# Chapters on Shares of Inheritance - Sunnah.com - Sayings and Teachings of Prophet Muhammad (صلى الله عليه و سلم)

It was  
narrated from Abu Hurairah that the Messenger of Allah (ﷺ)  
said:“O  
Abu Hurairah. Learn about the inheritance and teach it, for  
it is  
half of knowledge, but it will be forgotten. This is the first  
thing  
that will be taken away from my nation.’”

حَدَّثَنَا إِبْرَاهِيمُ بْنُ الْمُنْذِرِ الْحِزَامِيُّ، حَدَّثَنَا حَفْصُ بْنُ عُمَرَ بْنِ أَبِي الْعَطَّافِ، حَدَّثَنَا أَبُو الزِّنَادِ، عَنِ الأَعْرَجِ، عَنْ أَبِي هُرَيْرَةَ، قَالَ قَالَ رَسُولُ اللَّهِ صلى الله عليه وسلم ‏  
"‏ يَا أَبَا هُرَيْرَةَ تَعَلَّمُوا الْفَرَائِضَ وَعَلِّمُوهَا فَإِنَّهُ نِصْفُ الْعِلْمِ وَهُوَ يُنْسَى وَهُوَ أَوَّلُ شَىْءٍ يُنْتَزَعُ مِنْ أُمَّتِي ‏"‏ ‏.‏

Grade: Da’if (Darussalam)Reference : Sunan Ibn Majah 2719In-book reference : Book 23, Hadith 1English translation : Vol. 4, Book 23, Hadith 2719Report Error | Share | Copy ▼

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It was  
narrated that Jabir bin ‘Abdullah said:“The wife of Sa’d bin  
Rabi’ came with the two daughters of Sa’d to the Prophet (ﷺ)  
and  
said: ‘O Messenger of Allah, these are the two daughters of  
Sa’d. He  
was killed with you on the day of Uhud, and their paternal  
uncle has  
taken all that their father left behind, and a woman is  
only married  
for her wealth.’ The Prophet (ﷺ) remained silent  
until the Verse of  
inheritance was revealed to him. Then the  
Messenger of Allah (ﷺ)  
called the brother of Sa’d bin Rabi’ and  
said: ‘Give the two daughters  
of Sa’d two thirds of his wealth,  
and give his wife on eighth, and  
take what is left.’”

حَدَّثَنَا مُحَمَّدُ بْنُ أَبِي عُمَرَ الْعَدَنِيُّ، حَدَّثَنَا سُفْيَانُ بْنُ عُيَيْنَةَ، عَنْ عَبْدِ اللَّهِ بْنِ مُحَمَّدِ بْنِ عَقِيلٍ، عَنْ جَابِرِ بْنِ عَبْدِ اللَّهِ، قَالَ جَاءَتِ امْرَأَةُ سَعْدِ بْنِ الرَّبِيعِ بِابْنَتَىْ سَعْدٍ إِلَى النَّبِيِّ صلى الله عليه وسلم فَقَالَتْ يَا رَسُولَ اللَّهِ هَاتَانِ ابْنَتَا سَعْدٍ قُتِلَ مَعَكَ يَوْمَ أُحُدٍ وَإِنَّ عَمَّهُمَا أَخَذَ جَمِيعَ مَا تَرَكَ أَبُوهُمَا وَإِنَّ الْمَرْأَةَ لاَ تُنْكَحُ إِلاَّ عَلَى مَالِهَا ‏.‏ فَسَكَتَ رَسُولُ اللَّهِ صلى الله عليه وسلم حَتَّى أُنْزِلَتْ آيَةُ الْمِيرَاثِ فَدَعَا رَسُولُ اللَّهِ صلى الله عليه وسلم أَخَا سَعْدِ بْنِ الرَّبِيعِ فَقَالَ ‏  
"‏ أَعْطِ ابْنَتَىْ سَعْدٍ ثُلُثَىْ مَالِهِ وَأَعْطِ امْرَأَتَهُ الثُّمُنَ وَخُذْ أَنْتَ مَا بَقِيَ ‏"‏ ‏.‏

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It was  
narrated that Huzail bin Shurahbil said:“A man came to Abu  
Musa  
Al-Ash’ari and Salman bin Rabi’ah Al-Bahili and asked them about  
(the shares of) a daughter, a son’s daughter, a sister through  
one’s  
father and mother. They said: ‘The daughter gets one half,  
and what is  
left goes to the sister. Go to Ibn Mas’ud, for he will  
concur with  
what we say.’ So the man went to Ibn Mas’ud, and told  
him what they  
had said. ‘Abdullah said: ‘I will go astray and  
will not be guided (if  
I say that I agree); but I will judge as the  
Messenger of Allah (ﷺ)  
judged. The daughter gets one half, and the  
son’s daughter gets one-  
sixth. That makes two thirds. And what is  
left goes to the sister.’”

حَدَّثَنَا عَلِيُّ بْنُ مُحَمَّدٍ، حَدَّثَنَا وَكِيعٌ، حَدَّثَنَا سُفْيَانُ، عَنْ أَبِي قَيْسٍ الأَوْدِيِّ، عَنِ الْهُزَيْلِ بْنِ شُرَحْبِيلَ، قَالَ جَاءَ رَجُلٌ إِلَى أَبِي مُوسَى الأَشْعَرِيِّ وَسَلْمَانَ بْنِ رَبِيعَةَ الْبَاهِلِيِّ فَسَأَلَهُمَا عَنِ ابْنَةٍ وَابْنَةِ ابْنٍ وَأُخْتٍ، لأَبٍ وَأُمٍّ فَقَالاَ لِلاِبْنَةِ النِّصْفُ وَمَا بَقِيَ فَلِلأُخْتِ وَائْتِ ابْنَ مَسْعُودٍ فَسَيُتَابِعُنَا ‏.‏ فَأَتَى الرَّجُلُ ابْنَ مَسْعُودٍ فَسَأَلَهُ وَأَخْبَرَهُ بِمَا قَالاَ فَقَالَ عَبْدُ اللَّهِ قَدْ ضَلَلْتُ إِذًا وَمَا أَنَا مِنَ الْمُهْتَدِينَ وَلَكِنِّي سَأَقْضِي بِمَا قَضَى بِهِ رَسُولُ اللَّهِ صلى الله عليه وسلم لِلاِبْنَةِ النِّصْفُ وَلاِبْنَةِ الاِبْنِ السُّدُسُ تَكْمِلَةَ الثُّلُثَيْنِ وَمَا بَقِيَ فَلِلأُخْتِ ‏.‏

Grade: Sahih (Darussalam)Reference : Sunan Ibn Majah 2721In-book reference : Book 23, Hadith 3English translation : Vol. 4, Book 23, Hadith 2721Report Error | Share | Copy ▼

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It was  
narrated that Ma’qil bin Yasar Al-Muzani said:“I heard the  
Prophet (ﷺ) when a case was brought to him which involved the share  
of a grandfather. He gave him one third, or one sixth.”

حَدَّثَنَا أَبُو بَكْرِ بْنُ أَبِي شَيْبَةَ، حَدَّثَنَا شَبَابَةُ، حَدَّثَنَا يُونُسُ بْنُ أَبِي إِسْحَاقَ، عَنْ أَبِي إِسْحَاقَ، عَنْ عَمْرِو بْنِ مَيْمُونٍ، عَنْ مَعْقِلِ بْنِ يَسَارٍ الْمُزَنِيِّ، قَالَ سَمِعْتُ النَّبِيَّ صلى الله عليه وسلم أُتِيَ بِفَرِيضَةٍ فِيهَا جَدٌّ فَأَعْطَاهُ ثُلُثًا أَوْ سُدُسًا ‏.‏

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It was  
narrated that Ma’qil bin Yasar said:“The Messenger of Allah  
(ﷺ) ruled concerning a grandfather who was among us, that he should  
receive one sixth.”

