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Declassified E.O. 12356 Section 3.3/NND No. 785017

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Declassified E.O. 12356 Section 3.3/NND No.

785017

10000/135/522

CORRESPONDENCE ON CIVILIANS
JAN. - SEPT. 1947

Orig 1 file
M11

Enclosure 4 is for your information. Do not forward copies to the I.A.M. as we have had sufficient correspondence already on this item of this baggage. Enclosure 3A and attachment has given them our views and the RAS regrets and should be the final word.

W. J. M. M. M.
8/3

3rd September 1947.

18A

To : Air Forces Branch
Allied Forces - Headquarters APO 794.
att. E.M.M. Creese W/Cdr Air Commodore.
Director, AFB AFHQ.

From : Dr Anthony Lederer
Hotel Washington
Corso d'Italia Rome.

CLAIM FOR REFUND OF AIR PASSAGE FARE.

18B. 17A
Ref, your AFB/365/3/Org, dated 29th July 1947. I permit to submit you the requested further details of my claim.

My Air Passage Budapest -Rome has been paid in english currency of 24 £. at Rome R.A.F. Military Booking Office. Immediately a cable has been sended to the English Political Mission at Budapest, for the necessary authority of handing into to me the ticket. I received a ticket in 3 copies rose colour Budapest- Rome. I left on the 30 th of April 1947, Budapest form Vienna. Arrived at Vienna I present myself at the Hotel Astoria, Center Booking Office R.A.F. were the ticket has been taken away from me and were informed that no plains are flying more Vienna -Rome.

As I have been assured at Budapest to continue my trip from Vienna to Rome I had to see that I can pass Via Swiss by train on my one expenses. You will understand my claim and go immediately into action, and forward my statement asked by you to the proper Authority, of rebursement of the amount paid here in Rome discounting the fly from Budapest - Vienna.

Will you be kind enough to see that the above mentioned matter should be favourable settle for me. Thanking your in advance I remain,

6006 Sincerely yours,

Dr. Anthony Lederer.

Copy. incl. receipt of payment 24 £.

0 4 2 5

Declassified E.O. 12356 Section 3.3/NND No.

785017

C O P Y

Received from Mr. C.Fish a sum of 24 £ (Twenty Four pounds) sterling
in respect of air passage fare BUDAPEST - TOME for Dr LEDERE.

31st March 1947.

(Signed) H.J.Bello
Lt.

18 B

6005

22nd. April, 1947.

Dear Consul,

Perhaps you may remember my case, stated in a letter to the Embassy at Rome dated 22/12/1946 which was re-addressed to you for a decision on the matter.

I take the opportunity to ask you once again for assistance. As I have already mentioned in the above letter I am a former prisoner of war from Germany.

At present I am unemployed and I request emigration papers to Australia, but you replied with letter dated 19/1/46 explaining the impossibility of granting this request.

But since I have not yet found work and my requests to the Italian authorities have met with no success, I should like to ask you if I could be employed as a civilian in the British Air Force.

I should like to point out that I was in the I.A.F. as a specialist engineer until 6th. September, 1942 when I was interned in Germany.

I also possess a driving licence. I request you to consider my case as you are my only hope.

In awaiting a kind reply,

I am sir,

Yours sincerely,



6064

0 4 2 7

Declassified E.O. 12356 Section 3.3/NND No.

785017

M/4267/M.

BRITISH CONSULATE GENERAL
MILAN

24th July, 1947.

With the compliments of the Visa Department.

For your information.

The Air Attaché,
British Embassy,
R O M E.

~~Attilio Corbelli~~

4261
22.3.1947

Ill.mo Sig. Console

Forse ricorderà già il mio caso prospettato con mia lettera alla sua Ambasciata a Roma in data 22/12/1945 lettera che la sua Ambasciata recapitò a Lei per darmene risposta in merito.

Mi permetto di rivolgermi nuovamente a Lei per avere se è possibile aiuto. Come già accennai nella sunominata mia lettera, sono un reduce dalla Germania attualmente senza lavoro, e chiedevo di essere emigrato nell'Australia ma la Vostra stimata risposta in data 9/1/46 mi spiegava il perchè dell'attuale impossibilità a dare evasione favorevole alle mie richieste.

Ma poiché il mio stato di indigenza permane, le mie richieste all'autorità italiana non hanno esito favorevole e non riesco a trovare lavoro, chiedo a Lei se fosse possibile di essere ammesso nello Aeronautica Inglese quale civile.

Faccio noto di avere appartenuto all'Aeronautica Italiana in qualità di motorista specializzato fino all'8 settembre 1943 data in cui fui internato in Germania.

