

# *The Ship that Toppled a Government: The Strange Case of the Lucona*

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Late on a quiet afternoon on January 23, 1977, the eleven-year-old Panamanian freighter *Lucona* was chugging uneventfully across the Indian Ocean, some 200 miles north of the Maldiva Islands, when a violent explosion in her cargo hold ripped her hull apart. The *Lucona* was supposedly carrying a valuable cargo of uranium-ore processing machinery from the Italian port of Chioggia to Hong Kong—so valuable, in fact, that its owner, the Austrian businessman Udo Proksch, had insured it for the equivalent of \$18 million. Within minutes, the costly assemblage went to the bottom along with the ship. The *Lucona* heeled slightly, righted herself, and then went down by the bow. The survivors testified later how they saw the smokestack, the wheelhouse, and the stern disappear one after the other. The *Lucona*'s massive propeller was still dutifully turning as the stern sank beneath the surface. Six of the twelve crew (including the captain's wife) survived, clinging to life rafts until a Turkish tanker sighted them and picked them up ten hours later.

Complications arose when Proksch filed his claim for the value of the cargo. In Austria's tangled political world, cozy affiliations between political parties and corporations made for interesting business dealings. Proksch was intimately involved with the governing Socialist Party and with its leaders. The insurance company, the *Wiener Bundesländer Versicherung*, or Viennese Provincial Insurance Company, was owned partly by the rival Austrian People's Party (the Catholic-Conservative Party)<sup>1</sup> and partly by the Catholic Church itself as a business investment. It also had some private investors. The Provincial (as the Austrian media chummily called it) had been happy to accept Proksch's lucrative premium when the deal was signed in 1976. It was, after all, his house insurance company, and he maintained a running account there of over 70 million Austrian schillings. [Note: Neither the Socialists nor the Catholic Party had a majority in Parliament, so for years they governed in an uneasy "Red-Black" coalition. At the time of the incident, the Socialists were the dominant partner.]

-In 1976, Proksch had taken out a policy for an upcoming industrial shipment: a uranium-ore processing mill that was to be delivered to an unnamed client in the Far East. Proksch gave the value of the uranium mill as 31,360,725 Swiss francs. The premium was commensurately large. When the claim was presented, the Provincial Insurance Company suspected fraud—Udo's reputation was rather shady—and balked at paying out such a huge sum. A Provincial Insurance subsidiary named Kasko paid the Dutch owners of the *Lucona* 3 million schillings for the loss of the ship. But the head office refused to pay Proksch for the alleged value of the cargo. Proksch brought suit, but the decision went against him. The lawyer for the Provincial, Werner Masser, was one of the behind-the-scenes

powers in the “Black,” or Catholic-Conservative network. He was also the lawyer for a number of influential “independent” newspapers. Since Proksch’s ties were to the Socialist Party, the ingredients for a major political quarrel were in place.

Udo Proksch was no ordinary Austrian. An immigrant from East Germany, he had managed to accumulate a large fortune by sharp (some said devious) business tactics and a loutish sort of charm. Among other business enterprises, Proksch owned Vienna’s most illustrious *konditorei*, Demel’s, whose luscious pastries were known throughout the gourmet world. (A *konditorei* is a sort of restaurant specializing in pastries and coffee, a very European institution.) For 200 years, Demel’s had been the appointed purveyor of pastries to the Royal and Imperial Court of the Hapsburg Empire, until World War I put an end to that dynasty.

Many of Demel’s patrons were members of Vienna’s wealthy elite. Above the public rooms was another Proksch enterprise, the private and very exclusive Club 45, frequented by the rich and powerful. Leading members of the ruling Socialist Party were said to belong to the club, and some suspected that Proksch also had links with the Soviet Union’s secret police (the KGB) and Middle Eastern arms dealers. Thorough in his scheming, Proksch also wove a network of connections within Austrian military circles, which he exploited to the full. Foreign dignitaries were also among the guests at Club 45, including Imelda Marcos, wife of the dictator of the Philippines at the time, and Manuel Noriega, then dictator of Panama. Proksch and Imelda were friendly enough to dance together at the Vienna Opera Ball (Imelda kept a photograph of the happy occasion when she went into exile). The co-founder of Club 45 was a powerful Austrian politician named Leopold Gratz, who at various times served as foreign minister, president of the Austrian Parliament, and mayor of Vienna.

Physically unprepossessing, Proksch was a short, fat, grubby man with porcine features. His shirts were usually streaked with sweat. Yet he seems to have been a kind of tubby Svengali, seducing women right and left. He was married four times, once to a star of the Vienna City Theater Company and once to a great-granddaughter of the composer Richard Wagner. He was known to have made countesses pregnant, and his illegitimate children were allegedly legion. He also seduced sober businessmen into dubious deals.

