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Barnes Foundation

# THE MUSEUM OF MODERN ART

**Date** 6 December 1963

**To:** Mr. Barr

**Re:** QUESTION

**From:** Rona

A Miss [illegible] is doing an artic[illegible] Director of the M[illegible] needs to know: before 1943; o[illegible] or were you "D[illegible] answer her [illegible] the Matisse bo[illegible]

morning. Horizon "Alfred Barr, Miss Buehr i.e. was it pture"(1944-46); uestion will e you wrote

Publicate

from

GREATER

Philadelphia

THE MAGAZINE FOR EXECUTIVES

June 1962

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xerox copy sent to Library 12.12.66

By GAETON J. FONZI

PHOTOS By SAM NOCELLA

THE BARNES FOUNDATION GALLERY—*a Paul Cret-designed 23-room French Renaissance mansion near 54th Street and City Line Avenue in Merion—holds a collection of modern art unequaled anywhere. Included among the more than 1000 paintings are some 200 Renoirs, 75 Matisses, 35 Picassos and the greatest collection (more than 100) of Cézannes in the world. In addition there are works by Manet, Degas, Seurat, Rousseau, Modigliani, Soutine, Pascin, Demuth, Glackens, Prendergast, Pippin, Klee, Miro and Rouault. Until last year, these masterpieces were used exclusively by the students of the Foundation in conjunction with its course on art appreciation (it does not teach painting) or viewed only by visitors who had requested and received permission to enter the gallery. Today the gallery is open to the public every Friday and Saturday from 9:30 a.m. to 4:30 p.m., with a maximum of 200 visitors permitted each day. (Reservations for the first 100 admissions can be made by calling MOhawk 7-0290). Visitors, however, are not permitted to take cameras or packages into the gallery and must check them at the entrance. Only three photographers have ever been given permission to photograph the paintings—none since the death of Dr. Barnes 11 years ago—and only one permits his photographs to be used for publication. No unauthorized photographs of the paintings have ever before been published. (There are gimlet-eyed guards in every room of the gallery.)* GREATER PHILADELPHIA MAGAZINE *here presents an exclusive series of candid photos taken inside and outside the Foundation and examines some heretofore unpublicized aspects of the bizarre case of the Commonwealth vs. The Barnes Foundation.*

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Barnes Foundation

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Harper's Bazaar
article —
pp. 51 - 116

# MUSEUM OF MODERN ART

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By GAETON J. FONZI

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# BITTER LEGACY OF DR. BARNES

**Since the death of the salty Merion art collector, the school and gallery he founded have been rocked with controversy.**

By GAETON J. FONZI

PHOTOS By SAM NOCELLA

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AMONG THE THOUSANDS of volumes in the Philadelphia Public Library at Logan Circle there's a book entitled *Art and Argyrol*—"The amazing story of Dr. Albert C. Barnes, compounder of Argyrol, millionaire, master of controversy, and patron of the arts." The book, written by an obscure freelancer named William Schack, was published by the New York firm of Thomas Yoseloff in 1960, nine years after the death of the noted Merion art collector. Yet, penciled in on the book's title page, like the squiggly scribblings of an angry ghost, is the epitaph: "A Study in Slander."

The spirit of the contentious Albert Coombs Barnes lingers yet. In fact, there are some who still refuse to believe that the fiery Main Line millionaire is gone, that the 16-ton trailer truck which crunched the Cadillac he was driving one summer afternoon in Chestnut Hill really put an end to the old man's controversial career. He is too much with us, they say. They may be right. He is very much with the trustees of the Barnes Foundation who have tenaciously clung to its founder's wishes to maintain the multimillion dollar modern art collection as an adjunct to an educational institution, instead of turning it into a public exhibit. He is very much with the close friends who have maintained a concordance of silence about the rumors and wild stories that have been connected with his name. And he is very much with those who, like a pack of crazed wolves angrily ripping away a dead victim's throat, carry on the battle against this once-spirited fighter with a vengeance and bitterness strangely incongruous with their professed goals of achieving a victory for the benefit of the public.

**The grave diggers.** Legends die hard, and even before his death Barnes had achieved a status bordering on myth. His outstanding and controversial art collection, his mercurial temper, his penchant for getting into publicized quarrels, his fondness for writing unprintable letters and using gutter language, his stubborn stands for his unorthodox convictions and his wild eccentricities all piled up to legendary proportions. But one thing is clear: If he were still alive, it's doubtful that all the fuss stirred up to get the Barnes Foundation open would ever have occurred, that the very people who would not have dared oppose him during his scrappy lifetime would be so ruthlessly battling to negate his trust now.

Yet, today, much of what Dr. Barnes left is in danger of being lost. Not only are the purposes for which he founded the Barnes Foundation being threatened by the hordes of curious and ignorant dilettantes tramping through its gallery, but GREATER PHILADELPHIA MAGAZINE has learned that the State Attorney General's office—with the prodding and vocal backing of The Philadelphia *Inquirer*—is conspiring to go far beyond the limited jurisdiction it legally has in respect to public institutions by attempting to confiscate control of the Foundation and undermining the basic educational premises on which it was founded.

The factors behind the current controversy and bitter battles of the past, marked as they were with overtones of questionable legal tactics, politics and personal grudges, can best be understood by taking a closer look at the man and the institution around which the conflict has raged.

**After rats, anatomy.** When Albert Coombs Barnes was born in 1872 the closest relationship to wealth his family could claim was the fact that his father once worked as a butcher in a slaughterhouse with young P. A. B. Widener, who later founded the great Widener trolley-line fortune. Actually, it was one of the few times his father worked, for he had lost his arm in the Civil War and jobs for one-armed butchers were hard to find. As a result, Albert Barnes grew up in belly-growling poverty amid the verminous squatter slums of "The Neck," that section of South Philly marshland between the Schuylkill and the Delaware, where he vied in the winter with the rats for the warmest part of the shack. By the time he was 11 he was slogging out of the marshland to work a

MORE



If Dr. Barnes were

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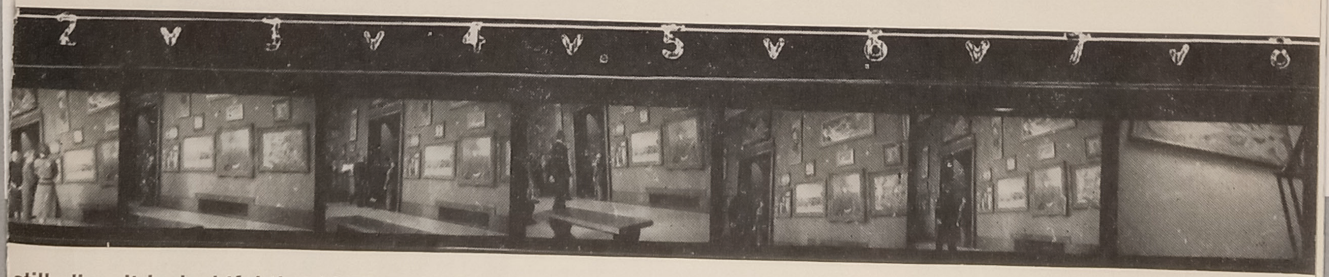
**HELICOPTER'S EYE VIEW** of Barnes Foundation on Latch's Lane in Merion. French Renaissance mansion was designed by Paul Cret.



still alive, it is doubtful that his foes would have dared stir up all the fuss to open the Foundation.

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paper route after school and regularly using his fists to ward off meddlers in his private enterprise system. But living in a squatters' wasteland taught his parents the value of an education and they insisted that their tough son get some schooling. Young Barnes was graduated from Central High School and then enrolled in a three-year medical course at the University of Pennsylvania, paying his way by playing semi-pro baseball and tutoring.

Until that time, Barnes had only a passing interest in art, and even that waned when he showed a few of his paintings to his old high school chum, William ("Butts") Glackens—who later became one of the founders of the "Ashcan School" of modern art—and received nothing but discouragement. After Penn he interned in a local mental institution and then returned to school for further courses in chemistry and philosophy. By 1896 he had saved enough money from playing ball, tutoring and working at odd jobs to go to Berlin and continue his studies. But his money ran out and he was soon heading back here on a tramp steamer, singing Negro spirituals to the captain and the crew in return for a free bunk. Yet he wanted to return to Germany and his studies and it wasn't long before he had once again saved enough to go abroad. He enrolled in a chemistry course at the University of Heidelberg in 1900 and there met a young student named Herman Hille, with whom he decided to go into a research partnership in an attempt to come up with a mild silver nitrate compound. The drug, at that time, was being used for various medical purposes, but its effectiveness was limited by its irritant qualities. A mild version of it would be a boon to fighting everything from cold symptoms to gonorrhea, as well as preventing the disease that was then the greatest cause of infant blindness.

The two continued their research, part of it by correspondence when Barnes later returned to Philadelphia to marry Laura Leggett, daughter of a produce man from Brooklyn. But by 1902 they had found what they were looking for. They called it Argyrol.

**Silver lining.** The Barnes & Hille Company opened in the fall of 1902, its headquarters an eight-room suite of a hotel near 40th and Market, a poor Negro neighborhood in West Philly. It was capitalized at $1600, which Barnes had saved from years of frugal living. With a labor force of a half dozen local citizens, the company started a supply of Argyrol flowing to all parts of the world, boosted by recommendations from leading doctors to whom Barnes had shrewdly sent advance samples and requests for their comments. The first year the company made a profit of $40,000, the second year $100,000. In 1908 Barnes bought out his partner for what he later said was "several hundred thousand dollars" and the firm became the A. C. Barnes Company. Before he was 35, Barnes was a millionaire.

From early in his college days, Barnes had been interested in psychology and philosophy, but it wasn't until he was faced with the employee relations problems resulting from his hiring unskilled and uneducated Negro laborers who were more often reporting to magistrates court than they were to work, that he thought of scientifically applying the principles of these subjects to everyday situations. This, in turn, resulted in an interest in the various theories of education and an attempt to apply them to practical use. The employees of the A. C. Barnes Company soon found themselves listening to lectures and scientific and philosophical discussions, in language plain enough for the most ignorant of them to grasp, every day from 12:30 to 2:30. From these the employees were made to understand such things as the fact that Johnny, a part-time boxer who worked for the company, had lost his last fight because he didn't effectively apply William James's principles of psychology, and that Jake regularly beat his wife because he was a sadist and she was a masochist.

**Pitchers to pictures.** As Barnes became rich he began

MORE

**Barnes became interested in education when he discovered that unskilled workers at his Argyrol company were continuously getting into trouble with the law.**



**LONG LINES QUEUE UP** outside Foundation gates at Latch's Lane in Merion. Two hundred visitors are admitted Friday and Saturday mornings at 9:30. Standees have either made telephone reservations (MOhawk 7-0290) or will be admitted on first-come, first-in basis. Quota of visitors is seldom filled. "Police" on opposite page are part of force of Pinkerton guards retained to protect the collection. They stand in every room. Their hire costs Foundation over $8000 monthly.

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**Barnes came to despise the I-don't-know-anything-about-art-but-I-know-what-I-like school, insisted**

to dabble in the pursuits of the wealthy, from fox hunting to art collecting to painting. But, above all, Barnes was honest with himself and he soon recognized his own affectations. He dropped fox hunting for trips to Shibe Park to watch Connie Mack's Athletics, he re-examined his attempts at painting and burned the whole lot, he conceded that his art collection of Barbizon beauties lacked quality and called on his old friend William Glackens to teach him the fundamentals of art appreciation. Glackens introduced him to the new wave of French modernists who were just beginning to stir the underworld of art with their post-impressionistic renditions of life in the raw. In 1912 Barnes gave Glackens $20,000, told him to go to Paris and buy what he thought was worthwhile.

Barnes later admitted that he first didn't quite appreciate the Renoir, Van Gogh, Gauguin, Monet and Cézanne paintings that Glackens brought back, but he lived with them for a while and was soon caught up with the fire and spirit that emanated through them from their creators. It wasn't long before he was gulping down every book on art and aesthetics he could get his hands on, taking regular buying trips to Paris, hobnobbing with the dealers, painters and leaders of the modern movement—including Leo and Gertrude Stein, the dealers Paul Guillaume and Ambroise Vollard, sculptor Jacques Lipchitz and artists such as Modigliani, Pascin and Soutine—and day after day studying the major works in museums and galleries throughout Europe.

