan which attracts the benefits. So he<sup>asws</sup> said: 'The best of the loans is that which attracts the benefits'.<sup>107</sup>

عَلِيُّ بْنُ إِبْرَاهِيمَ عَنْ أَبِيهِ عَنِ ابْنِ أَبِي عُمَيْرٍ عَنْ بَشْرِ بْنِ مَسْلَمَةَ وَغَيْرِ وَاحِدٍ عَمَّنْ أَخْبَرَهُمْ عَنْ أَبِي جَعْفَرٍ ( عَلَيْهِ السَّلَامُ )  
قَالَ خَيْرُ الْقَرْضِ مَا جَرَّ مَنفَعَةً .

Ali Bin Ibrahim, from his father, from Ibn Abu Umeyr, from Bishr Bin Maslama, and someone else, from the one who informed him,

(It has been narrated) from Abu Ja'far<sup>asws</sup> having said: 'The best loan is what attracts the benefits'.<sup>108</sup>

أَبُو عَلِيٍّ الْأَشْعَرِيُّ عَنْ مُحَمَّدِ بْنِ عَبْدِ الْجَبَّارِ عَنْ صَفْوَانَ عَنِ عَبْدِ الرَّحْمَنِ بْنِ الْحَجَّاجِ قَالَ سَأَلْتُ أَبَا الْحَسَنِ ( عَلَيْهِ السَّلَامُ )  
( عَنِ الرَّجُلِ يَجِئُنِي فَأَسْتُرِي لَهُ الْمَتَاعَ مِنَ النَّاسِ وَ أَصْمَنُ عَنْهُ ثُمَّ يَجِئُنِي بِالذَّرَاهِمِ فَأَخْذُهَا وَ أَحْبِسُهَا عَنْ صَاحِبِهَا وَ أَخْذُ  
الذَّرَاهِمِ الْجِيَادَ وَ أُعْطِي دُونَهَا فَقَالَ إِذَا كَانَ يَضْمَنُ فَرُبَّمَا اسْتَدَّ عَلَيْهِ فَعَجَلَ قَبْلَ أَنْ يَأْخُذَهُ وَ يَحْبِسُ بَعْدَ مَا يَأْخُذُ فَلَا بَأْسَ .

Abu Ali Al Ashary, from Muhammad Bin Abdul Jabbar, from safwan, from Abdul Rahman Bin Al Hajjaj who said,

'I asked Abu Al-Hassan<sup>asws</sup> about the man who came to me, so I bought goods for him from the people and I guaranteed on his behalf. Then he came to me with the Dirhams. I took and withheld them from their owner, then took the good quality Dirhams and gave them of lower quality. He<sup>asws</sup> (the Imam) said, 'He guaranteed payment, perhaps it became severe upon him so he hurried to pay before he (the guarantor) asks for payment. He (the guarantor) withholds payment after receiving, it is not unlawful.'<sup>109</sup>

<sup>106</sup> Al Kafi – V 5 – The Book of Subsistence Ch 118 H 1

<sup>107</sup> Al Kafi – V 5 – The Book of Subsistence Ch 118 H 2

<sup>108</sup> Al Kafi – V 5 – The Book of Subsistence Ch 118 H 3

<sup>109</sup> Al Kafi – V 5 – The Book of Subsistence Ch 118 H 4

### بَابُ الرَّجُلِ يُعْطَى الدَّرَاهِمَ ثُمَّ يَأْخُذُهَا بِبَلَدٍ آخَرَ

## Chapter 119 – The man gives the Dirhams, then takes them in another city

أَبُو عَلِيٍّ الْأَشْعَرِيُّ عَنْ مُحَمَّدِ بْنِ عَبْدِ الْجَبَّارِ عَنْ عَلِيِّ بْنِ النُّعْمَانَ عَنْ يَعْقُوبَ بْنِ شُعَيْبٍ عَنْ أَبِي عَبْدِ اللَّهِ (عليه السلام) قَالَ قُلْتُ لَهُ يُسَلِّفُ الرَّجُلُ الرَّجُلَ الْوَرِقَ عَلَى أَنْ يَنْقُذَهَا إِتْيَاهُ بِأَرْضٍ أُخْرَى وَ يَشْتَرِطُ عَلَيْهِ ذَلِكَ قَالَ لَا بَأْسَ .

Abu Ali Al Ashary, from Muhammad Bin Abdul Jabbar, from Ali Bin Al Numan, from Yaqoub Bin Shuayb,

(It has been narrated) from Abu Abdullah<sup>asws</sup>, said, 'I said to him<sup>asws</sup>, 'The man leaves behind the silver (Dirhams) with the man upon a stipulation that he would cash these in another land, and made it a condition upon him for that'. He<sup>asws</sup> said: 'There is no problem'.<sup>110</sup>

عَلِيُّ بْنُ إِبْرَاهِيمَ عَنْ أَبِيهِ عَنِ النَّوْفَلِيِّ عَنِ السَّكُونِيِّ عَنْ أَبِي عَبْدِ اللَّهِ (عليه السلام) قَالَ قَالَ أَمِيرُ الْمُؤْمِنِينَ (عليه السلام) ( لَا بَأْسَ بِأَنْ يَأْخُذَ الرَّجُلُ الدَّرَاهِمَ بِمَكَّةَ وَ يَكْتُبَ لَهُمْ سَفَاتِحَ أَنْ يُعْطَوْهَا بِالْكُوفَةِ .

Ali Bin Ibrahim, from his father, from Al Nowfaly,

(It has been narrated) from Abu Abdullah<sup>asws</sup> having said: 'Amir Al-Momineen<sup>asws</sup> said: 'There is no problem with the man taking the Dirhams in Makkah and writes for them a bill of exchange that he would give it in Al-Kufa'.<sup>111</sup>

مُحَمَّدُ بْنُ يَحْيَى عَنْ أَحْمَدَ بْنِ مُحَمَّدٍ عَنْ عَلِيِّ بْنِ النُّعْمَانَ عَنْ أَبِي الصَّبَّاحِ عَنْ أَبِي عَبْدِ اللَّهِ (عليه السلام) فِي الرَّجُلِ يَبْعَثُ بِمَالٍ إِلَى أَرْضٍ فَقَالَ الَّذِي يُرِيدُ أَنْ يَبْعَثَ بِهِ أَقْرَضْنِيهِ وَ أَنَا أَوْفِيكَ إِذَا قَدِمْتَ الْأَرْضَ قَالَ لَا بَأْسَ .

Muhammad Bin Yahya, from Ahmad Bin Muhammad, from Ali Bin Al Numan, from Abu Al Sabbah,

(It has been narrated) from Abu Abdullah<sup>asws</sup> regarding the man who wants to send goods to a land, so the one whom he want to send it with says, 'Lend it to me and I shall return to you when I am at the land'. He<sup>asws</sup> said: 'There is no problem'.<sup>112</sup>

### بَابُ رُكُوبِ الْبَحْرِ لِلتَّجَارَةِ

## Chapter 120 – Sailing the sea for the business

عَدَّةٌ مِنْ أَصْحَابِنَا عَنْ أَحْمَدَ بْنِ مُحَمَّدٍ بْنِ خَالِدٍ عَنِ ابْنِ أَبِي نَجْرَانَ عَنِ الْعَلَاءِ عَنْ مُحَمَّدِ بْنِ مُسْلِمٍ عَنْ أَبِي جَعْفَرٍ وَ أَبِي عَبْدِ اللَّهِ (عليه السلام) أَنَّهُمَا كَرِهَا رُكُوبَ الْبَحْرِ لِلتَّجَارَةِ .

A number of our companion, from Ahmad Bin Muhammad Bin Khalid, from Ibn Abu Najran, from Al A'ala, from Muhammad Bin Muslim,

(It has been narrated) from Abu Ja'far<sup>asws</sup> and Abu Abdullah<sup>asws</sup> both having disliked sailing the sea for the business'.<sup>113</sup>

<sup>110</sup> Al Kafi – V 5 – The Book of Subsistence Ch 119 H 1

<sup>111</sup> Al Kafi – V 5 – The Book of Subsistence Ch 119 H 2

<sup>112</sup> Al Kafi – V 5 – The Book of Subsistence Ch 119 H 3

عَلِيُّ بْنُ إِبْرَاهِيمَ رَفَعَهُ قَالَ قَالَ عَلِيٌّ ( عَلَيْهِ السَّلَام ) مَا أَجْمَلَ فِي الطَّلَبِ مَنْ رَكِبَ الْبَحْرَ لِلتَّجَارَةِ .