Proksch’s background might be called bizarre. He was born in 1934 in Rostock, Germany, to a family of Nazi loyalists. When he was a little boy, his father sent him to a “Nazi-factory.” He hated the discipline and used to wet his bed, he said, to get sent home. “I was the smallest in the class,” he told friends, “but the strongest.” Still, he was at the bottom of the pecking order. But one day the great Heinrich Himmler himself, head of the dreaded SS and Gestapo, visited the school and transmitted greetings to Udo from his “brave” father. At once, the scorned little kid became one of the big boys. At this Nazi youth camp, Proksch learned that only a few people have anything to say—the members of a small heap of elite, as he put it.

Udo dropped out of school after the war and trained to be a swineherd in Communist East Germany. Escaping to West Germany, he became a coal miner in the Ruhr. He also worked for a time as a corpse washer. Moving to Austria, he worked at a plastics factory that specialized in fancy eyeglasses. He acted in movies. He became an expert baker. He talked his way into public relations and set himself up as an industrial designer. With another German expatriate named

Hans Peter Daimler, he built up a large business empire characterized by secretive and often fraudulent deals.

Daimler was as quiet and restrained as Proksch was noisy and flamboyant. He wore dark suits and gold-rimmed glasses and had an icy demeanor. At the trial, some of Proksch's associates said they feared Daimler and apprehensively pointed out how easy it would be for him to arrange a fatal automobile accident—"much easier than shooting," said one of them. Daimler was apparently the brains of the partnership. He knew enough about science and technology to sound convincing, and he was a master of creative bookkeeping. Proksch had a surplus of crazy and inventive ideas but was embarrassingly short on know-how.

For six years, the Provincial and Proksch brought civil lawsuits against each other with no result. But the Provincial hired a Swiss private detective named Dietmar Guggenbichler to dig up dirt on Proksch, and he found plenty. Guggenbichler was a man of pronounced right-wing views and therefore viscerally against anything connected with socialism. He was also indefatigable in pursuit of his quarry. Guggenbichler possessed a vain streak, too, for he made a videotape that he took with him when he traveled, in which he presented himself as an ice-cold snooper who was lightning quick on the draw. The Vienna newspapers liked to call him "Dirty Dietmar," after the American movie hero Dirty Harry.

Within a few weeks, Guggenbichler had compiled an extensive file on Udo Proksch, including evidence that the allegedly valuable cargo on the *Lucona* was actually the wreckage of a conveyor belt from a closed-down coal mine. His file also claimed that Proksch had blown up the ship by means of a spark or timed explosion to collect the insurance. Both allegations turned out to be true. "Dirty Dietmar" was thorough if not subtle. Once, shadowing the Austrian foreign minister (a close friend of Proksch's) on behalf of the insurance company, he stationed himself in the lobby of a Swiss hotel and photographed a "secret interview." His report to his client read: "19:15 hours: through the entrance stepped a man whom we identify as Mr. Udo Proksch. To be completely sure, we wanted to verify this with a telephone call. However, this became superfluous when two more persons entered, to whom the presumed Udo Proksch was introduced as Mr. Udo Proksch."

In 1983, Guggenbichler delivered his extensive collection of evidence to the district attorney of Salzburg, who brought charges of murder and serious fraud against Proksch, Daimler, and a third party. He was afraid that if he had gone to the authorities in Vienna the case would have gone nowhere, for Proksch's influential friends would have applied pressure on the courts to quash the proceedings. Nevertheless, the D.A. in Salzburg forwarded the case to the proper authorities in Vienna, where the investigation was sidetracked. Instead of being treated as a "preliminary investigation" with an independent investigative judge, it was handled under "preliminary inquiries," a category in which every step had to be approved by the attorney general. Udo's friends saw to it that the approval was not forthcoming.

Udo's alliance with the Socialist Party dated from 1971, when he bought Demel's (typically, he used friends as fronts in his business dealings; in the Demel's purchase, it was a countess). He announced, "Now the proles have taken over the rudder. I'll give them what they don't have: a place where they can dance, gorge themselves, and booze it up—but they'll dance to my tune." His Club 45 became the place where political deals were struck and where careers were made and unmade while its smiling host plied his friends with excellent coffee

and pastries, food, and wines. It paid off.

Udo loved playing the role of court fool for Viennese high society and Socialist grandees. His pranks and follies were legendary. Claiming that Austria's cemeteries were overcrowded, he founded the Vertical Burial Society with the idea of saving space by burying people vertically in transparent plastic tubes instead of horizontally in coffins. In place of a costly tombstone, the head of the deceased person would protrude above ground. He invented a toothpaste tube that could be squeezed from both ends, calling it a marriage saver. He was known for shooting champagne glasses off serving trays at Vienna's better restaurants. All this, and more, was pardoned because he was so amusing. Some wondered, however, whether he was playing the court fool for the rich and powerful or manipulating them with these antics for his own amusement.