From this intense interest and years of study and discussion, Barnes derived a scientific system of art appreciation on what he termed an objective basis. He came to despise the

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**HIDDEN CAMERA'S-EYE VIEW** of Barnes Foundation. Over a thousand French impressionist paintings by greatest artists of period cram the walls. Collection's current value has been estimated at $100 million if sold at one swoop. If sold over a period so art market would not become depressed, they would probably fetch a half billion dollars. Antique furniture, sculpture and objets d'art round out collection.







**paintings could be studied on a scientific basis.**

"Oh, how beautiful!" and the "Isn't that lovely!" schools and felt that art should not be examined subjectively or with the purpose of searching for a common experience that might exist between the viewer and the painter. As he later pointed out in his book, *The Art in Painting*, he felt that true appreciation must be developed methodically, based on scientific understanding of the meaning of art and its relation to human nature. He wrote: "The artist illuminates the objective world for us, exactly as does the scientist, different as the terms are in which he envisages it; art is as little plaything, a matter of caprice or uncontrolled subjectivity, as is physics or chemistry."

Crediting the basis of his approach to the philosophy of his long-time friend John Dewey, Barnes said that the funda-

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## Barnes Foundation

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mental intent of a painter, regardless of historical period, could best be grasped by a careful study and analysis of his use of the basic elements of his craft: Color, light, line and space. This method, Barnes contended, eliminated "biographic, anecdotal and subjective emotional irrelevancies."

**Collection fever.** With this reasoned theory under his belt, Barnes now began touring the dealers and galleries of Europe with feverish purpose, snatching up painting after painting regardless of the name or prominence of the painter. He was one of the earliest discoverers of a ragged Italian Jew who regularly roamed the streets of Paris drunk or drug-crazed in search of buyers for his paintings. Today Barnes's Modiglianis are worth thousands of times the few dollars he paid for them. Another of his finds was Soutine, from whom he bought dozens of paintings, for none of which he paid more than $50. Barnes drove a hard bargain and took advantage of every opportunity for a good buy. (Later, in the early '30's, for instance, when the depression found many dealers and collectors in debt, Barnes was one of the few with money—he had sold out his Argyrol formula for an estimated $6 million cash in 1929, not long before the discovery of the antibiotics which were to largely replace it—and he fully exploited his position. He got for $70,000 Cézanne's monumental *Bathers*, for which dealer Vollard had previously been demanding $200,000. He picked up Cézanne's famous *Boy with the Skull* and Renoir's portrait of Mlle. Jeanne Durant-Ruel at the bargain price of $50,000 a piece.)

Even before the '20's came roaring in, however, Barnes had built himself quite a formidable collection of modern art, almost all of it daring, intense, exhilarating and quite different from the saccharine landscapes that were then so popular with the monied gentry of the day. But as Barnes's theory on art appreciation implies, he considered the paintings merely media—like books—through which the creative artist relates his insights of human nature, character and behavior and, as such, they should to be studied on a scientific, systematic basis. He therefore saw in his burgeoning collection not only an opportunity to put this theory into practice but also to relate it to the educational principles of William James and John Dewey on which a large part of it is based. This idea was the germinal beginning of the Barnes Foundation.

Plans called for the Foundation to be a tuition-free, nonprofit institution built on Barnes's theory of art appreciation. (Perhaps its specific emphasis is best described in a small pamphlet issued by the Foundation: "Appreciation of works of art requires organized effort and systematic study, on the same principle that it requires effort and study to become a lawyer, an engineer or a physician. Art appreciation can no more be absorbed by aimless wandering in galleries than can surgery be learned by casual visits to a hospital.") But Barnes stipulated in the charter (which was drawn up by his old friend and later U. S. Supreme Court justice Owen J. Roberts) that, in addition to access to the collection by the students, the general public would be allowed in the gallery, during the lifetime of Dr. and Mrs. Barnes, not more than two days a week and only by cards of admis-

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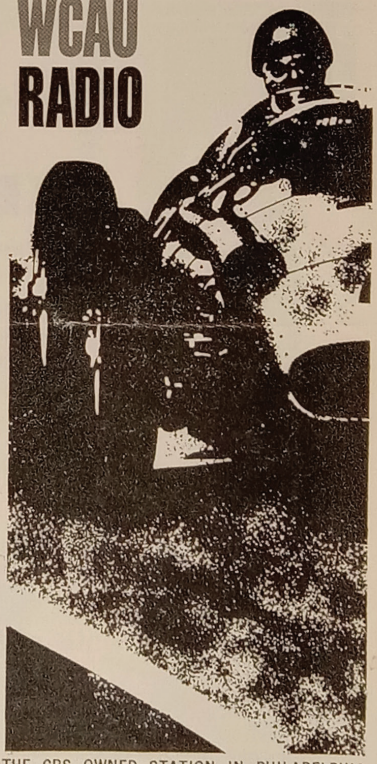

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## Barnes Foundation

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sion from the trustees. However, before it was to open its gallery, there occurred in 1923 an event which shaped the course of the Foundation's history.

**The attack begins.** By the early '20's, Barnes's collection was already beginning to achieve a bit of local notoriety for, even though the public had never seen it, it had heard of the bold and daring impressionists, post-impressionists and fauvists represented in Barnes's gallery. So when Barnes accepted the invitation of the Pennsylvania Academy of the Fine Arts to put on exhibit a portion of his collection, the art world prepared itself. Forbes Watson, editor of *The Arts* magazine, tried to forewarn by publishing an advance preview of the exhibit. "Many of these paintings," he wrote, "are of a sort that are not generally taken for granted by the large public. The fact that many people are likely to be nonplussed, on their first introduction to this collection, only shows how much we need such a museum as the proposed one at Merion. . . ."

The art world might as well have been asleep. The exhibit hit the public with the impact of a runaway train. The critics, especially, were shocked. The *Inquirer's* C. H. Bronte referred to Soutine's landscapes as "seemingly incomprehensible masses of paint," and to some of the figure studies as "pictures of alleged human beings." The *Public Ledger's* Edith Powell said: "To us, Soutine represents the falling to pieces of old concepts. . . . The question is, are we willing to look at the world with his eyes. . . . even if it seems to us diseased and degenerate? Is it a good thing to visit morgues, insane asylums and jails?" The *North American's* Dorothy Grafly (now with the *Bulletin*) declared that not only did the modernists lack "sublety, delicacy, or finesse," but that they were also "unclean." Said she: "It is as if the room were infested with some infectious scourge!"

Not only did the critics wail, but the general public was equally outraged. A group of doctors and psychologists was, in fact, quite vocal in its objections: "The artists who painted such things," one of the doctors publicly declared, "were either crazy or moral degenerates. The works represent ghastly lesions of the mind and of the body. . . . The work of insane persons who lean toward art are far superior to the alleged works of art I saw at the exhibition."

**Counterattack.** Barnes fumed. He raged. He threw wild tantrums and threatened to drive the critics out of town. And then he struck back. He scribbled a hasty note to Miss Powell explicitly describing how he thought she should have sexual relations with the

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**RENOIRS AND CEZANNES**
Amid the moderns, an array of ancient appointments.

iceman if she wanted to become a *real* art critic (the note obviously unnerved her and she later asked a friend, "Do you think there's something in the ice man idea?" and took off for a long stay in Paris). Barnes then vented his anger at the doctors and psychologists: "Who, pray, has ever heard of them?" he asked. "I have one of the most complete libraries in this country on normal and abnormal psychology and nowhere can I find any of their names recorded. If any of them will qualify, say, at the next meeting of the American Psychological Society, as grounded in the fundamentals of psychology or esthetics, I shall give to the city of Philadelphia my entire collection of paintings and a suitable gallery to house them."

While Barnes was greatly outraged at the criticism that was spat at his collection, he still decided to go ahead with plans for establishing the Foundation, for he felt there were a few common folks who would welcome a chance to obtain some real artistic knowledge. But the reception accorded the exhibition of his paintings convinced him, he said, that the general run of art patrons were snobs. The Foundation's students, of course, would still make use of the gallery. The rest of the public could—to put it in milder terms than he would have used—go to hell.

**Letter perfect.** While Barnes had given the trustees power to issue cards of admission to the public to see the paintings, control of the Foundation was still in his hands for, besides himself and his wife, almost all the other trustees were his former loyal employees (including one woman, Nelle Mullen, who began with the A. C. Barnes Company sealing envelopes at $11 a week and was moved up to a $15,000 a year job managing the firm). The public history of the Barnes Foundation since it opened has not come to be measured by its true attainments—the success it has had in spreading a knowledge of the appreciation of art, in furthering careers and immeasurably enriching hundreds of lives—but in the colorful tales that have resulted from Barnes's paternalistic control of the Foundation and the eccentricities he exhibited in publicizing that control.

Barnes despised dilettantism and affectation, which he assumed (or their reactions to the early public exhibit of his works led him to assume) were most associated with persons of inherited wealth, high social standing or public celebrity. To these he reacted with a biting maliciousness that was often tempered with a touch of sardonic humor. When auto magnate Walter P. Chrysler Jr., for instance, no mean art collector himself, wrote for permission to view "the magnificent group of pictures you have collected," Barnes—masquerading as "Peter Kelley, Secretary"—replied: "It is impossible at this time for me to show Dr. Barnes your letter . . . because he gave strict orders that he is not to be disturbed during his present strenuous efforts to break the world's record for goldfish swallowing."

Another incident concerned Barnes's run in with the noted author and actor Alexander Woollcott, a fine dispenser of cyanide and syrup himself. Woollcott had come to Philadelphia as an actor in *The Man Who Came to Dinner* and, having rented a town house on Rittenhouse Square for the three week stay of the play, he dispatched a collect telegram to Barnes asking to see the paintings. This was the reply he received:

"I was alone in the house this morning when a telegraph office employee telephoned that she had a telegram for Dr. Barnes, charges collect. I explained that our financial condition made it impossible for us to assume the additional responsibility and I declined to

Continued on next page




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## Barnes Foundation

Continued from preceding page

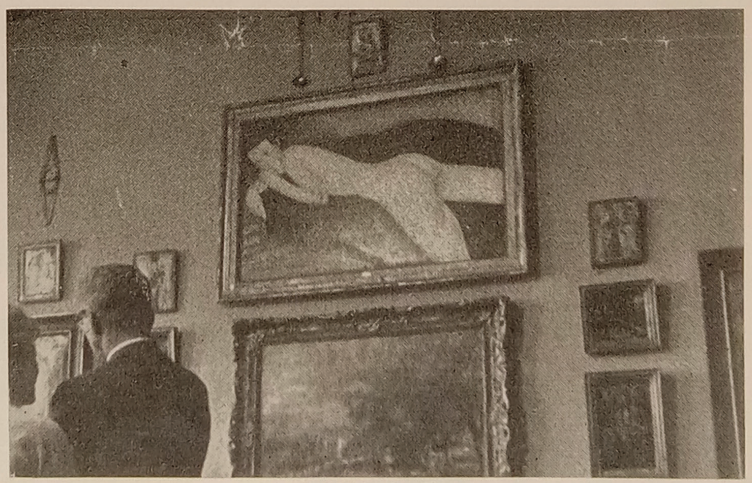
accept the telegram. She explained that it was from such an important man that I should call Dr. Barnes to the phone to take the message. . . . My reply was that Dr. Barnes was out on the lawn singing to the birds and that it would cost me my job if I should disturb him at his regular Sunday morning nature worship. The telegraph office girl is evidently a person either very sympathetic to my lowly station or an individual who knows that to thwart a man of your eminence would be flagrant *lese majeste*, for she read the telegram to me. I write you thus, frankly, so that you will understand the dilemma I was in, and in the hope that you will forgive my not knowing what a distinguished person you are."

The letter was signed "Fidèle de Port-Manech, Secrétaire de Dr. Barnes." Woollcott could hardly have been expected to recognize the name. It belonged to Barnes's dog.

