

# A Commuter's Notes

**T**ODAY ON THE WAY TO THE STATION from the office, as I passed under the El tracks at Wells and Washington, I saw a man dressed in a clown suit behind the wheel of a black car that was waiting for the light. As I crossed Wells, I looked up and staring at me from the driver's seat of a black car was a fully made-up clown. He wore a ruff collar. His face was creamed white, with black and red lips, and red circles daubed on his cheeks. I think he wore glasses. He was dressed in a red-and-white striped clown's suit and his ruff was white and crinkled like the collar of an ancient English queen, or a Renaissance duchess. As I passed the car and glanced at him again, his nose lit up and flashed at me. He must have had a hidden button that he could touch to make his nose flash. A red bulb on the tip of his nose flashed white, on and off, and he stared directly at me, unsmiling. He looked like John Gacy, "The Killer Clown," reincarnated. The four men behind me, lean, older men, dressed in almost identical black suits, saw him and laughed. Then, on the way to the station, they continued discussing a dissent of Justice Antonin Scalia. One of them said, "It's nice to read something that makes common sense." None of them mentioned the clown.

\* \*

My name is Alfred Witkofsky. I'm fifty-five years old and a lawyer with offices on the twentieth floor of a building on LaSalle Street in Chicago. I'm a solo practitioner and I have a small corporate, probate, and

real estate practice. I'm married to Bettina, who I call Betts. She's a sculptor and ceramicist and designs lamps for a company in Northfield. We live on the North Shore in Highland Park. We have one son in high school, a sixteen-year-old named Tom, Thomas Witkofsky.

\* \* \*

If I ride two trains a day, five days a week (ten), for fifty weeks a year (500), and have been for thirty years, apparently I've ridden the train 15,000 times. I hope these notes have the feeling of a person on a train. A sense of disjointed anonymity and voyeurism. Short and long jolts. The constant sounds of the announcements, many of them automated, station stops, safety warnings, warnings of doors that don't open, doors that are open, apologies for being late, breakdowns before us, breakdowns after us, holiday schedules, on and on and on. Also, the conductors, some bullying and curt, calling for tickets, rapping on the railing with their metal ticket punches. Others civil and friendly. I hope to get it down, the sudden lurching, passengers sleeping like corpses wearing head sets, mouths gaping open. Mindless talk of golf across the aisles. Young people with back packs, eager to get off, up and standing in the aisle. Some stay back and sift through the garbage bins for the morning paper. Some of the older passengers also sift the garbage or walk the cars looking for papers, I'm usually one of the last to get off.

\* \* \*

At breakfast, I ask Charmaine, the French waitress, if the word in French for grapefruit is "palempousse"? . . . "No," she shakes her head, "pamplemousse, pamplemousse." She said it twice. She's a lovely, auburn-haired Parisienne in her forties. She works downtown in a restaurant on Monroe Street. I don't know what she's doing there. This morning, as I was leaving, she said to me, "Le travaille est le sanité." Work is sanity.

\* \* \*

It's the next morning and I don't think I'll stop to see Charmaine. I have to be in court for a probate hearing. There's a man across from me this morning on the upper deck on the 8:05 dictating into a tiny, black microphone looped around his neck . . . "Hello, Sandra. . . I'm

on the 8:05." He's also writing on a yellow legal pad on his knee. A young girl in jeans and sandals, about fifteen, sitting across from him, stares at him for a moment and then returns to her paperback and snaps her gum. Another man begins using a cell phone. When he dials, the sounds are like dart points whirring through the quiet of the car.

\* \* \*

A woman gets on in Wilmette and immediately takes out her cell phone from her purse and dials. She doesn't seem to care if anyone overhears her. She keeps talking all the way into the city. As soon as she hangs up from one call she makes another. A woman in her fifties, a blonde with hoop earrings, a wide mouth, and a huge shiny, black leather handbag. The man behind me, encouraged by her, pulls out his cell phone and calls his office. "Is Peter there? He isn't there yet? Well, this is Steve and I'm late. I'll be there about 9:20. If there's an expert named McCarthy sitting in reception, tell him I'll be a few minutes late. Offer him some coffee. . . . Okay?" Okay seems to be the command buzzword used in different tones of modulation. "Okay," he says more abruptly and hangs up. I think he's a lawyer with an expert witness waiting for him. I didn't mind the call. Not one call, but a few minutes later, he was back on his phone again. I wanted to turn around and snatch it out of his hands.

\* \*

If I ride two trains a day, five days a week (ten), for fifty weeks a year (500), and practice law for fifty years before I retire, I will have ridden the train 25,000 times. If I spend an hour on each ride, I will have expended 25,000 hours commuting, or over 1,000 days. That would be three years of my life sitting on the train. I say that I'm writing these notes as a sort of diary of what it's like to be on a train for a portion of each day of your life. I don't think I'm really doing that. I'm just writing about myself and the sudden lurches, the disjointed paragraphs are not from the train.