قَالَ أَبُو الْحَسَنِ الْقَطَّانُ حَدَّثَنَا أَبُو حَاتِمٍ، حَدَّثَنَا ابْنُ الطَّبَّاعِ، حَدَّثَنَا هُشَيْمٌ، عَنْ يُونُسَ، عَنِ الْحَسَنِ، عَنْ مَعْقِلِ بْنِ يَسَارٍ، قَالَ قَضَى رَسُولُ اللَّهِ صلى الله عليه وسلم فِي جَدٍّ كَانَ فِينَا بِالسُّدُسِ ‏.‏

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It was  
narrated that Ibn Dhu’aib said:“A grandmother came to Abu Bakr  
Siddiq and asked him for her inheritance. Abu Bakr said to her: ‘You  
have nothing according to the Book of Allah, and I don’t know of  
anything for you according to the Book of Allah, and I don’t know  
of anything for you according to the Sunnah of the Messenger of Allah  
(ﷺ). Go back until I ask the people.’ So he asked the people and  
Al-Mughirah bin Shu’bah said: ‘I was present with the Messenger  
of Allah (ﷺ) and he gave her (the grandmother) one sixth.’ Abu  
Bakr said: ‘Is there anyone else with you (who will corroborate  
what you say)?’ Muhammad bin Maslamah Al-Ansari stood up and said  
something like what Mughirah bin Shu’bah had said. So Abu Bakr  
applied it in her case.”

حَدَّثَنَا أَحْمَدُ بْنُ عَمْرِو بْنِ السَّرْحِ الْمِصْرِيُّ، أَنْبَأَنَا عَبْدُ اللَّهِ بْنُ وَهْبٍ، أَنْبَأَنَا يُونُسُ، عَنِ ابْنِ شِهَابٍ، حَدَّثَهُ عَنْ قَبِيصَةَ بْنِ ذُؤَيْبٍ، ح وَحَدَّثَنَا سُوَيْدُ بْنُ سَعِيدٍ، حَدَّثَنَا مَالِكُ بْنُ أَنَسٍ، عَنِ ابْنِ شِهَابٍ، عَنْ عُثْمَانَ بْنِ إِسْحَاقَ بْنِ خَرَشَةَ، عَنِ ابْنِ ذُؤَيْبٍ، قَالَ جَاءَتِ الْجَدَّةُ إِلَى أَبِي بَكْرٍ الصِّدِّيقِ تَسْأَلُهُ مِيرَاثَهَا فَقَالَ لَهَا أَبُو بَكْرٍ مَا لَكِ فِي كِتَابِ اللَّهِ شَىْءٌ وَمَا عَلِمْتُ لَكِ فِي سُنَّةِ رَسُولِ اللَّهِ صلى الله عليه وسلم شَيْئًا فَارْجِعِي حَتَّى أَسْأَلَ النَّاسَ ‏.‏ فَسَأَلَ النَّاسَ فَقَالَ الْمُغِيرَةُ بْنُ شُعْبَةَ حَضَرْتُ رَسُولَ اللَّهِ صلى الله عليه وسلم أَعْطَاهَا السُّدُسَ فَقَالَ أَبُو بَكْرٍ هَلْ مَعَكَ غَيْرُكَ فَقَامَ مُحَمَّدُ بْنُ مَسْلَمَةَ الأَنْصَارِيُّ فَقَالَ مِثْلَ مَا قَالَ الْمُغِيرَةُ بْنُ شُعْبَةَ فَأَنْفَذَهُ لَهَا أَبُو بَكْرٍ ‏.‏ ثُمَّ جَاءَتِ الْجَدَّةُ الأُخْرَى مِنْ قِبَلِ الأَبِ إِلَى عُمَرَ تَسْأَلُهُ مِيرَاثَهَا فَقَالَ مَا لَكِ فِي كِتَابِ اللَّهِ شَىْءٌ وَمَا كَانَ الْقَضَاءُ الَّذِي قُضِيَ بِهِ إِلاَّ لِغَيْرِكِ وَمَا أَنَا بِزَائِدٍ فِي الْفَرَائِضِ شَيْئًا وَلَكِنْ هُوَ ذَاكِ السُّدُسُ فَإِنِ اجْتَمَعْتُمَا فِيهِ فَهُوَ بَيْنَكُمَا وَأَيَّتُكُمَا خَلَتْ بِهِ فَهُوَ لَهَا ‏.‏

Reference : Sunan Ibn Majah 2724In-book reference : Book 23, Hadith 6English translation : Vol. 4, Book 23, Hadith 2724Report Error | Share | Copy ▼

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It was  
narrated from Ibn ‘Abbas that the Messenger of Allah (ﷺ)  
gave a  
grandmother one sixth of the inheritance.

حَدَّثَنَا عَبْدُ الرَّحْمَنِ بْنُ عَبْدِ الْوَهَّابِ، حَدَّثَنَا سَلْمُ بْنُ قُتَيْبَةَ، عَنْ شَرِيكٍ، عَنْ لَيْثٍ، عَنْ طَاوُسٍ، عَنِ ابْنِ عَبَّاسٍ، أَنَّ رَسُولَ اللَّهِ صلى الله عليه وسلم وَرَّثَ جَدَّةً سُدُسًا ‏.‏

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It was  
narrated from Ma’dan bin Abu Talhah Al-Ya’muri that ‘Umar bin  
Khattab stood up to deliver a sermon one Friday, or he addressed them  
one Friday. He praised and glorified Allah, and said:“By Allah, I  
am  
not leaving behind any problem more difficult than the one who  
leaves  
behind an heir. I asked the Messenger of Allah (ﷺ), and he  
never  
spoke so harshly to me about anything as he spoke to me about  
this. He  
jabbed his finger into my side or my chest and said: ‘O  
‘Umar,  
sufficient for you is the Verse that was revealed in summer,  
at the  
end of Surat An-Nisa’.”

حَدَّثَنَا أَبُو بَكْرِ بْنُ أَبِي شَيْبَةَ، حَدَّثَنَا إِسْمَاعِيلُ ابْنُ عُلَيَّةَ، عَنْ سَعِيدٍ، عَنْ قَتَادَةَ، عَنْ سَالِمِ بْنِ أَبِي الْجَعْدِ، عَنْ مَعْدَانَ بْنِ أَبِي طَلْحَةَ الْيَعْمُرِيِّ، أَنَّ عُمَرَ بْنَ الْخَطَّابِ، قَامَ خَطِيبًا يَوْمَ الْجُمُعَةِ أَوْ خَطَبَهُمْ يَوْمَ الْجُمُعَةِ فَحَمِدَ اللَّهَ وَأَثْنَى عَلَيْهِ وَقَالَ إِنِّي وَاللَّهِ مَا أَدَعُ بَعْدِي شَيْئًا هُوَ أَهَمُّ إِلَىَّ مِنْ أَمْرِ الْكَلاَلَةِ وَقَدْ سَأَلْتُ رَسُولَ اللَّهِ صلى الله عليه وسلم فَمَا أَغْلَظَ لِي فِي شَىْءٍ مَا أَغْلَظَ لِي فِيهَا حَتَّى طَعَنَ بِإِصْبَعِهِ فِي جَنْبِي أَوْ فِي صَدْرِي ثُمَّ قَالَ ‏  
"‏ يَا عُمَرُ تَكْفِيكَ آيَةُ الصَّيْفِ الَّتِي نَزَلَتْ فِي آخِرِ سُورَةِ النِّسَاءِ ‏"‏ ‏.‏

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‘Umar  
bin Khattab said:“There are three things, if the Messenger of  
Allah (ﷺ) had clarified them, that would have been dearer to me  
than  
the world and everything in it: a person who leaves behind no  
heir,  
usury, and the caliphate.”

