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Excerpt: *Shady Side*

by John S. Hilbert

The following excerpt is taken from *Shady Side: The Life and Crimes of Norman Tweed Whitaker, Chess Master* (Caissa Editions 2000), by John S. Hilbert, with the cooperation of Dale Brandreth, pp. 133–137. The biography runs 322 pages, and is pure text; an additional 160 pages are devoted to 570 Whitaker games. A full review of the book by Taylor Kingston appears this week at [The Chess Café](#) Book Review page.

This excerpt is accompanied by two exclusive photographs—not even used in the book—for [The Chess Café](#). All material, including the photographs, are copyright protected, © 2000 John S. Hilbert; all rights reserved. The book contains 30 photos and line drawings, including new photographs of chess players ranging from Walter Penn Shipley to a young Bobby Fischer, besides the numerous Whitaker family pictures.

Al Capone said "these guys [*Norman Whitaker and another Alcatraz inmate*] are crazy. They can't get anything out of it. But I've got to protect my own skin if I'm going to get out of here alive." —Al Capone, quoted in the *San Francisco Examiner*, February 8, 1936

Chapter 8 Alcatraz and the Dark Years (1935-1946)

Years later Whitaker would suggest he had been transferred from the east coast to serve time at Alcatraz following his sentence for the Lindbergh scam because authorities did not want him nearby when Richard Bruno Hauptmann's trial began. No documented reason for Whitaker's move was given, though by now the prison establishment knew they were dealing with a repeat offender involving interstate auto theft, as well as someone who had branched out into grand larceny of another sort. Perhaps Alcatraz would be a better place to house him.

Alcatraz itself has quite a history, and of course, to the modern ear, it's name resonates with even richer significance than Leavenworth. Originally named *Isla de los Alcatrazes*, (Isle of the Pelicans) when it was first explored by Europeans in 1775, in 1854 the United States gained possession of the twenty-two acre island, located one and a half miles offshore in San Francisco Bay.

Throughout most of the next eighty years, Alcatraz was used to house military prisoners for the government. It was not, however, until August 11, 1934, only

**His column
begins
October 11.**

months before Whitaker was transferred to "The Rock," that Alcatraz received a small group of federal prisoners, those said to be among the "most dangerous" in the system. From 1934 until the prison finally closed in 1963, largely due to the expense of supplying such an island fortress, Alcatraz would be the home of high security prisoners, including the likes of Al Capone, George "Machine Gun" Kelly, and Robert Stroud, better remembered today, after the 1962 film, as the Birdman of Alcatraz (though ironically enough, while at Alcatraz Stroud was not permitted his birds; his reputation had been formed elsewhere).

Abandoned in 1963, Alcatraz was briefly held by Native American protesters between 1969 and 1971, when United States Marshals finally forced them off. From the following year, and since, Alcatraz has been part of the Golden Gate National recreation Area, under direction of the National Park Service. As such, The Rock has been open to the public.

Though a high security prison for nearly thirty years, or rather perhaps precisely because Alcatraz catered to such a select clientele, the island prison population was never large. Prison records show that in 1935, the year Whitaker was sent there, the prison population did not exceed 242. In 1936, it had climbed to 261, only to reach its height the next year, at 302.

The small population allowed prisoners to have individual cells. Accounts suggest each cell was roughly five feet wide and ten feet deep, with a height of about seven feet. Standard issue included a toilet, a shelf, a washbasin, a folding bunk, and a chair, with each man allowed personal hygiene items. Personal possessions, of course, had to be approved before they would be permitted. Little privacy was given, as cells were lined up in the cell blocks across from one another, with full view given to guards and other inmates. During the early years, which of course included Whitaker's stay, a Rule of Silence was imposed by Warden James A. Johnston. Prisoners were not permitted to talk to one another while in the cell house. Some accounts report that a few of the prisoners still managed to communicate by learning sign language.



Whitaker (third from left, standing in center) with friends during a happier moment. Photograph undated, but likely taken prior to his first interstate car theft conviction.