In 1984, the judge handling the investigation complained that his hands were tied. Every application for an official preliminary investigation was rejected by the minister of justice (a friend of Proksch's), who said in a TV interview that "the soup is too thin for that." In July of that year, the judge asserted his bold independence and had Proksch's and Daimler's premises searched. Authorities seized hundreds of pounds of documents. The judge's actions were blocked by Interior Secretary Blecha, who sent a Teletype message to the police to put away, immediately, all inquiries into the Proksch case. The judicial establishment complained loudly, and Blecha was forced to cancel his order the same day.

On February 1, 1985, the case took a new turn. The judge issued a warrant for Proksch's and Daimler's arrests on the grounds of the danger of flight and obstruction of justice. The reason: Proksch had told the court that he was going to Jakarta on business—but then had never made the trip, a sign of evasiveness. The devoted employees at Demel's marked the news of "Mr. Udo's" arrest by hoisting a black flag over the entrance.

The judge became a hero to the Viennese public, which was hungry for sensational news about the case. With four police officers in tow, he stormed off to Salzburg to deliver the decisive evidence. A scrap dealer there, named Giinther Voglstätter, had testified several times that he had bought and scrapped the mining equipment Proksch had allegedly sunk on board the *Lucona*. The judge threatened him with arrest if he "did not finally tell the truth." The scrap dealer could tell no more than he already had. Back in Vienna, the disappointed judge found that Foreign Minister Gratz had hastened to the aid of his friend Udo, to whom he sent an encouraging letter in jail. "Keep your head up," the powerful statesman urged. The letter reached the court records and, shortly afterward, the press. The judge commented sarcastically, "The lawyers can take a look at the documents any time. A photocopy costs six schillings."

Gratz called in the press and admitted that he had visited Proksch's storage shed at the Italian port of Chioggia (a look at a map will reveal that Chioggia, just south of Venice, is a very convenient port for shipping goods from Austria). There he had seen metal bars, piping, machine parts, and wooden crates but couldn't identify any of the equipment. The chief prosecutor read this tidbit in the morning paper and summoned Gratz for questioning. The foreign minister's testimony on the stand was evasive and uninformative.

Then a document that had been sought for eight years mysteriously surfaced. It purported to be the uranium mill's certificate of origin from Romania, delivered

by special courier from the Austrian mission in Bucharest to the foreign ministry in Vienna and from there to the investigating judge. It looked like a crude forgery. The “evidence” from Romania surprised everyone, for Udo wanted to keep the origin of the goods he shipped secret. That was the way things were done in the international equipment business, he explained. As a German magazine put it, that business involves deals in the millions that whirl through a carousel of middlemen; briefcases full of banknotes, which are shifted from continent to continent as “useful payments” (translation: bribes); and much paper and few facts, an impenetrable wall of pretenses.

Proksch had set up a chain of shell companies through which the order for his uranium mill was placed by one of his confederates. It was as false as the rest of the plan, but it was convincing enough for the Provincial Insurance Company. After acquiring the antiquated coal conveyor belt, he stored it in a junkyard that he maintained in a small Austrian town named Piesting. There it joined other items that Udo had collected, including a worn-out grain mill and parts of jet engines scrapped by the Austrian Air Force. Using a loan that the Austrian government had given him to build a marmalade factory in this rural community, he used the money to erect a high fence around the property. He brought in Italian laborers to do this work—not a popular move in xenophobic Austria. When the fence was complete and hid his property from prying eyes, he had the Italians scrape the rust off the old machinery and rejuvenate it with a new coat of paint. When he was ready, he had it packed into containers and wooden crates, loaded onto a fleet of trucks, and shipped off to Chioggia.

There it was loaded carefully onto the *Lucona*, with the placement of each item personally directed by Proksch himself. The *Lucona*'s captain later testified that Proksch had been very careful to stow certain crates beside particular bulk heads. With Proksch was his good friend from the military, Major Johan Edelmaier, an explosives expert. Edelmaier had supplied Proksch with 880 pounds of “surplus” explosives left over from a training film that Proksch had made for the Austrian Army (filmmaking being another of Proksch's many ephemeral enterprises). It was later brought out that Edelmaier had furnished these explosives on the orders of another friend of Proksch's, Defense Minister Karl von Lütgendorf, or “Lü” to his intimates. Proksch, a self-styled “weapons nut,” loved the military. Thanks to his connections, he was allowed to ride as a passenger in combat aircraft and in tanks. Once, when drunk, he drove a tank down a civilian road and left it in the middle of a town. And he was never without his “Boomer,” a 9-millimeter pistol that he kept tucked in his waistband.