\* \* \*

It's Friday night and the beginning of the weekend. A man in an immaculate blue suit sits across the aisle from a younger man. The

older man speaks in a loud voice. "Read your memo today." The younger man is very attentive. Perhaps, a senior partner in a law firm speaking to a young associate. The partner wears a white handkerchief in his breast pocket and an American flag pin in his lapel. He's neatly barbered and has a tan and looks very healthy except his left eye has a bad tic. The younger man is pale and has tousled hair and needs a haircut. He gets off in Evanston with a polite nod of his head to the older man. The young lawyer probably lives in a small apartment with a wife and a kid in diapers. The partner gets off in Kenilworth and waves to his wife, who's wearing sunglasses and is parked in an emerald-green Mercedes.

\* \*

At Hubbard Woods a man sets his briefcase down to stoop at the edge of the platform to pluck a white flower. It looks like a white wheel made of lace. Queen Anne's Lace.

\* \* \*

It's Monday morning. I have a will and a trust to complete today. My client isn't married. He's been divorced for many years. Very few men really get down to human matters in a will. A woman usually takes great care to leave things to specific people. She'll give away her jewelry, piece by piece (my antique ring to my niece Paula, my gold wedding band to my granddaughter Kimberly). She lovingly details each gift (my living room rug to my son Anton, my dining room rug to my son Casimir, my coffee maker to my friend Eugenia, my cookbooks and copper pots to my sister Carla). Women's faces shine with the joy of giving when they detail these gifts. They really seem to be at peace with themselves and the concept of death. Lately, some of my women clients have been giving away parts of their bodies, eyes to the University of Chicago, kidneys to the Kidney Foundation, bodies to Northwestern University Medical School to be used as cadavers. Not so the men; they seldom make personal gifts or direct that organs be given to medical research. The men don't want to talk about death. They talk about "passing away," or "if I should go," or "if something happens to me." The men are interested in money and taxes. They want to know about estate tax impact and generation skipping. They don't want to talk about death, so I don't mention it.

\* \*

On the 5:45 Tuesday evening, I see an African-American boy out the window near the Clybourn station with a butterfly net, a white net on a long pole. He's crouched over in a weed thatch in a vacant lot alongside a factory.

\* \* \*

The French waitress at the restaurant on Monroe Street used the personal form in speaking to me today for the first time. She handed me my bill and said, "Pour toi." She probably wasn't even conscious of saying it. I've been there so often recently, I must seem like one of her friends. I think it's time we began using the familiar form. I'd use it when speaking to her, but I don't know how to decline the verbs properly. She has beautiful eyes and as she bends toward me to take my coffee order she looks at me. "Vos yeux sont belles." "Your eyes are beautiful," I should say to her. I don't know if that's right. It might mean, "Your eye is beautiful." I try to think of what to say to her before I see her, because my French is so poor, I have to have the phrase firmly in mind. So usually, on the way down on the train, I'll try to imprint a French phrase so I'll have the sentence ready at breakfast. "Vos yeux sont belles," was the phrase for this morning. I didn't use it, though.

\* \* \*

I had lunch with one of my friends today, a lawyer who has the same kind of practice that I do, except that he's also a litigator. I don't try many cases. I have a few. I'm really a desk lawyer, an office lawyer.

My luncheon partner and I have been friends for a long time. I asked him if he spends as much time as I do worrying about money. I think some of these notes are just a conceit or a mask. I really spend much of my time worrying about money. I paid my office rent today. I have \$1,600 in my checking account after paying the rent. I billed about \$6,500 this month. That's a good month for me: I usually bill about \$5,000. You ought to be able to live in the suburbs on \$6,500 in monthly fees and my wife's salary from the lamp company of \$30,000. I don't find it easy. I'm always fighting to pay my mortgage and my credit cards. I don't have a regular secretary. I have an arrangement with a woman I've known for many years and she comes in for

emergencies. I usually do my own word processing and I've become quite adept at it. Some days, though, I feel that I'm not really a lawyer and all I do is stenography. I've been a lawyer now for almost thirty years and I've never had a salary check. I've always had to worry about making money. So why am I trying to hide it?

I read the other day that some partners in large Chicago firms had a share of profits last year in excess of a million dollars. What would I do with that kind of money? I guess I'd set aside a trust for Betts and another for our son, Tom. He's an oboe player in the high school orchestra and wants to go to the Julliard school in New York. I'd love to send him there. He has real talent. When he plays his oboe solos, the audience becomes hushed and his notes are so plaintive and lovely that my eyes often brim with tears. I also read this morning that one of the large firms in Chicago is dissolving and that the partners may not get their pensions. What would I do if I worked all my life and my firm closed and I lost my pension? I think I'm better off where I am, practicing alone, although I'm sure I'm viewed as an anachronism. I probably am, but at least I'm my own anachronism.

\* \* \*

On the 7:48 this morning. I had to climb a little hill, up a path through the weeds in order to catch the train. There was another man ahead of me, heading up the embankment, and for a moment we were each lost in the tall cool weeds like children in the overgrowth at the edge of a playground.