Ali Bin Ibrahim, raising it, said:

'Amir Al-Momineen<sup>asws</sup> said: 'What is more nicer regarding the seeking (the earnings rather than) the one who sails the sea for the business'.<sup>114</sup>

عَلِيُّ بْنُ إِبْرَاهِيمَ عَنْ أَبِيهِ عَنْ عَلِيِّ بْنِ أَصْبَاطٍ قَالَ كُنْتُ حَمَلْتُ مَعِيَ مَتَاعاً إِلَى مَكَّةَ فَبَارَ عَلِيٌّ فَدَخَلْتُ بِهِ الْمَدِينَةَ عَلَى أَبِي الْحَسَنِ الرِّضَا ( عَلَيْهِ السَّلَام ) وَ قُلْتُ لَهُ إِنِّي حَمَلْتُ مَتَاعاً فَدَبَّرَ عَلِيٌّ وَ قَدْ عَزَمْتُ عَلَى أَنْ أَصِيرَ إِلَى مِصْرَ فَأَرْكَبُ بَرّاً أَوْ بَحْرًا فَقَالَ مِصْرُ الْحُنُوفِ يُفَيْضُ لَهَا أَفْصَرَ النَّاسِ أَعْمَاراً وَ قَالَ رَسُولُ اللَّهِ ( صَلَّى اللَّهُ عَلَيْهِ وَآلِهِ ) مَا أَجْمَلَ فِي الطَّلَبِ مَنْ رَكِبَ الْبَحْرَ

Ali Bin Ibrahim, from his father, from Ali Bin Asbaat who said,

'I was carrying merchandise with me to Makkah but it was ruined upon me (incurred losses). So I entered the city with it to go to Abu Al-Hassan Al-Reza<sup>asws</sup> and said to him<sup>asws</sup>, 'I carried merchandise which incurred losses upon me and I have resolved that I shall travel to Egypt. So, shall I travel the land or sea?' So he<sup>asws</sup> said: 'Egypt is the death, it worsely affects the youngest in age; and Rasool-Allah<sup>saww</sup> said: 'What is nicer regarding the seeking (than) one who sails the sea'.

ثُمَّ قَالَ لِي لَا عَلَيْكَ أَنْ تَأْتِيَ قَبْرَ رَسُولِ اللَّهِ ( صَلَّى اللَّهُ عَلَيْهِ وَآلِهِ ) فَتُصَلِّيَ عِنْدَهُ رَكَعَتَيْنِ فَتَسْتَخِيرَ اللَّهَ مِائَةَ مَرَّةٍ فَمَا عَزَمَ لَكَ عَمَلْتُ بِهِ فَإِنْ رَكِبْتَ الظُّهْرَ فَقُلِ الْحَمْدُ لِلَّهِ الَّذِي سَخَّرَ لَنَا هَذَا وَ مَا كُنَّا لَهُ مُقْرِنِينَ وَ إِنَّا إِلَى رَبِّنَا لَمُنْقَلِبُونَ

Then he<sup>asws</sup> said to me: 'It (Egypt) would not be against you if you were to go to the grave of Rasool-Allah<sup>saww</sup>, and Pray two Cycles in his<sup>saww</sup> presence, and ask Allah<sup>azwj</sup> hundred times (your wishes) and to Choose for you (the best) one (Istikhara). So whatever is resolved for you, work by it. So if you were to ride the back (of the animal), so say, 'Said [43:13] **Glory be to Him Who Made this subservient to us and we were not able to do it [43:14] And surely to our Lord we must return**'.

وَ إِنْ رَكِبْتَ الْبَحْرَ فَإِذَا صِرْتَ فِي السَّفِينَةِ فَقُلْ بِسْمِ اللَّهِ مَجْرِيهَا وَ مُرْسِيهَا إِنَّ رَبِّي لَعَفُورٌ رَحِيمٌ فَإِذَا هَاجَتْ عَلَيْكَ الْأَمْوَاجُ فَاتَّكِ عَلَى يَسَارِكَ وَ أَوِّمِ إِلَى الْمَوْجَةِ بِيَمِينِكَ وَ قُلْ قَرِّي بِقَرَارِ اللَّهِ وَ اسْكُنِي بِسَكِينَةِ اللَّهِ وَ لَا حَوْلَ وَ لَا قُوَّةَ إِلَّا بِاللَّهِ [الْعَلِيِّ الْعَظِيمِ]

And if you were to sail the sea, so when you come to be in the ship, so say, 'In the Name of Allah<sup>azwj</sup> Who Makes it to flow and sail. Surely, my Lord<sup>azwj</sup> is Forgiving, Merciful'. So if the waves were to heave upon you, so lean upon your left and gesture towards the wave with your right hand, and say, 'Settle with the Settling of Allah<sup>azwj</sup> and be tranquil by the Tranquility of Allah<sup>azwj</sup>, and there is neither a might nor any strength except with Allah<sup>azwj</sup>, the Exalted, the Magnificent'.

قَالَ عَلِيُّ بْنُ أَصْبَاطٍ فَرَكِبْتُ الْبَحْرَ فَكَانَتْ الْمَوْجَةُ تَرْتَفِعُ فَأَقُولُ مَا قَالَ فَتَنْقَسِعُ كَأَنَّهَا لَمْ تَكُنْ

Ali Bin Asbaat (the narrator) said, 'So I sailed the sea, and whenever the wave raised itself, so I was saying what he<sup>asws</sup> had told me to say. So they used to break up as if it had never been.

<sup>113</sup> Al Kafi – V 5 – The Book of Subsistence Ch 120 H 1

<sup>114</sup> Al Kafi – V 5 – The Book of Subsistence Ch 120 H 2

قَالَ عَلِيُّ بْنُ أُسْبَاطٍ وَ سَأَلْتُهُ فَقُلْتُ جُعِلْتُ فِدَاكَ مَا السَّكِينَةُ قَالَ رِيحٌ مِنَ الْجَنَّةِ لَهَا وَجْهٌ كَوَجْهِ الْإِنْسَانِ أَطْيَبُ رَائِحَةً مِنَ الْمِسْكِ وَ هِيَ الَّتِي أَنْزَلَهَا اللَّهُ عَلَى رَسُولِ اللَّهِ ( صلى الله عليه وآله ) بِحُنَيْنٍ فَهَزَمَ الْمُشْرِكِينَ .

Ali Bin Asbaat (the narrator) said, 'And I asked him<sup>asws</sup>, 'My I be sacrificed for you<sup>asws</sup>! What is the tranquillity?' He<sup>asws</sup> said: 'A wind from the Paradise. For it is a face like the face of the human being. Its aroma is more fragrance than the Musk, and it is which Allah<sup>azwj</sup> Send down upon Rasool-Allah<sup>saww</sup> at (the battle of) Hunayn. Thus, the Polytheists were defeated'.<sup>115</sup>

عَدَّةٌ مِنْ أَصْحَابِنَا عَنْ أَحْمَدَ بْنِ أَبِي عَبْدِ اللَّهِ عَنْ أَبِيهِ عَنْ حَمَّادٍ عَنْ حَرِيزٍ عَنْ مُحَمَّدِ بْنِ مُسْلِمٍ عَنْ أَبِي جَعْفَرٍ ( عليه السلام ) أَنَّهُ قَالَ فِي رُكُوبِ الْبَحْرِ لِلتَّجَارَةِ يُعَرِّرُ الرَّجُلَ بَدِينِهِ .

A number of our companions, from Ahmad Bin Abu Abdullah, from his father, from Hammad, from Hareyz, from Muhammad Bin Muslim,

(It has been narrated) from Abu Ja'far<sup>asws</sup> having said regarding sailing the sea for the business: 'The man is deceived in his Religion'.<sup>116</sup>

عَنْهُ عَنْ أَبِيهِ عَنْ صَفْوَانَ عَنْ مُعَلَّى أَبِي عُثْمَانَ عَنْ مُعَلَّى بْنِ حُنَيْسٍ قَالَ سَأَلْتُ أَبَا عَبْدِ اللَّهِ ( عليه السلام ) عَنِ الرَّجُلِ يُسَافِرُ فَيُرْكَبُ الْبَحْرَ فَقَالَ إِنَّ أَبِي كَانَ يَقُولُ إِنَّهُ يُضِرُّ بَدِينِكَ هُوَ ذَا النَّاسِ يُصِيبُونَ أَرْزَاقَهُمْ وَ مَعِيشَتَهُمْ .

From him, from his father, from Safwan, from moalla Abu Usman, from Moalla Bin Khunays who said,

'I asked Abu Abdullah<sup>asws</sup> about the man who journeyed, so he sailed the sea. So he<sup>asws</sup> said: 'My<sup>asws</sup> father<sup>asws</sup> was saying: 'It is harmful to your body. It is that the people are attaining their sustenance and their livelihood'.<sup>117</sup>

عَنْهُ عَنْ مُحَمَّدِ بْنِ عَلِيٍّ عَنْ عَبْدِ الرَّحْمَنِ بْنِ أَبِي هَاشِمٍ عَنْ حُسَيْنِ بْنِ أَبِي الْعَلَاءِ عَنْ أَبِي عَبْدِ اللَّهِ ( عليه السلام ) أَنَّ رَجُلًا أَتَى أَبَا جَعْفَرٍ ( عليه السلام ) فَقَالَ إِنَّا نَتَجَرُّ إِلَى هَذِهِ الْجِبَالِ فَنَأْتِي مِنْهَا عَلَى أَمْكِنَةٍ لَا نَقْدِرُ أَنْ نُصَلِّيَ إِلَّا عَلَى التَّلْجِ فَقَالَ أَلَا تَكُونُ مِثْلَ فُلَانٍ يَرْضَى بِالذُّونِ وَ لَا يَطْلُبُ تِجَارَةً لَا يَسْتَطِيعُ أَنْ يُصَلِّيَ إِلَّا عَلَى التَّلْجِ .

