

20,1951

TRANSLATION FROM FRENCH

Plaintiff's Exhibit
"Z2".

209.

Interrogation of 1st
Defendant.
29th October 1945.

He declared that his name was Abdul Rahman TAMIM, born
at Beirut (Lebanon) in 1914, son of the late Amin TAMIN and

UNIVERSITY OF LONDON
W.C.1.
14 JUL 1953
INSTITUTE OF ADVANCED
LEGAL STUDIES

Sakher SAKHER, husband of Rasmia SAKHER, father of three
children.

All the formalities required by law having been

fulfilled, he deposed as follows :

Question: You are accused of fraudulently importing into
Togo TWO MILLION FOUR HUNDRED AND FIFTY-TWO
THOUSAND francs in banknotes of Algeria and of
French West Africa. Please tell us in what
conditions you imported this capital.

Answer: On the 27th October 1945 I called at the Customs
Office at Af1 where I declared my assets in
foreign money and merchandise belonging to me.
Two Europeans inspected the car and discovered a
brief case which I had under the rear seat. The
Customs officials produced the brief case to me
and questioned me regarding its contents, and
I replied that it contained French money in
French West African banknotes. We counted them
together and we found a sum of TWO MILLION FOUR
HUNDRED AND FIFTY-TWO THOUSAND FRANCS in French
West African Banknotes and TWELVE THOUSAND FRANCS
in banknotes of Free France and Tunisia.
I brought the money in order to pay the

Customs and transit charges in connection with goods which I had purchased on the Gold Coast with the authorisation of the Foreign Exchange Office at Dakar. I purchased on the Gold Coast merchandise to an amount of approximately TWENTY-ONE THOUSAND POUNDS. Moreover, I deposited the invoice with the Examining Magistrate when he interrogated me.

Question: From whom did you purchase these goods?

Answer: I purchased goods through the intermediary of Mr. ZACCA a merchant established at Accra.

Question: Have you an authorisation from the British Authorities?

Answer: No.

Question *It was Mr. ZACCA who handed me this money.

Question: In what conditions did he hand you this money?

Answer: On the day before my departure, this merchant handed me the money and asked me to deposit it for him with the "B.A.O." Agency in Lome. He explained that the money was not legal tender on the Gold Coast and he gave me permission to take what was necessary for Customs clearance and the transport of the goods.

Question: Why did you need to put this money under the seat of the car?

Answer: I put it there so that no one should see the money during the journey.

Question: By what means did you expect to repay Mr. ZACCA the money necessary for Customs clearance

* It would seem that here in the French text the Question has been omitted and that this line is the Answer.
Translator.

and the transport of your goods?

Answer: I expected to obtain other authorisation from the Foreign Exchange Office to enable me to repay him.

Question: In what conditions did Mr. ZACCA obtain possession of such a large sum in French banknotes?

Answer: I know nothing about it.

Question: Allow me to doubt your good faith, because you must have proofs or at least suppositions concerning the means employed by ZACCA to secure such a sum

Answer: I know nothing about it.

Question: Has ZACCA a bank account at Lome?

Answer: No. He asked me to open an account in his name.

Question: Do you know any of your compatriots at Lome?

Answer: No, this is the first time I have been to Togo and I know no one there.

Question: How long have you been established at Dakar?

Answer: I have been living at Dakar for six years. Moreover, my parents and parents-in-law live there.

Question: Have you lived in a British Colony?

Answer: No, this is the first time I have been to a British Colony.

Question: How did you make Mr. ZACCA'S acquaintance?

Answer: I made his acquaintance at Accra. I explained to him the reasons why I had come to that town, and he placed his services at my disposal.

Question: Do you not consider it strange that a person whom you have known for scarcely two months should entrust you with such a large sum of money?

Answer: No, we always adopt this procedure between us and also with Europeans.

Question: To whom does the Chevrolet car No. CP 3583 WAC which you used to come to Lome belong?

Answer : I do not know the owner, it was my compatriot ZACCA who secured this car for me.

Question: What is the meaning of the initials S.E.S. painted on the back window of this car?

Answer: I know nothing about it.

Read and signed with us and the Registrar
with the approval of sixteen words deleted and
one word over-written.

He declared that his name was Ben KWAKU, born at Accra on the Gold Coast on the 17th May 1915, son of Koumma Koffi and of Ewachoua, married, father of two children, chauffeur, residing at Station Road, Accra, Gold Coast.

All formalities required by law having been fulfilled he deposed as follows :

Question : To whom does the car No. C.P.3583 WAC driven by you, belong?

Answer : This car belongs to Mr. Elias SASSINE of Accra.

Question: How does it come about that you drove Mr. Abdul Rahman Tamin to Lome?

Answer: On Friday evening at 5 O'clock my employer ASSALAUD SASSINE, "Con, informed me that I was to drive a gentleman to Lome. I got the car ready. I was told that the passenger was staying at the "Disantor" Hotel and that I had to pick him up on Saturday at four a.m.

Question: Have you seen Mr. Tamin in company with your employer?

Answer: Yes, this Lebanese occasionally came to my employer's shop and I have seen him conversing with the latter. I report the following fact which shows that they are well acquainted with each other. About ten days ago my employer instructed me to drive this Lebanese to the Cable Service and from there to Barclays Bank.

Question: When Mr. Tamin got into the car, was he in possession of a brief case?

Answer: I did not notice anything when we started.

Question: Did you notice the brief case which has been seized by the Customs at Lome?

Answer: Yes, it was I who carried it from the car to the office.

■ Sic.

Question: Did you see this bag in the possession of Mr. Tamin when he got into the car at Accra?

Answer: No, I did not notice it.

Question: Did you see this Lebanese hide a brief case under the seat of the car?

Answer: No, If he hid the brief case, he could only have done it at the "tank" when I left him alone near the car.

Read, maintained and signed etc.....

(~~x~~ or ferry, vat, filling-station,
etc. etc. Translator.)

IN THE PRIVY COUNCIL

ON APPEAL FROM

THE WEST AFRICAN COURT OF APPEAL
(GOLD COAST SESSION)

TAMIM and ZACCA
(Defendants) Appellants

- v -

THE COMPTROLLER OF CUSTOMS
(GOLD COAST)
(Plaintiff) Respondent

T R A N S L A T I O N

- of -

Exhibit "Z2" Interrogation of 1st
Defendant.

A.L. Bryden & Williams,
53, Victoria Street, London, S.W.1.
Solicitors and Privy Council
Agents for the Appellants.