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Board enlists Montco into campaign to keep the Barnes in Merion

By Jeff Shields

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Montgomery County will join Lower Merion Township and residents in their efforts to block the Barnes Foundation's move to Philadelphia.

County commissioners yesterday voted unanimously to seek outside legal help to explore what options remain to keep the Barnes in Merion.

"I just want to see if there are legal avenues open to us that have not been used previously," Commissioner Thomas Jay Ellis said.

In addition, the commissioners asked their lobbyists to try to stall the release of more than \$100 million authorized by the state in 2002 for the move to Benjamin Franklin Parkway.

A 2004 decision in Montgomery County Orphans Court approved relocating Albert Barnes' treasured art collection, despite a stipulation in Barnes' will that it forever remain in his Latches Lane mansion. The move to the site now occupied by the Youth Study Center is expected by 2010.

Foes of the relocation say the collection is inextricably connected to the Barnes property.

Ellis said he hoped a law firm would evaluate the case for free. The county would pay for whatever legal services followed, he said, though no specific amount was authorized.

Merion Civic Association president Margot Flaks had chided the commissioners in a December letter that described them as "strangely silent" on the Barnes issue. The township had already passed a resolution against the move, and the region's art community had just rallied to prevent Thomas

Eakins' masterpiece *The Gross Clinic* from being sold out of town.

Commissioner James R. Matthews, who joined Ellis and Ruth S. Damsker in the vote, said yesterday that he had been "conflicted" about the move. As a board member of the Greater Philadelphia Tourism Marketing Corp., Matthews said he understood the value of moving the artwork downtown, but that he could not support using tax dollars to help the move.

State Attorney General Tom Corbett has refused to interfere in the Orphans Court decision, and federal legislation sponsored by U.S. Rep. Jim Gerlach (R., Pa.) doesn't appear to have support in Congress, Ellis said.