From him, from Muhammad Bin Ali, from Abdul Rahman Bin Abu Hashim, from Husayn Bin Abu Al A'ala,

(It has been narrated) from Abu Abdullah<sup>asws</sup> that a man came to Abu Ja'far<sup>asws</sup>, so he said, 'We do business to these mountains, so we come to places where we are not able to Pray except upon the snow'. So he<sup>asws</sup> said: 'Can't you become like so and so who is pleased with the less and he does not seek business where he is not able to Pray except upon the snow?'<sup>118</sup>

<sup>115</sup> Al Kafi – V 5 – The Book of Subsistence Ch 120 H 3

<sup>116</sup> Al Kafi – V 5 – The Book of Subsistence Ch 120 H 4

<sup>117</sup> Al Kafi – V 5 – The Book of Subsistence Ch 120 H 5

<sup>118</sup> Al Kafi – V 5 – The Book of Subsistence Ch 120 H 6

**بَابُ أَنَّ مِنَ السَّعَادَةِ أَنْ يَكُونَ مَعِيشَةُ الرَّجُلِ فِي بَلَدِهِ**

**Chapter 121 – It is from the good fortune that there happens to be livelihood for the man in his own city**

عَدَّةٌ مِنْ أَصْحَابِنَا عَنْ أَحْمَدَ بْنِ مُحَمَّدٍ عَنْ عُثْمَانَ بْنِ عِيسَى عَنْ ابْنِ مُسْكَانَ عَنْ بَعْضِ أَصْحَابِهِ قَالَ قَالَ عَلِيُّ بْنُ الْحُسَيْنِ ( عَلَيْهِ السَّلَامُ ) إِنَّ مِنْ سَعَادَةِ الْمَرْءِ أَنْ يَكُونَ مَتَجِرُهُ فِي بَلَدِهِ وَ يَكُونَ خُلَطَاؤُهُ صَالِحِينَ وَ يَكُونَ لَهُ وُلْدٌ يَسْتَعِينُ بِهِمْ .

A number of our companions, from Ahmad Bin Muhammad, from Usman Bin Isa, from Ibn Muskan, from one of his companions who said,

‘Ali<sup>asws</sup> Bin Al-Husayn<sup>asws</sup> said: ‘From the good fortune of the person (are) that there happens to be his business in his own city, and his associates happen to be righteous, and there happen to be children for him he can seek assistance by them’.<sup>119</sup>

أَحْمَدُ بْنُ مُحَمَّدٍ عَنْ عَلِيِّ بْنِ الْحُسَيْنِ النَّبِيِّ عَنْ جَعْفَرِ بْنِ بَكْرٍ عَنْ عَبْدِ اللَّهِ بْنِ أَبِي سَهْلٍ عَنْ عَبْدِ اللَّهِ بْنِ عَبْدِ الْكَرِيمِ قَالَ قَالَ أَبُو عَبْدِ اللَّهِ ( عَلَيْهِ السَّلَامُ ) ثَلَاثَةٌ مِنَ السَّعَادَةِ الزَّوْجَةُ الْمُؤَاتِيَةُ وَ الْأَوْلَادُ الْبَارُونَ وَ الرَّجُلُ يَرْزُقُ مَعِيشَتَهُ بِبَلَدِهِ يَغْدُو إِلَى أَهْلِهِ وَ يَرُوحُ .

Ahmad Bin Muhammad, from Ali Bin Al Husayn Al Taymi, from Ja'far Bin Bakr, from Abdullah Bin Abu Sahl, from Abdullah Bin Abdul Kareem who said,

‘Abu Abdullah<sup>asws</sup> said: ‘Three are from the good fortune – the obedient wife, and the righteous children, and the man who achieves the sustenance of his livelihood in his own city, and is present with his family (every morning and in the evenings)’.<sup>120</sup>

عَدَّةٌ مِنْ أَصْحَابِنَا عَنْ سَهْلِ بْنِ زِيَادٍ عَنْ إِبْرَاهِيمَ بْنِ عَبْدِ الْحَمِيدِ عَنْ عُثْمَانَ بْنِ عِيسَى عَنْ ابْنِ مُسْكَانَ عَنْ بَعْضِ أَصْحَابِنَا عَنْ عَلِيِّ بْنِ الْحُسَيْنِ ( عَلَيْهِ السَّلَامُ ) قَالَ مِنْ سَعَادَةِ الْمَرْءِ أَنْ يَكُونَ مَتَجِرُهُ فِي بَلَدِهِ وَ يَكُونَ خُلَطَاؤُهُ صَالِحِينَ وَ يَكُونَ لَهُ وُلْدٌ يَسْتَعِينُ بِهِمْ وَ مِنْ شَقَاءِ الْمَرْءِ أَنْ تَكُونَ عِنْدَهُ امْرَأَةٌ مُعْجَبٌ بِهَا وَ هِيَ تَخُونُهُ .

A number of our companions, from Sahl Bin Ziyad, from Ibrahim Bin Abdul Hameed, from Usman Bin Isa, from Ibn Muskan, from one of our companions,

(It has been narrated) from Ali<sup>asws</sup> Bin Al-Husayn<sup>asws</sup> having said: ‘From the good fortune of the person is that his business happens to be in his own city, and his associates happen to be righteous, and there happens to be children he can seek assistance from. And from the misery of the person is that there happens to be a woman with him he is fascinated with and she betrays him’.<sup>121</sup>

**بَابُ الصُّلْحِ**

**The Chapter 122 – The Reconciliation**

عَلِيُّ بْنُ إِبْرَاهِيمَ عَنْ أَبِيهِ عَنْ ابْنِ أَبِي عُمَيْرٍ عَنْ حَمَّادٍ عَنِ الْحَلْبِيِّ عَنْ أَبِي عَبْدِ اللَّهِ ( عَلَيْهِ السَّلَامُ ) فِي رَجُلَيْنِ اشْتَرَكَا فِي مَالٍ فَرَبِحَا فِيهِ وَ كَانَ مِنَ الْمَالِ دَيْنٌ وَ عَلَيْهِمَا دَيْنٌ فَقَالَ أَحَدُهُمَا لِصَاحِبِهِ أَعْطِنِي رَأْسَ الْمَالِ وَ لَكَ الرَّيْحُ وَ عَلَيْكَ التَّوَى فَقَالَ لَا بَأْسَ إِذَا اشْتَرَطَا فَإِذَا كَانَ شَرْطٌ يُخَالِفُ كِتَابَ اللَّهِ فَهُوَ رَدٌّ إِلَى كِتَابِ اللَّهِ عَزَّ وَ جَلَّ .

<sup>119</sup> Al Kafi – V 5 – The Book of Subsistence Ch 121 H 1

<sup>120</sup> Al Kafi – V 5 – The Book of Subsistence Ch 121 H 2

<sup>121</sup> Al Kafi – V 5 – The Book of Subsistence Ch 121 H 3

Ali Bin Ibrahim, from his father, from Ibn Abu Umeyr, from Hammad, from Al Halby,

(It has been narrated) from Abu Abdullah<sup>asws</sup> regarding two men who participated in some merchandise, and there was a profit in it, and there was a debt (a charge) against the merchandise, and upon both of them is a debt. So one of the two said to his companions, 'Give me the capital of the wealth and for you is the profit made, and upon you would be the charge (on the asset)'. So he<sup>asws</sup> said: 'There is no problem with it when it is stipulated. So if the stipulation opposes the Book of Allah<sup>azwj</sup>, so it is returned to the Book of Allah<sup>azwj</sup> Mighty and Majestic'.<sup>122</sup>

عَلِيُّ بْنُ إِبْرَاهِيمَ عَنْ أَبِيهِ عَنْ حَمَّادٍ عَنْ حَرِيزٍ عَنْ مُحَمَّدِ بْنِ مُسْلِمٍ عَنْ أَحَدِهِمَا ( عَلَيْهِمَا السَّلَام ) أَنَّهُ قَالَ فِي رَجُلَيْنِ كَانَ لِكُلِّ وَاحِدٍ مِنْهُمَا طَعَامٌ عِنْدَ صَاحِبِهِ وَ لَا يَدْرِي كُلُّ وَاحِدٍ مِنْهُمَا كَمْ لَهُ عِنْدَ صَاحِبِهِ فَقَالَ كُلُّ وَاحِدٍ مِنْهُمَا لِصَاحِبِهِ لَكَ مَا عِنْدَكَ وَ لِي مَا عِنْدِي قَالَ لَا بَأْسَ بِذَلِكَ إِذَا تَرَاضِيَا وَ طَابَتْ أَنْفُسُهُمَا .