حَدَّثَنَا عَلِيُّ بْنُ مُحَمَّدٍ، وَأَبُو بَكْرِ بْنُ أَبِي شَيْبَةَ قَالاَ حَدَّثَنَا وَكِيعٌ، حَدَّثَنَا سُفْيَانُ، حَدَّثَنَا عَمْرُو بْنُ مُرَّةَ، عَنْ مُرَّةَ بْنِ شَرَاحِيلَ، قَالَ قَالَ عُمَرُ بْنُ الْخَطَّابِ ثَلاَثٌ لأَنْ يَكُونَ رَسُولُ اللَّهِ صلى الله عليه وسلم بَيَّنَهُنَّ أَحَبُّ إِلَىَّ مِنَ الدُّنْيَا وَمَا فِيهَا الْكَلاَلَةُ وَالرِّبَا وَالْخِلاَفَةُ ‏.‏

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It was  
narrated from Muhammad bin Munkadir that he heard Jabir bin  
‘Abdullah  
say:“I fell sick and the Messenger of Allah (ﷺ) came to  
visit  
me, he and Abu Bakr with him, and they came walking. I had lost  
consciousness, so the Messenger of Allah (ﷺ) performed ablution and  
poured some of the water of his ablution over me. I said: ‘O  
Messenger  
of Allah, what should I do? How should I decide about my  
wealth?’  
Until the Verse of inheritance was revealed at the end of  
An-Nisa’:  
“If the man or woman whose inheritance is in question  
has left neither  
ascendants or descendents.” [4:12] And: “They  
ask you for a legal  
verdict. Say: ‘Allah directs (thus) about those  
who leave neither  
descendants nor ascendants as heirs.’” [4:176]

حَدَّثَنَا هِشَامُ بْنُ عَمَّارٍ، حَدَّثَنَا سُفْيَانُ، عَنْ مُحَمَّدِ بْنِ الْمُنْكَدِرِ، سَمِعَ جَابِرَ بْنَ عَبْدِ اللَّهِ، يَقُولُ مَرِضْتُ فَأَتَانِي رَسُولُ اللَّهِ صلى الله عليه وسلم يَعُودُنِي هُوَ وَأَبُو بَكْرٍ مَعَهُ وَهُمَا مَاشِيَانِ وَقَدْ أُغْمِيَ عَلَىَّ فَتَوَضَّأَ رَسُولُ اللَّهِ صلى الله عليه وسلم فَصَبَّ عَلَىَّ مِنْ وَضُوئِهِ فَقُلْتُ يَا رَسُولَ اللَّهِ كَيْفَ أَصْنَعُ كَيْفَ أَقْضِي فِي مَالِي حَتَّى نَزَلَتْ آيَةُ الْمِيرَاثِ فِي آخِرِ النِّسَاءِ ‏{وَإِنْ كَانَ رَجُلٌ يُورَثُ كَلاَلَةً‏}‏ الآيَةَ وَ ‏{يَسْتَفْتُونَكَ قُلِ اللَّهُ يُفْتِيكُمْ فِي الْكَلاَلَةِ}‏ الآيَةَ ‏.‏

Grade: Sahih (Darussalam)Reference : Sunan Ibn Majah 2728In-book reference : Book 23, Hadith 10English translation : Vol. 4, Book 23, Hadith 2728Report Error | Share | Copy ▼

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It was  
narrated from Usamah bin Zaid, who attributed it to the  
Prophet  
(ﷺ):“The Muslim does not inherit from a disbeliever and the  
disbeliever does not inherit from a Muslim.”

حَدَّثَنَا هِشَامُ بْنُ عَمَّارٍ، وَمُحَمَّدُ بْنُ الصَّبَّاحِ، قَالاَ حَدَّثَنَا سُفْيَانُ بْنُ عُيَيْنَةَ، عَنِ الزُّهْرِيِّ، عَنْ عَلِيِّ بْنِ الْحُسَيْنِ، عَنْ عَمْرِو بْنِ عُثْمَانَ، عَنْ أُسَامَةَ بْنِ زَيْدٍ، رَفَعَهُ إِلَى النَّبِيِّ صلى الله عليه وسلم قَالَ ‏  
"‏ لاَ يَرِثُ الْمُسْلِمُ الْكَافِرَ وَلاَ الْكَافِرُ الْمُسْلِمَ ‏"‏ ‏.‏

Grade: Sahih (Darussalam)Reference : Sunan Ibn Majah 2729In-book reference : Book 23, Hadith 11English translation : Vol. 4, Book 23, Hadith 2729Report Error | Share | Copy ▼

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It was  
narrated from Usamah bin Zaid that he said:“O Messenger of Allah,  
will you stay in your house in Makkah?” He said: “Has ‘Aqeel  
left us any houses?” 'Aqeel had inherited Abu Talib along with Talib. Neither Ja'far nor 'Ali inherited anything because they had been Muslims, and 'Aqeel and Talib had been disbelievers. So on account of that, Omar would say the believer does not inherit from the disbeliever. And Usamah said: the Messenger of Allah (ﷺ) said "The Muslim does not inherit from the disbeliever nor the disbeliever from the Muslim."

حَدَّثَنَا أَحْمَدُ بْنُ عَمْرِو بْنِ السَّرْحِ، حَدَّثَنَا عَبْدُ اللَّهِ بْنُ وَهْبٍ، أَنْبَأَنَا يُونُسُ، عَنِ ابْنِ شِهَابٍ، عَنْ عَلِيِّ بْنِ الْحُسَيْنِ، أَنَّهُ حَدَّثَهُ أَنَّ عَمْرَو بْنَ عُثْمَانَ أَخْبَرَهُ عَنْ أُسَامَةَ بْنِ زَيْدٍ، أَنَّهُ قَالَ يَا رَسُولَ اللَّهِ أَتَنْزِلُ فِي دَارِكَ بِمَكَّةَ قَالَ ‏"‏ وَهَلْ تَرَكَ لَنَا عَقِيلٌ مِنْ رِبَاعٍ أَوْ دُورٍ ‏"‏ ‏.‏ وَكَانَ عَقِيلٌ وَرِثَ أَبَا طَالِبٍ هُوَ وَطَالِبٌ وَلَمْ يَرِثْ جَعْفَرٌ وَلاَ عَلِيٌّ شَيْئًا لأَنَّهُمَا كَانَا مُسْلِمَيْنِ وَكَانَ عَقِيلٌ وَطَالِبٌ كَافِرَيْنِ ‏.‏ فَكَانَ عُمَرُ مِنْ أَجْلِ ذَلِكَ يَقُولُ لاَ يَرِثُ الْمُؤْمِنُ الْكَافِرَ ‏.‏   
 وَقَالَ أُسَامَةُ قَالَ رَسُولُ اللَّهِ صلى الله عليه وسلم ‏"‏ لاَ يَرِثُ الْمُسْلِمُ الْكَافِرَ وَلاَ الْكَافِرُ الْمُسْلِمَ ‏"‏ ‏.‏

Reference : Sunan Ibn Majah 2730In-book reference : Book 23, Hadith 12English translation : Vol. 4, Book 23, Hadith 2730Report Error | Share | Copy ▼

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It was  
narrated from ‘Amr bin Shu’aib, from his father, from his  
grandfather, that the Messenger of Allah (ﷺ) said:“People of two  
different religions do not inherit from one another.”

