

THE PLAIN DEALER

Medina · Summit

THURSDAY
FEBRUARY 22, 1996

B

THE PLAIN DEALER

Lake County

THURSDAY
FEBRUARY 22, 1996

B



Joe Dirck

If Alan Freed were here today

Adorned with the requisite number of therefores, pursuants and hereinafters, a ruling issued this week by U.S. District Judge Donald C. Nugent ordered a concert promotion firm not to use the name "Moondog Coronation Ball" until the legal rights to the phrase are established.

So now they're making a federal case out of it. If there's a rock 'n' roll heaven, the original Moondog must be up there howling.

Alan Freed, the late WJW-AM disc jockey who threw the first Moondog Coronation Ball in 1952 and almost got arrested for his trouble, would surely be amused to see attorneys for two corporate entities battling over the commercial rights to the name he coined 44 years ago. Nobody dreamed then that there might actually be money in the so-called "race" records Freed played on his show, music he called "rock 'n' roll."

"I'm sure he's sort of smiling somewhere," said Freed's brother, David, 71, a Painesville attorney. "Back in those days, we were always on the run. Somebody always had a warrant out for our arrest."

Cleveland awoke on Saturday, March 22, 1952, to discover that the rock 'n' roll era had begun. The front page of that morning's Plain Dealer carried a shocking report of a near-riot the night before. The headline read: "Moondog Ball Is Halted As 6,000 Crash Arena Gate."

Glass doors shattered. Arrests for drinking, for fighting. Police called in. That Freed character from WJW at the bottom of it all. Lawdy Miss Clawdy, what's the world coming to?

In the following days, Cleveland officialdom fairly sputtered with rage. Crowd estimates rose to 25,000. "Hepcats jammed every inch of the big Arena floor, took every seat, filled the aisles and packed the lobby and sidewalk, overflowing into the street," one newspaper account read.

Rumors circulated that Freed and the other promoters of the show had deliberately oversold the hall. Freed denied doing so on the air, but authorities weren't buying that. A warrant was issued for the DJ's arrest for violating fire laws.

"He's the guy I want," a fire official seethed.

It all came to nothing in the end. By May, Freed was seeking a permit from the city for another Moondog show at the Arena. Over Police Chief Frank W. Story's objections, it was grudgingly granted. "The Law Department said it could not legally be refused," the Cleveland Press glumly reported.

History's first rock concert, as it is now universally recognized, helped make Freed a national figure, and, in a way, sowed the seeds of his destruction. The publicity led to a high-profile radio job in New York, but Freed never escaped the enduring anti-establishment image it gave him. Eventually caught up in the "payola" scandal of the late '50s (Freed was convinced he was targeted because he dared to play black music for white teenagers), he was, for all intents and purposes, drummed out of the music industry. He died of a liver ailment in 1965.

David Freed said he was unaware of the current legal flap over the rights to the name. In his opinion, neither OmniAmerica Group nor Canterbury Productions, the two parties in the suit, has a right to claim it. He said he intended to contact Lance Freed, Alan's son and the executor of his estate, to discuss possible legal action themselves.

As the "\$92 million edifice on the lakefront" demonstrates, the music his brother pioneered has come a long way since the Friday night Cleveland cops pulled the plug on the first Moondog Coronation Ball, David Freed said.

It only makes sense that the family would want to protect its interests, he said. Of course, he and his brother let the big one get away a long time ago.

"The biggest mistake we ever made was not copyrighting the name 'rock 'n' roll,'" David Freed said. "If we had, I wouldn't be here talking to you."

Messages for Dirck may be left at 999-4818.