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WALRUS

# DEATH OF PILOTS PRESUMED

Leave to swear to the death on active service of two Australian airmen — Flight-Lieut. George John Isiah Clarke and Pilot-Officer Alfred Peter Nurdett Hordern — was granted by Mr. Justice Nicholas in the Equity Court to-day.

Clarke was posted missing during the Battle of Dakar, and Hordern flew out over the North Sea, while on patrol duty with the Royal Air Force, on Anzac Day, 1940, and never returned.

Clarke's widow, Ellen Elizabeth Hope Clarke, of Burlington-road, Strathfield, in an affidavit read in court, said that just before last Christmas she received a letter from the commanding officer, H.M.A.S. Australia, reading:

"It is with deepest sympathy and regret that I write to tell you that there is really no hope that your husband could have survived.

## Devotion To Duty

"Our aircraft was spotting for our gunfire when we were in action, and I can definitely say that the devotion to duty of its crew was a contributing cause of this ship coming off comparatively lightly from the enemy gunfire.

"Towards the end of the action, our aircraft was observed to be falling out of control, as a result of an attack from an enemy fighter. Your husband was, I fear, killed in the air."

The affidavit of Mrs. Doris Phyllis Truman, of Kurraba-road, Neutral Bay, mother of the late Pilot-Officer Hordern, stated that her son was reported missing as a result of air operations on April 25, 1940.

On December 27, 1940, she received a letter from the Air Ministry stating that it must be concluded that her son had lost his life on April 25, 1940.

Hordern, who was only 20 when he left Australia in 1938 to join the R.A.F., had an income under the will of his grandfather, the late Alfred James Hordern, and at the time of his death an amount of £800 due to him had not been paid.

When the application for leave to swear to Hordern's death was before him to-day, Mr. Justice Nicholas pointed out that the matter had been adjourned pending the issue of regulations which would make it easier for the courts to presume death in the cases of members of the forces who were killed or missing on active service.

Mr. R. L. Taylor (by Primrose and Primrose) for Mrs. Clarke; Mr. J. K. Emerton (by Holdsworth, Summers, and Garland) for Hordern's mother (Mrs. Truman).

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