حَدَّثَنَا مُحَمَّدُ بْنُ رُمْحٍ، أَنْبَأَنَا ابْنُ لَهِيعَةَ، عَنْ خَالِدِ بْنِ يَزِيدَ، أَنَّ الْمُثَنَّى بْنَ الصَّبَّاحِ، أَخْبَرَهُ عَنْ عَمْرِو بْنِ شُعَيْبٍ، عَنْ أَبِيهِ، عَنْ جَدِّهِ، أَنَّ رَسُولَ اللَّهِ صلى الله عليه وسلم قَالَ ‏  
"‏ لاَ يَتَوَارَثُ أَهْلُ مِلَّتَيْنِ ‏"‏ ‏.‏

Grade: Sahih (Darussalam)Reference : Sunan Ibn Majah 2731In-book reference : Book 23, Hadith 13English translation : Vol. 4, Book 23, Hadith 2731Report Error | Share | Copy ▼

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It was  
narrated from ‘Amr bin Shu’aib, from his father, that his  
grandfather said:“Rabab bin Hudhaifah (bin Sa’eed) bin Sahm  
married  
Umm Wa’il bint Ma’mar Al-Jumahiyyah, and she bore him  
three sons.  
Their mother died and her sons inherited her houses and  
the Wala’ of  
her freed slaves. ‘Amr bin ‘As took them out to  
Sham, and they died of  
the plague of ‘Amwas. ‘Amr inherited from  
them, and he was their  
‘Asabah.\* When ‘Amr came back, Banu Ma’mar  
came to him and they  
referred their dispute with him concerning the  
Wala’ of their sister  
to ‘Umar. ‘Umar said: ‘I will judge  
between you according to what I  
heard from the Messenger of Allah  
(ﷺ). I heard him say: “What the  
son or father acquires goes to  
his. ‘Asabah, no matter who they are.’”  
So he ruled in our  
favour and wrote a document to that effect, in  
which was the  
testimony of ‘Abdur-Rahman bin ‘Awf, Zaid bin Thabit and  
someone  
else. Then when ‘Abdul-Malik bin Marwan was appointed caliph,  
a  
freed slave of hers (Umm Wa’il’s) died, leaving behind two  
thousand  
Dinar. I heard that that ruling had been changed, so they  
referred the  
dispute to Hisham bin Isma’il. We referred the matter  
to ‘Abdul-Malik,  
and brought him the document of ‘Umar. He said:  
‘I thought that this  
was a ruling concerning which there was no  
doubt. I never thought that  
the people of Al-Madinah would reach such  
a state that they would  
doubt this ruling. So he ruled in our favour,  
and it remained like  
that afterwards.”

حَدَّثَنَا أَبُو بَكْرِ بْنُ أَبِي شَيْبَةَ، حَدَّثَنَا أَبُو أُسَامَةَ، حَدَّثَنَا حُسَيْنٌ الْمُعَلِّمُ، عَنْ عَمْرِو بْنِ شُعَيْبٍ، عَنْ أَبِيهِ، عَنْ جَدِّهِ، قَالَ تَزَوَّجَ رِئَابُ بْنُ حُذَيْفَةَ بْنِ سُعَيْدِ بْنِ سَهْمٍ أُمَّ وَائِلٍ بِنْتَ مَعْمَرٍ الْجُمَحِيَّةَ فَوَلَدَتْ لَهُ ثَلاَثَةً فَتُوُفِّيَتْ أُمُّهُمْ فَوَرِثَهَا بَنُوهَا رِبَاعًا وَوَلاَءَ مَوَالِيهَا فَخَرَجَ بِهِمْ عَمْرُو بْنُ الْعَاصِ مَعَهُ إِلَى الشَّامِ فَمَاتُوا فِي طَاعُونِ عَمْوَاسَ فَوَرِثَهُمْ عَمْرٌو وَكَانَ عَصَبَتَهُمْ فَلَمَّا رَجَعَ عَمْرُو بْنُ الْعَاصِ جَاءَ بَنُو مَعْمَرٍ يُخَاصِمُونَهُ فِي وَلاَءِ أُخْتِهِمْ إِلَى عُمَرَ فَقَالَ عُمَرُ أَقْضِي بَيْنَكُمْ بِمَا سَمِعْتُ مِنْ رَسُولِ اللَّهِ صلى الله عليه وسلم سَمِعْتُهُ يَقُولُ ‏  
"‏ مَا أَحْرَزَ الْوَلَدُ أَوِ الْوَالِدُ فَهُوَ لِعَصَبَتِهِ مَنْ كَانَ ‏"‏ ‏.‏ قَالَ فَقَضَى لَنَا بِهِ وَكَتَبَ لَنَا بِهِ كِتَابًا فِيهِ شَهَادَةُ عَبْدِ الرَّحْمَنِ بْنِ عَوْفٍ وَزَيْدِ بْنِ ثَابِتٍ وَآخَرَ حَتَّى إِذَا اسْتُخْلِفَ عَبْدُ الْمَلِكِ بْنُ مَرْوَانَ تُوُفِّيَ مَوْلًى لَهَا وَتَرَكَ أَلْفَىْ دِينَارٍ فَبَلَغَنِي أَنَّ ذَلِكَ الْقَضَاءَ قَدْ غُيِّرَ فَخَاصَمُوهُ إِلَى هِشَامِ بْنِ إِسْمَاعِيلَ فَرَفَعَنَا إِلَى عَبْدِ الْمَلِكِ فَأَتَيْنَاهُ بِكِتَابِ عُمَرَ فَقَالَ إِنْ كُنْتُ لأَرَى أَنَّ هَذَا مِنَ الْقَضَاءِ الَّذِي لاَ يُشَكُّ فِيهِ وَمَا كُنْتُ أَرَى أَنَّ أَمْرَ أَهْلِ الْمَدِينَةِ بَلَغَ هَذَا أَنْ يَشُكُّوا فِي هَذَا الْقَضَاءِ ‏.‏ فَقَضَى لَنَا بِهِ فَلَمْ نَزَلْ فِيهِ بَعْدُ ‏.‏

Grade: Hasan (Darussalam)Reference : Sunan Ibn Majah 2732In-book reference : Book 23, Hadith 14English translation : Vol. 4, Book 23, Hadith 2732Report Error | Share | Copy ▼

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It was  
narrated from ‘Aishah that the freed slave of the Prophet  
(ﷺ)  
fell from a palm tree and died. He left behind wealth but he had  
no  
child or close relative. The Prophet (ﷺ) said:“Give his legacy  
to a man from his village.”

حَدَّثَنَا أَبُو بَكْرِ بْنُ أَبِي شَيْبَةَ، وَعَلِيُّ بْنُ مُحَمَّدٍ، قَالاَ حَدَّثَنَا وَكِيعٌ، حَدَّثَنَا سُفْيَانُ، عَنْ عَبْدِ الرَّحْمَنِ بْنِ الأَصْبَهَانِيِّ، عَنْ مُجَاهِدِ بْنِ وَرْدَانَ، عَنْ عُرْوَةَ بْنِ الزُّبَيْرِ، عَنْ عَائِشَةَ، أَنَّ مَوْلًى، لِلنَّبِيِّ صلى الله عليه وسلم وَقَعَ مِنْ نَخْلَةٍ فَمَاتَ وَتَرَكَ مَالاً وَلَمْ يَتْرُكْ وَلَدًا وَلاَ حَمِيمًا فَقَالَ النَّبِيُّ صلى الله عليه وسلم ‏  
"‏ أَعْطُوا مِيرَاثَهُ رَجُلاً مِنْ أَهْلِ قَرْيَتِهِ ‏"‏ ‏.‏

Grade: Hasan (Darussalam)Reference : Sunan Ibn Majah 2733In-book reference : Book 23, Hadith 15English translation : Vol. 4, Book 23, Hadith 2733Report Error | Share | Copy ▼

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It was  
narrated that the daughter of Hamzah said:“My freed slave  
died,  
leaving behind a daughter. The Messenger of Allah (ﷺ) divided  
his  
wealth between myself and his daughter, giving me half and her  
half.”

