ABC Inspectors Claim Cafe Being Used as Jockey Club

License Board Continues Hearing on Charge; "Manny" Diaz Denies "Impersonator" Role

LOWELL—The license commission heard charges last night that a horse betting room was discovered in a rear room of the Old Homestead Cafe at 182-186 Middlesex street by two Boston alcoholic beverages control commission inspectors who were in town on other business.

The hearing was continued to June 15.

Inspectors Jack Barry and William F. Keenan told the commission at a meeting last night that they visited the cafe in the course of another investigation on May 18 and accidentally uncovered the jockey club in operation.

In the rear room of the cafe, the inspector said they found six men reading racing forms while a former employee of the proprietor was making out betting plays on slips of paper.

The bet recorder allegedly tore up the slips when the inspectors entered. In the investigation that followed, Barry and Keenan said that they found more than 150 other bet slips and while they were present on the premises several bet slips were telephoned into the rear room on an extension of the cafe telephone.

Morris Lerner of 91 Gates street, president and treasurer of the cafe corporation, was present last night on a summons. He was questioned by Commission Chairman Robert J. Lewis, and members William F. Barrett and Willis J. Pedler. Lerner was not represented by counsel.

Chairman Lewis announced that the hearing will be continued, on charges against Lerner of permitting gambling in a licensed establishment, on June 15 when the two Boston inspectors will be present.

Alleged "Impersonator" Appeals

Also continued by the board was action on a plea by "Manny" Diaz, local night spot entertainer, that the label of "female impersonator" be officially removed from his records so that he may be permitted to return to work locally as an entertainer and master of ceremonies.

Diaz, who has been forced to leave entertaining jobs at a Drain-cut and a Lowell night spot for allegedly appearing as a female impersonator, appeared before the commission last night in an unscheduled move to seek redress.

He was represented by Atty. Archie Barlofsky who contended that his client had never made an appearance as a female impersonator.

Denies Charges

"I'm not a female impersonator," Diaz said, "and never have been. I'm simply a professional entertainer and emcee.

"I've been out of work for eight weeks now and I'm getting up to my ears in debt," he said. Diaz said that he was a native of Lowell, had worked in night spots here for a long time and had a good and respectable following.

Atty. Barlofsky argued that Diaz would suffer financially if he were forced to find entertaining jobs outside Lowell since, Atty. Barlofsky said, a proprietor would feel justified in offering him less than his usual salary of the premises that he had been banned in Lowell.

The commission decided to hear the appeal, June 8. In the meantime the commission would attempt to contact Police Chief John T. Sayers, who is now vacationing, by telephone and get his reactions to Diaz's request. Chairman Lewis said. Lewis said that persons who have made complaints against the blond entertainer's appearances will be present to confront Diaz personally on June 8.

Earlier in the evening, the commission ordered Edward J. Mroz, proprietor of the Riverview Cafe at 19 Coburn street, to remedy an unsanitary condition that existed on the licensed premises.