At another time, a titled European lady was visiting the United States and, having heard of the famous collection in Merion, wrote Dr. Barnes as soon as she got off the boat asking if she could stop by on her trip across the country and steal a peek at the paintings. Barnes's reply was very gracious. He said it saddened him to be obliged to tell Her Highness that on the very day she had requested to be admitted to the gallery an important charity affair was scheduled on the premises. The affair was to be an art exhibit of a somewhat different sort, he said, but he hesitated to explain the details. Oh well, he said, if Her Highness must know, it was to be a striptease contest for debutants. He was distressed, of course, that he could not invite Her Highness to this event, but "out of consideration for the intrinsic modesty of the debs, it has been decided to limit the guests to the boyfriends of the contestants."

**Echo from Bastogne.** Sometimes it was quite obvious that the more obscure the applicant the better chance of being allowed to visit the gallery. (An honor student at Swarthmore College had three times been turned down in his requests for admission, and it was only after he had transformed himself into an "illiterate young steelworker" from Pittsburgh who had put together enough words to compose a letter that permission was granted. Thus author James A. Michener toured the gallery in dirty coveralls and sweatshirt.) At other times it was quite difficult to figure out the criteria Barnes applied in granting admission. Often, it would seem, he used his replies merely as opportunities to pull off a timely witticism. (Soon after General Anthony MacAuliffe issued his famous answer to the German demands for surrender, an applicant to the gallery got a similar one-word reply from Barnes: "Nuts.") Still, there were many noted personages he knew quite well and was on friendly terms with, whom he would permit to view the paintings anytime they desired. Included among these were Albert Einstein, Thomas Mann, William C. Bullitt, Roger Fry, Charles Laughton and Edward G. Robinson.

At any rate, as the Foundation grew, the gallery was more and more being occupied by the people it was designed primarily to serve—the students who had come to get an understanding of art appreciation. And since the Foundation had the supreme advantage in its material for study—first-rate originals instead of reproductions—over most universities and art schools, it drew applicants by the flock. (Not only was tuition free, but Dr. Barnes often provided for outstanding students an



**A BARNES MODIGLIANI**
In the streets of Paris, a drunken encounter.

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expense-paid summer of study in Europe. "I like to help them that helps themselves," he once said. "That's the only thing I have in common with God.")

**Muddying the waters.** Yet, despite all the incidents relating to Barnes's rejections of requests to view the paintings, (and the insinuations that have been made down through the years regarding the distorted personality factors behind the refusals) Barnes himself actually stated in the by-laws of the Foundation the real reasons for the necessity of maintaining admission restrictions: These restrictions, says the Foundation's charter, were imposed because the art gallery was founded "as an educational experiment under the principles of modern psychology as applied to education, and it is the Donor's desire during his lifetime, and that of his wife, to perfect the plan so that it shall be operative for the spread of the principles of democracy and education after the death of Donor and his wife."

Barnes, in other words, wanted to give his theories on art education a chance to work, and he felt that effective study classes couldn't be conducted with visitors tramping through the galleries.

During his lifetime, no one challenged this contention in the courts. Moreover, the Foundation's position as a tax-exempt educational institution was fortified in 1933 when the Philadelphia tax collector tried to collect property tax on a building the Foundation had bought at 45th and Spruce to use as an administrative office. Barnes appealed for exemption and when his claim was disallowed he took the case to court. The State Supreme Court held that even though a subsidiary operation was not adjacent to the headquarters of a "charitable institution" it was still tax exempt; that the foundation—as an educational institution—was a purely public charity; and that tax-exempt "charities" had the right to maintain reasonable regulations for public admission. (The fact that the court termed the nonprofit Barnes Foundation a "charitable institution" was significant at the time because art galleries were not then tax-exempt, but educational institutions were.)*

It would surely seem that such a specifically worded decision regarding the right of tax-exempt institutions to maintain regulations for public admission would have settled the question forever. It has not. It has irrelevantly risen in almost every legal and editorial foray that has been waged against the Foundation since the death of Barnes.

**Post mortem attack.** Why since the death of Barnes? The Foundation was in operation, with its policy of regulating public admission, for nearly three decades before the demise of its founder. Why hadn't some irate citizen who had been refused admission to the gallery brought his claim to court prior? Why hadn't an affluent standard-bearer grabbed up the banner of wounded pride and in the guise of a public benefactor challenged the fiery Barnes when he was alive? The answer emerges partially in a study of the legal battles that have followed the Main Line millionaire to his grave.

The tangled wreckage of the ill-fated Cadillac had hardly been scraped from the highway when the Barnes Foundation found itself facing a taxpayer's suit seeking to force it to open its art collection to the public. The suit was ostensibly brought by a grieving art lover, Cynwyd resident Harold Wiegand. It contended that since the Foundation had been operating tax free since it started, it must be opened to the public. At the same time, in what might have seemed to some a splendid display of sticking up for the little man, the *Inquirer* began an intense editorial campaign backing the contention of the lone art lover. Why, it indignantly asked, should not the public be allowed to look at the paintings it had helped maintain by allowing the Foundation its tax-free status? Why must it be subject to the slings and arrows of outrageous rejection? (The *Inquirer* carefully neglected to mention that property taxes would have only run about $8000 a year, rather insignificant considering that Barnes endowed the Foundation with $6 million—not including the paintings—and contributed about $450,000 to it each year. Still, every dollar not paid for taxes meant that the Foundation could fulfill its educational function that much more.) Actually, the *Inquirer's* taking up of Wiegand's cause was a case of journalistic incest, for Wiegand himself was the newspaper's star editorial writer. "It was obvious that Wiegand was just a front," says a former top *Inquirer* editor. "Wiegand really didn't give a damn about art or the Barnes Foundation."

At any rate, the case finally reached the State Supreme Court, which agreed with the ruling of the lower bench that the courts had no right to interfere with the charter-conferred discretionary power of the trustees in permitting admissions unless they were guilty of bad faith. Moreover, the Court held that Wiegand had no right to bring the question up at all, since he was not connected in any way with the Foundation, and suggested that the case should have been dismissed in the lower courts.

Although the *Inquirer* lost the first

Continued on next page

* Fifteen years after the decision in the Barnes Foundation tax exemption case, The Supreme Court of Pennsylvania went out of its way to describe the Foundation as "an example of a *school* which is clearly entitled to a tax exemption."

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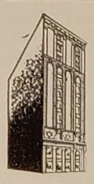

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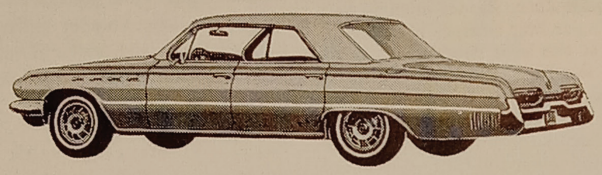

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## Barnes Foundation

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round in its battle to open the gallery, it did manage to plant the seeds of certain unfounded allegations that were to have a significant effect on its future anti-Barnes campaigns. Gilbert Cantor, an astute young Philadelphia attorney who has made a searching study of the Barnes Foundation and has written a not yet published book on the legal wars waged against it, points out that the wording of the complaint brought by Wiegand was ruthlessly designed to raise a question of racial and religious discrimination on the part of the Foundation. The complaint stated, says Cantor, that the purposes of the Foundation were being defeated for various reasons, including the admission of students on the basis of Dr. Barnes's "personal and eccentric likes," whereas the Foundation was "purporting to be operated as an educational institution, the admission to which is theoretically granted without regard to race, color or creed." Cantor claims that the implications were unfair and defamatory but the *Inquirer* backed them up by printing the complaint and giving it prominent news coverage. The ruse apparently worked in that liberal elements of the community, who might have later come to the aid of the Barnes Foundation in its lone battle against the Commonwealth, were alienated at the start, and the Foundation got little or no support from those who might have been most able to help.

**Commonwealth allies.** After the Supreme Court threw out the Wiegand case, the *Inquirer* placated itself over the next few years by running an occasional editorial wailing about the public's loss in not being admitted to the greatest collection of modern art in the world. Actually, after the death of Barnes, although it was still difficult to see the collection on short notice, Violette de Mazia, Barnes's former collaborator and a trustee of the Foundation, was said to have given admission cards more or less routinely to any reasonably interested applicant, but the *Inquirer* persisted in its campaign and, in 1958, found in Deputy Attorney General Lois Forer, who then served under Thomas McBride, a willing collaborator.

The earlier ruling had implied that since an ordinary citizen had no right to bring suit against the Foundation, any complaints against it should come from the State, which obviously has the right to look into the operations of public charities. The Attorney General's office therefore filed a petition in Montgomery County Orphans Court calling upon the Barnes Foundation to show cause why it should not open its gallery to the public in accordance with the

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provisions that Barnes himself had stipulated in the charter. The Foundation filed an objection to the petition claiming that it had not specified "in what manner or to what extent or by what improper acts . . . any members of the public have been denied access." The Attorney General countered that he couldn't very well supply that information if the Foundation wouldn't give it to him. He requested that the court direct the Foundation to produce its books and records. At this point, Montco Orphans Court judge Alfred Taxis, who was hearing the case, went through a number of perplexing legal revolutions. First he complied with the Attorney General's request and ordered the Foundation to produce its books. Then the Foundation followed with a motion to vacate the order and he allowed that too, but he later changed his mind, overruled the preliminary objections and required the Foundation to comply with the order within 20 days. That was on January 21st, 1959. But the Foundation petitioned for a reargument and Taxis allowed that too. Then, finally, the judge reached a definitive decision: He rescinded his decision to overrule the Foundation's preliminary objections. By that time—



May 7th, 1959—the Commonwealth had a new Attorney General, Anne X. Alpern, and she appealed the case to the Supreme Court.

While the specific case before the Supreme Court concerned itself mainly with the question of whether or not the Attorney General could order the Barnes Foundation to produce its books and records in order to ascertain whether it was administering the trust in accordance with the provisions of the charter, the *Inquirer* repeatedly and persistently kept bringing up the irrelevant and legally invalid point that the Foundation was a tax-exempt institution and should therefore be open to the public. Certainly it was aided in this campaign to cloud the issue by Attorney General Alpern and her assistant, Lois Forer, who handled the case, by their oblique references to the point in their court and public comments. It was this very factor that might have influenced the ruling of the State Supreme Court.

**From the bench.** At any rate Justice Michael Musmanno, who wrote the decision to which the Foundation's final capitulation can be attributed, seemed all too willing to take up the cause, go beyond the legal issues before the court, and harp on the same point: "Although the Barnes Foundation had been judicially recognized as an institution of public charity and therefore enjoys exemption from taxation, the public as such has been denied access to the gallery," he wrote. Actually, the Attorney General's case was based on the language that Barnes had used in drawing up the Foundation's charter (". . the gallery should be open to the public on not more than two days in each week . . . and only upon cards of admission issued by or under the . . . trustees"). It had nothing to do with tax exemption. Legally, the case would have been the same if the Foundation had not owned real estate or had voluntarily paid tax on it.

Blatantly disregarding these points, Musmanno, who has always had a flair for the dramatic, chose instead to wax eloquent: "A painting has no value except the pleasure it imparts to the person who views it," he wrote. "A work of art entombed beyond every conceivable hope of exhumation would be as valueless as one completely consumed by fire. Thus, if the paintings here involved may not be seen, they may as well not exist. . . . If the Barnes art gallery is to be open only to a selected restricted few, it is not a public institution, and if it is not a public institution, the Foundation is not entitled to tax exemption as a public charity. This proposition is incontestable."

This was an embarrassingly flagrant display of cockeyed reasoning. The paintings in the gallery could indeed be seen and were seen—in fact, painstakingly studied—every day by the students of the Foundation. And the Foundation—the Supreme Court itself had long ago decided—was tax exempt not because it was a public institution, *per se*, but because it was an educational institution. *In fact, it had specifically stated that "the unrestricted admission of the public would be as detrimental to the work of the Barnes Foundation as it would be to the work carried on in the laboratories and clinics of the University of Pennsylvania."*

The Supreme Court ruled that "the Attorney General has the power to inquire into the functioning of a public charity and to determine whether the purposes for which it was created are being carried out," and on that basis sent the case back to the lower court. But the wild distortions and extraneous assumptions that Musmanno had worked into the written decision hit the Foundation below the belt. Harassed by the constant spray of editorial fire from the *Inquirer* and unexpectedly clobbered in the Supreme Court, the Foundation bowed and agreed to come to terms out of court. The gallery would be opened two days a week to the public, with a limit of 200 visitors permitted each day.