Faccio noto anche di possedere la patente di conducente d'auto servizio autolinea.

La prego Signor Console di tenere nella sua stimata considerazione il mio caso poiché lei è la mia sola speranza di salvezza.

recapito a lei per dargliene risposta in merito.

Mi permetto di rivolgermi nuovamente a lei per avere se è possibile aiuto. Come già accennai nella suominata mia lettera, sono un reduce dalla Germania attualmente senza lavoro, e chiedevo di essere emigrato nell'Australia ma la Vostra stimata risposta in data 9/1/46 mi spiegava il perchè dell'attuale impossibilità a dare evasione favorevole alla mia richiesta.

Ma poichè il mio stato di indigenza permane, le mie richieste all'autorità italiane non hanno esito favorevole e non riesco a trovare lavoro, chiedo a lei se fosse possibile di essere ammesso nello Aeronautica Inglese quale civile.

Faccio noto di avere appartenuto all'Aeronautica Italiana in qualità di motorista specializzato fino all'8 settembre 1943 ⁶⁰⁰⁸ data in cui fui internato in Germania.

Faccio noto anche di possedere la patente di conducente d'auto servizio autolinea.

La prego Signor Console di tenere nella sua stimata considerazione il mio caso poichè lei è la mia sola speranza di salvezza.

In attesa di un suo gentile riscontro. Con sensi della più rispettosa stima.

Alessandro Moser

Consolato Generale Britannico - Via Palestro n. 14 - MILANO -

sig. Moser Alessandro - Via Chiesa Prà n.42 - EST -

7

From : Air Forces Branch,
Allied Force Headquarters, APO 734

To : Dr. Anthony Lederer,
Persone Washington,
Comac d'Italia, Rome.

Date : 29th July, 1947.

Ref : AFB/35A/3/Orig.

16A.

CLAIM FOR REFUND OF AIR PASSAGE FARE.

Dear Sir,

The claim submitted by you for a refund of the air passage fare in respect of the uncompleted portion (Vienna to Rome) of a journey made by you to Rome from Budapest has now been forwarded to A.A.F. Headquarters MED/AG and they have asked for certain particulars in respect of this claim.

2. Could you therefore please be good enough to submit to this office as soon as possible particulars as to the date of payment, the amount paid and the method of payment in order that this information may be forwarded to the proper authorities.



C.M.M. GREGE, W/Cdr,
for Air Commo/comm,
Director, Act, Afiag. 4



0431

785017

From : Headquarters, R.A.F. Italy.
 To : The Director, A.F.B. A.P.H.Q. Rome. ☒
 Date : 23rd July, 1947.
 Ref : AMI/9048/2/CA.

157

CLAIM FOR REFUND OF AIR PASSAGE FARE
DR. ANTHONY LEDERER, PENSIONER,
WASHINGTON, CORSO D'ITALIA, ROME.

The above named civilian submitted a claim to this Headquarters for a refund of Air Passage Fare, in respect of the uncompleted portion (Vienna to Rome) of a journey to Rome from Budapest., which was forwarded to H.Q. MED/IE under cover of even referenced letter, dated 2nd June, 1947 (copy on reverse)

2. In their reply H.Q. MED/IE have asked for the date of payment, amount paid, and the method of payment and it is requested that you will obtain the desired information from Dr. Lederer and forward it direct to H.Q. MED/IE.

W. R. P. (S. PIERCE)
 Warrant Officer,
 for Group Captain, Commanding,
 Headquarters, R.A.F. ITALY.



Copy to : H.Q. R.A.F. MED/IE H.E.F.
 (12000/85935/1/CA dated 25th June, 1947 refers. Note:-
 no proforma received with this letter at AMI/9048/2/CA)

chub.
 28/7.

W. R. P.

COPY/

From : Air Headquarters, R.A. . Italy.

To : Headquarters, R.A.F. MED/INT.

Date : 2nd June, 1947.

Ref : AMHI/9048/2/CA.

REFUND OF AIR PASSAGE FARE - DR. ANTHONY LEDERER.

In view of the closure of the Air Booking Centre, Rome, and the assumed forwarding to you of its records, together with the anticipated early "fold up" of this Headquarters, an application from Dr. Anthony Lederer in respect of refund of Air Passage Fare is passed to you.

2. On account of the circumstances mentioned above, Appendix 'B' has been completed, as far as possible by this Headquarters, and together with Dr Lederer's letter R.A.F. Form 2762 Serial No. C. 04392, temporary pass No. 01843 issued by the Allied Commission for Austria (British Element) and Hotel Astoria reservation card, is passed to you in support of the claim. It is confirmed that, at the time in question R.A.F. Transport Command had ceased to operate between Vienna and Rome.