Ali Bin Ibrahim, from his father, from Hammad, from Hareyz, from Muhammad Bin Muslim,

(It has been narrated) from one of the two (5<sup>th</sup> or 6<sup>th</sup> Imam<sup>asws</sup>) having said regarding two men, for each of the two being some foodstuff with his companions, and each of the two does not know how much it is for him with his companion'. So each one of the two says to his companion, 'For you is whatever is with you, and for me is whatever is with me'. He<sup>asws</sup> said: 'There is no problem with that when they are both pleased, and both agree (among) themselves'.<sup>123</sup>

الْحُسَيْنُ بْنُ مُحَمَّدٍ عَنْ مُعَلَّى بْنِ مُحَمَّدٍ عَنِ الْحَسَنِ بْنِ عَلِيٍّ عَنِ ابْنِ عَبَّاسٍ عَنْ أَبِي عَبْدِ اللَّهِ ( عَلَيْهِ السَّلَام ) قَالَ سَأَلْتُهُ عَنِ الرَّجُلِ يَكُونُ لَهُ عَلَى الرَّجُلِ دَيْنٌ فَيَقُولُ لَهُ قَبْلَ أَنْ يَجِلَّ الْأَجْلُ عَجَلْ لِي النِّصْفَ مِنْ حَقِّي عَلَى أَنْ أَضَعَ عِنْدَكَ النِّصْفَ أ يَجِلُّ ذَلِكَ لِوَاحِدٍ مِنْهُمَا قَالَ نَعَمْ .

Al Husayn Bin Muhammad, from Moalla Bin Muhammad, from Al Hassan Bin Ali, from Aban, from the one who narrated it,

(It has been narrated) from Abu Abdullah<sup>asws</sup>, said, 'I asked him<sup>asws</sup> about the man who happened to have a debt for him upon the man, so he is saying to him before the expiry of the term, 'Give half to me from my right and I shall drop from you the (other) half'. Is that Permissible for one of them (to do)?' He<sup>asws</sup> said: 'Yes'.<sup>124</sup>

عَلِيُّ بْنُ إِبْرَاهِيمَ عَنْ أَبِيهِ عَنْ ابْنِ أَبِي عُمَيْرٍ عَنْ حَمَّادٍ عَنِ الْحَلْبِيِّ عَنْ أَبِي عَبْدِ اللَّهِ ( عَلَيْهِ السَّلَام ) قَالَ سُئِلَ عَنِ الرَّجُلِ يَكُونُ لَهُ دَيْنٌ إِلَى أَجَلٍ مُسَمًّى فَيَأْتِيهِ غَرِيمُهُ فَيَقُولُ انْفُذْنِي كَذَا وَ كَذَا وَ أَضَعْ عِنْدَكَ بَقِيَّتَهُ أَوْ يَقُولُ انْفُذْنِي بَعْضَهُ وَ أَمُدُّ لَكَ فِي الْأَجَلِ فِيمَا بَقِيَ عَلَيْكَ قَالَ لَا أَرَى بِهِ بَأْسًا إِنَّهُ لَمْ يَزِدْ عَلَى رَأْسِ مَالِهِ قَالَ اللَّهُ عَزَّ وَ جَلَّ فَلَكُمْ رُؤْسَ أَمْوَالِكُمْ لَا تَظْلُمُونَ وَ لَا تَظْلَمُونَ .

Ali Bin Ibrahim, from his father, from Ibn Abu Umeyr, from Hammad, from Al Halby,

(It has been narrated) from Abu Abdullah<sup>asws</sup>, said, 'He<sup>asws</sup> was asked about the man who happened to have a debt upon him to a specified term. So his creditor came to him and he said, 'Pay me back such and such (an amount), and I shall write off the remainder from you', or 'extend for you the term regarding what remains upon you'. He<sup>asws</sup> said: 'I<sup>asws</sup> do not see any problem with it. It does not increase upon the

<sup>122</sup> Al Kafi – V 5 – The Book of Subsistence Ch 122 H 1

<sup>123</sup> Al Kafi – V 5 – The Book of Subsistence Ch 122 H 2

<sup>124</sup> Al Kafi – V 5 – The Book of Subsistence Ch 122 H 3

capital of his wealth. Allah<sup>azwj</sup> Mighty and Majestic Says [2:279] **then you shall have your capital; neither shall you deal unjustly no will you be Dealt with unjustly**.<sup>125</sup>

عَلِيُّ بْنُ إِبْرَاهِيمَ عَنْ أَبِيهِ عَنِ ابْنِ أَبِي عُمَيْرٍ عَنْ حَفْصِ بْنِ الْبَخْتَرِيِّ عَنْ أَبِي عَبْدِ اللَّهِ ( عَلَيْهِ السَّلَام ) قَالَ الصُّلْحُ جَائِزٌ بَيْنَ النَّاسِ .

Ali Bin Ibrahim, from his father, from Ibn Abu Umeyr, from Hafsa Bin Al Bakhtary,

(It has been narrated) from Abu Abdullah<sup>asws</sup> having said: 'The reconciliation is permitted between the people'.<sup>126</sup>

عَلِيُّ بْنُ إِبْرَاهِيمَ عَنْ أَبِيهِ عَنِ ابْنِ أَبِي عُمَيْرٍ عَنْ عَلِيِّ بْنِ أَبِي حَمْزَةَ قَالَ قُلْتُ لِأَبِي الْحَسَنِ ( عَلَيْهِ السَّلَام ) يَهُودِيٌّ أَوْ نَصْرَانِيٌّ كَانَتْ لَهُ عِنْدِي أَرْبَعَةُ آلَافٍ دِرْهَمٍ فَهَلْكَ أَوْ يَجُوزُ لِي أَنْ أَصَالِحَ وَرَثَتَهُ وَ لَا أَعْلَمُهُمْ كَمْ كَانَتْ فَقَالَ لَا حَتَّى تُخْبِرَهُمْ .

Ali Bin Ibrahim, from his father, from Ibn Abu Umeyr, from Ali Bin Abu Hamza who said,

'I said to Abu Al-Hassan<sup>asws</sup>, 'A Jew or a Christian had four thousand Dirhams for him in my possession, so he died. Is it allowed for me that I reconcile with his inheritors or (otherwise) don't let them know how much it was?' So he<sup>asws</sup> said: 'No, until you inform them'.<sup>127</sup>

مُحَمَّدُ بْنُ يَحْيَى عَنْ أَحْمَدَ بْنِ مُحَمَّدَ بْنِ عَيْسَى عَنْ مُحَمَّدِ بْنِ عَيْسَى عَنْ ابْنِ بُكَيْرٍ عَنْ عُمَرَ بْنِ يَزِيدَ قَالَ سَأَلْتُ أَبَا عَبْدِ اللَّهِ ( عَلَيْهِ السَّلَام ) عَنْ رَجُلٍ ضَمَّنَ عَلَى رَجُلٍ ضَمَانًا ثُمَّ صَالِحَ عَلَيْهِ قَالَ لَيْسَ لَهُ إِلَّا الَّذِي صَالِحَ عَلَيْهِ .

Muhammad Bin Yahya, from Ahmad Bin Muhammad Bin Isa, from Muhammad Bin Isa, from Ibn Bukeyr, from Umar Bin Yazeed who said,

'I asked Abu Abdullah<sup>asws</sup> about a man who guarantees upon a man with a guarantee, then reconciles upon it'. He<sup>asws</sup> said: 'It is not for him (an amount) except that which he had reconciled upon'.<sup>128</sup>

عِدَّةٌ مِنْ أَصْحَابِنَا عَنْ أَحْمَدَ بْنِ مُحَمَّدَ بْنِ مُحَمَّدِ بْنِ إِسْمَاعِيلَ عَنْ مُحَمَّدِ بْنِ عَدَّافٍ عَنْ عُمَرَ بْنِ يَزِيدَ عَنْ أَبِي عَبْدِ اللَّهِ ( عَلَيْهِ السَّلَام ) قَالَ إِذَا كَانَ لِرَجُلٍ عَلَى رَجُلٍ دَيْنٌ فَمَطَّلَهُ حَتَّى مَاتَ ثُمَّ صَالِحَ وَرَثَتَهُ عَلَى شَيْءٍ فَالَّذِي أَخَذَتْهُ الْوَرِثَةُ لَهُمْ وَمَا بَقِيَ فَلِوَرِثَتِهِ حَتَّى يَسْتَوْفِيَهُ مِنْهُ فِي الْآخِرَةِ وَإِنْ هُوَ لَمْ يُصَالِحْهُمْ عَلَى شَيْءٍ حَتَّى مَاتَ وَ لَمْ يَقْضِ عَنْهُ فَهُوَ كُلُّهُ لِلْمَيِّتِ يَأْخُذُهُ بِهِ .