Prison records also show that Whitaker was inmate number 230 assigned to Alcatraz. By the standards there, his profile as a car thief and conspirator to commit grand larceny was rather tame. For instance, prisoner 227, a John W. Kulick, was a murderer and known escape risk. Prisoner 228 had aided and abetted an escape, while prisoner 229, the one admitted just before the chess playing Whitaker, was also in for murder. Prisoner 231, who came just after

Norman, was there for assaulting a government officer.

And conditions at the prison did lend themselves to violence. Reports of prisoners being driven insane by conditions on the island began to emerge even in the 1930s. One prisoner slit his own throat. Another, Joseph Bowers, prisoner number 210, was shot to death while climbing a wire fence in April 1936, only a few months after Whitaker was transferred there. Three prisoners died on The Rock in 1936, though none the year before or the year after. While Whitaker would avoid the direct violence of the place, he could not, and did not, avoid the conflicts and tensions it aroused. Indeed, as we shall see, he helped promulgate them. Doing so was, after all, almost second nature for Whitaker.

Whatever effect the Hauptmann trial might have had in causing Whitaker to be transferred to the west coast, by February 13, 1935, Hauptmann had been convicted of first degree murder in the Lindbergh kidnapping case, and had been given a sentence of death. He would be electrocuted April 3, 1936, despite questions raised by his wife, his lawyer, and even the Governor of New Jersey, Harold G. Hoffman. Hoffman, curiously enough, would later become a correspondent and indeed friend of Norman Whitaker's.

Whitaker's transfer to Alcatraz, however, did not stop his tongue, nor did it stop his suggesting he had knowledge of the whereabouts of Mrs. McLean's \$104,000. Whitaker's Department of Justice file notes that on April 4, 1935, Warden Johnston sent a letter to Sanford Bates, Director of the Bureau of Prisons, in Washington, DC, to the effect that a deputy at Alcatraz had heard from a prisoner that "Whitaker, #230-AZ, has been laughing about the way the Department investigators have been fooled in looking for the money secured from Mrs. McLean. The intimation is that he will be able to get the money supposed to be in tens and twenties unless an earthquake should happen between Aiken, South Carolina, and Concord, North Carolina, the inference being that the money is buried some place between those points. I do not know whether or not there is much to the story but it is just one of those bits of information which put together with other things that they know may be of value to the investigators, so I pass it on to you for whatever it may be worth." Bates copied J. Edgar Hoover on the letter.

In the meantime Beatrice Whitaker was trying to relocate to New York, in all likelihood to live with her father while Norman was jailed. The Civil Service Commission, however, notified her July 12, 1935, that since her legal address was in Washington, she was no longer eligible for New York appointments. Beatrice quickly wrote back that she had been in Washington only temporarily, and that for the past twenty-three years her legal residence had been 17 Lake Street, Brooklyn (her father's address), and that she had been a property owner in that area for the past seven years. While some of this was true, it is also clear that Beatrice Whitaker, perhaps on Norman's instructions, was in fact misrepresenting her actual residence. Since their marriage in 1928, Norman and Beatrice Whitaker had in fact been residents of the District of Columbia. Indeed, the Civil Service Commission shortly thereafter wrote her back, stating that her application for the Senior and Junior Stenography examination of September 7, 1934, had indicated she had been employed in Washington since 1929, working for R. T. Whitaker, a Patent Attorney. On this basis the Commission once again refused to consider her a bona fide resident of New York. Beatrice would later claim that in fact she never worked for Roland

Whitaker [*Norman's younger brother*], only voluntarily performing typing for him to keep up her typing speed. She would also claim she lived ten months out of twelve every year in New York rather than in Washington, and hence should really be considered a resident of the former.

Her arguments, eventually, would prevail despite the facts, though it was a hollow victory, as she would continue to be required to work in Washington. But at least she retained employment. And in filling out her federal government life insurance policy later that summer, she would name her sister, Blanche, then living in Long Island, New York, rather than Norman, as her beneficiary. Blanche and her husband, John, were struggling and had two children to support. No doubt Beatrice felt the money could better be spent on them than Norman, who in one fashion or another had been taking care of himself all along, both in and out of prison.