\* \* \*

At a real estate closing this morning, the buyer had no lawyer; he said he'd had too many bad experiences with lawyers. He was from New York, a heavy man with red, flushed, mottled cheeks and narrow eyes. He'd been transferred to the Midwest as a regional sales manager of a kitchenware company. He and his wife were buying a condominium on the North Side that an estate owned. His broker represented him at the closing and when I handed over the bill of sale from the executor, the real estate broker said to his client, "This transfers the personality of the condo." I laughed, "Personalty," I said to them, "not personality. You can't transfer the personality." I don't think they understood.

\* \*

Later in the afternoon, I walked down La Salle Street to a law firm for a settlement conference on a reformation suit. It's one of my few pieces of litigation. The suit claims both parties had mistakenly computed interest on a mortgage. The lawyer for the defendant offered me \$50,000 as a settlement. When I got back to the office and called my client in Texas, he told me, "That's a low-ball offer. See if you can get some more."

\* \* \*

A client, a woman, called me today. She was incensed that I had charged her for phone calls in her divorce case. I've gotten out of divorce. She was one of my last divorce clients and I represented her in a post-decree hearing. Her husband had his alimony reduced. He'd lost his job and his new job paid \$20,000 less. He got a reduction and the woman was outraged. I just let her rave on and on. I could hear ice clinking in her glass. She started to sob, then she'd take a drink and start crying again. Finally I hung up on her. I don't have to take abuse from clients. Some clients are really neurotic and make impossible demands on lawyers. Also some are greedy and dishonest and there's nothing you can do to satisfy them. You should learn to weed them out and never get involved with them. I'm working on a difficult contract and I don't want to be interrupted because the woman is angry and lonely. I charged her fairly. I'm not a therapist.

\* \*

Sunday, a white butterfly hovered over me in the backyard. It was the first butterfly I'd seen in our backyard this year. I thought of the white butterfly on the inside cover page of the book we have of drawings by the children in the concentration camp in Terezin in Czechoslovakia, *I Never Saw Another Butterfly*. Betts and I were in Prague a few years ago but we didn't go to Terezin. I didn't want to see it. We have the book in our den at home and after I saw the butterfly, I went upstairs and looked at the inside cover. Actually, the butterfly is white, but the child tinged its wings with orange and put blue polka dots on each wing.

\* \* \*

At breakfast on Monday morning, when Charmaine poured me a refill of coffee, I thanked her and said, "Vous êtes très chère." She laughed. "I'm very expensive? Très gentille, you mean."

She set my English muffin down in front of me.

"You once said to me, 'Le travaille est la santé,'" I said to her.

"Yes."

"Do you really believe that?"

"Yes."

"'Arbeit Macht Frei,' Do you know what that means?"

"No, I don't understand German."

"It means the same as 'Le travaille est le santé.'"

"But that is true," she said patting her hair in place.

\* \* \*

After breakfast, on the way to LaSalle Street, I passed by a new bank. There was a man in front of the bank dressed in a gorilla costume, standing in the rain with some young women who were passing balloons out to promote the opening. The poor man must have been soaked inside that gorilla suit. I thought the bank would have more class than to open up in the rain and force a man to stand there in a gorilla suit. I could meet Charmaine some night for a drink if I dressed in a gorilla suit, but I don't think so. I'll never meet her. Betts would never forgive me. Even if I dressed as a minotaur, half-man and half beast, I don't think my costume would protect me.

Picasso was good at portraying men as minotaurs. I could discuss Picasso with Charmaine, my voice resonating from inside the simian chamber, "Do you know, Charmaine, that the painting by Picasso, 'Les Demoiselles d'Avignon,' really portrays women in a bordello in Madrid by that name? Picasso was probably a patron there. The women are so sad and exploited. He recognized that. That's why their faces are so angular and their huge, sad eyes are bulging out of their sockets." On some of Betts's abstract busts of me, I look like one of these women.

\* \* \*

The next morning. It stopped raining and the sun came out. In order to celebrate summer, instead of going right to work, I detoured a block



and walked over to the Bank One Plaza to visit the Chagall Mosaic. I hadn't been there all winter, because the stairs were icy and the colors are hidden in the gray weather. But today all the colors of Chagall were vivid in the sunlight. I looked for the golden ballerina and at first I couldn't find her. I didn't have quite the right angle. Then, suddenly, I moved a few paces and there she was, flashing at me in her golden bodice. I also walked around the monument to find the bluebird, and I found her, full-breasted blue and yellow, hidden in the branches of a tree. And beside her, a falling angel coming down from heaven, diving toward the silhouette of the city and Lake Michigan. Further on, around the corner, I found the beautiful red cardinal, above two lovers embracing. I visited the musicians, the fiddlers, clarinet players, and the dancers. You have to remind yourself of joy and how to be ecstatic and alive. I was alone, all alone with Chagall's artistry, standing in the canyon of glass skyscrapers. No one else was there. I was the only one in Chicago there. Only one person passed, a young woman on her way to work, dressed in a raincoat, talking on her cell phone, her heels clicking, a black bag over her shoulder. She didn't even glance at the Chagall. Also, the bank has put another clock there, 9:04.