A number of our companions, from Ahmad Bin Muhammad, from Muhammad Bin Ismail, from Muhammad Bin Uzafir, from Umar Bin Yazeed,

(It has been narrated) from Abu Abdullah<sup>asws</sup> having said: 'When there was a debt for a man upon a man, so he (debtor) delays it until he (the creditor) died, then (the debtor) reconciles with his inheritors upon something (for a lower amount to be paid), so that which the inheritors take possession of would be for them, and whatever remains from the (debt), so it is for the deceased until he may be fulfilled from it in the Hereafter; but if he does not reconcile with them upon something until he dies,

<sup>125</sup> Al Kafi – V 5 – The Book of Subsistence Ch 122 H 4

<sup>126</sup> Al Kafi – V 5 – The Book of Subsistence Ch 122 H 5

<sup>127</sup> Al Kafi – V 5 – The Book of Subsistence Ch 122 H 6

<sup>128</sup> Al Kafi – V 5 – The Book of Subsistence Ch 122 H 7

and does not give (anything) from it, so all of it would be for the deceased to seize him (the borrower) with (in the Hereafter)'.<sup>129</sup>

### باب فضل الزراعة

## Chapter 123 – Preference of the agriculture

عِدَّةٌ مِنْ أَصْحَابِنَا عَنْ أَحْمَدَ بْنِ مُحَمَّدَ بْنِ خَالِدٍ عَنْ بَعْضِ أَصْحَابِنَا عَنْ مُحَمَّدِ بْنِ سِنَانَ عَنْ مُحَمَّدِ بْنِ عَطِيَّةَ قَالَ سَمِعْتُ أَبَا عَبْدِ اللَّهِ ( عَلَيْهِ السَّلَام ) يَقُولُ إِنَّ اللَّهَ عَزَّ وَجَلَّ اخْتَارَ لِأَنْبِيَائِهِ الْحَرْثَ وَالزَّرْعَ كَيْلًا يَكْرَهُوا شَيْئًا مِنْ قَطْرِ السَّمَاءِ .

A number of our companions, from Ahmad Bin Muhammad Bin Khalid, from one of our companions, from Muhammad Bin Sinan, from Muhammad Bin Atiyya who said,

'I heard Abu Abdullah<sup>asws</sup> saying, 'Allah<sup>azwj</sup> Mighty and Majestic Chose the farming and the agriculture for His<sup>azwj</sup> Prophets<sup>as</sup>, lest they<sup>as</sup> dislike something from the drops (falling) from the sky'.<sup>130</sup>

عَلِيُّ بْنُ مُحَمَّدٍ عَنْ سَهْلِ بْنِ زِيَادٍ رَفَعَهُ قَالَ قَالَ أَبُو عَبْدِ اللَّهِ ( عَلَيْهِ السَّلَام ) إِنَّ اللَّهَ جَعَلَ أَرْزَاقَ أَنْبِيَائِهِ فِي الزَّرْعِ وَالضَّرْعِ لِئَلَّا يَكْرَهُوا شَيْئًا مِنْ قَطْرِ السَّمَاءِ .

Ali Bin Muhammad, from Sahl Bin Ziyad, raising it, said,

'Abu Abdullah<sup>asws</sup> said: 'Allah<sup>azwj</sup> Made the sustenance of His<sup>azwj</sup> Prophets<sup>as</sup> in the planting and the udders (of the animals), lest they<sup>as</sup> dislike the drops falling from the sky (rain)'.<sup>131</sup>

مُحَمَّدُ بْنُ يَحْيَى عَنْ أَحْمَدَ بْنِ مُحَمَّدَ بْنِ عَيْسَى عَنْ مُحَمَّدِ بْنِ خَالِدٍ عَنْ سَيَابَةَ عَنْ أَبِي عَبْدِ اللَّهِ ( عَلَيْهِ السَّلَام ) قَالَ سَأَلَهُ رَجُلٌ فَقَالَ لَهُ جُعِلَتْ فِدَاكَ أَسْمَعُ قَوْمًا يَقُولُونَ إِنَّ الزَّرْعَةَ مَكْرُوهَةٌ فَقَالَ لَهُ ازْرَعُوا وَاغْرَسُوا فَلَا وَاللَّهِ مَا عَمِلَ النَّاسُ عَمَلًا أَحَلَّ وَلَا أَطْيَبَ مِنْهُ وَاللَّهِ لَيَزْرَعَنَّ الزَّرْعَ وَلَيَغْرِسَنَّ النَّخْلَ بَعْدَ خُرُوجِ الدَّجَالِ .

Muhammad Bin Yahya, from Ahmad Bin Muhammad Bin Isa, from Muhammad Bin Khalid, from Sayaba,

(It has been narrated) from Abu Abdullah<sup>asws</sup>, said, 'A man asked him<sup>asws</sup>, saying to him<sup>asws</sup>, 'May I be sacrificed for you<sup>asws</sup>! I heard a group of people saying that the agriculture is from the abhorrent matters'. So he<sup>asws</sup> said to him: 'You must farm and plant. By Allah<sup>azwj</sup>! The people cannot do a work sweeter and better than it. By Allah<sup>azwj</sup>! The plantation would be farmed, and the palm trees would be planted (even) after the coming out of the Dajjal<sup>la</sup>'.<sup>132</sup>

عِدَّةٌ مِنْ أَصْحَابِنَا عَنْ سَهْلِ بْنِ زِيَادٍ عَنِ ابْنِ مَحْبُوبٍ عَنِ الْحَسَنِ بْنِ عُمَارَةَ عَنْ مَسْمَعٍ عَنْ أَبِي عَبْدِ اللَّهِ ( عَلَيْهِ السَّلَام ) قَالَ لَمَّا هَبِطَ بَأْدَمُ إِلَى الْأَرْضِ أَحْتَاَجَ إِلَى الطَّعَامِ وَالشَّرَابِ فَشَكَا ذَلِكَ إِلَى جِبْرِئِيلَ ( عَلَيْهِ السَّلَام ) فَقَالَ لَهُ جِبْرِئِيلُ يَا آدَمُ كُنْ حَرَاتًا قَالَ فَعَلِمْنِي دُعَاءَ قَالَ قُلِ اللَّهُمَّ اكْفِنِي مَوْتَنَةَ الدُّنْيَا وَكُلَّ هَوْلٍ دُونَ الْجَنَّةِ وَالْأَيْسِنِي الْعَاقِبَةَ حَتَّى تَهْنِئَنِي الْمَعِيشَةَ .

A number of our companions, from Sahl Bin Ziyad, from Ibn Mahboub, from Al Hassan Bin Umara, from Misma'a,

<sup>129</sup> Al Kafi – V 5 – The Book of Subsistence Ch 122 H 8

<sup>130</sup> Al Kafi – V 5 – The Book of Subsistence Ch 123 H 1

<sup>131</sup> Al Kafi – V 5 – The Book of Subsistence Ch 123 H 2

<sup>132</sup> Al Kafi – V 5 – The Book of Subsistence Ch 123 H 3

(It has been narrated) from Abu Abdullah<sup>asws</sup> having said: 'When Adam<sup>as</sup> was descended to the earth, he<sup>as</sup> became needy to the food and the drink. So that was grievous upon Jibraeel<sup>as</sup>. So Jibraeel<sup>as</sup> said to him<sup>as</sup>: 'O Adam<sup>as</sup>! Become a farmer'. He<sup>as</sup> said: 'So teach me<sup>as</sup> a supplication'. He<sup>as</sup> said: 'Say: 'O Allah<sup>azwj</sup>! Suffice me<sup>as</sup> with the provisions of the world and (from) every horror before the Paradise, and Clothe me<sup>as</sup> with the good health until life becomes welcoming for me<sup>as</sup>'.<sup>133</sup>

عَدَّةٌ مِنْ أَصْحَابِنَا عَنْ أَحْمَدَ بْنِ أَبِي عَبْدِ اللَّهِ عَنْ بَعْضِ أَصْحَابِنَا قَالَ قَالَ أَبُو جَعْفَرٍ ( عَلَيْهِ السَّلَامُ ) كَانَ أَبِي يَقُولُ خَيْرُ الْأَعْمَالِ الْحَرْبُ تَزْرَعُهُ فَيَأْكُلُ مِنْهُ الْبُرُّ وَالْفَاجِرُ أَمَا الْبُرُّ فَمَا أَكَلَ مِنْ شَيْءٍ اسْتَغْفَرَ لَكَ وَ أَمَا الْفَاجِرُ فَمَا أَكَلَ مِنْهُ مِنْ شَيْءٍ لَعَنَهُ وَ يَأْكُلُ مِنْهُ الْبَهَائِمُ وَ الطَّيْرُ .

A number of our companions, from Ahmad Bin Abu Abdullah, from one of our companions who said,

'Abu Ja'far<sup>asws</sup> said: 'My<sup>asws</sup> father<sup>asws</sup> was saying: 'The best of the works is the farming where you cultivate, so the righteous and the immoral eat from it. So as for the righteous, so whatever from the things he eats, it would seek Forgiveness for you; and as for the immoral, so whatever from the things he eats, it would curse him; and the beasts and the birds would eat from it'.<sup>134</sup>

عَلِيُّ بْنُ إِبْرَاهِيمَ عَنْ أَبِيهِ عَنِ النَّوْفَلِيِّ عَنِ السَّكُونِيِّ عَنْ أَبِي عَبْدِ اللَّهِ ( عَلَيْهِ السَّلَامُ ) قَالَ سُئِلَ النَّبِيُّ ( صَلَّى اللَّهُ عَلَيْهِ وَآلِهِ ) أَيُّ الْمَالِ خَيْرٌ قَالَ الزَّرْعُ زَرَعَهُ صَاحِبُهُ وَ أَصْلَحَهُ وَ أَدَّى حَقَّهُ يَوْمَ حَصَادِهِ قَالَ فَأَيُّ الْمَالِ بَعْدَ الزَّرْعِ خَيْرٌ قَالَ رَجُلٌ فِي غَنَمٍ لَهُ قَدْ تَبِعَ بِهَا مَوَاضِعَ الْقَطْرِ يُقِيمُ الصَّلَاةَ وَ يُؤْتِي الزَّكَاةَ

Ali Bin Ibrahim, from his father, from Al Nowfaly, from Al Sakuny,

(It has been narrated) from Abu Abdullah<sup>asws</sup> having said: 'The Prophet<sup>saww</sup> was asked, 'Which of the assets is good?' He<sup>saww</sup> said: 'The farm which is cultivated by its owner and he pays his dues on the day of harvest'. He said, 'So which asset is good after the farming?' He<sup>saww</sup> said: 'A man, with regards to his sheep, following with it to a distant place, establishing the Prayer and giving the Zakat'.