حَدَّثَنَا أَبُو بَكْرِ بْنُ أَبِي شَيْبَةَ، حَدَّثَنَا حُسَيْنُ بْنُ عَلِيٍّ، عَنْ زَائِدَةَ، عَنْ مُحَمَّدِ بْنِ عَبْدِ الرَّحْمَنِ بْنِ أَبِي لَيْلَى، عَنِ الْحَكَمِ، عَنْ عَبْدِ اللَّهِ بْنِ شَدَّادٍ، عَنْ بِنْتِ حَمْزَةَ، - قَالَ مُحَمَّدٌ يَعْنِي ابْنَ أَبِي لَيْلَى وَهِيَ أُخْتُ ابْنِ شَدَّادٍ لأُمِّهِ - قَالَتْ مَاتَ مَوْلاَىَ وَتَرَكَ ابْنَةً فَقَسَمَ رَسُولُ اللَّهِ صلى الله عليه وسلم مَالَهُ بَيْنِي وَبَيْنَ ابْنَتِهِ فَجَعَلَ لِيَ النِّصْفَ وَلَهَا النِّصْفَ ‏.‏

Grade: Da’if (Darussalam)Reference : Sunan Ibn Majah 2734In-book reference : Book 23, Hadith 16English translation : Vol. 4, Book 23, Hadith 2734Report Error | Share | Copy ▼

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It was  
narrated from Abu Hurairah that the Messenger of Allah (ﷺ)  
said:“The killer does not inherit.”

حَدَّثَنَا مُحَمَّدُ بْنُ رُمْحٍ، أَنْبَأَنَا اللَّيْثُ بْنُ سَعْدٍ، عَنْ إِسْحَاقَ بْنِ أَبِي فَرْوَةَ، عَنِ ابْنِ شِهَابٍ، عَنْ حُمَيْدِ بْنِ عَبْدِ الرَّحْمَنِ بْنِ عَوْفٍ، عَنْ أَبِي هُرَيْرَةَ، عَنْ رَسُولِ اللَّهِ صلى الله عليه وسلم أَنَّهُ قَالَ ‏  
"‏ الْقَاتِلُ لاَ يَرِثُ ‏"‏ ‏.‏

Grade: Hasan (Darussalam)Reference : Sunan Ibn Majah 2735In-book reference : Book 23, Hadith 17English translation : Vol. 4, Book 23, Hadith 2735Report Error | Share | Copy ▼

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It was  
narrated from ‘Abdullah bin ‘Amr that the Messenger of Allah  
(ﷺ) stood up, on the day of the conquest of Makkah, and said:“A  
woman inherits from the blood money and wealth of her husband, and he  
inherits from her blood money and wealth, so long as one of them did  
not kill the other. If one of them killed the other deliberately,  
then  
he or she inherits nothing from the blood money or wealth. If  
one of  
them killed the other by mistake, he or she inherits from the  
other’s  
wealth, but not from the blood money.”

حَدَّثَنَا عَلِيُّ بْنُ مُحَمَّدٍ، وَمُحَمَّدُ بْنُ يَحْيَى، قَالاَ حَدَّثَنَا عُبَيْدُ اللَّهِ بْنُ مُوسَى، عَنِ الْحَسَنِ بْنِ صَالِحٍ، عَنْ مُحَمَّدِ بْنِ سَعِيدٍ، - وَقَالَ مُحَمَّدُ بْنُ يَحْيَى عَنْ عُمَرَ بْنِ سَعِيدٍ، - عَنْ عَمْرِو بْنِ شُعَيْبٍ، حَدَّثَنِي أَبِي، عَنْ جَدِّي عَبْدِ اللَّهِ بْنِ عَمْرٍو، أَنَّ رَسُولَ اللَّهِ صلى الله عليه وسلم قَامَ يَوْمَ فَتْحِ مَكَّةَ فَقَالَ ‏  
"‏ الْمَرْأَةُ تَرِثُ مِنْ دِيَةِ زَوْجِهَا وَمَالِهِ وَهُوَ يَرِثُ مِنْ دِيَتِهَا وَمَالِهَا مَا لَمْ يَقْتُلْ أَحَدُهُمَا صَاحِبَهُ فَإِذَا قَتَلَ أَحَدُهُمَا صَاحِبَهُ عَمْدًا لَمْ يَرِثْ مِنْ دِيَتِهِ وَمَالِهِ شَيْئًا وَإِنْ قَتَلَ أَحَدُهُمَا صَاحِبَهُ خَطَأً وَرِثَ مِنْ مَالِهِ وَلَمْ يَرِثْ مِنْ دِيَتِهِ ‏"‏ ‏.‏

Grade: Hasan (Darussalam)Reference : Sunan Ibn Majah 2736In-book reference : Book 23, Hadith 18English translation : Vol. 4, Book 23, Hadith 2736Report Error | Share | Copy ▼

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It was  
narrated from Abu Umamah bin Sahl bin Hunaif that a man shot  
an arrow  
at another man and killed him, and he had no heir except a  
maternal  
uncle. Abu ‘Ubaidah bin Jarrah wrote to ‘Umar about that, and  
‘Umar wrote back to him saying that the Prophet (ﷺ) said:“Allah  
and  
His Messenger are the guardians of the one who has no guardian,  
and  
the maternal uncle is the heir of one who has no other heir.”

حَدَّثَنَا أَبُو بَكْرِ بْنُ أَبِي شَيْبَةَ، وَعَلِيُّ بْنُ مُحَمَّدٍ، قَالاَ حَدَّثَنَا وَكِيعٌ، عَنْ سُفْيَانَ، عَنْ عَبْدِ الرَّحْمَنِ بْنِ الْحَارِثِ بْنِ عَيَّاشِ بْنِ أَبِي رَبِيعَةَ الزُّرَقِيِّ، عَنْ حَكِيمِ بْنِ حَكِيمِ بْنِ عَبَّادِ بْنِ حُنَيْفٍ الأَنْصَارِيِّ، عَنْ أَبِي أُمَامَةَ بْنِ سَهْلِ بْنِ حُنَيْفٍ، أَنَّ رَجُلاً، رَمَى رَجُلاً بِسَهْمٍ فَقَتَلَهُ وَلَيْسَ لَهُ وَارِثٌ إِلاَّ خَالٌ فَكَتَبَ فِي ذَلِكَ أَبُو عُبَيْدَةَ بْنُ الْجَرَّاحِ إِلَى عُمَرَ فَكَتَبَ إِلَيْهِ عُمَرُ أَنَّ النَّبِيَّ صلى الله عليه وسلم قَالَ ‏  
"‏ اللَّهُ وَرَسُولُهُ مَوْلَى مَنْ لاَ مَوْلَى لَهُ وَالْخَالُ وَارِثُ مَنْ لاَ وَارِثَ لَهُ ‏"‏ ‏.‏

Grade: Hasan (Darussalam)Reference : Sunan Ibn Majah 2737In-book reference : Book 23, Hadith 19English translation : Vol. 4, Book 23, Hadith 2737Report Error | Share | Copy ▼

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It was  
narrated from Miqdam Abu Karimah, a man from Sham who was one  
of the  
Companions of the Messenger of Allah (ﷺ), that the Messenger  
of  
Allah (ﷺ) said:“Whoever leaves behind wealth, it is for his  
heirs. Whoever leaves behind poor dependents and a debt, it is for us  
to take care of – or he said: ‘It is for Allah and His Messenger  
(to  
take care of) – I am the heir of the one who has no heir, I  
will pay  
the blood money on his behalf and inherit from him. And the  
maternal  
uncle is the heir of the one who has no heir, he pays blood  
money on  
his behalf and inherits from him.”

