

Rules of the Lost Property When Found

2573. If a person finds the lost property of another person which is not an animal, and which does not bear any sign, by means of which it may be possible to locate its owner, and its value is not less than a dirham (12.6 chickpeas of coined silver) the obligatory precaution is that the person, who has found that property, should give it to indigent persons as alms on behalf of the owner of that property, and should not appropriate it himself.

2574. If a person finds a property the value of which is less than a dirham and if its owner is known and the person who finds it does not know whether or not he is agreeable he cannot pick it up without his (i.e. the owner's) permission. And if its owner is not known the person who finds it can pick it up for his own use as if it is his own property. And it is obligatory that as and when its owner is known, he should give him that property if it has not perished, and should give him compensation for it if it has perished.

2575. If a person finds something which bears a sign by means of which its owner can be located, and even though he comes to know that its owner is a sunni or an unbeliever, whose property is respectable, and the value of that thing reaches one dirham, the person, who finds it, should make an announcement about it at the place of gathering of the people for one year from the day on which he finds that thing.

2576. If a person does not wish to make an announcement himself he can ask another person to make the announcement, if he is satisfied that he will perform the duty in this behalf.

2577. If the person who finds such a thing makes announcement for one year but the owner of the property does not turn up he (the person who has found the property) should act as follows:

(i) If he has found that thing at a place other than the Haram of Makkah he can retain it himself, or keep it for its owner so that he may give it to him when he appears, or give it as alms to indigent persons on behalf of the owner.

(ii) If he has found that thing in the Haram the obligatory precaution is that he should give it away as alms.

2578. If the person who finds such a thing makes announcement for one year and the owner of the

property does not turn up and he (i.e. the person who has found the thing) looks after it for the sake of its owner so that he may deliver it to him as and when he is found and in the meantime it perishes and he has not been negligent in looking after it, and has also not been extravagant, he is not responsible. However, if he has appropriated it himself he is responsible. And in case he gives it as alms on behalf of the owner he (the owner) has the option in endorsing the giving of alms or demanding compensation for his property. And the spiritual reward for the alms is enjoyed by him, who gives the alms.

2579. If a person finds something and does not make intentionally an announcement according to the orders narrated above, he not only commits a sin but it is still obligatory on him to make an announcement about it.

2580. If an insane person or a minor child finds something his guardian can make an announcement about it and thereafter (i.e. if the owner is not found) he on own it as the property of the insane person or the minor child, or give it away as alms on behalf of the owner.

2581. If during the year in which a person is making an announcement (about something having been lost and found) he loses all hope of finding the owner of the thing, and wishes to give it away as alms, it is difficult that his action in this behalf may be in order.

2582. If the property perishes during the year in which the person who found it is making an announcement about it, and he has been negligent in looking after it, or has been extravagant, he should compensate the owner for it. However, if he has not been negligent or extravagant, it is not obligatory for him to pay anything.

2583. If the property which bears a mark and whose value reaches one dirham is found at a place about which it is known that the owner of the property will not be found by means of announcement he can give it to the indigent persons as alms on behalf of the owner on the very first day and it is not necessary for him to wait till the year ends.

2584. If a person finds a thing and takes possession of it under the impression that it is his own property, but learns later that it is not his property he should make announcement for one year.

2585. At the time of making announcement it is not necessary for the person who finds the lost thing to tell what kind of thing it is. On the other hand it is sufficient if he says that he has found a thing like that.

2586. If a person finds something and another person says that it is his property and also mentions the marks of identification the former should give that thing to him if he is satisfied that it belongs to him. It is not necessary for the latter to mention the marks of which mostly even the owners do not take notice.

2587. If the value of a thing which a person finds reaches one dirham and he does not make an announcement about it and leaves it in the masjid or at another place, where the people gather, and the thing perishes, or some other person picks it up, the person who found the thing is responsible.

2588. If a person finds a thing which would decay if allowed to remain as it is, he should fix its price with the permission of the religious Head or his representative, and sell it and keep its sale proceeds with himself, and give the same as alms on behalf of the owner, if he is not found.

2589. If the thing found by somebody is with him at the time of performing ablutions and offering prayers there is undoubtedly no harm in it if his intention is to find out its owner (and to give it to him). Otherwise, however, it falls under the category of usurped property.

2590. If the pair of shoes of a person is taken away and is replaced by another pair of shoes and the person who has lost his shoes knows that the pair of shoes which is now with him belongs to the person who has taken away his pair of shoes, and who is prepared to keep that pair of shoes in lieu of his pair of shoes which that person has taken away, he can keep that pair of shoes. And the same order applies if he knows that he has taken away his pair of shoes unjustly and by way of oppression. In that case, however, it is necessary that the price of that pair of shoes should not exceed the price of his own pair of shoes, otherwise order of 'unknown ownership' will apply. And in cases other than these two the order of 'unknown ownership' applies to that pair of shoes.

2591. If a man has some property of 'unknown ownership' i.e. its owner is not known and if the word 'lost' does not apply to it, it is necessary for him to make a search for its owner and give it as alms to the indigent persons when he loses all hope of finding the owner. And it is better that he should give it away as alms with the permission of the religious Head and if the owner of the property turns up afterwards the man is not responsible.

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