In 1976, Proksch detailed Major Edelmaier to take care of loading the explosives onto the *Lucona*. Proksch even took him to the harbor in Chioggia to show him the ship. Then the cargo was insured for transportation but never checked by the insurance company. At the Italian border, it had to clear customs, but thanks to a corrupt official it again escaped inspection. Finally, it was loaded aboard the *Lucona* but apparently not weighed—it proved impossible afterward to establish its weight within 100 tons.

Proksch had another enemy besides the detective Guggenbichler: a rabid right-wing journalist named Hans Pretterebner. For years, Pretterebner had painstakingly collected every possible bit of discreditable information on Proksch, and at the end of 1987 he brought it all out in a carefully documented book titled *The Lucona Case*. Despite its dry, pedantic style and ponderous size—672 pages—it was an instant best-seller. The publisher could barely keep up with the

demand. The book and its revelations shook Austria's political establishment to its foundations. The Socialists went out; the People's Party came in. Gratz and Blecha resigned in disgrace. Lü committed suicide. It became imperative for the government to move against Proksch.

A warrant was again issued for Proksch's arrest, but, hastily warned by his friends, he was able to mysteriously disappear just before the police reached him. Udo surfaced again in Manila under the protection of his friend and patron Imelda Marcos, whom he said was also his business partner...and perhaps more. In Manila, Udo was treated by a faith healer for various illnesses: a slipped disc, arthritis, and acute alcoholism. He recovered sufficiently to grant interviews to Austrian reporters, and he made phone calls to friends and allies in Austria. As a German magazine commented, the Austrian police had to take a great deal of trouble *not* to find him.

When Interpol picked up his trail, Udo had to move again. He spent some time in Bremerton, Washington, where he acquired an American girlfriend of peculiar tastes. (Among his effects when he was finally caught were photos of her, naked, with her pet python crawling around her thighs.) Udo had plenty of American money with him for expenses. But even in the small, peaceful community of Bremerton, he could not escape Interpol, which sent out an international "wanted" on him. The FBI telephoned Bremerton's police chief to pass on the bulletin. The chief had to ask, "How do you spell 'Proksch?'" But Udo, under the assumed name of Peter Moss, slipped away again.

On the move, Udo passed through Hong Kong and then flew to Britain. There, at Heathrow Airport, he told the immigration inspector that he planned to spend a few days in Britain and then travel on to the United States. When he showed her his passport, which gave his name as Alfred Semrad,<sup>2</sup> the alert inspector saw that it bore signs of tampering. The British authorities put the document under an ultraviolet light and discovered that the entry and departure stamps were forged, one with a wildly discrepant date. The signature had been altered. The passport photograph was 5 millimeters too small, and the raised seal on it was inaccurate. Udo, who practiced forgery as a hobby, had been too casual about this one. (Later an Austrian police official sarcastically compared the forged seal to something a child would make with a carved potato stamp.)

Proksch was held in the guardroom at Heathrow for eight hours while the British police conferred long distance with their Austrian counterparts about what they should do about this person who was carrying a passport with irregularities and an enormous sum of undeclared money: \$400,000 in U.S. currency plus smaller amounts of Swedish, Japanese, Filipino, and Turkish money. From Austria came the information that Alfred Semrad had a criminal record with nineteen counts, though none was recent—Udo had not chosen the right person to impersonate. But he had done a lot of traveling as "Alfred Semrad," because the passport bore legitimate stamps that showed he had been in France, Turkey, and Spain as well as in the Philippines. For some of this period, he had been accompanied by a longtime girlfriend, Alexandra Colloredo-Mannfeld, a pediatrician.

[Note: The real Alfred Semrad was an odd-job man for the owner of a tavern. He told police that his passport had been stolen, probably at a pop concert where he moonlighted as a security guard, but he hadn't noticed the loss until the day Proksch returned to Austria because he kept it in a folder full of papers "in my little box." At age forty-eight, Semrad was seven years younger than Proksch, but he bore a slight resemblance to the fugitive.]

In addition to the suspiciously large amount of money, a search of Proksch's baggage revealed a collection of nude photos of women, some performing sex acts. There were also some photos of Hitler. Much more important were pictures of prominent Austrian politicians. When the airport police on the Austrian end looked through the collection, they exclaimed, "Jeez! There's Kreisky! [a former chancellor]. Look! There's your old boss!" Proksch asked the police to get rid of these "private photographs."