حَدَّثَنَا أَبُو بَكْرِ بْنُ أَبِي شَيْبَةَ، حَدَّثَنَا شَبَابَةُ، ح وَحَدَّثَنَا مُحَمَّدُ بْنُ الْوَلِيدِ، حَدَّثَنَا مُحَمَّدُ بْنُ جَعْفَرٍ، قَالاَ حَدَّثَنَا شُعْبَةُ، حَدَّثَنِي بُدَيْلُ بْنُ مَيْسَرَةَ الْعُقَيْلِيُّ، عَنْ عَلِيِّ بْنِ أَبِي طَلْحَةَ، عَنْ رَاشِدِ بْنِ سَعْدٍ، عَنْ أَبِي عَامِرٍ الْهَوْزَنِيِّ، عَنِ الْمِقْدَامِ أَبِي كَرِيمَةَ، - رَجُلٌ مِنْ أَهْلِ الشَّامِ مِنْ أَصْحَابِ رَسُولِ اللَّهِ صلى الله عليه وسلم قَالَ - قَالَ رَسُولُ اللَّهِ صلى الله عليه وسلم ‏  
"‏ مَنْ تَرَكَ مَالاً فَلِوَرَثَتِهِ وَمَنْ تَرَكَ كَلاًّ فَإِلَيْنَا - وَرُبَّمَا قَالَ فَإِلَى اللَّهِ وَإِلَى رَسُولِهِ - وَأَنَا وَارِثُ مَنْ لاَ وَارِثَ لَهُ أَعْقِلُ عَنْهُ وَأَرِثُهُ وَالْخَالُ وَارِثُ مَنْ لاَ وَارِثَ لَهُ يَعْقِلُ عَنْهُ وَيَرِثُهُ ‏"‏ ‏.‏

Grade: Sahih (Darussalam)Reference : Sunan Ibn Majah 2738In-book reference : Book 23, Hadith 20English translation : Vol. 4, Book 23, Hadith 2738Report Error | Share | Copy ▼

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It was  
narrated that ‘Ali bin Abu Talib said:“The Messenger of Allah  
(ﷺ) ruled that the sons from the same mother inherit from one  
another, but not sons from different mothers. A man inherits from his  
full brother from the same father and mother, but not his brothers  
from his father.”

حَدَّثَنَا يَحْيَى بْنُ حَكِيمٍ، حَدَّثَنَا أَبُو بَحْرٍ الْبَكْرَاوِيُّ، حَدَّثَنَا إِسْرَائِيلُ، عَنْ أَبِي إِسْحَاقَ، عَنِ الْحَارِثِ، عَنْ عَلِيِّ بْنِ أَبِي طَالِبٍ، قَالَ قَضَى رَسُولُ اللَّهِ صلى الله عليه وسلم أَنَّ أَعْيَانَ بَنِي الأُمِّ يَتَوَارَثُونَ دُونَ بَنِي الْعَلاَّتِ يَرِثُ الرَّجُلُ أَخَاهُ لأَبِيهِ وَأُمِّهِ دُونَ إِخْوَتِهِ لأَبِيهِ ‏.‏

Grade: Da’if (Darussalam)Reference : Sunan Ibn Majah 2739In-book reference : Book 23, Hadith 21English translation : Vol. 4, Book 23, Hadith 2739Report Error | Share | Copy ▼

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It was  
narrated that Ibn ‘Abbas said:“The Messenger of Allah (ﷺ)  
said: ‘Distribute wealth among those who are entitled to shares of  
inheritance, according to the Book of Allah, then whatever is left  
over goes to the nearest male relative.’”

حَدَّثَنَا الْعَبَّاسُ بْنُ عَبْدِ الْعَظِيمِ الْعَنْبَرِيُّ، حَدَّثَنَا عَبْدُ الرَّزَّاقِ، أَنْبَأَنَا مَعْمَرٌ، عَنِ ابْنِ طَاوُسٍ، عَنْ أَبِيهِ، عَنِ ابْنِ عَبَّاسٍ، قَالَ قَالَ رَسُولُ اللَّهِ صلى الله عليه وسلم ‏  
"‏ اقْسِمُوا الْمَالَ بَيْنَ أَهْلِ الْفَرَائِضِ عَلَى كِتَابِ اللَّهِ فَمَا تَرَكَتِ الْفَرَائِضُ فَلأَوْلَى رَجُلٍ ذَكَرٍ ‏"‏ ‏.‏

Grade: Sahih (Darussalam)Reference : Sunan Ibn Majah 2740In-book reference : Book 23, Hadith 22English translation : Vol. 4, Book 23, Hadith 2740Report Error | Share | Copy ▼

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It was  
narrated that Ibn ‘Abbas said:“A man died at the time of the  
Messenger of Allah (ﷺ), and he left no heir except for a slave whom  
he had set free. The Messenger of Allah (ﷺ) gave the legacy to  
him.”

حَدَّثَنَا إِسْمَاعِيلُ بْنُ مُوسَى، حَدَّثَنَا سُفْيَانُ بْنُ عُيَيْنَةَ، عَنْ عَمْرِو بْنِ دِينَارٍ، عَنْ عَوْسَجَةَ، عَنِ ابْنِ عَبَّاسٍ، قَالَ مَاتَ رَجُلٌ عَلَى عَهْدِ رَسُولِ اللَّهِ صلى الله عليه وسلم وَلَمْ يَدَعْ لَهُ وَارِثًا إِلاَّ عَبْدًا هُوَ أَعْتَقَهُ فَدَفَعَ النَّبِيُّ صلى الله عليه وسلم مِيرَاثَهُ إِلَيْهِ ‏.‏

Grade: Hasan (Darussalam)Reference : Sunan Ibn Majah 2741In-book reference : Book 23, Hadith 23English translation : Vol. 4, Book 23, Hadith 2741Report Error | Share | Copy ▼

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It was  
narrated from Wathilah bin Asqa’ that the Prophet (ﷺ) said:“A  
woman may get three types of inheritance: From her freed slave  
woman,  
a foundling whom she raised, and her child concerning whom she  
swore  
in Li’an that he was legitimate.”

حَدَّثَنَا هِشَامُ بْنُ عَمَّارٍ، حَدَّثَنَا مُحَمَّدُ بْنُ حَرْبٍ، حَدَّثَنَا عُمَرُ بْنُ رُؤْبَةَ التَّغْلِبِيُّ، عَنْ عَبْدِ الْوَاحِدِ بْنِ عَبْدِ اللَّهِ النَّصْرِيِّ، عَنْ وَاثِلَةَ بْنِ الأَسْقَعِ، عَنِ النَّبِيِّ صلى الله عليه وسلم قَالَ ‏  
"‏ الْمَرْأَةُ تَحُوزُ ثَلاَثَ مَوَارِيثَ عَتِيقِهَا وَلَقِيطِهَا وَوَلَدِهَا الَّذِي لاَعَنَتْ عَلَيْهِ ‏"‏ ‏.‏ قَالَ مُحَمَّدُ بْنُ يَزِيدَ مَا رَوَى هَذَا الْحَدِيثَ غَيْرُ هِشَامٍ ‏.‏

Grade: Da’if (Darussalam)Reference : Sunan Ibn Majah 2742In-book reference : Book 23, Hadith 24English translation : Vol. 4, Book 23, Hadith 2742Report Error | Share | Copy ▼

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It was  
narrated that Abu Hurairah said:“Then the Verse of Li’an was  
revealed, the Messenger of Allah (ﷺ) said: ‘Any woman who  
attributed  
her child to people to whom he does not belong, then she  
has no  
relation to (the religion of) Allah, and she will never enter  
Paradise, and any man who rejects his child, while he recognizes him,  
Allah will screen Himself from him on the Day of Resurrection and  
disgrace him before the witnesses.’”