**Decision fallout.** Even after the

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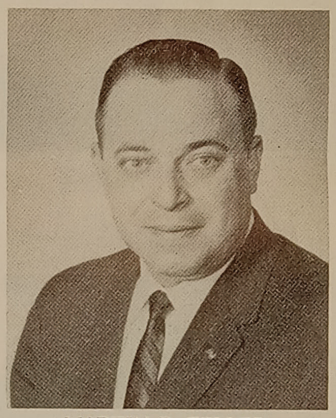

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## Barnes Foundation

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agreement, however, the *Inquirer* kept up a barrage of petty complaints, including contentions that unless the main gate on Latch's Lane were open, visitors would have a circuitous route to travel before reaching the museum through the Lapsley Road gate, and that the Foundation was stalling in having an outdoor fire escape put in and thereby deliberately delaying the opening. In addition, the *Inquirer* wailed over conditions that the Foundation could do nothing about, i. e.: " . . . the parking dilemma in the vicinity of the estate remains as formidable as ever."

At any rate, on March 19th, 1961, at precisely 9:30 a.m., Attorney General Anne X. Alpern cockily paraded through the massive wrought iron gates of the Barnes estate, presumably ahead of the long line of visitors, some of whom had been waiting in the subfreezing morning since 6:30.

The Republican-partisan *Inquirer* vigorously supported the Democratic Miss Alpern in her bid for a Supreme Court seat last year. She lost anyway.

One month after the gallery was opened to the public, the Barnes Foundation announced that it was being forced to cancel classes for 60 of its first-year students. "With the presence of visitors," it said, "it is impossible to prepare lectures and hold classes without distraction."

Little did the Foundation know that its problems were only beginning. With the horde of eager art lovers came mounting costs of maintenance and protection. Before the first year of operation was over, it found that its expenses would come to an additional $45,000. The Foundation announced that it would have to charge a $2 admission fee. The *Inquirer* blew its editorial stack in a rage of indignation that came close to matching its earlier displays. The Attorney General went to court and got a temporary injunction suspending the fee.

The battle was joined again. The Attorney General's case for a permanent injunction was fought in April. Again, the issue at hand was the narrow one of whether or not the trustees were justified in asking for a $2 admission fee. The Attorney General's office—and the *Inquirer*—early indicated that they were not going to keep the fight within the bounds of its narrow legal jurisdictions. A few days before the battle began, the *Inquirer* began running heated editorials and slanted news stories ("Barnes Wanted 'Plain People' Admitted Free to Art Gallery") as well as "leaked" disclosures about the Pennsylvania Department of Justice's plans to call for a multi-pronged inquiry into the records of the Barnes


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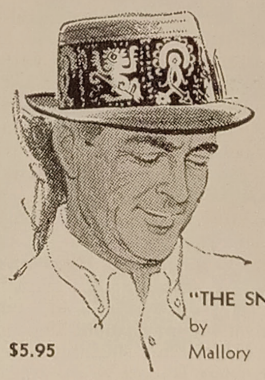

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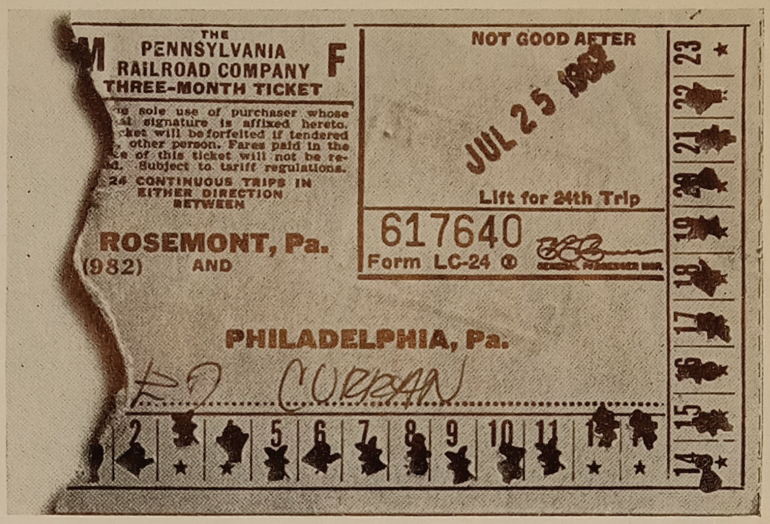
Foundation. But when the case got into court, the Attorney General pulled out all stops. Assistant Lois Forer attacked the Foundation with a vicious, encircling assault. She charged that the Foundation's employees were overpaid. (Barnes himself had established their salaries.) She contended that the trustees were not managing the gallery properly and not exercising proper discretion in discharging their duties. She brought in art experts from the University of Pennsylvania (which after a brief try rejected Barnes's offer to sponsor classes on modern art in conjunction with the use of his gallery) to contend that a few of the paintings (all among the handful of old masters) were forgeries. The testimony stained the reputation of the Foundation, and the Foundation could not refute it or reply because the Judge properly declared it irrelevant to the proceeding. She even charged that the Foundation's telephone bills were too high. And through it all, the *Inquirer* supported her with screaming headlines and indignant amen editorials.

**Preparing a coup.** What the State—with the prodding of the *Inquirer*—is trying to do is now quite clear. It is attempting to lay the groundwork for a coup, a brash power move to oust the trustees of the Foundation. Perhaps even before this is published the Attorney General's office will file a court petition for their removal. If this happens, it is obvious that the original design and purpose of the Foundation as established by Barnes will be in total jeopardy. That is the most unfortunate aspect of the whole mess. Some charge that these blind self-interested opponents of Barnes have failed to understand that the Foundation's greatest contribution is not in its collection, but in the opportunity it provides, through proper cultivation of interest and intelligent guidance, to gain a broadened personal horizon and better insight into the lasting values on which the world of art—and life—are built.

Unfortunately, it is not only the blind who cannot see. Until now, with distressingly rare exception, the most important elements of the community—the civic and political leaders, the more discerning scholars, the discriminating intellectuals, the responsible press and, in general, all the intelligent individuals who should care about such things—have stood torpidly by watching while the Foundation has suffered attack after attack, and the State—prodded by political motives—wantonly destroys an educational experiment, a valuable fountainhead of culture and endowed property rights. But—and this is what they have not yet realized—if the death knell sounds, the loss will be far more than the Foundation's alone. ■ ■

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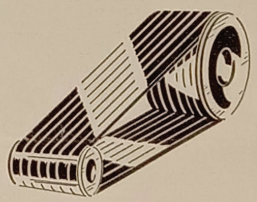

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Barnes Foundation
Merion, Pennsylvania

| Barnes no. | MATISSE |
|---|---|
| 358 | Houses at Fenouillet. 1898. Oil, 9 1/4 x 13 3/4" |
| 133 | Small Jar. 1898. Oil, 5 1/2 x 7 1/2" |
| 64 | Still Life with Melon (Collioure). 1905. Oil, 26 x 32" |
| 84 | Standing Figure. 1905. Oil, 12 3/4 x 7 1/2" |
| 212 | Seated Nude. 1906. Oil, 13 x 16" |
| 73 | Landscape (Collioure). 1906. Oil, 15 x 18" |
| 35 | Color scheme for Joy of Life. 1906. _____, 4 3/4 x 7 1/2" |
| 719 | Joy of Life. 1906-07. Oil, 68 1/2 x 93 3/4" |
| 878 | Madras Headdress and Oranges. (Collioure). 1907. Oil, 13 x 16" |
| 185 | Blue Still Life. 1907. Oil, 35 x 45 3/4" |
| 899 | Boy with Butterfly Net. 1907. Oil, 70 x 45 1/4" |
| 448 | Red Madras Headdress. 1908. Oil, 39 1/4 x 31 3/4" |
| 205 | Flowers in Pitcher. 1908. Oil, 21 1/2 x 18" |
| 569 | Goldfish. 1912. Oil, 46 x 39 3/4" |
| 313 | Still Life with Bust. 1912. Oil, 39 1/2 x 31 3/4" |
| 264 | Riffian. 1913. Oil, 79 x 62 3/4" |
| 717 | Music Lesson. 1916. Oil, 96 x 82 1/2" |
| 460 | Still Life with Lemon. 1916. Oil, 10 1/4 x 13 1/4" |
| 363 | Three Sisters with Negro Sculpture. 1916-17. Oil, 77 x 38" |
| 888 | Three Sisters, and Gray Background. 1916-17. Oil, 77 x 38" |
| 25 | Three Sisters with Pink Marble Table. 1916-17. Oil, 77 x 38" |
| 880 | Seated Nude in Tan Room. 1917. Oil, 16 x 13" |
| 905 | Head of Girl. 1917. Oil, 13 3/4 x 10 1/2" |
| 882 | Girl in Black on Balcony. 1917. Oil, 16 x 13" |
| 196 | Blue Villa. 1917. Oil, 13 x 16" |
| 881 | Red Rug. 1918. Oil, 18 x 15" |
| 548 | Flowers in Glass Vase. 1919. Oil, 24 x 18" |
| 897 | French Window at Nice. 1919. Oil, 51 1/4 x 35" |
| 879 | Girl and Screen. 1919. Oil, 13 x 16" |

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Barnes no. **Matisse**

892 Red Couch. 1919. Oil, 13 3/4 x 22"

204 Reclining Figure in Landscape. 1919. Oil, 12 1/4 x 16"
914 Striped Gown. 1919. Oil, 13 x 21 5/8"
394 Woman at Dressing Table. 1919. Oil, 28 1/2 x 23 1/4"
904 Beach at Etretat, 1920. Oil, 13 x 16"
549 Interior with Seated Figure. 1920. Oil, 18 x 15"

184 Standing Nude near Window. 1920. Oil, 18 x 15"

891 Green Dress. 1920. Oil, 16 1/4 x 13 1/8"

195 Odalisque. 1920. Oil, 22 x 26"

894 Etretat, the Sea. 1921. Oil, 15 3/8 x 17 7/8"

893 Two Figures Reclining in Landscape. 1921. Oil, 15 x 18 3/8"

889 Domino Players. 1921-22. Oil, 23 1/4 x 28 1/2"
915 Woman in an Interior at Nice. 1921-22. Oil, 25 1/2 x 20 7/8"
890 Moorish Woman. 1922. Oil, 18 1/4 x 15"
913 Confidences. 1922. Oil, 21 5/8 x 18 1/8"
199 Reclining Nude. 1922. Oil, 23 1/4 x 36"
898 Repose. 1923. Oil, 10 3/4 x 18 1/2"

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Barnes Foundation
Merion, Pennsylvania

Barnes no. MATISSE

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Matisse

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To AHB - 608 - Swiss Cott

Date 13 May 68 Time 11:30 A.M. P.M.

WHILE YOU WERE OUT

M Peter Bunnell

of

Phone

| | | | |
|---|---|---|---|
| TELEPHONED | ✓ | PLEASE CALL | |
| CALLED TO SEE YOU | | WILL CALL AGAIN | |
| WANTS TO SEE YOU | | URGENT | |
| | RETURNED YOUR CALL | | |

Message a date has been set for 21 May between 3:30 and 4:00 to meet with Barbara Morgan. I know you aren't supposed to be here then, but there seems to be no other alternate date. If this is impossible for you, Peter says that it can be set for the fall

Operator

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F MODERN ART

Date January 20, 1961

Re: suggestion from a member

a Museum member, Mr. Mark Sloane,

bus trip for members to the
Abe Chanin as the docent. He
thirty people interested and
of a bus. I thanked him for
members of the staff know
ed we would get in touch with him.