Proksch was allowed to make a phone call from Heathrow. He called someone named Miller, who advised him to take the next plane to Vienna. Proksch was eventually put on a British Airways flight. His passport was taken away and entrusted to the chief steward of the British flight, to be handed over to the Austrian authorities. According to one account, the steward refused to do the task, so the passport was returned to "Mr. Semrad," but he was escorted by guards onto the plane. On the flight, a bizarre encounter took place. A Viennese art dealer and a friend of Proksch's, Evelyn Oswald, was returning from London and had nodded off when she was awakened by a hard poke. She looked up and saw a stranger with dark hair, a beard, and sunglasses. He shoved a boarding pass in front of her face. On the back, he had scrawled, "Hello love [the only part of the message written in English], the dogs are waiting for me. The purser has my passport. You must take my attaché case. Udo." As the stranger walked back to his seat, she observed his short stature, his gait, his movements, his custom-made orthopedic shoes. There was no doubt—it was Udo.

Proksch passed his friend another note asking her to pick up his carry-on attaché case when the plane landed while he distracted the steward, adding, "It's full of money and documents." Unable to decide between friendship and duty, she picked up his attaché case as instructed but left it on the floor of the shuttle bus from the plane to the main airport building. A helpful stranger called out, "Madam, you've left your bag!" She handed it over to a customs agent, who broke it open with a screwdriver after she told him it belonged to Udo Proksch. Something strange must have happened along the way, for the Austrian police reported only \$40,000 of the \$400,000 that the British had discovered. The pornographic and political photos were also "lost." Proksch almost managed to get lost himself in the bargain. He disappeared into the transit hall and bought a ticket on the next flight to Nürnberg, safely across the border in Germany. The plane was due to leave at 5:05 P.M. The police caught up with Proksch at 5:02 P.M., but only because the bus from the waiting room to the plane was late. The airport police chief, who was a friend of Proksch's and had enjoyed a yacht cruise with him, did not recognize the heavily disguised fugitive. He asked, "But you aren't Mr. Semrad, are you?" "No, I am Udo Proksch," came the reply. Friendship apparently had its limits, for the police chief detained his old pal.

It was no wonder that the police chief did not recognize Proksch. In Manila, he had undergone plastic surgery: his prominent nose was shortened and narrowed, and fat deposits were removed from inside his cheeks, giving him a roguish, dimpled look. He grew a beard and mustache and got a wig to disguise his bald head. He also had his eyebrows thickened by a transplant and his eyelids darkened by tattooing.

The *Lucona* case became a political minefield. With Udo now in custody, a new judge was put in charge of the trial. His name was Hans-Christian Leiningen-Westerburg, and he had a reputation as an eccentric. For one thing, he rode a motorcycle to court instead of a sedate sedan. He was known to lecture defendants

and break into impromptu speeches in the courtroom. He endeared himself to the press, however, by treating them to coffee and pastries in his chambers when trials got boring. They dubbed him “Rambo in the Robe.”

Udo Proksch’s trial took eighty-six days. Merely to work up various scenarios of a hypothetical explosion in the *Lucona*’s hold took a month. There were witnesses and counterwitnesses and changes in Proksch’s legal team. At one point, one of the state prosecutors, irritated beyond restraint, snarled at one of Proksch’s female lawyers, “Shut up with your idiotic cackling!”

Viennese society took the trial as the great entertainment of the season. The courtroom was usually crowded, even when the testimony was excruciatingly dull, for “Mr. Udo” was given to bizarre outbursts that gave the proceedings a carnival-like air. Describing himself as a “weapons nut,” he pretended to fire an automatic rifle at one of the prosecutors, with accompanying sound effects. When asked what jet-engine fuel injectors were doing in his junkyard, he replied, “I collect hearses too.” Proksch made contradictory statements and concocted colorful lies about his exploits as a mercenary soldier. He expressed his opinions of his ex-wives (he had four of them), declaring that he would rather sit at home face to face with a monkey. Now and then his defense lawyers had to scold him into proper courtroom behavior. He rambled on about trips he had taken and the short stature of many of his business associates, and he made a dramatic claim that he had had a “foretaste” of the next life.

At one point, Proksch launched into a convoluted tale about his connection with a right-wing paramilitary group that sought to take over Austria. At times, he grew bored and fidgeted in his seat; at other times, he stretched out and appeared to go to sleep. He fixed prosecutors with a hateful glare. Newspapers speculated that he was trying to convince the judge and jury that he was insane in order to evade a criminal sentence. One of his principal witnesses was caught in an outright and stupid lie. Others implicated him in fraud.

Proksch’s defense team came up with imaginative suggestions to explain the *Lucona* disaster. One was that the ship had never sunk at all but had been captured by pirates and now, slightly disguised, was sailing the waters of the Far East under a different name. From the 1980s on, amid a resurgence in piracy, this would have been a possibility, but in 1977, when the *Lucona* sank, it was improbable. A more realistic defense was that the *Lucona* had struck a floating wreck beneath the surface—invisible but as deadly as a reef.