3. It is regretted that complete details, including applicant's signature to Appendix 'B' are not available, but in view of the exceptional circumstances it is suggested that the claim be actioned from information supplied and letter of application attached (in original)

4. No. 173 S.F. Vienna, have not been approached for the surrendered ticket as that unit comes directly under H.Q. Transport Command.

(F.E. EVANS)
Squadron Leader,
for Air Commodore,
Air Officer Commanding,
A.M.Q. R.A.F. ITALY.

14A

AIR FORCE'S BRANCH, ALLIED FORCE HEADQUARTERS, 24 1600 Z

AIR MONTAGNES INDIA C/O COMMANDING OFFICER R.A.F. PALMISTINE L.O.
JERUSALEM.

UNCLASSIFIED

ORGANISATION 429 /./ REFERENCE YOUR SIGNAL AL 483 DATED 16 MAY 1947 AND OUR SIGNAL
TO AIR ITALY A.276 DATED 19 MAY 1947 AND OUR LETTER AFM/354/3/CNC TO A.H.C. ITALY
DATED 8 JULY 1947 /./ A.H.C. ITALY INFORMS THIS HEADQUARTERS THAT AN INVESTIGATION
HAD ESTABLISHED THAT THE FOREIGN CAUSE OF BE TRACED AS IT HAS BEEN RELIED TO
600,7

H.C. MED/ME /./

AIR FORCE BRANCH, ALLIED FORCE HEADQUARTERS. 24 1600 H

AIR MOVEMENTS INDEX C/O COMMUNIST OFFICE R.A.P. PALMISTINE H.Q.
JERUSALEM.

UNCLASSIFIED

ORGANISATION 429 /./ REFERENCE YOUR SIGNAL AL 183 DATED 16 MAY 1947 AND OUR SIGNAL
TO AIR ITALY A.276 DATED 19 MAY 1947 AND OUR LETTER APR/354/3/ORG TO A.H.Q. ITALY
DATED 8 JULY 1947 /./ A.H.Q. ITALY INFORMS THIS HEADQUARTERS THAT AN INVESTIGATION
HAD DETERMINED THAT THE FREIGHT CANNOT BE TRADED AS IT HAS BEEN SHIPPED TO
H.Q. MED/EE /./

APR/354/3/ORG.

REPORTANT

ORGANISATION

A.T. MED, 1ST. IS.

A.C. MED/EE, 1/1.

354/3

FROM : Air Headquarters, (Movements) R.A.F. ITALY.

13A

TO : Director, Air Forces Branch, Allied Force Headquarters
APO. 794.

DATE : 14th July, 1947.

REF : AHQI/1001/Mov.4.

FREIGHT PARCEL/ ROME - LYDDA

With reference to your letter AFB/354/Org. dated the 8th. July, 1947. You are informed that the case has been investigated by this H.Q., the result of the investigation being that documentation refer that freight cannot be traced as it has been shipped to H.Q. MED/ME.

10A

354/3
14/7/47

354/020

A.H. Attard:

for,

(A.M. ATTARD. F/LT.)
Senior Officer i/c Administration.
A.H.Q. R.A.F. ITALY.

0 4 3 6

785019

12 A.

From : Air Forces Branch,
Allied Force Headquarters.

To : Ministry of Defence Air,
Directorate of Civil Aviation and Air Traffic.

Date : 19th July, 1947.

Ref : AFB/354/3/Cas

Ext. 546.

CLAIM FOR LOST BAGGAGE

Reference is made to your letter 1276/556/Coll. dated 3rd April 1947 and our letter of even reference dated 15th April, 1947, addressed to R.A.F. Unit, Ciampino, and Air Headquarters Italy.

2. You are informed that although a thorough search has been made, there is no trace of the baggage of Prof. Ambrosini in Italy and accordingly all documents and correspondence have been forwarded to H.Q. R.A.F. Middle in Cairo.

3. When this office receives any further information on the matter it will immediately communicate with you.

C.M.M. GREGG

C.M.M. GREGG, W/Odr.
for Air Commodore,
Director, AFB AFHQ.

6/8/47

04371

Declassified E.O. 12356 Section 3.3/NND No.

785017

From :- Air Headquarters (Movements) Italy, R.A.F. C.M.F.

To :- A.F.B. Allied Force Headquarters, A.P.O. 794.

Date :- 16th July, 1947.

Ref :- AHQI/524/2/M.4.