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# THE MUSEUM OF MODERN ART

Mrs. Woodruff
Mr. d'Harnoncourt
Mr. Geis
Mr. Barr ✓
Mr. Koch
**To:** Mr. Chanin

**Date** January 20, 1961

**Re:** suggestion from a member

**From:**
Alicia Legg

Today I received a telephone call from a Museum member, Mr. Mark Sloane, Ridge Street, New York 2.

He suggests that the Museum organize a bus trip for members to the Barnes Foundation in Merion, Pa., with Abe Chanin as the docent. He is certain that there would be at least thirty people interested and willing to contribute towards the cost of a bus. I thanked him for this idea and told him that I would let members of the staff know about it and that if it could be arranged we would get in touch with him.

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13 January 1961

Dear Miss Lawrence,

Thank you very much indeed for the Barnes clippings. We had seen this story, but did not have copies for our Barnes folder.

I hope the ruling eases the problems of class visits, but I suppose it means that you will have to get a very early train to be in line as the building opens. We have had a flurry of telephone calls from the public, asking information as to how to write the Foundation, when it opened, etc.

Thank you again.

Sincerely yours,

Secretary to Mr. Barr

Miss Marian Lawrence
Department of Fine Arts
Barnard College
New York 27, New York

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December 5, 1960

Dear Miss Alpern:

Mr. Alfred H. Barr, Jr. has asked me to send you material from our files on the Barnes Foundation, Merion, and suggest to you possible avenues of enquiry. I am enclosing herewith machine copies of correspondence between Mr. Barr and the Foundation and Mr. Soby and the Foundation. The originals of these letters from the Barnes Foundation were in both instances turned over to Mr. Howard E. Kohn of Dilworth, Paxson, Kalish & Green, 2635 Fidelity-Philadelphia Trust Building, Philadelphia 9. This and other material were collected by the firm at the time of the Annenburg-Philadelphia Enquirer suit against the Barnes Foundation in 1953 (see copy of New York Times clipping attached). I hope that you will have access to the material used at that time.

I list below some individuals who might have evidence for the case, together with notes about them:

Mr. James Thrall Soby
Brushy Ridge Road
New Canaan, Connecticut

Mr. Barr thinks Mr. Soby might be willing to testify. See both the attached copies of correspondence and his article in the Saturday Review, April 5, 1952 (copy attached).

Dr. Alfred Frankfurter
ART NEWS Magazine
32 East 57th Street
New York, New York

Again Mr. Barr feels that Dr. Frankfurter might be willing and able to testify. In any event, may we refer you to the two editorials which appear in ART NEWS, March 1952, page 15 and May 1952, page 15. See also letters to the editor which appear in the May 1952 ART NEWS, page 10, the Summer issue, page 6, the September issue, page 6. Among scholars included there who write that they have been excluded are:

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Daniel Catton Rich (now Director of the Worcester Museum, Massachusetts)
John Rewald, 67 Park Avenue, New York 16, New York, a distinguished scholar and author
William L. McKim, 322 Eden Road, Palm Beach, Florida, a collector and then President of the Four Arts Club, Palm Beach
Charles P. Parkhurst, Director of the Museum and Professor and Chairman of the Department of Art History, Oberlin College
Professor Earl Loran, Chairman of the Department at the University of California at Berkeley who had been admitted as a student was refused admission after his Cezanne book was published

Letters are included from:

H. W. Janson, Chairman of the Department of Art History, New York University
John I. H. Baur, now of the Whitney Museum of American Art

and a telegram from:

S. Lane Faison, Jr., Chairman, Art Department, Williams College, Williamstown, Massachusetts

but none of the latter three specifically mentions that he was personally barred entrance to the Foundation.

Theodore Rousseau, Curator of Paintings
The Metropolitan Museum of Art
Fifth Avenue at 82nd Street
New York 28, New York

We understand from colleagues that at the time of the Metropolitan Museum's International Art Congress, January 1954, such internationally famous scholars as Jonkheer Roell, the Director of the Rijksmuseum, Holland, and Dr. Fierens, Director General of the Belgian Museums, were denied admission to the Barnes Foundation. Mr. Rousseau was in charge of the appointments for the visitors and could give you details on the matter. He could perhaps also tell you what members of the Metropolitan's staff have been excluded in the past.

Professor Craig Smyth
Institute of Fine Arts
New York University
1 East 78th Street
New York, New York

As the head of this highly respected graduate school for the history of art, Dr. Smyth could tell you of instances of exclusion for their students and faculty.

Mr. William Schack
R.F.D. 4
Ridgefield, Connecticut

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published the book, Art and Argyrol, on Dr. Barnes this year. His research might offer you material.

Mr. Dwight MacDonald
The New Yorker Magazine
25 West 43rd Street
New York, New York

assembled some names and documents pertaining to the Barnes Foundation in 1954.

Among other scholars I have heard have been excluded are:

Sir Kenneth Clark, the distinguished ex-director of the London National Gallery (see attached copies of correspondence. You should, however, obtain Sir Kenneth's permission for their use. His address is: Saltwood Castle, Near Hythe, Kent, England.)

Dr. Ingeborg Eichmann, a serious scholar now living in Florence who came to the United States to work on her doctor's thesis on Henri Rousseau. She was refused admission to study the Barnes Rousseaus.

Professor Meyer Schapiro of Columbia University
279 West 4th Street
New York, New York
Mr. Rewald reports to me that Dr. Schapiro was admitted once, but refused admission a second time even with the intervention of Dewey.

Dr. Lionello Venturi is reported to have been turned away with his entire class.

Mr. Andrew C. Ritchie, Director
Yale University Art Gallery
Yale University
New Haven, Connecticut
was refused admission to study the works of Demuth, though he had been granted admission at an earlier date.

Finally, Time Magazine did a piece on Dr. Barnes during lifetime. Their research files might have material of interest.

Sincerely yours,

Marie Alexander
Secretary to Mr. Barr

Miss Anne X. Alpern
Attorney General
The Capitol Building
Harrisburg, Pennsylvania

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cc Liz Shaw

MacDonald

March 18, 1954

Dear Dwight:

Elizabeth Shaw has shown me your letter with the sheaf of correspondence with Miss Helen Brosch.

I have never heard of Helen Brosch. However, she seems to know an awful lot about the Barnes Foundation, considering that she had never known Barnes personally.

Among the scholars I believe were excluded from the Barnes Foundation are Daniel Catton Rich, Director of the Art Institute of Chicago, once when he was working on the Douanier Rousseau, once when he was working on Cézanne; James Thrall Soby, quite recently, to study de Chirico; Sir Kenneth Clark; John Rewald; Dr. Ingeborg Eichmann to study Rousseau; Meyer Shapiro, Erle Loran and Lionello Venturi. Venturi was refused permission to publish photographs of Barnes' Cézannes in his definitive catalog of Cézanne's works; just as John Rewald was refused permission to reproduce Barnes' pictures in his History of Impressionism, a standard work on the subject.

As you know, Barnes not only refused me permission to study Matisse while working on my book, but also refused the Museum permission under threat of legal action to reproduce Matisses in the Barnes Collection. We reproduced them anyway and were prepared to fight any legal action that he might bring.

You have seen the letter which Barnes wrote me when he refused me entrance to his museum and permission to reproduce the Matisses.

You will find a rather angry editorial on Barnes in Art News, May 1952, page 15 and, perhaps more important, a number of letters beginning on page 10.

The refusal of course to admit the public in reasonable numbers and the scholars and critics (who really need professionally to see the collection) on the grounds that the museum is continuously needed for the purposes of the school is palpably absurd.

I haven't the time to check the various debater's points made

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by Miss Brosch. So far as I can make out, the reason for my being excluded was because I had written a review of a book by Barnes some 25 years before in which, after a number of sympathetic and admiring remarks, I questioned his too great emphasis on "plastic values".

I hesitate to make any suggestions about your reply to her, but it would be a great pleasure to me to have exposed "the many and great distortions of the Matisse volume." There is, of course, one mistake pointed out to me by Mrs. Barnes which I was glad to correct in the corrigenda sheet (I had been misled by a member of Matisse' family).

I must say that when I read this long, worshipful letter about Barnes I wonder if she is aware of the character of the letters which Barnes used to write to people who wished to see his collection.

Sincerely,

Alfred H. Barr, Jr.

Mr. Dwight MacDonald
The New Yorker
25 West 43rd Street
New York, New York

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Dr. Frankfurter thinks that Helen Brosch came into the Foundation during the lawsuit and that she is now an alter ego of one of the Miss Mullins.

He thinks that Douglas Cooper was excluded some years ago when last in US

From John Rewald: Meyer Shapiro was once admitted and then, even with the intervention of Dewey, refused admission again.

HE THINKS from conversations during the recent art congress that M. Roell, Director of the Rijksmuseum and Dr. Fierens, Director General of the Belgian Museum, were refused admission (perhaps within the time they had to spend in this country). In any case, they could not see the collection. He suggest that Mr. Rousseaumight know more about the delegates since he made arrangements for them.

He says that Venturi was refused when he arrived with a class.
and reports that since winning the lawsuit things have been much more lenient -
a Phila. Mus. member got in under his own name, though writing on plain stationery from New York.

Earl Loran, Chairman Univ. of Calif at Berkeley in a later letter to Art News reported that he had been admitted as a student, later refused, then admitted, then refused firmly after his Cezanne book was published.

Barnes

Mr. William Schack
R.F.D. 4
Ridgefield,
Connecticut

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17 May 1960

Dear Mr. Schack:

Many thanks indeed for having the Art and Argyrol biography sent to me. I look forward to reading it with real interest and anticipation.

Sincerely,

Alfred H. Barr, Jr.

Mr. William Schack
R.F.D. 4
Ridgefield,
Connecticut

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cc DM

Barnes

24 January 1957

Dear Mr. Schack:

I do not know why Barnes and Quinn had a row. I suspect that Walter Pach does know and suggest you write him (3 Washington Square North). Forbes Watson might know too (Gaylordsville, Connecticut).

Gritchenko and Lagut are really pretty minor. Perdriat had a certain vogue in Paris during the twenties and thirties for rather precious and sexy paintings and drawings. I recall Crowninshield reproduced a number in Vanity Fair. I suppose that all three would be listed in various French dictionaries of artists. Here are the addresses of Picasso, Braque and Zadkine -- Picasso won't answer.

Picasso: Villa Californie
Avenue Costebelle
Cannes (A.-M.)
Braque: 6, rue du Douanier
Paris 14
Zadkine: 100, rue d'Assas
Paris 6 (as of 1950)

Are you completely cut off from the Barnes Foundation? Even if we had them, we could not give you permission to use photographs of paintings in the Barnes collection. We published some of his Matisses in spite of his threats of legal action, but we got the photographs from Willard D. Morgan, who had negatives of almost all Barnes' important pictures, but had, as usual, quarrelled with him. (Morgan's address is High Point Road, Scarsdale, New York.)

Good luck!

Sincerely,

Alfred H. Barr, Jr.

Mr. William Schack
R.F.D. 4
Ridgefield,
Connecticut

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Barnes ?

29 February 1956

312 Byberry Road
Hatboro, Pa.
February 16, 1956

The Museum of Modern Art
Department of Book Sales
11 West 53rd Street
New York 19, N.Y.

Dear Miss Berridge:

Thank you for your letter of February 16th.

he Art in Painting is published
pany. I am sure that your local
for you.

Sincerely,

Alfred H. Barr, Jr.

Beth Berridge

WILLIAM SCHACK
~~106 W. 69TH STREET N.Y.C.~~
RFD 4, Ridgefield, Conn.

Jan. 20, 1957

Dear Mr. Barr:

I am on the last lap of my research for the biography of Albert Barnes I told you some time ago I was working on. I'd appreciate your help in clearing up a few points.

I know that Barnes started a row with John Quinn, from which Quinn withdrew. Do you know what the controversy was about?

In the 1920's Barnes bought some works of Perdriat, Gritchenko and Lagut. Their names do not mean much to me: I don't think they "took" here. Did they achieve any kind of status in Paris?

I would like to make a stab at

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Barnes ?

getting the recollections of Picasso, Braque and Zadkine on Barnes--they all had dealings with him. Do you have their addresses on file?

Finally am I correct that the Museum has a considerable number of photographs of paintings in the Barnes collection? Would I be able to obtain any of these for reproduction in my book?