Outside the courtroom, rumors flourished. Some said the Russians had torpedoed or sabotaged the *Lucona* to keep the uranium mill out of American hands, while others claimed the Americans had destroyed the vessel to keep the Russians from getting this potentially dangerous equipment. Another possibility was that a bomb had been attached to the outside of the ship; perhaps one of Proksch’s arms sales had gone bad, and the ship had been blown up to teach him a lesson. The anti-Semitic set claimed that the Israeli secret service was behind the sinking. None of these theories, as it turned out, was true, but the stories kept the Viennese public rapt.

A parade of witnesses gave testimony in the Vienna courtroom. A mechanical engineer stated that more than 80 percent of the essential parts of Proksch’s alleged uranium-processing mill were missing. Proksch replied that it was indeed not a complete assemblage, only bait for bigger deals to come later. The bookkeeper

at one of Proksch's firms told the court that all she did was sign papers without checking them—"Mr. Udo" himself apparently handled all the money transactions. She said she had only heard about the uranium mill from the newspapers. A carpenter said that he had built sixteen crates for the machinery but could not say what was put into them.

Proksch had previously claimed that the uranium-processing machinery came from Romania by forty trucks. He was forced to admit that he had used forged papers for the freight "because he had to have something to show the insurance company." But he could not produce any documents because of the strict secrecy of his deal, he said. A champion parachute jumper named Johan Huber, who had been Proksch's all-around gofer and worked at the junkyard in Piesting, testified that every day he would unbar the entrance to the yard, let the workers go in and out, make purchases, and blindly sign receipts for the alleged shipments of machinery, "because Mr. Udo asked me to."

Major Edelmaier, unhappy to have been dragged into the proceedings, testified that he had placed a "mere" 880 pounds of explosives at Proksch's disposal for making the training film but then said that he had actually handed over only 44 pounds, which Proksch had returned unused. As for the detonators found at the junkyard in Piesting, they were no proof of anything, said Edelmaier, for they lay by the hundreds on the ground at the military shooting ranges and could easily have been brought to Piesting.

Detailed references about blowing up the *Lucona* were found in Edelmaier's possession. He said he had prepared them on the advice of his attorney years after the explosion to test the accuracy of the accusations against Proksch (and himself). That was also the reason he stated for his interest in the workings of video recorders, whose timers could be programmed weeks in advance, making them convenient detonators. He denied ever having seen or been on the ship. The survivors of the sinking were then called to the stand. Time had dealt harshly with them: three had died in the thirteen years since the sinking, and the captain and his wife were now divorced. The ex-couple and the surviving mate were all Dutch, which meant that a translator was needed. Each testified in turn. They all agreed that Proksch had definitely been in Chioggia, that he had supervised the loading of the cargo, and that he had made a point of its exact placement. He had insisted on positioning an especially large wooden crate beside each bulkhead. The captain and mate also described a pair of yellow-painted steel cylinders, each about 16 feet long and 10 feet thick, about whose placement the otherwise genial Proksch became testy and demanding.

The captain testified last. After he finished, the three witnesses, together with the jury, watched a simulation of the explosion that the prosecution had created using a ship model. Three variations were shown, with the explosion in the stern, in the bow, and amidships. Then came the grand finale: an explosion with the charges placed at the tops of the bulkheads, which caused the hatch covers to fly into the air—precisely what the survivors had experienced. After the last scenario, the captain's wife exclaimed, "That was it exactly!"

The captain, who had been snoozing in his cabin at the time of the explosion, described how he had only his underpants and wrist-watch on when the blast occurred. The shock threw him out of bed and into the wheelhouse, which was filled with brown smoke. When he peered out at the railing, normally 30 feet above the water, he saw that it was even with the surface. He tried to escape, but

his foot was caught. Though he managed to break loose, he injured his leg severely. Finally clear of the wheelhouse, the captain found himself in the water and then beside a life raft. But the raft was tied to the sinking ship by its painter.

“I thought, ‘I’ m going down a second time if I don’t cut this line,’” the captain recalled. “There was an emergency knife on it. I pull it out, and it is kaput. The ship was already below water level and was pulling the raft down. Then, fortunately, the rope broke.” In the water, he lost his underpants and was wearing only his Rolex when the survivors were picked up by the Turkish tanker *Sapem I* ten hours later. He had to borrow underwear from one of the Turkish engine-room crew.

The three Netherlanders also told of Proksch’s out-of-the-ordinary request for the advance calculations of the approximate positions of the ship at various speeds. Proksch obviously wanted to know where and when the ship would be at the right spot for sinking. He also demanded radio reports of the *Lucona*’s exact position each day. The survivors also called attention to Proksch’s inexplicable directions to slow down the ship from the second day on, which, in their opinion, ensured that the programmed explosion would take place in deep water instead of by the shallow coast.