CLAIM FOR LOST BAGGAGE.

With reference to your letter AFB/354/3/Orig, dated the 15th April, 1947, you are informed that there is no further information regarding the matter, no further trace of the baggage can be found as all documents have been shipped to H.Q. MED/ME.

A.M. Attard.

(A.M. ATTARD) F/LT.

for Senior Officer i/c Administration.

A.H.Q.

R.A.F.

ITALY.



W/16

6054

From:- Director, Air Forces Branch, Allied Force Headquarters,
AFB. 794.

To :- Air Officer Commanding, Air Headquarters, Royal Air Force, ITALY.
Copy: Commanding Officer, R.A.F. Palestine, H.Q., JERUSALEM.

Date:- 8th July, 1947.

Ref :- AFB/354/3/Org.

2 FREIGHT PARCELS FROM ROBE TO LYDIA.

With reference to our signal A.276 of 15th May, 1947, herewith,
letter received from Mitva, Limited, of Tel-Aviv, in connection with
the above mentioned subject. It is requested that you action and reply
to this communication.

A.C. BISHOP,
AIR COMMISSIONER,
DIRECTOR,
AIR FORCES BRANCH,
A.F.H.Q. AFB 794.

6953

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IN COLLECTION

ATL. BRIDGEWORKS BLDG. WEST C.A.B.

11/12/2011

Figure 1

▲ 2006 年 10 月

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De-falshood

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Declassified E.O. 12356 Section 3.3/NND No.

785017

32 LROF V MMXK HR T 69/16 ROUTINE

QVR - 2

FROM AIR/MOVS LYDDA

TO (1) AIR / MOVS ~~FA~~ FAYID

(2) RAF ROME

BT

AL 183 U/C REQUEST INFORMATION ON FARE PAID FREIGHT PROPERTY
MR HALEVY AND NITOVA COMPANY TEL-AVIV . FREIGHT PAID FOR
BY MR HATVY TEL-AVIV AT ROME MARCH 1947 . NO T RECEIVED ~~THIS~~ THIS
UNIT .

BT 161140B

SENT LMO (AR) TKS K

BBR R 1354 JFY K AR

113 (8)

4445 J. J. J. J.
1945
354/3/OTCC-

6051

7

From: R.A.F. Unit Ciampino (SP), C.M.F.
To: Air Headquarters, R.A.F. Italy, C.M.F.
Date: 19th April, 1947.
Ref: CPO/7/1/Air.

CLAIM FOR LOST BAGGAGE.
PROP. ALBERTINI.

Reference is made to Air Force Sub-Commission letter AFSC/354/3/ORG of 13.1.47, our letter CPO/7/1/Air of 18.2.47, and Air Forces Branch, Allied Force Headquarters letter AFB/354/3/ORG dated 15th April, 1947.

2. This claim is referred to your Headquarters for consideration, and it is requested that instructions be given if any further action by this Unit is required.

22/4
mp.
A/804
354/3/ORG

W.S. LE-GEY
(W.S. LE-GEY)
FOR Squadron Leader, Commanding,
R.A.F. Unit Ciampino (SP), C.M.F.

Copy to: Air Forces Branch, Allied Force Headquarters,
APO. 794.

22/4

From: Air Forces Branch
ALLIED FORCE HEADQUARTERS, APO 794

To : RAF Unit, Ciampino (SP) GME
Copies to:-
AHQ Italy
Italian Air Force (Directorate of Civil Aviation and
Air Traffic)

Date: 15th April 1947

Ref : AFB/354/3/ORG

CLAIM FOR LOST BAGGAGE

With reference to RAF Ciampino letter CPO/7/1/Air dated 18th February 1947 and to Air Headquarters Italy letter AHQI/542/2/Mov.4 dated 5 March 1947, further correspondence, 1273/356/Coli dated 3 April 1947, has been received from the Italian Air Ministry.

2. A translation of the letter is attached for your consideration and action.

L. E. Jambon
L. E. JAMBON, O/C
S.B.O.
for Air Commodore
Director, AFB, AFHQ

17/4

From : Tullahoma Air Force
 Operational Directorate of Civil Aviation and Air Traffic (T)
 To : A.T.C. I.A.A.C. A.M.S.C.
 Ref. : 1071/506 Cell.
 Date : 2nd April 1947

PLAN OF PROF. AMBROSINI FOR LOSS OF BAGGAGE

This Ministry has informed Professor Ambrosini of the
 re-creative party made by I.A.A.C. and claiming to his request for an
 immunity as a result of the baggage to his personal baggage, during
 transport stored on I.A.A.C. airplane from Rome to Cairo.

