Atty. Morse, failing to provoke agreement on his request that the commission make a "declaratory judgment" assuring him that no action would be taken against a licensed employer of Diaz, turned to the alternative course of argument.

He suggested that the commission change the ruling by setting limits to the stigma of an entertainer's reputation.

He asked that the rule be revised to ban any person "known as and reputed to be a female impersonator in the last 10 years." The commissioners refused to amend the order at this time.

Chief Sayers repeated the basis for his stand. As he has declared in previous hearings on the Diaz case, he said he does not object to Diaz as a person; he objects to the clientele attracted by Diaz's public performances as an entertainer emcee.

The chief argued that an undesirable element is attracted from other cities and towns by Diaz's appearance so that the situation in Lowell is worsened.