Next the court heard from the explosives experts, with their computer models and calculations of how much explosive it would take to sink a ship. They said 110 pounds, but that figure was based on arbitrary assumptions. It was possible to sink a ship with 110 pounds of explosive, but whether it really did happen that way on the *Lucona* the experts could say only if they examined the ship. A discussion of seventeen types of explosives and their characteristics followed. The expert witnesses all agreed that the kind of explosion that sank the *Lucona* required professional expertise. Only 150 people in the Austrian Army had such expertise, among them Major Edelmaier.

How was the explosion set off? A radio signal was as good as excluded, because it would have required an antenna on the ship, and the *Lucona* had none. Did one of the crew do it? Improbable. Could the ship’s gyrocompass have been used as a timer? For that, the ship would have had to travel a particular distance in a specified time. Ruled out. Chemical and mechanical detonators were, for various reasons, excluded as “extremely improbable.” That left only detonation by an electronic clock, but the only proof of this theory was recent testimony in a concurrent case against Edelmaier, in which a soldier claimed that the major was known to have taken an interest in the timers of video recorders. The experts dryly declared that such clocks did not exist at the time of the *Lucona*’s sinking. The defense objected that none of the survivors had originally testified to having heard an explosion. Another expert said that the lack of auditory proof did not mean there had not been one; the noise could have been muffled by the weight of cargo on top of it, which would have been necessary to guide the force of the explosion.

The defense lawyers, obviously hoping that it would be impossible to find and photograph the wreck of the *Lucona* in the depths of the Indian Ocean, repeatedly pressed for a search expedition. In the end, Judge Leiningen decreed that the sunken *Lucona* had to be found and photographed to decide the case. An American firm, Eastport (now a part of Oceaneering Inc.), was selected to do the job and appointed as the court’s expert witness. After several months of preparations, Eastport shipped two ROVs and their ancillary equipment to Singapore in early December 1990. One of the ROVs, *Explorer 6000*, had a depth capability of 20,000 feet; the other, *Magellan*

725, could handle depths down to 25,000 feet. Once in Singapore, they were installed aboard the *Valiant Service*, an aging 165-foot supply vessel normally used for offshore oil operations. Judge Leiningen, who flew out to join the expedition in January, remarked that Proksch's prison cell was larger and more comfortable than his quarters on the *Valiant Service*. Accompanying Judge Leiningen were two explosives experts from the Austrian Army and a naval architect, come to view the evidence with their own eyes.

The search area was about 200 nautical miles northwest of Malé, the capital of the Maldivian Islands, off the southwestern tip of India. No reporters accompanied the ship, but daily progress reports were sent to Austria by satellite link. For a while, the news was mainly about the rather unappetizing diet of tuna casserole and the dwindling supplies of German beer on board. According to the Austrian magazine *profil*, the judge had counted on combining his investigative journey with swimming and snorkeling and perhaps an outing to picturesque Malé. He had to shelve those plans, for this trip was strictly business; the Austrian authorities in Singapore eliminated all possibilities of combining pleasure with work by requiring a strict accounting of all expenditures of money and time.

Eastport had spent a good deal of time plotting a preliminary search area based on calculations provided by the captain of the ship that had rescued the *Lucona* survivors. The captain of the Turkish tanker had been awakened at 1 A.M. with news of six people floating by in a life raft. He estimated the wind, a gentle breeze, as no more than 0.5 to 1.5 miles an hour. Factoring in the current, which in that part of the Indian Ocean was pretty steady, the ten hours the survivors told him had elapsed since the explosion, and the position of a radio beacon on the tiny island of Minicoy, the expedition leader did a backward calculation to yield the approximate position of the sinking. The captain's estimate gave Eastport a starting point.

The search vessel arrived at its destination, 8°50' N, 70°30' E, on January 23, 1991, the fourteenth anniversary of the loss of the *Lucona*. The ocean floor at that location is very volcanic and full of submerged peaks, so Eastport's first task was to make a preliminary chart of the area. This was accomplished with a precision deep-ocean Fathometer linked to global positioning satellite (GPS) via the company's integrated navigation system. The chart showed that the search area was relatively flat but with large changes in relief. Undersea mountains bordered the area from its northeastern to its southwestern ends. Mountains are bad news for sea-floor searches, for even an object as large as a ship can easily be hidden behind an outcrop of rock or in an undersea canyon.

The next day, the actual search began. The crew carefully lowered *Explorer 6000*, with its 20,000-foot depth capability, into the Indian Ocean. Towed at the end of a 33,000-foot cable, it was "flown" 350 feet above the bottom in order to give its sonars as broad a picture as possible. A computer translated what the sonar "saw" into visual images, which were displayed on a monitor on board the mother ship. At the same time, the sonar signals were recorded on two backup disks as a fail-safe procedure.

