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Was Barnes Foundation Crying Poor With \$100 Million On The Way?
By: Jim McCaffrey , The Evening Bulletin Staff Reporter

Merion - Neighbors of the Barnes Foundation in Merion, the people who have organized themselves into a group calling itself Friends of the Barnes, alleged Thursday a \$100 million appropriation to move the Foundation to the Ben Franklin Parkway was quietly moved through the legislature prior to the public announcement that the Barnes would seek such a move.

Dr. Walter Herman, who hosted the gathering of Friends of the Barnes at his home, produced a copy of the legislation authorizing the appropriation.

Documents from the state Web site show an appropriation of \$100 million for "Design and construction of a Museum Facility to House the Barnes Art Collection." It was included on page 244 in SB1213 of 2001. The 325-page bill, titled Capital Budget Project Itemization Act of 2001-2002, was introduced by, among others, State Sen. Vince Fumo. It was passed by the legislature on Oct. 30, 2002.

The projects in this act are a kind of legislative "wish list" - things legislators would like to accomplish. The state decides each year which projects it will move forward. What the legislation demonstrates, the Barnes' neighbors say, is that powerful people in the state were contemplating financing a Barnes move to Philadelphia before any public announcement of such a move.

The bill was introduced in 2001. Herman says this was before the Pew Foundation made its offer to fund the financially troubled Barnes. The Pew Foundation made the offer contingent on the Barnes agreeing to move to Philadelphia and change the makeup of its board.

Mayor John Street made his first visit to the Barnes on Jan. 3, 2003 to discuss moving the Barnes Foundation to the city.

Montgomery County Orphan's Court Judge Stanley Ott had to approve Barnes' plan to take its estimated \$30 billion art collection to the city because the move violated the terms of the trust set up by Dr. Albert Barnes, the collector who created the foundation in Merion.

Herman wrote to Ott asking if, when he made his decision, Ott was aware of the state appropriation. "This is the first I've seen or heard of it," Ott wrote back late last month. "I certainly understand how the line in question would [prompt] speculation."

Herman said he would find it hard to believe the Barnes Board didn't know about the appropriation. He said he believes they knew but decided not to tell the court about it. A

rattled Dr. Bernard Watson, president of the Barnes Board, when contacted and asked about the appropriation, answered, "I have no idea what you are talking about. I am not aware of what you are talking about." He then sharply hung up in the middle of a follow up question.

Congressman Jim Gerlach Thursday used the gathering at Herman's house to announce he will introduce legislation to penalize any tax-exempt organization for accepting donations that would be used to move the organization against the wishes of the founder of the organization. The Congressman said he is specifically introducing the legislation to thwart the Barnes move to Philadelphia. "Albert Barnes, the man who assembled this wonderful collection of art at his marvelous home, was meticulously specific in detailing how he wanted his estate to be maintained following his death," Gerlach said. "Moving it to Philadelphia would literally destroy the trust Barnes put in place and make a mockery of his wishes."