Sincerely,

William Schack

Mr. Alfred H. Barr, Jr.
Museum of Modern Art
New York City

29 February 1956

312 Byberry Road
Hatboro, Pa.
February 16, 1956

letter of February 16th.

in Painting is published

I am sure that your local

rou.

Sincerely,

Alfred H. Barr, Jr.

Miss Ruth Berridge
312 Byberry Road
Hatboro, Pennsylvania

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Barnes ?

29 February 1956

312 Byberry Road
Hatboro, Pa.
February 16, 1956

The Museum of Modern Art
Department of Book Sales
11 West 53rd Street
New York 19,

Dear Miss Berridge:

Thank you for your letter of February 16th.

Dr. Albert C. Barnes' The Art in Painting is published by Harcourt Brace & Company. I am sure that your local bookshop could order it for you.

Sincerely,

Alfred H. Barr, Jr.

Miss Ruth Berridge
312 Byberry Road
Hatboro, Pennsylvania

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Harcourt Brace & Co.

312 Byberry Road
Hatboro, Pa.
February 16, 1956

The Museum of Modern Art
Department of Book Sales
11 West 53rd Street
New York 19, N.Y.

Dear Sirs:

In a recent letter to me, Mr. Alfred H. Barr, Jr. recommends that I pursue my art studies by first reading The Art in Painting by Dr. Albert C. Barnes.

The local book shop does not seem to handle your publications, and I should therefore be obliged if you would let me know the price of this art book and also whether you allow any discount to art students.

Sincerely yours,

Ruth Berridge

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312 Byberry Road
Hatboro, Pa.
February 16, 1956

Mr. Alfred H. Barr, Jr.
The Museum of Modern Art
New York 19, N.Y.

Dear Mr. Barr:

Thank you so much for your letter advising that I read The Art in Painting by Dr. Albert C. Barnes, and then pursue my studies at The Barnes Foundation.

Because I have found it impossible to learn much about painting from any of the books I have read in the past, I have inquired about the book you mention, and I hope that I shall soon hear from the Museum, about it. I feel sure that this book, backed by you, an eminent authority, must have real value.

As for pursuing my studies at The Barnes Foundation, I suppose it is showing my ignorance by admitting I know nothing about it. You say I live so near it, but Hatboro is actually not near New York, and studying there would not be too easy either for myself or for any of our group here. Would there be another place that you would also recommend as being perhaps as good as The Barnes Foundation and within easier reach of Hatboro?

Your further courtesy will be most appreciated.

Sincerely yours,

Ruth Berridge

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Barnes

January 31, 1956

Dear Miss Berridge:

I am sorry that you did not find my talk satisfactory. I was not attempting any general introduction to modern painting, but simply pointing out certain analogies between poetry and the particular paintings shown.

Since you live so near the Barnes Foundation I suggest that you pursue your studies there. Of course you should first read The Art in Painting by Dr. Albert C. Barnes.

Sincerely,

Alfred H. Barr, Jr.

Miss Ruth Berridge
312 Byberry Road
Hatboro, Pennsylvania

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312 Byberry Road
Hatboro, Pa.
January 3, 1956

Mr. Alfred Barr
Museum of Modern Art
New York 10, N. Y.

Dear Mr. Barr:

After your appearance on the "Home" Show back in October, I wrote to that program expressing my pleasure in seeing the paintings you showed from the Museum's collection and asked several questions that arose in my mind as a result of listening to the program.

I received a form acknowledgment of my letter, and then in December, I received still another notification from "Home", a copy of which is hereto attached. I am following their advice and am sending you a copy of my original letter.

Since I should still like to have the answers to my questions, I should appreciate it so very much if you would kindly reply to my original letter to "Home", a copy of which is also enclosed.

Sincerely yours,

Ruth Berridge

Ruth Berridge

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COPY

H O M E

NBC TELEVISION 11-12 NOON EST. 10-11 CST

December 9, 1955

For Ruth Berridge

We have been unable to forward your former letter to Mr. Alfred Barr because it has been classified statistically in such a way that it would be almost impossible to trace its progress through our different departments.

It is our hope that you will be able to write a similar letter to him in care of the Museum of Modern Art, 11 West 53rd Street, New York 10, New York, of which he is the Director. We are sure that he will be glad of your interest in his presentation on our program, or any other phases of his work.

Thank you for writing to us. We hope you will understand our difficulty in speaking for him in a detailed way.

nc

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COPY

312 Byberry Road
Hatboro, Pa.
October 10, 1955

Miss Arlene Francis
c/o "Home"
NBC - TV
New York, N.Y.

Dear Miss Francis:

Thank you so much for your efforts in attempting to bring better understanding of modern art to your TV audience. You must know how vast is your following, and it is a pleasure to note that you are aware that the daytime audience does not live by fashion showings and cooking demonstrations alone.

A few friends and I enjoyed so much seeing the three paintings from the collection of The Museum of Modern Art in New York on Thursday morning's show about two weeks ago, and the idea occurred to us that the medium of TV, if properly utilized, could enlighten so many people in the field of the visual arts. Radio is certainly handicapped here.

We were unusually attentive during Mr. Barr's discussion of the paintings, for as the Director of The Museum of Modern Art's collections, his is an authoritative voice. I must admit, however, we are more puzzled about modern art now than we were before we heard him. I have read the little book you showed in your introduction of Mr. Barr, and I agree with his own comments at the beginning of his talk that the book really doesn't answer the question of "What is Modern Painting", but just touches the subject. Mr. Barr said that we know the language of poetry in words and sound and yet he doesn't think we know "the language of painting anywhere near as well". This led us to believe that he would then talk about the language of painting rather than the language of poetry, but to our surprise, he did not. I do not want to sound critical, but we all felt that while your program had offered a golden opportunity for Mr. Barr to help the average person, such as myself and my friends, to understand what a painting is and what makes it important, the only thing we learned from the speaker was that a knowledge of poetry and the symbolic significance of things is what matters. Don't symbols mean different things to different people? And, in the

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final analysis, who, in front of a painting cares about what the painter's grandmother was like; or that Marc, the artist, married Bella two weeks after he painted a canvas and that they lived happily every after? I wonder, Miss Francis, if you would try to clear this up for me.

I hope you continue to present art features on your "Home" show, for the educational possibilities are unlimited.

Very sincerely yours,

(signed)

Ruth Berridge

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Barnes

J. D. Hammer
Stenton Manor Apts. C-2
6531 Belfield Ave.
Phila. 19, Pa.
February 19, 1956

Mr. Alfred H. Barr, Jr.
The Museum of Modern Art
11 West 53rd Street
New York 19, New York

Dear Sir:

Your letter of January 31 (in which you suggest that I study at The Barnes Foundation and read THE ART IN PAINTING) in reply to mine of January 3rd in which I raised questions in re your September TV talk officially listed as "What is Modern Painting" is rather uncanny and surely fit to be "one for the book".

It happens that I have recently become familiar with several books written by Dr. Albert C. Barnes and his associates, including THE ART IN PAINTING, which you recommend I read. I have also been able to become acquainted with The Barnes Foundation's way of teaching. They refer to their course as one in "learning to see", and speaking for myself, it is precisely because of this recent, although brief, contact with the Foundation's principles and general approach that I have, fortunately, learned to discriminate between the genuine and the phony, the earnest art student or scholar and that other individual who latches on to art and holds on to it only to bask in its aura and boost his own prestige. I have also discovered the abysmal difference between the kind of teaching that teaches (such as I now know is carried out at The Barnes Foundation) and what is palmed off to the public and TV audiences as talks on "What is Modern Painting", which never dare face the real issues.

Sincerely yours,

Jack D. Hammer

Jack D. Hammer

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January 31, 1956

Dear Mr. Hammer:

I am sorry that you did not find my talk satisfactory. I was not attempting any general introduction to modern painting, but simply pointing out certain analogies between poetry and the particular paintings shown.

Since you live so near the Barnes Foundation I suggest that you pursue your studies there. Of course you should first read The Art in Painting by Dr. Albert C. Barnes.

Sincerely,

Alfred H. Barr, Jr.

Mr. J. D. Hammer
Stenton Manor Apartments
#C-2
6531 Belfield Avenue
Philadelphia 19, Pennsylvania

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J. D. Hammer
Stenton Manor Apts. C-2
6531 Belfield Ave.
Phila. 19, Pa.
January 3, 1956

Mr. Alfred H. Barr
The Museum of Modern Art
11 West 53rd Street
New York 19, New York

Dear Sir:

Ever since you appeared on the September 29th "HOME" program on TV, I have been trying to get them to answer a letter I wrote them concerning this program. They have finally acknowledged my letter, and have suggested that I communicate with you directly as they are not in a position to answer the questions I raised. I quote below the letter I originally sent them, and would appreciate hearing from you at your earliest convenience:

"Though I have watched your program on many, many occasions, this is the first time I have taken the liberty of writing to you. Your presentations are generally clearly set forth, so that I have not felt it necessary to request clarification before. However, after viewing the last segment of your Thursday, September 29th program on the subject of "Modern Art", I find myself more confused than ever about both art in general and modern art in particular, and I trust you will try to have some of my questions answered.

Here are just a few of the questions that come to mind after hearing Mr. Alfred H. Barr's explanation of the three paintings shown on TV. Is not a painting to be enjoyed and understood by way of what makes up the canvas itself and what that holds of the artist's experience? It seems to me that the passage you read from the book written by Chagall's wife gave merely her feelings about the painting, and I wonder how her feelings can be pertinent at all to my (or anyone's) appreciation of Chagall's painting. I had hoped that, even in the short time alloted to him, Mr. Barr would give at least a clue of what we should look for in the painting itself.

My reaction to the comments made about the de Chirico painting was likewise one of confusion. The lecturer may well feel this painting is a "frustrating, difficult poetic study of anxiety" (I believe these are his very words), but here again, isn't the painting, by such comments, merely being explained away on a personal emotional basis, and if that is the basis on which we should try to understand modern paintings, it is obviously inevitable that we shall forever remain in the dark.

The last painting shown on the program, we were told by Mr. Barr, was entitled "Grandmother", and according to him, the significance we should see in the kinds of material used is the artist's grandmother's interests and the type of woman she was. I don't believe any two psychiatrists would agree on this point. In any event, an endless variety of stories could surely be concocted about this - leading to the most divurgent paths and every one of them taking us away from the artist's painted canvas.

I would appreciate your helping me out of the difficulties I am having in trying to appreciate this thing called "Modern Art". May I hear from you at your very earliest convenience, as I am contemplating a visit to New York, at which time I want to make it a special point to see the three paintings discussed by Mr. Barr, and it would be most helpful to have my questions resolved. Thank you very much indeed."

Sincerely yours,
Jack D. Hammer
Jack D. Hammer

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Barnes

June 15, 1955

Mr. Alfred H. Barr, Jr.
Museum of Modern Art
11 West 53rd Street
New York 19, New York

Dear Mr. Barr:

Your letter of May 20 reaches me on my return from Kentucky, and I wish to thank you for it. Your communication is a revealing piece of writing, which clarifies at least this point: the conclusion one can now draw from what you have written both in your book and in your letter is that what you hold against The Barnes Foundation is that it simply refuses to be "all things to all men". On this same premise, wouldn't one be justified in indulging in similar blind-spot criticism of the policies of, say, The Museum of Modern Art, and say that for apparently capricious, highly arbitrary, and authoritarian reasons, the Museum does not utilize its galleries and collections for a systematic program of class teaching according to the principles of the objective approach to art? And isn't it a fact that besides assuming the right to deny this method of study to the general public and interested students, the Museum displays its assumption of dogmatic infallibility?

You do not understand, you say, why I attach so much importance to your use of the word "museum" when you refer to The Barnes Foundation. Please read carefully the entire second paragraph of my letter of March 10. You should see by it that it is your sin of omission rather than of commission that arouses my surprise. The Barnes Foundation is primarily a school, privately endowed, and its collections provide some of the material used for instruction in the classes held in its galleries. Again, let me try to drive home my point by referring now to the New York Museum as the "Fifty-Third Street Counter Where Art Books and Reproductions Are Sold" - thus leading my readers to believe, by similar half-truths, what for personal reasons or otherwise I might want them to believe.