And so time passed. The next month, Franklin Delano Roosevelt signed the Social Security Act into law. Many years later Whitaker would make a point of letting people know that he did not receive Social Security checks. That state of affairs could hardly have been surprising, as there is no record Whitaker ever held a job paying into the system after August 1935, when the Act was signed. In September 1935, Huey Long, Louisiana Senator and well-known public figure, was gunned down in the state capitol building in Baton Rouge, dying two days later. That same month, Beatrice Whitaker was given a temporary appointment for emergency work for the Administration of the Petroleum Industry, with a promotion from Grade 5 to Grade 6, and a salary of \$1,800. And Whitaker's relatively quiet time at Alcatraz, after one year of confinement, was due to come to an end.

Events on the prison island in January 1936 were recorded in the press, prison records, and in legal papers later relevant to one of Whitaker's libel suits, namely one against the *New York Evening Journal*.

According to the record, Prisoner number 211, Jack W. Allen, incarcerated for counterfeiting, had required gastric ulcer surgery early in the year. Not long after he died from pneumonia. Rumors spread that the prison physician had, through negligence, permitted Allen to die. Or perhaps worse. Nothing in the record has been found to suggest such rumors carried any truth, though no doubt the prison population in general, suffering under Warden Johnston's Rule of Silence and other privations, was ripe to believe the worst.

And they responded accordingly. Yet by today's standards, the response was amazingly peaceful. The *New York Times* for January 22, 1936, ran a story reporting forty inmates working in the prison laundry, where Al Capone was assigned, had stopped working. The strike spread quickly. Other sources note that workers in the kitchen and mat shop quickly followed suit. The resulting chaos, involving shouting, cursing, prisoner threats, attempted flooding of cells, and refusal to eat and the like, quickly engulfed the facility. The *San Francisco Examiner*, Hearst's paper, and one not given to understatement, began its January 22, 1936, edition's story on the incident by writing that "one hundred shrieking, howling convicts mutinied on Alcatraz Island yesterday scores of the most desperate prisoners in the nation openly defied warden and guards by refusing to work, demanding new privileges and changed conditions. When their demands were refused, they set up a terrific chorus of howls and shrieks."

Who the ringleaders were was not immediately apparent, as the warden refused to name any of the participants. In any event, one hundred of the 259 prisoners then in Alcatraz were placed in solitary for their open defiance. No violence was reported, but authorities were hardly going to look kindly on such concerted action. "The strike raises the question as to who is going to run the prison, the prisoners or the Department of Justice," said Warden James A. Johnston. "I think it will be the Department of Justice." The Warden also noted the timing of the inmate's uprising: "they figured they had the opportune time to strike ... when army transports come into port we have a rush business for a few days, for we must do all the laundry before the transports sail." According to the *Examiner*, the transport *Republic* sailed that afternoon and the *U.S. Grant* had been scheduled to sail the next day at noon.

To make his point as to precisely who was in charge, Warden Johnston placed the strikers in solitary on bread and water. He ordered the blankets removed from their cells. In some cases, supposedly, according to east coast sources, forced feedings were committed. The tactics were effective. By January 25, 1936, the *Times* could report that all but twenty of the one hundred prisoners had given up their strike. Without going into detail, the paper also noted that increased privileges had been demanded by the remaining strikers to end their protest.

But the details of events during the first few days of the strike were left to the west coast press, which freely commented on the ongoing story and the as yet unnamed "agitators" the warden claimed were responsible for events. The *San Francisco Chronicle* reported that the strike had in fact been planned for some time, with word of the actual timing of the event being passed word of mouth from convict to convict.



Young Norman Whitaker, possibly taken shortly before his expulsion from the prestigious Franklin Chess Club in 1910, at age twenty.