حَدَّثَنَا أَبُو بَكْرِ بْنُ أَبِي شَيْبَةَ، حَدَّثَنَا زَيْدُ بْنُ الْحُبَابِ، عَنْ مُوسَى بْنِ عُبَيْدَةَ، حَدَّثَنِي يَحْيَى بْنُ حَرْبٍ، عَنْ سَعِيدِ بْنِ أَبِي سَعِيدٍ الْمَقْبُرِيِّ، عَنْ أَبِي هُرَيْرَةَ، قَالَ لَمَّا نَزَلَتْ آيَةُ اللِّعَانِ قَالَ رَسُولُ اللَّهِ صلى الله عليه وسلم ‏  
"‏ أَيُّمَا امْرَأَةٍ أَلْحَقَتْ بِقَوْمٍ مَنْ لَيْسَ مِنْهُمْ فَلَيْسَتْ مِنَ اللَّهِ فِي شَىْءٍ وَلَنْ يُدْخِلَهَا جَنَّتَهُ وَأَيُّمَا رَجُلٍ أَنْكَرَ وَلَدَهُ وَقَدْ عَرَفَهُ احْتَجَبَ اللَّهُ مِنْهُ يَوْمَ الْقِيَامَةِ وَفَضَحَهُ عَلَى رُءُوسِ الأَشْهَادِ ‏"‏ ‏.‏

Grade: Hasan (Darussalam)Reference : Sunan Ibn Majah 2743In-book reference : Book 23, Hadith 25English translation : Vol. 4, Book 23, Hadith 2743Report Error | Share | Copy ▼

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It was  
narrated from ‘Amr bin Shu’aib, from his father, from his  
grandfather, that the Prophet (ﷺ) said:“It is disbelief for a  
man  
to attribute himself to someone other than his father knowingly,  
or to  
deny his connection to his father, even subtly.”\*

حَدَّثَنَا مُحَمَّدُ بْنُ يَحْيَى، حَدَّثَنَا عَبْدُ الْعَزِيزِ بْنُ عَبْدِ اللَّهِ، حَدَّثَنَا سُلَيْمَانُ بْنُ بِلاَلٍ، عَنْ يَحْيَى بْنِ سَعِيدٍ، عَنْ عَمْرِو بْنِ شُعَيْبٍ، عَنْ أَبِيهِ، عَنْ جَدِّهِ، أَنَّ النَّبِيَّ صلى الله عليه وسلم قَالَ ‏  
"‏ كُفْرٌ بِامْرِئٍ ادِّعَاءُ نَسَبٍ لاَ يَعْرِفُهُ أَوْ جَحْدُهُ وَإِنْ دَقَّ ‏"‏ ‏.‏

Grade: Hasan (Darussalam)Reference : Sunan Ibn Majah 2744In-book reference : Book 23, Hadith 26English translation : Vol. 4, Book 23, Hadith 2744Report Error | Share | Copy ▼

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It was  
narrated from ‘Amr bin Shu’aib, from his father, from his  
grandfather that the Messenger of Allah (ﷺ) said:“Whoever  
commits  
adultery with a slave woman or a free woman, his child is  
illegitimate, and he cannot inherit from him or be inherited from  
(i.e., this child cannot inherit from him).”

حَدَّثَنَا أَبُو كُرَيْبٍ، حَدَّثَنَا يَحْيَى بْنُ الْيَمَانِ، عَنِ الْمُثَنَّى بْنِ الصَّبَّاحِ، عَنْ عَمْرِو بْنِ شُعَيْبٍ، عَنْ أَبِيهِ، عَنْ جَدِّهِ، قَالَ قَالَ رَسُولُ اللَّهِ صلى الله عليه وسلم ‏  
"‏ مَنْ عَاهَرَ أَمَةً أَوْ حُرَّةً فَوَلَدُهُ وَلَدُ زِنًا لاَ يَرِثُ وَلاَ يُورَثُ ‏"‏ ‏.‏

Grade: Hasan (Darussalam)Reference : Sunan Ibn Majah 2745In-book reference : Book 23, Hadith 27English translation : Vol. 4, Book 23, Hadith 2745Report Error | Share | Copy ▼

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It was  
narrated from ‘Amr bin Shu’aib, from his father, from his  
grandfather, that the Messenger of Allah (ﷺ) said:“Every child  
who  
is attributed to his father after his father to whom he is  
attributed  
has died, and his heirs attributed him to him after he  
died, he ruled  
that\* whoever was born to a slave woman whom he owned  
at the time when  
he had intercourse with her, he should be named  
after the one to whom  
he was attributed, but he has no share of any  
inheritance that was  
distributed previously. Whatever inheritance he  
finds has not yet been  
distributed, he will have a share of it. But  
he cannot be named after  
his father if the man whom he claimed as his  
father did not  
acknowledge him. If he as born to a slave woman whom  
his father did  
not own, or to a free woman with whom he committed  
adultery, then he  
cannot be named after him and he does not inherit  
from him, even if  
the one whom he claims as his father acknowledges  
him. So he is an  
illegitimate child who belongs to his mother’s  
people, whoever they  
are, whether she is a free woman or a slave.”

حَدَّثَنَا مُحَمَّدُ بْنُ يَحْيَى، حَدَّثَنَا مُحَمَّدُ بْنُ بَكَّارِ بْنِ بِلاَلٍ الدِّمَشْقِيُّ، أَنْبَأَنَا مُحَمَّدُ بْنُ رَاشِدٍ، عَنْ سُلَيْمَانَ بْنِ مُوسَى، عَنْ عَمْرِو بْنِ شُعَيْبٍ، عَنْ أَبِيهِ، عَنْ جَدِّهِ، أَنَّ رَسُولَ اللَّهِ صلى الله عليه وسلم قَالَ ‏  
"‏ كُلُّ مُسْتَلْحَقٍ اسْتُلْحِقَ بَعْدَ أَبِيهِ الَّذِي يُدْعَى لَهُ ادَّعَاهُ وَرَثَتُهُ مِنْ بَعْدِهِ فَقَضَى أَنَّ مَنْ كَانَ مِنْ أَمَةٍ يَمْلِكُهَا يَوْمَ أَصَابَهَا فَقَدْ لَحِقَ بِمَنِ اسْتَلْحَقَهُ وَلَيْسَ لَهُ فِيمَا قُسِمَ قَبْلَهُ مِنَ الْمِيرَاثِ شَىْءٌ وَمَا أَدْرَكَ مِنْ مِيرَاثٍ لَمْ يُقْسَمْ فَلَهُ نَصِيبُهُ وَلاَ يَلْحَقُ إِذَا كَانَ أَبُوهُ الَّذِي يُدْعَى لَهُ أَنْكَرَهُ وَإِنْ كَانَ مِنْ أَمَةٍ لاَ يَمْلِكُهَا أَوْ مِنْ حُرَّةٍ عَاهَرَ بِهَا فَإِنَّهُ لاَ يَلْحَقُ وَلاَ يُورَثُ وَإِنْ كَانَ الَّذِي يُدْعَى لَهُ هُوَ ادَّعَاهُ فَهُوَ وَلَدُ زِنًا لأَهْلِ أُمِّهِ مَنْ كَانُوا حُرَّةً أَوْ أَمَةً ‏"‏ ‏.‏ قَالَ مُحَمَّدُ بْنُ رَاشِدٍ يَعْنِي بِذَلِكَ مَا قُسِمَ فِي الْجَاهِلِيَّةِ قَبْلَ الإِسْلاَمِ ‏.‏

Grade: Hasan (Darussalam)Reference : Sunan Ibn Majah 2746In-book reference : Book 23, Hadith 28English translation : Vol. 4, Book 23, Hadith 2746Report Error | Share | Copy ▼

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It was  
narrated that Ibn ‘Umar said:“The Messenger of Allah (ﷺ)  
forbade selling the right of inheritance or giving it away.”

