

# At least 46 people killed in Spanish air crash

By FENTON WHEELER  
Associated Press Writer

MALAGA, Spain — A chartered DC-10 loaded with Americans heading home from a Spanish vacation crashed on takeoff yesterday, skidded across a highway and caught fire, killing at least 46 of the 393 people aboard.

Some feared the death toll would be much higher when Spanish officials said 31 people were missing, but Spantax Airlines' air charter office in New York said late yesterday only two passengers remained unaccounted for. It said 46 passengers were known dead and 57 were hospitalized.

Many of the victims apparently burned to death in the tail section of the Spantax jetliner that had been bound for New York from this Mediterranean resort in southern Spain. It was carrying a full complement of 380 passengers and a crew of 13, the airline said.

The Spantax office in New York gave this report on the passengers: 46 dead and two missing; 57 admitted to two hospitals in Malaga; 48 remaining in hotels or private accommodations in Malaga; 214 aboard a special flight for New York, and 13 leaving

Malaga for Madrid or Cordoba. It gave no accounting of the crew.

"The rear exits did not work," said Hal Lavine of Tamarac, Fla., one of the survivors. "People pushed forward. There was screaming and panic. A big cloud of black smoke poured into the cabin."

He said he believed many of the passengers in the rear were overcome by smoke and unable to get out in time.

The Spanish transportation minister, Luis Gamir, had told a news conference that among the 46 people known dead were two who died of their injuries in Carlos Haya Hospital. At the news conference, held hours before Spantax released its report, he said 31 people were missing, and 83 of the injured were hospitalized.

Rescuers would continue to search for victims in the wreckage through the night, Gamir said.

He said a definitive list of victims was not expected to be released until today.

A spokesman for the U.S. Embassy in Madrid said 210 American citizens and 85 Spaniards residing in the United States were aboard the plane, Flight No. 995, originating in Madrid with a stopover in Malaga. He said the embassy did not have names or

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know how many Americans were killed or hospitalized.

Carefree David, a tour broker that organizes tours and sells them to travel agencies, said in Miami the agency had booked 208 travelers for a two-week tour of Spain that started Aug. 30 from New York.

Leonard Lansburgh, the agency's president, said the tourists were from all over the United States and, as far as he knew, not associated with any particular group. He said other travel agencies were believed to have booked other passengers.

He said a majority of the Americans were from the New York area, two to four people were from Florida, and there were some Canadians on board.

Civil Air Authority investigators said

preliminary findings pointed to engine failure as a cause of the crash. The pilot tried to bring the plane down immediately following liftoff and one of the engines was found in a field near the crash site.

Bill Duane of New York City said he and his wife became separated during the scramble to evacuate, but that he found her later outside the wreckage. He also said the cabin's ceiling fell in, which added to the panic.

"We ran to a concrete bridge that goes over a railroad track and watched the plane," he said. "The tail was on fire. We stood there for about five minutes and that was too much."

A New Yorker who did not want to be identified said he jumped down a chute from

the front of the plane and ran to a hill, watching the fire spread until "by the end, the flames were engulfing the entire plane."

The Americans said the pilot, identified by Spantax as Juan Perez, tried to abort the flight after it bounced on takeoff by reversing engines. The New Yorker said he thought the plane's front tire exploded but that the pilot didn't have enough runway to brake.

Spantax Airlines, a Spanish air charter company headquartered in Madrid with offices in New York, said the plane crashed because of "technical difficulties." Sources with Spantax reported the pilot told company officials that the plane had got about 60 feet off the ground when vibrations started, and that he tried to power down the engines to abort takeoff.

The crash was the worst in Spain since March 27, 1977, when 585 people were killed in Tenerife on the Spanish Canary Islands after a Royal Dutch KLM 747 slammed into a Pan Am 747 taxiing on the runway. That crash was aviation's worst.

A Spantax Convair Coronado crashed on landing in Tenerife on Dec. 3, 1972, killing 155 West German tourists.

# Donovan cleared in inquiry

*Alleged mob links not proven, special prosecutor says*

By RICK HAMPSON  
Associated Press Writer

NEW YORK — A special prosecutor said yesterday that a renewed inquiry had again found "insufficient credible evidence" to conclude that Labor Secretary Raymond Donovan associated with mobsters while he was a construction company executive.

Prosecutor Leon Silverman said he had investigated various reports, including allegations that Donovan had met with mobsters, funneled

Teamsters union political contributions and been present when a kickback was offered.

But Silverman said, "I continue to be concerned by the number of allegations" about Donovan's ties to organized crime.

Donovan, in a brief statement from Washington, said, "It is tempting, and probably politically orthodox, for me to say how pleased and gratified I am that this entire matter can now be consigned to the historians."

"But . . . I am not pleased and I am not gratified," he said. "Angry that I've had to endure months and months of relentless press coverage of groundless charges made by nameless accusers. Angry that my wife and children have suffered as only a family can suffer. Angry that my former business associates have been unfairly maligned."

"I have always known that the charges against me were lies and I have told you so," Donovan said. "That is why I believe the public, with their American sense of fair play, shares my anger."

The labor secretary took no questions from reporters.

In releasing his second report in three months, Silverman disclosed that two witnesses recanted allegations against Donovan. Asked if it appeared Donovan was being framed, Silverman said he would not speculate on the witnesses' motivations.

Silverman also said "there appears to be no evidence of a relationship" between his investigation and the Aug. 25 murder of Nathan Masselli.

Contrary to some news reports, Silverman said, Masselli was not an informant, had never been wired with eavesdropping equipment and knew his cooperation with federal authorities could become public. His father, William Masselli, had been scheduled to testify before a grand jury looking into Donovan's affairs.

