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Lending and Borrowing

Lending of something is that someone gives his own property to mother person so that he may make use of it, and in exchange, one gets nothing back; for example, a person gives his bike to another person, so that the person may go to his house and return.

Issue 411: Someone who lends something to another person can take it back whenever he wants to, and the person who has borrowed the item can give it back to its owner whenever he wishes to.

Issue 412: If that which was lent out becomes lost or damaged, then in the event that in the protection of the item, care was shown, or in its use, excessive care was shown, one is not responsible (for the item). But if one was negligent in taking cue of the item, or in its use excessive care was not shown, then compensation must be paid (to the owner).

Issue 413: If it was previously specified that for whatever reason, the person borrowing the property would be responsible for it, then one must repay it (if anything happens to that property).

Items that are Found

Issue 414: If someone finds something but does not take it, then no special responsibilities fall upon him.

Issue 415: If something other than m animal is found, then the following rules will apply:

If the item does not have my special signs which would help in finding its' owner, then one is able to take it for ones' self, but according to Ihtiyat Mustahab, one should give it away as sadaqa on behalf of the owner.

If there are special signs on it, and its worth is less than 12.6 chickpeas of coined silver[1], and the owner is not known, then according to Ihtiyati Wajib, it must be given away as sadaqa on behalf of the owner, and anytime the owner is found, then if he is not happy with his property having been given away as sadaqa one must give die owner the replacement (of that which was given in sadaqa)

If the value of the item is not less than 12.6 chickpeas of coined silver (as was explained in the footnote 26) and it has some special signs on it that would enable one to identify the owner, then for the first week, m announcement must be made every day, and every week after that, it must be announced once per week, then if in the event that after one year of announcing, the owner still is not found, one is able to keep it for the owner ,so that whenever he is found, the it= c–, be given back to him, or it can be given as sadaqa to the poor in the name of the owner, and the Ihtiyat Wajib is that one does not keep it for ones' self.

Losing one's Shoes

Issue 416: If someone's shoes are taken, and in their place, another pair of shoes are left, then in the event that one knows that the shoes that are remaining are the property of the person who took his shoes, and this person will be content that the person (whose shoes were taken) takes his shoes in place of the stolen shoes, he can take these shoes in substitute for his own shoes (that were taken). However, if he knows that his shoes were taken unjustly or without right, and if the value of the shoes that we left behind is not more than the value of his own shoes, he can take them in place of his own shoes.

1. This amount of silver is approximately 2.52 grams, and at the time this book was being translated, the worth is approximately 300 tuman, or $0.60 USD.

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