Professor Ambrosini having heard notice about his request
 sent a letter dated 10th March to this Ministry asking details
 about the loss and certain holds but getting his claim for an immunity-
 his immunity of these by civil law.

1. Prof. Ambrosini is an Italian his occupation in the past
 being in Italy. He did not leave Italy because in an office at the hotel
 he had at that time one address and had because that were invited by
 the I.A.A.C. because of there to leave that because in the of-
 fice he had before their departure. The following day Prof. Ambrosini
 got asked the I.A.A.C. Personnel at Prof. Ambrosini's house and his
 own car been loaded on his bus for Cairo airport. The answer
 was in the affirmative.

2. Contrary to the information, the baggage submitted as above
 the day, the day of transport requests to the International Civil
 Aviation Organization to transport it to Cairo and the baggage, respec-
 tively, which is a result of circumstances of an other person.
 Prof. Ambrosini baggage was given and the baggage of Prof. Ambrosini
 senior must be held responsible.

60, R

national transport act, as such, fails under the ruling of the Warsaw Convention which is still in force and has been ratified by England.

b) No importance can be attached to the fact that the transport contract was made with the R.A.F. and therefore with England. Since at the end of Article 2 of the Warsaw Convention which is applied to transports carried out by the State or by other persons vested with public authority, in the conditions specified in Art. 1

Meanwhile, the English State, when it stipulates and carries out, as in the case in question, an international air transport, is subject to the rules of the above mentioned convention, which in article 32 states: (all transport contract clauses and all conventions which the parties put forward in contrast to the ruling of this convention prior to loss are to be considered invalid).

Consequently, the R.A.F. cannot legitimately refer to the clause stamped on the reverse of the ticket given to Ambrosini for the Home-Cairo journey, to deny him reparation for the loss suffered.

In outlining the above, Professor Ambrosini specifies that he has considered only the loss of the main articles stolen, without demanding any reparation for the expenses that he suffered in awaiting the arrival of the baggage.

In expressing the considerations made by Prof. Ambrosini, we request the Allied Forces to re-examine the R.A.F. procedure.

THE AIRBORNE

out, as in the case in question, an international air transport, is subject to the rules of the above mentioned convention, which in article 34 states: (All transport contract clauses and all conventions which the parties put forward in contrast to the ruling of this convention prior to loss are to be considered invalid).

Consequently, the A.A.F. cannot legitimately refer to the clause stamped on the reverse of the ticket given to Ambrosini for the Rome-Cairo journey, to deny him reparation for the loss suffered.

In outlining the above, Professor Ambrosini specifies that he has considered only the loss of the main articles stolen, without demanding any reparation for the expenses that he suffered in awaiting the arrival of the baggage.

In expressing the considerations made by Prof. Ambrosini, we request the Allied Forces to re-examine the A.A.F. procedure.

THE MINISTER

Translated by I.A.C. SECTION

6U:7

0449

Declassified E.O. 12356 Section 3.3/NND No.

785017

Mod 1305

ITALIANA

Ministro dell'Aviazione

Dir. Gen. Aviazione Civile e E.A.

ARMED FORCES HEADQUARTERS

Italian Military Affairs Section

Air Forces Sub Section

ASO 734

tramite l'ufficio di collegamento

presso il Capitano del Ministero

Disposta al 24/2/49 - MAS/354/34

Org/AF.

OGGETTO: Reclamo del Prof. Ambrosini per perdita bagaglio.

Questo Ministero ha comunicato al Prof. Antonio AMBROSINI la risposta negativa della R.A.F. Unit Ciampino, in merito all'indennizzo da lui richiesto per la mancata consegna del suo bagaglio personale, avvenuta durante le operazioni di trasporto su di un aeroplano della R.A.F. da Roma al Cairo.

Ora, il Prof. Ambrosini, in relazione al mancato accoglimento della sua richiesta, in una lettera del 14 marzo corrente indirizzata a questo Ministero, fa presente alcune circostanze di fatto e svolge varie considerazioni di diritto, che qui di seguito si riassumono:

1° - Il Prof. AMBROSINI e il Dr. MARSCA suo compagno nel viaggio ROMA-CAIRO non lasciarono il loro bagaglio in un ufficio dell'Hotel Reale per loro comodità, ma perchè furono invitati dal Booking Office della R.A.F., che ha sede nel detto hotel, a portare ivi i bagagli il giorno prima della partenza. La notte successiva il signor MARSCA chiese al personale della R.A.F. se il suo bagaglio e quello del Prof. AMBROSINI erano stati caricati sull'autobus in partenza per l'aeroporto di Ciampino e gli venne data risposta affermativa.

