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### Keeping The Fight Going

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Morganelli Pledges Attempt To Keep Barnes In Montco



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By: Bradley Vasoli, The Bulletin

Merion Station - Pa. Attorney-general candidate John Morganelli, D, yesterday promised to attempt, if elected, to reopen a case that permitted the Barnes Foundation's move from Merion Station to Philadelphia.

The Northampton district attorney also criticized current Attorney General Tom Corbett, R, for assenting to Montgomery County Orphans Court Judge Stanley Ott's 2004 opinion that allowed the famous art collection to relocate to the Benjamin Franklin Parkway in Philadelphia.

"It's unfortunate that Tom Corbett took the side of the elites over the citizens of Montgomery County and the general public," Mr. Morganelli said. "It is unfortunate that Tom Corbett failed to

represent the wishes of Dr. [Albert C.] Barnes and this community. The fact is that the public and the community of Lower Merion and Montgomery County were not well served by the failure of Mr. Corbett to fulfill his responsibilities."

Dr. Barnes founded the internationally renowned museum and arboretum in 1922, entering into a trust with its owners and stipulating the collection not be relocated from Lower Merion Township. The Barnes' board of trustees, expanded from five to 15 members in 2004 with Judge Ott's permission, began pushing to move the Barnes to Philadelphia after some of its financial contributors assured them they would provide more funding if it moved to the city.

Mr. Morganelli said because the Pa. attorney general oversees charitable trusts, he has the obligation to challenge the logic of the Barnes Foundation's intention to move the collection. He blasted Mr. Corbett who, although not yet attorney general in 2004, sided with Gov. Ed Rendell, D, and the foundation's trustees.

The Northampton prosecutor cited a reference Judge Ott made to then-Attorney General Mike Fisher, R, in his 2004 ruling.

(Mr. Fisher also didn't challenge the relocation.)

"The attorney general ... had an absolute duty to probe, challenge and question every aspect of the monumental changes now under consideration," the judge wrote. "...The attorney general was the only party with the authority to demand, via discovery or otherwise, information about other options."

Mr. Morganelli said moving the Barnes to Philadelphia would potentially discourage charitable giving by casting doubt upon whether courts would honor philanthropists' wishes regarding the gifts they leave behind.

"This hurts charities across the board," he said. "If people feel that their wishes will be thwarted by elites who know better, we will see a decrease in generous bequests."

Barnes spokesman Andrew Stewart disputed Mr. Morganelli's sentiment.

"A lot of individual donors and organizations have pledged money" as a direct response to the relocation to the city, he said, adding that the move is intended to expose more potential patrons to the work in the collection. "We're trying to make the collection more accessible."

Mr. Corbett could not be reached for comment.

Bradley Vasoli can be reached at [bvasoli@thebulletin.us](mailto:bvasoli@thebulletin.us)