قَالَ فَأَيُّ الْمَالِ بَعْدَ الْغَنَمِ خَيْرٌ قَالَ الْبَقَرُ تَعْدُو بِخَيْرٍ وَ تَرُوحُ بِخَيْرٍ قَالَ فَأَيُّ الْمَالِ بَعْدَ الْبَقَرِ خَيْرٌ قَالَ الرَّاسِيَاتُ فِي الْوَحْلِ وَ الْمُطْعِمَاتُ فِي الْمَحَلِّ نَعَمُ الشَّيْءُ النَّخْلُ مَنْ بَاعَهُ فَإِنَّمَا تَمُنُّهُ بِمَنْزِلَةِ رَمَادٍ عَلَى رَأْسِ شَاهِقٍ اسْتَدَّتْ بِهِ الرِّيحُ فِي يَوْمٍ عَاصِفٍ إِلَّا أَنْ يُخَلَّفَ مَكَانَهَا

He said, 'So which of the assets is good after the sheep?' He<sup>saww</sup> said: 'The cows going with goodness and coming with goodness'. He said, 'So which of the assets is better after the cows?' He<sup>saww</sup> said: 'The towering (palm trees) in the mud and the grafting tools in the drought. The best of the things is the palm tree. The one who sells it, so rather its price would be at the status of ashes upon the top of a tower which the wind blows it away furiously on the stormy day, except if he leaves behind another (Palm tree) in its place'.

قَبِيلَ بَا رَسُولِ اللَّهِ فَأَيُّ الْمَالِ بَعْدَ النَّخْلِ خَيْرٌ قَالَ فَسَكَتَ قَالَ فَقَامَ إِلَيْهِ رَجُلٌ فَقَالَ لَهُ يَا رَسُولَ اللَّهِ قَائِنَ الْإِبِلِ قَالَ فِيهِ الشَّعَاءُ وَ الْجَفَاءُ وَ الْعَنَاءُ وَ بَعْدَ الدَّارِ تَعْدُو مُدْبِرَةً وَ تَرُوحُ مُدْبِرَةً لَا يَأْتِي خَيْرُهَا إِلَّا مِنْ جَانِبِهَا الْأَشْأَمِ أَمَا إِنَّهَا لَا تَعْدَمُ الْأَشْفِيَاءَ الْفَجْرَةَ .

<sup>133</sup> Al Kafi – V 5 – The Book of Subsistence Ch 123 H 4

<sup>134</sup> Al Kafi – V 5 – The Book of Subsistence Ch 123 H 5

It was said, 'O Rasool-Allah<sup>saww</sup>! So which of the assets is better after the palm tree?' He<sup>asws</sup> said, 'So he<sup>saww</sup> remained silent'. So a man stood up to him<sup>saww</sup> and said to him<sup>saww</sup>, 'O Rasool-Allah<sup>saww</sup>! So where are the camels (in all this)?' He<sup>saww</sup> said: 'Therein is the misery, and the alienation, and the suffering, and the remoteness from the house, requiring management in the morning and management in the evening. Its goodness does not come except from its sinister side. But, it does not kill the wretched and the immoral'.

و رُوِيَ أَنَّ أَبَا عَبْدِ اللَّهِ ( عَلَيْهِ السَّلَام ) قَالَ الْكَيْمِيَاءُ الْأَكْبَرُ الزَّرَاعَةُ .

And it is reported that Abu Abdullah<sup>asws</sup> said: 'The farming is the greatest 'الْكَيْمِيَاءُ' profit making business'.<sup>135</sup>

عَلِيُّ بْنُ مُحَمَّدٍ عَنْ إِبْرَاهِيمَ بْنِ إِسْحَاقَ عَنِ الْحَسَنِ بْنِ السَّرِيِّ عَنِ الْحَسَنِ بْنِ إِبْرَاهِيمَ عَنْ يَزِيدَ بْنِ هَارُونَ قَالَ سَمِعْتُ أَبَا عَبْدِ اللَّهِ ( عَلَيْهِ السَّلَام ) يَقُولُ الزَّرَاعُونَ كُنُوزُ الْأَنْبِيَاءِ يَزْرَعُونَ طَيِّبًا أَخْرَجَهُ اللَّهُ عَزَّ وَجَلَّ وَ هُمْ يَوْمَ الْقِيَامَةِ أَحْسَنُ النَّاسِ مَقَامًا وَ أَقْرَبُهُمْ مَنْزِلَةً يُدْعَوْنَ الْمُبَارَكِينَ .

Ali Bin Muhammad, from Ibrahim Bin Is'haq Bin Al Sarry, from Al Hassan Bin Ibrahim, from Yazeed Bin Haroun who said,

'I heard Abu Abdullah<sup>asws</sup> saying: 'The farmers are treasures of the creatures cultivating goodness. Allah<sup>azwj</sup> Mighty and Majestic would Bring them on the Day of Judgement as the best of the people in standing, and the closest ones in status being called 'the Blessed ones''.<sup>136</sup>

## باب آخر

### Chapter 124 – Another Chapter

مُحَمَّدُ بْنُ يَحْيَى عَنْ سَلْمَةَ بْنِ الْخَطَّابِ عَنْ إِبْرَاهِيمَ بْنِ عُقْبَةَ عَنْ صَالِحِ بْنِ عَلِيٍّ بْنِ عَطِيَّةَ عَنْ رَجُلٍ ذَكَرَهُ عَنْ أَبِي عَبْدِ اللَّهِ ( عَلَيْهِ السَّلَام ) قَالَ مَرَّ أَبُو عَبْدِ اللَّهِ ( عَلَيْهِ السَّلَام ) بِنَاسٍ مِنَ الْأَنْصَارِ وَ هُمْ يَحْرَثُونَ فَقَالَ لَهُمْ احْرَثُوا فَإِنَّ رَسُولَ اللَّهِ ( صَلَّى اللَّهُ عَلَيْهِ وَآلِهِ ) قَالَ يُنْبِتُ اللَّهُ بِالرَّيْحِ كَمَا يُنْبِتُ بِالْمَطَرِ قَالَ فَحَرَثُوا فَجَادَتْ زُرُوعُهُمْ .

Muhammad Bin Yahya, from Salma Bin Al Khattab, from Ibrahim Bin Uqba, from Salih Bin Ali Bin Atiyya, from a man who mentioned it,

(It has been narrated) from Abu Abdullah<sup>asws</sup>, said: 'Abu Abdullah<sup>asws</sup> passed by a people from the Helpers and they were farming, so he<sup>asws</sup> said to them: 'Keep farming, for Rasool-Allah<sup>saww</sup> said: 'Allah<sup>azwj</sup> would Cause it to grow by the wind as He<sup>azwj</sup> Causes it to grow by the rain'. He (the narrator) said, 'They farmed, and their cultivation was better'.<sup>137</sup>

مُحَمَّدُ بْنُ يَحْيَى عَنْ أَحْمَدَ بْنِ مُحَمَّدٍ عَنْ مُحَمَّدِ بْنِ سِنَانَ عَنْ ابْنِ مُسْكَانٍ عَنْ سَدِيرٍ قَالَ سَمِعْتُ أَبَا عَبْدِ اللَّهِ ( عَلَيْهِ السَّلَام ) يَقُولُ إِنَّ بَنِي إِسْرَائِيلَ أَتَوْا مُوسَى ( عَلَيْهِ السَّلَام ) فَسَأَلُوهُ أَنْ يُسَالَ اللَّهُ عَزَّ وَجَلَّ أَنْ يُمَطِّرَ السَّمَاءَ عَلَيْهِمْ إِذَا أَرَادُوا وَ يَحْبِسَهَا إِذَا أَرَادُوا فَسَأَلَ اللَّهُ عَزَّ وَجَلَّ ذَلِكَ لَهُمْ فَقَالَ اللَّهُ عَزَّ وَجَلَّ ذَلِكَ لَهُمْ يَا مُوسَى فَأَخْبَرَهُمْ مُوسَى فَحَرَثُوا وَ لَمْ يَنْتَرِكُوا شَيْئًا إِلَّا زَرَعُوهُ

<sup>135</sup> Al Kafi – V 5 – The Book of Subsistence Ch 123 H 6

<sup>136</sup> Al Kafi – V 5 – The Book of Subsistence Ch 123 H 7

<sup>137</sup> Al Kafi – V 5 – The Book of Subsistence Ch 124 H 1

Muhammad Bin Yahya, from Ahmad Bin Muhammad, from Muhammad Bin Sinan, from Ibn Muskan, from Sadeyr who said,

'I heard Abu Abdullah<sup>asws</sup> saying that: 'The Children of Israel came over to Musa<sup>as</sup>, so they asked him<sup>as</sup> that he<sup>as</sup> should ask Allah<sup>azwj</sup> Mighty and Majestic to Cause the sky to rain upon them whenever they so wanted it to, and Withhold it whenever they so want it to'. So he<sup>as</sup> asked Allah<sup>azwj</sup> Mighty and Majestic for that to be for them. So Allah<sup>azwj</sup> Mighty and Majestic Said: "That is for them, O Musa<sup>as</sup>!" So Musa<sup>as</sup> informed them, and they did not leave anything except that they cultivated it.

