

Question 2167) - If two men both claim that they had bought a specific slave from a third party, and they produce evidence, what will the judge do?

A: Each may either accept half the slave in exchange for half the price, or leave it. If the judge had ruled accordingly and one of the two says, "I do not want half a slave. I want to rescind the sale," then the other may not take the entire slave. If both claimants define a date of sale, then the slave is for whichever claimed the earlier date. If neither can produce a date but the slave is already in the possession of one of them, then the possessor keeps the slave.

~ al-Quduri ~