I have recently talked to a number of persons, who have either visited the Foundation or participated in its class work during Dr. Barnes's lifetime and/or since. None of them reported ever having been questioned about personal esthetic theories. My own experience bears this out. This would seem a clear case of "we simply don't know the same people".

The book written by Dr. Barnes, which you say you reviewed in 1926, is quite familiar to me. You refer to it as "The Art of (sic) Painting". It is understandable that thus starting off with a misconception of its topic, you could not help but question the author's methods and conclusions, for surely this book does not deal with the art of painting, nor by any stretch of the imagination can one say it was the author's intent so to do. Apart from that, however, since you so kindly stated in your letter that you would be happy to add further details, I wonder if you would clarify the following for me. I cannot reconcile your statements that:

(1) On the basis of that review, you were excluded from the Foundation, and
(2) You hope it may be possible for you to see the collection some time in the future

with the following facts:

(1) Dr. Barnes's help acknowledged in your Picasso volume dated 1946, and

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(2) The episode recently told me about by a friend of mine, who recollects visiting the Foundation's gallery along with a number of other art-interested people that included you, on a day somewhere in the 30's, which would have been during Dr. Barnes's lifetime and some years after your 1926 review.

At this point, I should like to just touch on your explanation for placing in the same category The Museum of Modern Western Art in Moscow and The Barnes Foundation. You say you did so "half-humorously", and I believe that you did, but in this day of guilt by innuendo, association, and name-calling, you could not grant that this is fair play, particularly since you saw fit to repeat your statement more than once through the book.

I look forward with much interest to your further comments, and hope you are fully recovered from your illness.

Sincerely yours,

Esther H. Van Sant

Esther H. Van Sant

Mrs. Monroe Van Sant
2601 Parkway
Philadelphia 30, Pa.

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May 20, 1955

Dear Mrs. Van Sant:

Forgive my not having answered your letter before this. I have been ill or out of town much of the time and I am badly behind in my correspondence.

My references to the Barnes Foundation's exclusion of visitors were based in part on personal experience and partly on the reported experiences of personal acquaintances both here and abroad. It is this exclusion of scholars and students as well as the general public which led to my comparing it half humorously with the exclusion of students and the public from the Museum of Modern Western Art in Moscow. Students enrolled in the Foundation's courses are admitted and so are a few members of the general public who make special application. But others who have devoted their lives to the study of art or are otherwise deeply interested have been kept out in a highly arbitrary and authoritarian manner. During Dr. Barnes' lifetime, it appeared to me that he set a capriciously personal criterion for admittance which so far as I can make out had a good deal to do with whether the person applying happened to agree with his aesthetic theories or not.

You are quite right in stating that Dr. Barnes' theories about painting differed from those of the Soviet authorities. I wrote nothing whatever to the contrary. And even though I might have drawn comparisons between the assumption of dogmatic infallibility which both parties displayed, I did not do so. My sole point was the sad coincidence that both assumed the right to exclude people from studying and enjoying the two greatest groups of Matisse's paintings in the world.

I do not understand why you attach so much importance to my use of the word "museum." My phrase "the private museum of the Barnes Foundation" seems to me quite correct. The building where hundreds of pictures, sculptures and other works of art are on view is a museum in the ordinary sense of the word. The word "museum" is not part of the title of the institution nor did I use it as such.

I might add that since my Matisse book was published some of the paintings from the great collection of French pictures in Russia have been put on public view and others are accessible to students upon application. Within the past couple of years, however, the Barnes Foundation, to my knowledge, has continued to refuse admittance to serious scholars who had badly needed to study the collection. I have not mentioned my own exclusion which I gathered was based on my having dared to question some of Dr. Barnes' methods and conclusions in a review written in 1926 of his Art of Painting.

What I say above does not diminish my immense admiration for much of the Barnes Collection and my respect for its educational methods in revealing the formal values of works of art. I hope it may be possible for me to see the collection some time in the future.

In any case, I appreciate your having given me the opportunity to answer your questions. I should be happy to add further details to my answers if you wish them.

Sincerely,

Mrs. Monroe Van Sant
2601 Parkway
Philadelphia 30, Pennsylvania

Alfred H. Barr, Jr.

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EHV

March 10, 1955.

Mrs. Alfred H. Barr, Jr.
Museum of Modern Art
New York, New York

Dear Mrs. Barr:

Because of my admiration for Matisse's your work and my desire to learn all I can lic." about it, I was happy to be given a n or copy of your book - "Matisse: His Art . In any and His Public," which has been my i time current reading for the past week. At n before the time of its publication, I was not t I a member of the Museum of Modern Art, I joined. but have since joined. rer)

On page 181 of your Matisse volumes, written I was quite surprised, to put it mildly, rd, then to find that you refer to "the private statements museum of the Barnes Foundation at readily Merion, Pa." It did not seem possible to think that you did not know that the Barnes , yet Foundation is a privately endowed school tter, and not a private museum. However, mistakes will happen, and I continued to cannot along, thinking that after publication of the book, you undoubtedly were

January 23, 1953
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advised of this error.

A few minutes ago, I came across some writing on Page 263, which absolutely shocked me, and I can do no other than so tell you. I refer to your statements— "... the two greatest collections of Matisse's art are, it seems, withheld from public study and enjoyment. The neuroses of collectivism in Moscow and private enterprise in Merion have produced strange bedfellows. When will the Museum of Modern Western art and the Museum of the Barnes Foundation open their doors?"

I am a first year student at the Foundation, and I am at a loss to understand your reason for lumping together Moscow and the Barnes school in the same category; for how can you not know of the educational program carried out in the classes held daily in the Foundation's galleries?

Prior to becoming a student at the Foundation, I was one of those who wandered rather aimlessly in the museums, "knowing what I liked," but never coming near to garnering any true appreciation of art's intrinsic merit. Thanks to the unique



educational course given at the Barnes Foundation, I am now on the way toward bridging the gap between mere looking at paintings and really seeing what they are.

I am not a painter, but know of aspiring painters and sculptors who have been greatly aided in their work because of their association with the Foundation. Moreover, while the Barnes Foundation does not make public its philanthropies, I have personal knowledge of considerable financial assistance rendered students to further pursue their study and work both here and abroad.

Getting back to Page 263, and your insidious reference to Moscow and Barnes side by side — is it not so that Moscow makes of the arts a means of propaganda aimed at thought control? In contrast, at the Barnes Foundation, it is the creativeness of the individual which is constantly stressed, and I believe you are in agreement with this principle. Is it not also true that the Soviet Union has proclaimed the work of

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4.

Matisse as catering to the bourgeoisie and, therefore, degenerate and not to be exhibited to the public or used for study by young artists?

It seems a pity that a book given such widespread circulation as yours, should appear so prejudiced in this respect, and consequently, also so completely incorrect. May I assure you it is not my habit to write to authors concerning their works, but I could not in the face of my disagreement with you, refrain from so doing.

If, in any way, you feel I have misinterpreted your statements, I would indeed be interested to hear from you.

Sincerely yours,

Esther H. Van Sant

Mrs. Monroe Van Sant
2601 Parkway
Philadelphia (30), Pa.

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May 10, 1955.

Mr. Alfred H. Barr, Jr.,
Museum of Modern Art,
11 West 53rd Street,
New York 19, N. Y.

Dear Mr. Barr:

Some weeks ago I wrote you concerning your book - "Matisse: His Art and His Public." It may be that you have been out of town or that my letter to you has been mislaid. In any event, I have not heard from you up to this time, and I had hoped to receive your answer before I finished reading this work in order that I might have clarification on the points I raised.

It is my feeling that if you have written positive misstatements of fact in one regard, then how can I be sure there are not other misstatements in your book, which would not be as readily verifiable by me? I should really like to think this is an authoritative volume on Matisse, yet without an answer to my previous letter, there is a question in my mind.

Therefore, won't you please reply to my initial query? In the event you cannot

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locate it, upon receipt of word from you to this effect, I shall gladly restate the contents.

Yours very truly,
Esther H. Van Sant

Mrs. Monroe Van Sant
2601 Parkway
Philadelphia (30), Pa.

ary 23, 1953

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January 23, 1953
Barnes

Frankfurter luncheon Friday 23, ~~12-15~~ 1 PM
Hotel Sherry Netherland, apartment of Mr. Annenberg

Besides Mr. Annenberg (owner of Philadelphia Inquirer) there will be Mrs. Ira Haupt (his sister), Mrs. Lasker, Mr. Rousseau (Met.) Dr. Frankfurter.

Your off-the-record opinion on how to proceed.
First court has denied to hear the case.

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Barnes

RICHARDSON DILWORTH
HENRY D. PAXSON
HARRY A. KALISH
ROBERT McCAY GREEN
JOSEPH C. HENRY
HAROLD E. KOHN
W. HOWARD DILKS, JR.
C. LEO SUTTON
RICHARD L. LEVY
JAMES A. SUTTON
THOMAS M. FARR
MARCUS MANOFF
JOHN S. NEAL, JR.
AARON M. FINE
LOUIS G. HILL
RICHARD J. GORDON
WILLIAM T. COLEMAN, JR.

CHARLES M. RANDALL
(MEMBER DISTRICT OF COLUMBIA BAR)

LAW OFFICES
DILWORTH, PAXSON, KALISH & GREEN
2635 FIDELITY-PHILADELPHIA TRUST BUILDING
PHILADELPHIA 9

CABLE ADDRESS
REYWAL

TELEPHONE
KINGSLEY 5-2290

February 18, 1953

Mr. Alfred H. Barr, Jr.
Director of the Museum Collections
The Museum of Modern Art
11 West 53rd Street
New York 19, New York

Dear Mr. Barr:

Many thanks for your letter of February 17th, enclosing copies of the correspondence between Mr. Soby and the Barnes Foundation.

Very truly yours,

Harold E. Kohn

HEK/mg

Mr. Harold E. Kohn
123 S. Broad Street
Philadelphia 9, Pennsylvania

Mrs. Ira Haupt
730 Park Avenue
New York 21, N. Y.

AHB:mh
encl.

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February 17, 1953

Dear Mrs. Haupt:

Here is a copy of my letter to Mr. Kohn covering correspondence between James Soby and the Barnes Foundation. Mr. Soby considers this to be the first round only. I hope it may be of some use.

I had a delightful time at the luncheon and Hope that something will become of the campaign.

Cordially,

Mrs. Ira Haupt
730 Park Avenue
New York 21, N. Y.

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encl.

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CC: Mrs. Ira Haupt

February 17, 1953

Dear Mr. Kohn:

At my suggestion Mr. James Thrall Soby wrote to the Barnes Foundation requesting permission to visit the galleries for purposes of study. His request was refused.

I enclose a copy of his letter of January 31 and the original of the letter from the Foundation of February 4, signed N. E. Mullen.

Mr. Soby intends now to write another request. I shall keep you informed as to the results.

I myself cannot write at the present time because I must leave for Europe early in March for a few weeks. When I return, however, I shall make an attempt.

Sincerely,

Alfred H. Barr, Jr.

Mr. Harold E. Kohn
123 S. Broad Street
Philadelphia 9, Pennsylvania

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Y

BARNES FOUNDATION

Merion
Montgomery County
Pennsylvania

February 4, 1953

Mr. James Thrall Soby
36 East 72nd Street
New York 21, N. Y.

Dear Mr. Soby:

We have your letter of January 31, asking permission to visit our gallery the week of February 8. We regret that, because of our schedule of classwork activities, we find it impossible to grant your request.

Yours very truly,
THE BARNES FOUNDATION

/s/ N. E. Mullen

Secretary

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COPY

JAMES THRALL SOBY
36 East 72nd Street
New York 21, N. Y.

Jan. 31, 1953

The Barnes Foundation,
Merion, Pa.