2° - Contrariamente a tale affermazione il bagaglio rimase a Roma e solo in seguito a ripetute richieste degli interessati la R.A.F., decise di effettuare il trasporto al Cairo, assumendo così la custodia. Pertanto, se per mancata vigilanza o per altra causa il bagaglio del Prof. AMBROSINI venne aperto e da esso venne sottratto il contenuto, il vettore deve risponderne.

3° - Circa l'obiezione che nel caso in esame il vettore non è re-

Divisione Istruzione
 Prot. 42/1246-556
 22.

APC 794

tramite l'Ufficio di collegamento presso il Gabinetto del Ministro
 Proposta di legge 24/2/49-148/354/31
 CRB/AR.

OGGETTO: volo del Prof. Ambrosini per perdite bagaglio.

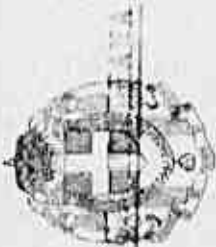
Questo Ministero ha comunicato al Prof. Antonio AMBROSINI la risposta negativa della R.A.T. Unit Ciampino, in merito all'indennizzo da lui richiesto per le perdite del suo bagaglio personale, avvenute durante le operazioni di trasporto su di un aeroplano della R.A.T. da Roma al Cairo.

Ora, il Prof. Ambrosini, in relazione al mandato accollato dalla sua richiesta, in una lettera del 14 marzo corrente indirizzata a questo Ministero, fa presente alcune circostanze di fatto e svolge varie considerazioni di diritto, che qui di seguito si riassumono:

1° - Il Prof. AMBROSINI e il Dr. MARSCA suo compagno nel viaggio ROMA-CAIRO non lasciarono il loro bagaglio in un ufficio dell'Hotel Reale per loro comodità, ma perché furono invitati dal Booking Office della R.A.T., che ha sede nel detto hotel, a portare ivi i bagagli il giorno prima della partenza. La notte successiva il Signor MARSCA chiese al personale della R.A.T. se il suo bagaglio e quello del Prof. AMBROSINI erano stati caricati sull'autobus in partenza per l'aeroporto di Ciampino e gli venne data risposta affermativa.

2° - Contrariamente a tale affermazione il bagaglio rimase a Roma e solo in seguito a ripetute richieste degli interessati la R.A.T., decise di effettuare il trasporto al Cairo, assumendo così la custodia. Pertanto, se per mancata vigilanza o per altra causa il bagaglio del Prof. AMBROSINI venne aperto e da esso venne sottratto il contenuto, il vettore deve risponderne.

3° - Circa l'obiezione che nel caso in esame il vettore non è responsabile "in conformità delle condizioni di trasporto" (risultate sul verso del biglietto rilasciato ai passeggeri) (clausola di esenzione totale di responsabilità per tutti i danni causati in occasione del trasporto aereo), il Prof. AMBROSINI osserva che tale clausola, nella specie, è da considerarsi giuridicamente nulla e di nessun effetto, per le seguenti ragioni:



REPUBLIQUE SUISSE

Ministre dell'Aviazione

Direzione

Post. N. 2

Allegati

Proposta di volo

N. 2

OGGETTO: Reclamo del Prof. Ambrosini per perdita bagaglio.

2)

a) il trasporto in base al quale fu spedito il bagaglio è un tra-
sporto internazionale e, come tale, cade sotto l'impero della
convenzione di Varsavia, che è sempre in vigore e che anche
l'Inghilterra ha ratificato;

b) non può avere importanza il fatto che il contratto di traspor-
to sia stato stipulato con la S.A.T. e quindi con lo Stato in-
glese; poiché ai termini dell'art. 2 della Convenzione di Varsa-
via, questo "s'applique aux transports effectués par l'Etat ou
les autres personnes juridiques de droit public, sans les con-
ditions prévues à l'art. 1."

Per tanto, lo Stato inglese, quando stipula ed esegue, come
nel caso di cui trattasi, un contratto di trasporto aereo in-
ternazionale, è sottoposto alle norme della suddetta convenzio-
ne, la quale, all'art. 32 dispone: "sont nulles toutes clauses
ou contrats de transport et toutes conventions particulières
antérieures aux domages per lesquelles les parties dérogeraient
aux règles de la présente convention".

In conseguenza, la S.A.T. non può legittimamente fare appel
lo alla clausola stampata sul retro del biglietto rilasciato
all'AMBROSINI per il viaggio ROMA-CALIC, per negargli il riser-
cimento del danno subito.