حَدَّثَنَا عَلِيُّ بْنُ مُحَمَّدٍ، حَدَّثَنَا وَكِيعٌ، حَدَّثَنَا شُعْبَةُ، وَسُفْيَانُ، عَنْ عَبْدِ اللَّهِ بْنِ دِينَارٍ، عَنِ ابْنِ عُمَرَ، قَالَ نَهَى رَسُولُ اللَّهِ صلى الله عليه وسلم عَنْ بَيْعِ الْوَلاَءِ وَعَنْ هِبَتِهِ ‏.‏

Grade: Sahih (Darussalam)Reference : Sunan Ibn Majah 2747In-book reference : Book 23, Hadith 29English translation : Vol. 4, Book 23, Hadith 2747Report Error | Share | Copy ▼

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It was  
narrated that Ibn ‘Umar said:The Messenger of Allah (ﷺ)  
forbade  
selling the right of inheritance, or giving it as a gift.

حَدَّثَنَا مُحَمَّدُ بْنُ عَبْدِ الْمَلِكِ بْنِ أَبِي الشَّوَارِبِ، حَدَّثَنَا يَحْيَى بْنُ سُلَيْمٍ الطَّائِفِيُّ، عَنْ عُبَيْدِ اللَّهِ بْنِ عُمَرَ، عَنْ نَافِعٍ، عَنِ ابْنِ عُمَرَ، قَالَ نَهَى رَسُولُ اللَّهِ صلى الله عليه وسلم عَنْ بَيْعِ الْوَلاَءِ وَعَنْ هِبَتِهِ ‏.‏

Grade: Sahih (Darussalam)Reference : Sunan Ibn Majah 2748In-book reference : Book 23, Hadith 30English translation : Vol. 4, Book 23, Hadith 2748Report Error | Share | Copy ▼

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It was  
narrated from ‘Abdullah bin ‘Umar that the Messenger of Allah  
(ﷺ) said:“Whatever division of inheritance was made during the  
Ignorance period, stands according to the division of the Ignorance  
period, and whatever division of inheritance was made during Islam,  
it  
stands according to the division of Islam.”

حَدَّثَنَا مُحَمَّدُ بْنُ رُمْحٍ، أَنْبَأَنَا عَبْدُ اللَّهِ بْنُ لَهِيعَةَ، عَنْ عُقَيْلٍ، أَنَّهُ سَمِعَ نَافِعًا، يُخْبِرُ عَنْ عَبْدِ اللَّهِ بْنِ عُمَرَ، أَنَّ رَسُولَ اللَّهِ صلى الله عليه وسلم قَالَ ‏  
"‏ مَا كَانَ مِنْ مِيرَاثٍ قُسِمَ فِي الْجَاهِلِيَّةِ فَهُوَ عَلَى قِسْمَةِ الْجَاهِلِيَّةِ وَمَا كَانَ مِنْ مِيرَاثٍ أَدْرَكَهُ الإِسْلاَمُ فَهُوَ عَلَى قِسْمَةِ الإِسْلاَمِ ‏"‏ ‏.‏

Grade: Hasan (Darussalam)Reference : Sunan Ibn Majah 2749In-book reference : Book 23, Hadith 31English translation : Vol. 4, Book 23, Hadith 2749Report Error | Share | Copy ▼

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It was  
narrated from Jabir that the Messenger of Allah (ﷺ) said:“If the  
child has cired, the (funeral) prayer should be offered for  
him (if  
he dies) and he is an heir.”

حَدَّثَنَا هِشَامُ بْنُ عَمَّارٍ، حَدَّثَنَا الرَّبِيعُ بْنُ بَدْرٍ، حَدَّثَنَا أَبُو الزُّبَيْرِ، عَنْ جَابِرٍ، قَالَ قَالَ رَسُولُ اللَّهِ صلى الله عليه وسلم ‏  
"‏ إِذَا اسْتَهَلَّ الصَّبِيُّ صُلِّيَ عَلَيْهِ وَوَرِثَ ‏"‏ ‏.‏

Grade: Da’if (Darussalam)Reference : Sunan Ibn Majah 2750In-book reference : Book 23, Hadith 32English translation : Vol. 4, Book 23, Hadith 2750Report Error | Share | Copy ▼

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It was  
narrated from Jabir bin ‘Abdullah and Miswar bin Makhrumah  
that the  
Messenger of Allah (ﷺ) said:“No child inherits until he  
raises  
his voice or cries.”

حَدَّثَنَا الْعَبَّاسُ بْنُ الْوَلِيدِ الدِّمَشْقِيُّ، حَدَّثَنَا مَرْوَانُ بْنُ مُحَمَّدٍ، حَدَّثَنَا سُلَيْمَانُ بْنُ بِلاَلٍ، حَدَّثَنِي يَحْيَى بْنُ سَعِيدٍ، عَنْ سَعِيدِ بْنِ الْمُسَيَّبِ، عَنْ جَابِرِ بْنِ عَبْدِ اللَّهِ، وَالْمِسْوَرِ بْنِ مَخْرَمَةَ، قَالاَ قَالَ رَسُولُ اللَّهِ صلى الله عليه وسلم ‏  
"‏ لاَ يَرِثُ الصَّبِيُّ حَتَّى يَسْتَهِلَّ صَارِخًا ‏"‏ ‏.‏ قَالَ وَاسْتِهْلاَلُهُ أَنْ يَبْكِيَ وَيَصِيحَ أَوْ يَعْطِسَ ‏.‏

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It was  
narrated that ‘Abdullah bin Mawhab said:“I heard Tamim Ad-  
Dari  
say: ‘I said: O Messenger of Allah, what is the Sunnah concerning  
a  
man from among the People of the Book who becomes a Muslim at the  
hands of another man?’ He said: ‘He is the closest of all people  
to  
him in life and in death.’”

حَدَّثَنَا أَبُو بَكْرِ بْنُ أَبِي شَيْبَةَ، حَدَّثَنَا وَكِيعٌ، عَنْ عَبْدِ الْعَزِيزِ بْنِ عُمَرَ، عَنْ عَبْدِ اللَّهِ بْنِ مَوْهَبٍ، قَالَ سَمِعْتُ تَمِيمًا الدَّارِيَّ، يَقُولُ قُلْتُ يَا رَسُولَ اللَّهِ مَا السُّنَّةُ فِي الرَّجُلِ مِنْ أَهْلِ الْكِتَابِ يُسْلِمُ عَلَى يَدَىِ الرَّجُلِ قَالَ ‏  
"‏ هُوَ أَوْلَى النَّاسِ بِمَحْيَاهُ وَمَمَاتِهِ ‏"‏ ‏.‏

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