ثُمَّ اسْتَنْزَلُوا الْمَطَرَ عَلَى إِرَادَتِهِمْ وَ حَبَسُوهُ عَلَى إِرَادَتِهِمْ فَصَارَتْ زُرُوعُهُمْ كَأَنَّهَا الْجِبَالُ وَالْأَجَامُ ثُمَّ حَصَدُوا وَ دَاسُوا وَ دَرَوْا فَلَمْ يَجِدُوا شَيْئاً فَضَجُّوا إِلَى مُوسَى ( عَلَيْهِ السَّلَام ) وَ قَالُوا إِنَّمَا سَأَلْنَاكَ أَنْ تَسْأَلَ اللَّهَ أَنْ يُمَطِّرَ السَّمَاءَ عَلَيْنَا إِذَا أَرَدْنَا فَأَجَابَنَا ثُمَّ صَبَّرَهَا عَلَيْنَا ضَرراً

Then the rain would descend upon their intentions and be withheld upon their intentions. Thus, their plantations came to be like the mountains and the forests. Then they harvested and threshed and scattered it, but they did not find anything (grains). So they raised a clamour to Musa<sup>as</sup> and said, 'But rather we asked you<sup>as</sup> that you<sup>as</sup> should ask Allah<sup>azwj</sup> that He<sup>azwj</sup> Causes the sky to rain upon us whenever we so wanted it to. So He<sup>azwj</sup> Answered us. Then it came to be harmful upon us!'

فَقَالَ يَا رَبِّ إِنَّ بَنِي إِسْرَائِيلَ ضَجُّوا مِمَّا صَنَعْتَ بِهِمْ فَقَالَ وَ مِمَّ ذَلِكَ يَا مُوسَى قَالَ سَأَلُونِي أَنْ أَسْأَلَكَ أَنْ تُمَطِّرَ السَّمَاءَ إِذَا أَرَادُوا وَ تَحْبِسَهَا إِذَا أَرَادُوا فَأَجَبْتُهُمْ ثُمَّ صَبَّرْتَهَا عَلَيْهِمْ ضَرراً فَقَالَ يَا مُوسَى أَنَا كُنْتُ الْمُقَدَّرَ لِبَنِي إِسْرَائِيلَ فَلَمْ يَرْضَوْا بِتَقْدِيرِي فَأَجَبْتُهُمْ إِلَى إِرَادَتِهِمْ فَكَانَ مَا رَأَيْتَ

So he<sup>as</sup> said: 'O Lord<sup>azwj</sup>! The Children of Israel are raising a clamour from what has been done with them'. So He<sup>azwj</sup> Said: "And why is that so, O Musa<sup>as</sup>?" He<sup>as</sup> said: 'They asked me<sup>as</sup> to ask You<sup>azwj</sup> that the sky should rain whenever they so wanted it to, and withhold whenever they so wanted it to, so You<sup>azwj</sup> Answered them. Then it came to be harmful upon them'. So He<sup>azwj</sup> Said: "O Musa<sup>as</sup>! I<sup>azwj</sup> had Measured out for the Children of Israel, but they were not pleased with My<sup>azwj</sup> Measurement. So I<sup>azwj</sup> Left it to them to their will (as they can only see superficially upon the growth), and it turned out to what you<sup>as</sup> saw"<sup>138</sup>.

### باب مَا يُقَالُ عِنْدَ الزَّرْعِ وَالْعَرَسِ

## Chapter 125 – What is to be said during the cultivation and the planting

عَلِيُّ بْنُ إِبْرَاهِيمَ عَنْ أَبِيهِ عَنْ ابْنِ أَبِي عُمَيْرٍ عَنْ ابْنِ أُدَيْنَةَ عَنْ ابْنِ بُكَيْرٍ قَالَ قَالَ أَبُو عَبْدِ اللَّهِ ( عَلَيْهِ السَّلَام ) إِذَا أَرَدْتَ أَنْ تَزْرَعَ زَرْعاً فَخَذْ قَبْضَةً مِنَ الْبَدْرِ وَ اسْتَقْبِلِ الْقِبْلَةَ وَ قُلْ أَوْ قَرَأَيْتُمْ مَا تَحْرُثُونَ أَمْ أَنْتُمْ تَزْرَعُونَهُ أَمْ نَحْنُ الزَّارِعُونَ ثَلَاثَ مَرَّاتٍ ثُمَّ تَقُولُ بَلِ اللَّهُ الزَّارِعُ ثَلَاثَ مَرَّاتٍ ثُمَّ قُلِ اللَّهُمَّ اجْعَلْهُ حَباً مُبَارَكاً وَ ارزُقْنَا فِيهِ السَّلَامَةَ ثُمَّ انْثُرِ الْقَبْضَةَ الَّتِي فِي يَدِكَ فِي الْفَرَاخِ .

Ali Bin Ibrahim, from his father, from Ibn Abu Umeyr, from Ibn Azina, from Ibn Bukeyr who said,

'Abu Abdullah<sup>asws</sup> said: 'Whenever you intend to cultivate a farm, so grab a handful of the seeds and face towards the Qiblah and say [56:63] **Have you considered what**

<sup>138</sup> Al Kafi – V 5 – The Book of Subsistence Ch 124 H 2

**you cultivate? [56:64] Is it you who cause it to grow, or are We the Causers of its growth?** – three times. Then you should be saying, ‘But, Allah<sup>azwj</sup> is the Grower’ – three times. Then say, ‘O Allah<sup>azwj</sup>! Make it to be as Blessed seeds and Grace us security therein’. Then scatter the handful (of seeds) which are in your hand in the clear ground’.<sup>139</sup>

عَدَّةٌ مِنْ أَصْحَابِنَا عَنْ أَحْمَدَ بْنِ مُحَمَّدِ بْنِ خَالِدٍ عَنْ عَلِيِّ بْنِ الْحَكَمِ عَنْ شُعَيْبِ الْعَقْرُقُوفِيِّ عَنْ أَبِي عَبْدِ اللَّهِ ( عليه السلام ) قَالَ قَالَ لِي إِذَا بَدَرْتُ فَقُلِ اللَّهُمَّ قَدْ بَدَرْتُ وَأَنْتَ الزَّارِعُ فَاجْعَلْهُ حَبًّا مُمْتَرًا كَمَا .

A number of our companions, from Ahmad Bin Muhammad Bin Khalid, from Ali Bin Al Hakam, from Shuayb Al Aqarquy,

(It has been narrated) from Abu Abdullah<sup>asws</sup>, said, ‘He<sup>asws</sup> said to me: ‘Whenever you sow, so say, ‘O Allah<sup>azwj</sup>! I have sowed and You<sup>azwj</sup> are the Cultivator, therefore Make it an increased growth’.<sup>140</sup>

مُحَمَّدُ بْنُ يَحْيَى عَنْ مُحَمَّدِ بْنِ أَحْمَدَ عَنْ مُحَمَّدِ بْنِ عَيْسَى عَنْ أَحْمَدَ بْنِ عَمْرٍو الْجَلَّابِ عَنِ الْحُضَيْنِيِّ عَنِ ابْنِ عَرَفَةَ قَالَ قَالَ أَبُو عَبْدِ اللَّهِ ( عليه السلام ) مَنْ أَرَادَ أَنْ يُلْقِحَ النَّخِيلَ إِذَا كَانَتْ لَا يَجُودُ حَمْلَهَا وَلَا يَنْبَعِلُ النَّخْلُ فَلْيَأْخُذْ حَبَّتَانِ صِغَارًا يَابِسَةً فَلْيُدْفَقْهُمَا بَيْنَ الدَّقَيْنِ ثُمَّ يَدْرُ فِي كُلِّ طَلْعَةٍ مِنْهَا قَلِيلًا وَ يَصِرُ الْبَاقِي فِي صُرَّةٍ نَظِيفَةٍ ثُمَّ يَجْعَلُ فِي قَلْبِ النَّخْلَةِ يَنْفَعُ بِإِذْنِ اللَّهِ .