Nelle svolgere la considerazione di cui sopra, il Prof. AMB-
ROSINI specifica che si è illuso a computare il solo valore
effettivo dei principali oggetti ad esso sottratti, senza dila-
tere alcun risarcimento per le spese che avrebbe sostenere du-
rante la lunga attesa del bagaglio.

604

OGGETTO: reclamo del Prof. Ambrosini per perdita bagaglio.

2)

- a) Il trasporto in base al quale fu spedito il bagaglio è un tra-
sporto internazionale e, come tale, cade sotto il peso delle
convenzioni di Varsavia, che è sempre in vigore e che anche
l'Inghilterra ha ratificato;
- b) non può avere importanza il fatto che il contratto di transpor-
to sia stato stipulato con la B.A.F. e quindi con lo Stato in-
glese; perché ai termini dell'art. 2 della Convenzione di Varsa-
via, questa "s'applique aux transports effectués par l'Etat ou
les autres personnes juridiquement de droit public, sans l'a con-
ditions prévues à l'art. 1."

Pertanto, lo Stato inglese, avendo stipulato la convenzione, come
nel caso di cui trattasi, un contratto di trasporto aereo in-
ternazionale, è sottoposto alle norme della suddetta convenzio-
ne, la quale, all'art. 22 dispone: "sont nulles toutes clauses
du contrat de transport et toutes conventions particulières
entrées en vigueur par lesquelles les parties dérogeraient
aux règles de la présente convention".

In conseguenza, la B.A.F. non può legittimamente fare appai-
re alla ditta la stampa sul retro del biglietto rilasciata
all'AMBROSINI per il viaggio ROMA-C.A.M.C. per negargli il rimen-
do del denaro subito.

Nello svolgere la considerazione di cui sopra, il Prof. AMBROSINI specifica che si è limitato a compensare il solo valore
effettivo dei principali oggetti ad esso sottratti, senza chie-
dere alcun risarcimento per le spese che dovette sostenere du-
rante la lunga attesa del bagaglio. 604

Nell'esporre e coteato Allied Force Headquarters le comide-
razioni svolte dal Prof. AMBROSINI, si prega di voler vagliare
la possibilità di un benévolo risarcimento della perdita da parte
della B.A.F.

IL DIRETTORE:

[Signature]

From:- Air Headquarters (Movements) Italy, R.A.F., C.M.F. (14)
 To:- Air Forces Sub Commission, A.C. Rome.
 Date:- 5th March, 1947.
 Ref:- AHQI/542/2/Mov.4.

CLAIM FOR LOST BAGGAGE. no trace.

Reference your letter AFSC/354/3/ORG. dated 14th January, the following reply has been received from A.B.C. Rome regarding loss of baggage by Prof. Ambrosini and Mr. Maresca.

"Reference is made to your letter dated 3rd February, 1947, regarding lost baggage by Prof. Ambrosini and Mr. Maresca.

The Baggage, which was left in the cloakroom by these passengers, was despatched to the airfield on the 14th November, 1946, for onward transmission to Cairo by the next available aircraft. The Passenger and Freight Section state that they remember the baggage being despatched but have no record of its manifestation.

It is regretted that no further explanation can be offered for the loss and pilfering of this baggage"

(SGD) B. OGIER Flt/Cpt.
 for Wing Commander, Commanding,
 R.A.F. UNIT CLAMPINO, S.P. CMF.

*no action
 pub/c*

A.M. ATTARD

(A.M. ATTARD) F/LT.
 for Senior Officer L/c Administration
 A.H.Q. R.A.F. ITALY.

6044

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 354/3/ORG*

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Declassified E.O. 12356 Section 3.3/NND No.

785017

3A

ITALIAN AIR MINISTRY, General Directorate of
Civil Aviation, Legal Division.

IMAS/354/3/Crg/AF.

CLAIM FOR LOST BAGGAGE

24th February, 1947

The enclosed correspondence is forwarded to you in reply to your letter
341/189 dated 13 January 1947.

It is regretted that in view of this correspondence no further action
can be taken on this matter.

[Signature]
for A.T. MEIN, 1ST.LT., A.C.
AIR VICE MARSHAL, DIRECTOR
AIR FORCES SUB SECTION
I.M.A.S. R.C.M.E.

6011

From : A.F. Unit Ciampino (S.P) C.M.F.
 To : Allied Force Headquarters, Italian Military Affairs
 Section, Air Forces Sub Section, A.F.O. 794.
 Copy to : Air Headquarters, R.A.F. Italy, C.M.F.
 Date : 18th February, 1947. *2A*
 Ref : CPO/7/1/AIR.