The judge was fascinated by the technology of undersea search operations. He was impressed by the idea that a computer in the towfish could sort out the sonar echoes and transmit them instantly to the big computer on board the mother ship, where they would be stored on disk for repeated future reference. The sensitivity of the sonar ensemble, which could distinguish objects like hatch covers

from other parts of the wreckage, was awesome. He spent hours watching the sonar images on the screen and peering through the eyes of the ROV's video camera. He listened, entranced, as Eastport's equipment pilot instructed him in the subtleties of maneuvering a towed sonar sled. If it is towed too slowly, it sinks; if towed too fast, it behaves like a kite in a stiff autumn wind and goes aquaplaning up toward the surface. Handling the cable was also a ticklish matter, he learned. It does not just tow the sonar sled but also contains all the control cables and glass fiber optics. And, although the cable contains so many vulnerable components, it is also the most heavily stressed part of the outfit.

After six days of scanning the sea floor with sonar, during which almost 430 square miles of bottom were covered, *Explorer 6000* located a field of wreckage. Pieces of the hull corresponded roughly with the size of the *Lucona*. The depth was approximately 14,800 feet, far deeper than any diver or most manned submersibles could go. At this depth, the pressure of the water is 6,437 pounds per square inch, or almost 3.5 tons.

ROVs have opened up vast areas of the sea that were formerly unreachable, and the rugged *Magellan 725* went into the water on February 5. (Presumably, the searchers had to wait for favorable weather before they could launch it.) The *Magellan*, able to operate at 25,000 feet of depth, where the pressure is nearly 11,000 pounds per square inch, was rigged for this dive with two manipulators, sonar, color and SIT zoom for close-up views, and black-and-white cameras. An optical fiber system transmitted the data from the sonar and cameras to the computer on the ship.

As *Magellan 725* flew slowly over a field of light debris, it encountered the stern of the wreck. It was sitting almost upright, heeling over slightly to the right. The force of its fall to the sea floor had buried it to the main deck level in the soft sediment. As one observer wrote, waves of mud radiated out from the mutilated ship as though it were sailing across the sea floor. The mud also hid the name of the ship, so its identity could not at first be established.

Excitement mounted as the data from the ROV began to come in. Would the images show that the hull was bent inward, indicating a torpedo or an external bomb, or would the hull plating be bent outward, indicating an explosion inside? Was the ship even the *Lucona*, or was it some other wreck? The images, gathered over eight days on site, were clear and conclusive. The force of the explosion had almost destroyed the forward section of the ship. The heavy steel plates of the hull lay in shreds. The forecabin and chain locker had been blown nearly 650 feet away from the rest of the wreckage—the length of two football fields and more. The damage was found to be most severe in the area where Proksch had insisted his cargo be stowed.

Unfortunately for Proksch, his cargo containers *and their contents* survived the blast. Videotape and still photos clearly showed his cargo code number, XB 19, and the name of his Swiss front company, Zapata. The contents turned out to be the old coal-mining machinery and scrap iron, as the prosecution had maintained, plus a worn-out flour mill. (According to some reports, Proksch's cargo also included a machine for making plastic pipes and a laboratory model of a device for making electronic components.)

The explosives experts also took great interest in the front surface of the nearly intact stern. The outward-bent deformation of the metal and its ragged edges showed that the hull had been sheared off where the midship cargo crane was located, along the lines where the hull plates had been welded together. This damage could only have been accomplished by a massive internal explosive

charge. Udo Proksch's friend Major Edelmaier had done his work well. Yet one of the things that impressed Judge Leiningen most was the view of a carton of cigarettes in the wreckage, intact despite the massive damage caused by the explosion and fourteen years on the sea floor.

Judge Leiningen returned to Vienna with a thick bundle of still and video photographs. The jury had no difficulty convicting the well-connected Mr. Proksch of insurance fraud and the murder of six people. He was sentenced to twenty years in prison and also was forced to repay the costs of the undersea search and documentation. When the sentence was read, the outraged Proksch shouted, "Heil, Hitler!" implying that he had been convicted by a court of Nazis. A year later, after much public outrage, his sentence was changed to life imprisonment. In 2001, Udo Proksch died in a prison hospital after a heart operation at the age of sixty-seven. Unbelievably, he still had admirers who posted eulogies to him on the Internet.

[In an unexpected outcome of the trial, Major Edelmaier was cleared of the charges against him, perhaps because he had acted on the orders of his superior, Defense Minister Lütgendorf. But, significantly, he left the courtroom as *former* Major Edelmaier.]