Muhammad Bin Yahya, from Muhammad Bin Ahmad, from Muhammad Bin Isa, from Ahmad Bin Umar Al Jallab, from Al Huzayni, from Ibn Arafat who said,

‘Abu Abdullah<sup>asws</sup> said: ‘The one who wants to pollinate the palm tree, when it was such that it would not bear (fruit) nor irrigate, so let him take two small dried fish, and let him grind these between the two grinding plates. Then he should sow a little of it in every sprout from it, and he should keep the remainder in a clean bundle, then make it to be in the heart (centre) of the palm tree. He would benefit, Allah<sup>azwj</sup> Willing’.<sup>141</sup>

مُحَمَّدُ بْنُ يَحْيَى عَنْ مُحَمَّدِ بْنِ الْحُسَيْنِ عَنْ مُحَمَّدِ بْنِ إِسْمَاعِيلَ عَنْ صَالِحِ بْنِ عُقْبَةَ قَالَ قَالَ لِي أَبُو عَبْدِ اللَّهِ ( عليه السلام ) قَدْ رَأَيْتُ حَائِطَكَ فَعَرَسْتَ فِيهِ شَيْئًا بَعْدُ قَالَ قُلْتُ قَدْ أَرَدْتُ أَنْ أَخَذَ مِنْ حَيْطَانِكَ وَدِيًّا قَالَ أَمْ فَلَا أَخْبِرُكَ بِمَا هُوَ خَيْرٌ لَكَ مِنْهُ وَ أَسْرَعُ قُلْتُ بَلَى قَالَ إِذَا أَيْعَتِ الْبُسْرَةُ وَ هَمَّتْ أَنْ تُرْطَبَ فَاعْرِسْهَا فَإِنَّهَا تُوَدِّي إِلَيْكَ مِثْلَ الَّذِي عَرَسْتَهَا سِوَاءَ فَفَعَلْتُ ذَلِكَ فَتَبَّتْ مِثْلَهُ سِوَاءَ .

Muhammad Bin Yahya, from Muhammad Bin Al Husayn, from Muhammad Bin Ismail, from Salih Bin Uqba who said,

‘Abu Abdullah<sup>asws</sup> said to me: ‘I<sup>asws</sup> saw your garden, so have you planted anything in it afterwards?’ I said, ‘I intended to take stems from your<sup>asws</sup> garden (and plant these)’. He<sup>asws</sup> said: ‘Shall I<sup>asws</sup> inform you with what is better for you than it and quicker?’ I said, ‘Yes’. He<sup>asws</sup> said: “When dates ripen and you are about to pick them as fresh dates, plant them, it (the crop) will produce just like what you planted. So I did that and it grew as the same like it’.<sup>142</sup>

عَلِيُّ بْنُ مُحَمَّدٍ رَفَعَهُ قَالَ قَالَ ( عليه السلام ) إِذَا عَرَسْتَ عَرَسًا أَوْ نَبْتًا فَافْرَأْ عَلَى كُلِّ عُوْدٍ أَوْ حَبَّةٍ سُبْحَانَ الْبَاعِثِ الْوَارِثِ فَإِنَّهُ لَا يَكَادُ يُخْطِئُ إِنْ شَاءَ اللَّهُ .

<sup>139</sup> Al Kafi – V 5 – The Book of Subsistence Ch 125 H 1

<sup>140</sup> Al Kafi – V 5 – The Book of Subsistence Ch 125 H 2

<sup>141</sup> Al Kafi – V 5 – The Book of Subsistence Ch 125 H 3

<sup>142</sup> Al Kafi – V 5 – The Book of Subsistence Ch 125 H 4

Ali Bin Muhammad, raising it, said,

'He<sup>asws</sup> said: 'Whenever you plant a tree or vegetation, so recite upon every twig or seed, 'Glorious is the Resurrector, the Inheritor', so it would almost never be wrong, Allah<sup>azwj</sup> Willing'.<sup>143</sup>

مُحَمَّدُ بْنُ يَحْيَى رَفَعَهُ عَنْ أَحَدِهِمَا ( عَلَيْهِمَا السَّلَام ) قَالَ تَقُولُ إِذَا عَرَسْتَ أَوْ زَرَعْتَ وَ مَثَلُ كَلِمَةٍ طَيِّبَةٍ كَشَجَرَةٍ طَيِّبَةٍ أَصْلُهَا ثَابِتٌ وَ فَرْعُهَا فِي السَّمَاءِ تُؤْتِي أَكْلَهَا كُلَّ حِينٍ بِإِذْنِ رَبِّهَا .

Muhammad Bin Yahya, raising it,

(It has been narrated) from one of the two (5<sup>th</sup> or 6<sup>th</sup> Imam<sup>asws</sup>) having said: 'You should be saying, whenever you plant or sow, **[14:24] Have you not considered how Allah Sets forth a parable of a good word (being) like a good tree, whose root is firm and whose branches are in the sky [14:25] Yielding its fruit in every season by the permission of its Lord?**'<sup>144</sup>

مُحَمَّدُ بْنُ يَحْيَى عَنْ أَحْمَدَ بْنِ مُحَمَّدٍ عَنْ أَحْمَدَ بْنِ مُحَمَّدٍ بْنِ أَبِي نَصْرٍ قَالَ سَأَلْتُ أَبَا الْحَسَنِ ( عَلَيْهِ السَّلَام ) عَنْ قَطْعِ السَّدْرِ فَقَالَ سَأَلَنِي رَجُلٌ مِنْ أَصْحَابِكَ عَنْهُ فَكَتَبْتُ إِلَيْهِ فَقَطَعَ أَبُو الْحَسَنِ عَ سِدْرًا وَ عَرَسَ مَكَانَهُ عِنْبًا .

Muhammad Bin Yahya, from Ahmad Bin Muhammad, from Ahmad Bin Muhammad Bin Abu Nasr who said,

'I asked Abu Al-Hassan<sup>asws</sup> about cutting the lote (lotus) tree, so he<sup>asws</sup> said: 'A man from your companions did ask me<sup>asws</sup> about it, so I<sup>asws</sup> wrote to him: 'Abu Al-Hassan<sup>asws</sup> had cut a lote tree and planted a grape-vines in its place'.<sup>145</sup>

مُحَمَّدُ بْنُ يَحْيَى عَنْ مُحَمَّدِ بْنِ أَحْمَدَ عَنْ أَحْمَدَ بْنِ الْحَسَنِ عَنْ عَمْرِو بْنِ سَعِيدٍ عَنْ مُصَدِّقِ بْنِ صَدَقَةَ عَنْ عَمَّارِ بْنِ مُوسَى عَنْ أَبِي عَبْدِ اللَّهِ ( عَلَيْهِ السَّلَام ) أَنَّهُ قَالَ مَكْرُوهٌ قَطْعُ النَّخْلِ

Muhammad Bin Yahya, from Muhammad Bin Ahmad, from Ahmad Bin Al Hassan, from Amro Bin Saeed, from Musaddaq Bin Sadaqa, from Ammar Bin Musa,

(It has been narrated) from Abu Abdullah<sup>asws</sup> having said: 'It is abhorrent, cutting the palm tree'.

وَ سُئِلَ عَنْ قَطْعِ الشَّجَرَةِ قَالَ لَا بَأْسَ فُلْتُ فَالسَّدْرِ قَالَ لَا بَأْسَ بِهِ إِنَّمَا يُكْرَهُ قَطْعُ السَّدْرِ بِالْبَادِيَةِ لِأَنَّهُ بِهَا قَلِيلٌ وَ أَمَا هَاهُنَا فَلَا يُكْرَهُ .

And he<sup>asws</sup> was asked about cutting the tree. He<sup>asws</sup> said: 'There is no problem'. I said, 'So (what about) the lote tree?' He<sup>asws</sup> said: 'There is no problem with it. But rather it is disliked to cut the lote tree in the wilderness because these are scarce with it, and as for over here, so it is not disliked'.<sup>146</sup>

عَنْ ابْنِ أَبِي عُمَيْرٍ عَنِ الْحُسَيْنِ بْنِ بَشِيرٍ عَنِ ابْنِ مُضَارِبٍ عَنْ أَبِي عَبْدِ اللَّهِ ( عَلَيْهِ السَّلَام ) قَالَ لَا تَقْطَعُوا النَّمَارَ فَيَبْعَثَ اللَّهُ عَلَيْكُمُ الْعَذَابَ صَبًّا .

<sup>143</sup> Al Kafi – V 5 – The Book of Subsistence Ch 125 H 5

<sup>144</sup> Al Kafi – V 5 – The Book of Subsistence Ch 125 H 6

<sup>145</sup> Al Kafi – V 5 – The Book of Subsistence Ch 125 H 7

<sup>146</sup> Al Kafi – V 5 – The Book of Subsistence Ch 125 H 8

From Ibn Abu Umeyr, from Al Husayn Bin Basheer, from Ibn Muzarib,

(It has been narrated) from Abu Abdullah<sup>asws</sup> having said: 'Do not cut down the fruit-bearing trees, for Allah<sup>azwj</sup> would Send upon you a difficult Punishment'.<sup>147</sup>

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<sup>147</sup> Al Kafi – V 5 – The Book of Subsistence Ch 125 H 9