CLAIM FOR LOST BAGGAGE.

Reference is made to your letter AFSC/354/3/ORG dated 13th January, 1947, forwarding a report on the loss of clothing and baggage by Prof. Ambrosini and Mr. Maresca. *28 Feb 47*

2. Investigation into the circumstances of this loss shows that these two passengers, for their own convenience, left their baggage in the Check Room at the Hotel Reale and made no effort to reclaim it. On receipt of instructions from Cairo, the baggage was despatched there on November 19th. In error, it was off loaded at Malta. The two packages for Mr. Maresca arrived in Cairo after he had returned, and they were sent back and delivered to him in Rome. The only missing items therefore are those claimed by Mr. Ambrosini.

3. The loss is regretted, but unfortunately no form of compensation can be made, vide "Conditions of Carriage" as stated on the reverse of the passenger ticket, copy of which is attached hereto for information.

R.P. Flood 7/10.

(R.P. FLOOD) P/O.
 For Wing Commander, Commanding,
 R.A.F. Unit Ciampino C.M.F.



COPY.

CONDITIONS OF CARRIAGE

23.

The Secretary of State for Air, the Air Council, any Officer or airman of the Royal Air Force and any other servant or any agent of the Crown shall be under no liability to the passenger in respect of or arising out of the carriage and the passenger by acceptance of this ticket hereby renounces all claims against the Crown or any servant or agent of the Crown for compensation or damages in respect of any personal injury (including injury resulting in death) or in respect of any loss of or damage to luggage or other property or in respect of damage occasioned by any delay in the carriage sustained by the passenger, whether sustained on board any aircraft or vehicle, or in the course of any of the operations of flight, embarking or disembarking or otherwise, caused directly or indirectly to him or to persons who, except for this condition, might have been entitled to make a claim in respect of any such injury or damage, and whether caused or occasioned by the act, neglect or default of any servant or agent of the Crown or otherwise howsoever and hereby undertakes to hold the Crown and every servant or agent of the Crown indemnified against any such claim by any other person. Any claim arising out of any such injury as aforesaid which the passenger or his dependants may have under the Personal Injuries (Civilians) Scheme (or in the case of a Crown servant under any warrant applicable to the case) is unaffected by the above condition.

6...

From : Air Ministry
General Directorate of Civil Aviation
Legal Division

To : A.P.S.C. A.C. Rome

Ref. : 341/189 Coll.

Date : 29th January 1947

Subject: PROF. ANTONIO MARCONI'S CLAIM.

1A
(7)

28 Jan 47

This Ministry acknowledge receipt of letter AFSC 334/9 Org.
Dated 13th January 1947.

We will thank your Sub-Commission for your kindly interest taken in the matter and, at the same time, we would like to point out that the similar mishap which happened to Doct. Maresca (as mentioned in Prof. Marconini's report) can be considered as closed saying Doct. Maresca has found his baggage.

This Ministry is still awaiting to hear the findings of the enquiry carried out about Prof. Antonini's loss of baggage.

The Minister
SACOTIUS

Translated by Mr. G. COLLECCHIA

6/2

Apr.

A 14

60 13

354/3/15

RAF Champions is
waiting us at the air base
perhaps 3/3 will answer this time.
pmc

0 4 9 8

785017

MAITON

22 GEN 1947

REPUBBLICA ITALIANA

Ministero dell'Aviazione
DIREZ. GEN. AVIAZIONE CIVILE

L'AIR FORCES SUB COMMISSION
(A.F.S.C.)

tramite l'Ufficio di Collegamento
presso il Gabinetto del Ministro

S E D E

Direzione Legislazione.

Prot. N. 341 / 189 Coll.

Disposizione

1A

OGGETTO : Esposto del prof. Antonio Ambrosini.

Questo Ministero ha ricevuto le cortesi comunicazioni
contenute nella lettera del 13 gennaio c.a. n. A.F.S.C. 354/
3/Crg.

Si ringrazia molto vivamente questa Sub Commission del-
l'interessamento manifestato e, con l'occasione, si fa pre-
sente che l'analogo incidente occorso al Dett. MARESCA, di
cui è cenno nell'esposto del Prof. AMBROSINI, può considerar-
si chiuso, perchè lo stesso ha ormai ritrovato il suo бага-
gio.

Questo Ministero resta in fiduciosa attesa dell'esito
delle indagini svolte per la perdita del bagaglio del prof.
AMBROSINI.

IL MINISTRO

D. Caccin

10033

Il primo documento è stato fornito e ha fornito il suo contributo

0459