After only one day on bread and water, however, twenty-five of the one hundred strikers returned to work. In a statement to the *Chronicle* for January 23, 1936, Warden Johnston assured readers that "the guards used no machine guns, rifles or pistols." The warden supposedly had only two hours sleep since the start of the strike, and was spending much of his time going from cell to cell, talking to prisoners individually. The prisoners, it appeared, were

vehemently objecting to Johnston's "Silence Rule," which effectively prevented them from talking to one another except on rare occasions in the recreation yard. Another objection was that "in the mess hall prisoners are not permitted to sit facing each other, but occupy a row on one side of a table and guards are alert to prevent two or three diners from getting their heads too close together."

By January 24, 1936, three days into the strike, the *Examiner* could report that about forty of the one hundred strikers were back to work. Matters quieted down in the press as the strike fizzled out, but all that changed the next month on February 8, 1936, when the *Examiner* published in its morning edition on the front page the headline "'Inside' of Alcatraz Mutiny."

On February 8, 1936, the United Press Association also ran a story picked up by papers nationally concerning the ringleaders of the "riots" that had taken place at Alcatraz the month before. Whitaker would later attempt to sue the United Press, and in doing so helped save for his future biographers an account of the matter, including a story that appeared in that date's *Philadelphia Daily News* under the headline "Name Leaders in Pen Mutiny at Alcatraz." The *Daily News* piece noted that "a gang gunman, a kidnaper, a figure in the Lindbergh baby abduction and the men who rode with George (Baby Face) Nelson in his last battle today were said to be the leaders of the Alcatraz island federal prison mutiny January 20." The paper also claimed that the "inside story" published by the *San Francisco Examiner* had listed some of the ringleaders by name: "John Paul Chase, former Sausalito, California, bootlegger and lieutenant in Nelson's Midwest gang of desperadoes; Harmon Waley, kidnaper of little George Weyerhaeuser, of Tacoma, Washington; and Norman T. Whitaker, "The Fox," convicted with Gaston B. Means in the Lindbergh ransom hoax."

But in fact the *Examiner's* "inside story" regarding the Alcatraz uprising gave much more detail than merely naming the leaders. The story noted that trouble had been growing on The Rock since the previous year, but that it had not reached its breaking point until after the death of Jack Allen, the prisoner who rumor had it had been done in by negligent medical care, or worse. What had not been known earlier was that Allen had at least initially been refused medical treatment just prior to his death. The handling of the matter appears to have been the culmination of an unfortunate series of events, including Allen's known history as a malingerer and the fact that prison officials simply could not trust his reports of illness.

While the strike had started in the laundry, it quickly spread to "the carpentry, tailor, blacksmith shops, the mat factory and the kitchen." One guard was reportedly hit, and prisoners attempted to flood their cells by opening "plumbing outlets."

The strike persisted longer than authorities had indicated, according to the story in the *Examiner*. Indeed, five inmates went on a hunger strike, but after the first threat of forced feeding, three capitulated. The two main ringleaders of the revolt were force fed liquid food through tubes inserted through the nose. One of the ringleaders was a man named James C. Lucas, known as "a Texas bandit." The other was Norman T. Whitaker.

The *Examiner* wrote that "Whitaker deliberately nauseated himself, to remove food from his stomach. Both Whitaker and Lucas have maintained their refusal to eat. Daily, liquid food is being forced down their throats." The two mutineers

were also reported to have called Al Capone, who refused to participate in the riot, staying at his post in the prison laundry, a "rat," "yellow," and even a "stool pigeon," the latter suspicion growing out of the fact that apparently some prisoner had tipped off the Warden that a strike in the laundry was imminent, as on the morning events began a crowd of guards were present at that facility. Capone, when asked, said "these guys are crazy. They can't get anything out of it. But I've got to protect my own skin if I'm going to get out of here alive."

The *Examiner* went on to say that it was Whitaker who gave the signal in the laundry to stop work, and that fifty of the seventy-five inmates present did so. But the story also suggested Whitaker had long been responsible for such problems. ...

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