The younger Masselli was not murdered because of his role in the Donovan investigation, Silverman said, adding, "I believe I know the motive (for the murder,) but I'm not at liberty to say."

Silverman said he was concluding his probe of Donovan, which was 9 months old, but would be willing to accept a new appointment to reopen the investigation "if any evidence is subsequently developed indicating" a relationship between Masselli's murder and Donovan.

Otherwise, he said, "this is my farewell appearance and I will have nothing more to say."

Among the allegations Silverman investigated:

- That Donovan helped distribute \$20 million from the Teamsters to Ronald Reagan's presidential campaign. A source told Silverman that in return for the money Donovan would urge

pardons for Russell Bufalino and Anthony Provenzano. Bufalino is serving a 10-year sentence for conspiring to kill a government witness. Provenzano, a former Teamsters official, is serving sentences for murder and racketeering.

- That as an executive responsible for dealing with the heads of building trades, Donovan was "connected" with organized crime figures.

- That Donovan was known to have had several dummy companies that he used to launder money.

- That Donovan made a \$5,000 payoff in 1968 or 1969 to Nicholas Paterno, a reputed organized crime figure.

- That Donovan attended a meeting at which a New Jersey Democratic party leader was offered a \$500,000 kickback for a contract award.

In each case, Silverman said he found no solid evidence that Donovan was guilty of the charges.

For weeks before the report's release, Donovan had predicted his vindication and suggested that reporters determine how and why the charges surfaced in the first place.

Silverman's first, three-volume report, issued in June after a six-month investigation, said there was "insufficient credible evidence" to prosecute Donovan.



Raymond Donovan

council meeting page 4



Photo by Eric C. Hegedus

Beth Knieval of State College expresses her displeasure with the State College Municipal Council's vote to table its decision on whether to fund Family Health Services Inc. of Bellefonte.

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## Reagan asks insanity plea be restricted

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- Centre County Judge Charles C. Brown Jr. denies a writ of habeas corpus for Subramanyam Vadam, the man charged with first degree murder of a one-time roommate, Thomas E.P. Kinser. . . . Page 2

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## weather

After some morning fog, today will be mostly sunny and humid with perhaps a thundershower this afternoon, high 82. Fair tonight with fog developing by morning, low 63. Becoming partly sunny and humid tomorrow with showers or thundershowers in the afternoon, high near 80.

—by Craig Wagner

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# Fallout victims sue government

By GEORGE TIBBITTS  
Associated Press Writer

SALT LAKE CITY — Hundreds of Americans who remember the blinding flashes of nuclear bomb tests are bringing their government to court today as they try to collect damages as residents of "a national sacrifice area."

A lawsuit by 1,192 alleged victims of nuclear fallout and their heirs claims that people living in southern Nevada, Utah and northern Arizona contracted cancer and other illnesses because of the federal government's above-ground tests.

The suit claims the government knew, or should have known, the hazards of the radiation in the giant mushroom clouds and failed to adequately warn and protect them.

U.S. District Judge Bruce Jenkins was to rule yesterday on a motion by the government to dismiss the claims. However, Jenkins has denied similar motions in the past and lawyers for both sides said they were prepared for the trial to begin today.

Above-ground testing of nuclear bombs began at the Nevada Test Site in 1951. They were stopped in 1962 after 100 announced tests. Since then, 372 announced tests have been conducted far underground at the same site and 10 others at other sites, according to the Department of Energy.

The plaintiffs' lawyers have picked 24 claims to bring to court, the cases representing a range of cancers and other diseases. They said they hope the court's rulings will help settle similar claims out of court.

The plaintiffs list 194 potential witnesses and the defense, 80. Lawyers say the proceedings may last through Christmas. Plaintiffs plan 974 pieces of evidence and the defense has 1,031.

The suit was filed three years ago. It asks no specific amount in damages, but lawyers have said the claims could come to millions of dollars. There will be no jury and any damages will be decided by the judge.

"We've made an offer to the government but we're

not going to disclose that," said the lawyer for the claimants, former Interior Secretary Stewart Udall. "I've said many times and I'll say now that this whole thing could be settled by the government in the range of tens of millions."

Assistant U.S. Attorney Ralph Johnson would not comment on the government's defense or out-of-court negotiations.

Hundreds of people in southern Utah remember the morning flashes of light from the bombs and some would get up early to witness them. The plaintiffs also include people who were too far from the site to see the blast, but who claim the radiation has affected them.

"It's kind of unbelievable that it's finally come this far," Martha Bordoli Laird, a plaintiff who is expected to testify, said.

Laird's 7-year-old son, Martin Bordoli, died in 1956 of leukemia caused, she contends, by atomic dust drifting over the family's isolated ranch in Nevada's Railroad Valley, 80 miles from the test site.

The child got sick two days after a blast, she said. Ten months later, he died. His medical and funeral bills wiped out the family's savings, Laird said, and their ranch was sold "because we had two other children that we didn't want to have any other problems."

"The biggest percentage of them were set off in the morning," Laird said of the blasts. "If you weren't out of bed, they would wake you up because it was just like someone shining a great big spotlight in your face."

The flash was followed by a concussion that could break windows and sometimes by thick, foggy dust clouds.

"I feel like we have been used as a national sacrifice area, that we've been duped and lied to," said Irma Thomas of St. George, Utah, who is a chronicler of the tests and their effects.

Her husband has cancer. A sister, brother-in-law and sister-in-law died of the disease, she said, and among her seven children there have been miscarriages, hysterectomies, stillbirths and blood and muscle diseases.