Dear Sirs:

I wonder whether it would be possible for me to visit the collection of the Barnes Foundation any day except Thursday of the week beginning February 8th. Not only am I eager to see the collection as a whole, for the first time, but I should be most interested to see your large group of paintings by Giorgio de Chirico. Dr. Barnes kindly allowed me to have these paintings photographed when I explained that I was preparing for the Museum of Modern Art a revised and greatly enlarged edition of my book on de Chirico which came out more than ten years ago and has long been out of print. I remember, of course, that Dr. Barnes was an early and consistent champion of de Chirico, and I have in hand the catalogue of the all-important de Chirico exhibition at Paul Guillaume's gallery in Paris, June 4 - 12, 1926, for which Dr. Barnes wrote the foreword. It was this exhibition, I am sure, which created a great interest in de Chirico's work among younger Parisian artists, mainly of surrealist or neo-romantic tendency.

I shall hope to hear from you and that you will kindly grant me permission to visit the Barnes Foundation.

Sincerely,

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The SHERRY-NETHERLAND
NEW YORK 22, N. Y.

HAROLD E. KOHN
123 S. BROAD ST.
PHILA. 9, PA.

Rewald
Soby
Robb
Sloan

CARNAVAL ROOM — CAFE BAR — CHANTECLAIR ROOM

CC: Mrs. Ira Haupt

February 17, 1953

Mr. James Thrall Soby wrote
ing permission to visit the
His request was refused.

of his letter of January
r from the Foundation of

now to write another request.
the results.

write at the present time
early in March for a few
weeks. When I return, however, I shall make an attempt.

Sincerely,

Alfred H. Barr, Jr.

Mr. Harold E. Kohn
123 S. Broad Street
Philadelphia 9, Pennsylvania

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CC: Mrs. Ira Haupt

February 17, 1953

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I enclose a copy of his letter of January 31 and the original of the letter from the Foundation of February 4, signed N. E. Mullen.

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Sincerely,

Alfred H. Barr, Jr.

Mr. Harold E. Kohn
123 S. Broad Street
Philadelphia 9, Pennsylvania

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Barnes
~~Art Nev~~

ART NEWS
FOUNDED 1902

654 MADISON AVENUE, NEW YORK 21, N. Y.
Telephone: TEmpleton 8-3730
Cable Address: Gagol, New York

April 17, 1952

Mr. Alfred H. Barr, Jr.
Museum of Modern Art
11 West 53rd Street
New York, N. Y.

Dear Alfred:

In the event that you missed seeing it, I am enclosing a copy of our March issue containing Alfred's editorial on the suit to compel the Barnes Foundation to open its collections to the public.

We should like to publish comments on this subject in our May issue and are wondering if you would be willing to give us your views on it - particularly on any record of the Barnes Foundation's refusal to co-operate in your work.

We would greatly appreciate hearing from you, (if necessary, by night-letter telegram collect) in time for May publication.

With many thanks for your co-operation, I am

Sincerely yours,

Tom

Thomas B. Hess
Managing Editor

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**SAN FRANCISCO MUSEUM OF ART**
CIVIC CENTER SAN FRANCISCO 2, CALIFORNIA

Jan 8

Dear Alfred,

I do not know what this is all about, but we got a copy of the letter to your Trustees. Does Mrs. Barnes carry on the family testimony — it would seem so. Your reference seem completely harmless — and it is hard to see what all the fuss is about. If there is anything to be done in addition — do let me know.

Cordially,

Grace

WILLIAM W. CROCKER, Chairman of the Board
BRAYTON WILBUR, President
GRACE L. McCANN MORLEY, Director

January 4, 1952

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an enlightened collector

Sincerely yours,

Grace L. McCann Morley
Director

GLMM:jh

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SAN FRANCISCO MUSEUM OF ART
CIVIC CENTER SAN FRANCISCO 2, CALIFORNIA

WILLIAM W. CROCKER, Chairman of the Board
BRAYTON WILBUR, President
GRACE L. McCANN MORLEY, Director

January 4, 1952

Mrs. Laura L. Barnes, President
Barnes Foundation
Merion, Pennsylvania

My Dear Mrs. Barnes:

You have sent a copy of your letter of December 26 to the Trustees of the Museum of Modern Art. No doubt the author of this fine new book on Matisse, - which is before me as I write - Mr. Alfred H. Barr, Jr., will be very glad to have additional material based on documentary evidence. However, as the point is very minor and no blame was cast on anyone for the error that obviously had occurred, it would seem too bad to make too much of the matter. No doubt there will be a correction in subsequent editions and in view of the importance of the book, I have no doubt that there will be such editions in the future.

In any case, the important thing is that an error in measurement produced two fine examples of Matisse's work, where only one had been originally foreseen. I know them both and have admired them both. I had the pleasure of visiting the collection in the late thirties and at that time had a most interesting conversation with Dr. Barnes, who had kindly allowed my stay to extend over a much longer period of time than had been originally stipulated by his office. We all hope very much that this great collection of his may soon become accessible to the public and be recognized by direct acquaintance as the monument to the taste of an enlightened collector and to his descrimination, which it is.

Thank you for all this information.

Sincerely yours,

Grace L. McCann Morley
Director

GLMM:jh

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Barnes

cc: Messrs. Soby
d'Harnoncourt
Stillman
Miss Chamberlain

Taormina, May 3, 1952

The Editor
Art News
654 Madison Avenue
New York 21, N. Y.

Sir:

I have read with sympathy your editorial urging that the Barnes Foundation be opened to the public and its resources made available to students.

I had considerable respect for Dr. Barnes as a collector and for a brief period, while writing my Picasso book, felt on fairly friendly terms with him since he answered a number of questions and did not refuse me permission to reproduce a painting from the Foundation's collection. That was in 1945.

Five years later, for reasons I cannot fathom, his attitude changed. I was at work on a book on Matisse and wrote him to ask him questions about the painter, and for permission to reproduce a dozen or so Matisse's from his collection, and to visit the collection to refresh my memory. My third letter brought a reply: Dr. Barnes refused all my requests and furthermore threatened action against the publisher to the full extent of the law should we publish any work in the Foundation's collection.

In his letter Dr. Barnes, apparently forgetting his cooperation in the Picasso book, indicated that he still bore resentment for a review I had written in 1926 of his Art in Painting. Much of my review was very favorable, but I did point out how Dr. Barnes had opened my eyes to the dangers of an excessive concern with form in painting. In my teaching, I confessed, I too had been guilty of similar excesses and concluded my review with the phrase: "What price plastic values!" (Your readers who are old enough will remember the play and film What Price Glory! which ran during the mid-20s.) My adaptation of the phrase seems to have rankled for a quarter of a century.

After the Matisse book was published I received

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a letter from the Barnes Foundation pointing out in legalistic language that I had erred in a statement about the Foundation's responsibility in having supplied Matisse with incorrect measurements for his mural. Photostats of documents were enclosed as evidence. I have corrected the error in the corrigenda slip shortly to be printed for insertion in the book.

Yours truly,

Alfred H. Barr, Jr.
Director of the Museum Collections

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Matisse, Pierre

December 28, 1951

Dear Pierre:

I have recently received a letter from the Barnes Foundation requesting me to correct the passages in the Matisse book in which I state, page 220, that Matisse has been given the wrong measurements which made necessary the second version of the painting.

I enclose a typed copy of passages from a letter from your father to Dr. Barnes, dated February 23, 1932, and a cablegram dated February 22.

In my original draft I had left the question of fault quite neutral but when we talked about this you told me that the error had not been Matisse's and, as I remember, you suggested to me that I should make this clear.

Later you spoke of Dr. Barnes having taken a boat to Nice immediately after receiving word that the measurements had been wrong. I gathered that he had taken this dramatic step in order to encourage Matisse to start with the second version, a conclusion which I have indicated on page 243.

I gather from the quotations sent me by the Barnes Foundation that the fault was no Dr. Barnes' at all but Matisse's.

I would appreciate any light you can throw on this misunderstanding.

Let me assure you again However that I do not propose to hold you responsible for any errors that I may have made in the book. Here is a case however where there may be something that you can add to what you have already told me. I note that in the photostat sent me by the Foundation several sentences have been omitted. Though these are maybe irrelevant to the corrections which the Foundation requests.

Of course if Dr. Barnes had not refused point blank to have

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anything whatever to do with the book on the grounds of a review which I had written of his Art in Painting 26 years ago, this error would never have occurred, because I would have asked him about the circumstances now in question.

Sincerely,

Alfred H. Barr, Jr.

Mr. Pierre Matisse
51 East 57th Street
New York 22, N. Y.

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encl.

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ALBERT C. BARNES

Merion, Pa.

May 9, 1951

COPY

Magazine of Art
22 East 60th St.
New York City 22, N.Y.

Dear Sirs:

A painter who is also a practitioner of scientific method in art education, has asked me how I reconcile my public exposure of the Philadelphia Museum of Art as "a house of prostitution of art and education" with my, what he terms, "collaboration with a magazine that keeps alive the vendors of perfumed tripe." As evidence, he sent a copy of your May 1951 magazine which contains reproductions of two paintings by Matisse which I bought thirty-five years ago and donated to an educational institution seven years later.

The fact is that your use of those two paintings is a violation of the Federal Statute, which prohibits the reproduction of a work of art without the consent of its owner. There are two other factors operative in this shameful degradation to an abhorrent moral slum: --

(1) Thirteen years ago, the then-President of the Museum of the University of Pennsylvania told me that you wished to devote an entire issue of the Magazine of Art to the collection of the institution which I founded in 1922, in an article to be written by me and accompanied by reproductions of paintings. I refused, and the reason I gave was not unlike the characterization of your magazine embodied in the above quotation from the painter-educator.

(2) The author of the article in your May issue applied recently for permission to reproduce a number of paintings from the same collection and to "study" them where they are housed. Both requests were refused and the reasons given to him in writing. Inasmuch as the Federal law concerning reproduction of works of art is known to both you and the author of the article, your violation of that law seems to have the sneakiness of the acts of a pickpocket.

Two years ago, the phonies of the Philadelphia Museum of Art that habitually bamboozle the public reproduced in their journal Matisse's Bonheur de Vivre without permission of its owner. The Director, who is one of your contributors, was asked to either withdraw the issue or undergo the penalty. He ignored the demand and his status was made known to the art world from coast to coast.

Your current issue announces that the topic for discussion at the coming annual convention of your Federation is "America's Cultural Responsibility in the World Today." I offer this letter as a corrective to such pretentious humbuggery. If you wish additional relevant documentary evidence, I can furnish much more than is enclosed herewith.

Very truly,

Albert Barnes

REGISTERED MAIL
Receipt Requested

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COPY

ALBERT C. BARNES

January 12, 1951

Mr. Alfred H. Barr, Jr.
Director of Museum Collections
The Museum of Modern Art
11 West 53rd Street
New York 19, N. Y.

Dear Mr. Barr:

I had hoped that my failure to answer your requests to reproduce, in a book written by you, some of the Matisse paintings in the Foundation's collection, would tell you that you are barking up the wrong tree.

Your letter of January 10th with its request to come here and "study" the paintings indicates that you still have hopes, as I see the situation, to make our institution a side show to the circus of which you are the ringmaster.

From the time you wrote "What Price Plastic Form?", I have seen nothing published by you --and this includes your lecture with slides that I heard at Bryn Mawr College -- that would induce me to join an enterprise, which, I think, is alien to the purpose for which the Foundation stands.

If, after this interdiction, you reproduce any of the Foundation's Matisses, or quote from our book on that artist, retribution, within the law, will follow. (See last ¶ in letter from AHB to Wm. Schack (Barnes biographer) Jan. 24, 1957

Yours very truly,

/s/ Albert C Barnes

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June 14, 1950

Dear Dr. Barnes:

Four years ago when I started work on a revised edition of our Matisse catalog of 1931, I bought a number of photographs of paintings in the collection of the Barnes Foundation. The book was interrupted but I am now resuming work on it and hope to publish it next fall. Of course I should like to include reproductions of some of the masterpieces in the Barnes Foundation without which even a modest book on Matisse would be impossibly handicapped. May I have your permission?

The paintings I should want to reproduce are the following. (Before the title I give the numbers used in the list in The Art of Henri Matisse by Albert C. Barnes and Violette De Mazia, 1933 edition; after the title, the Barnes Foundation number.)

31 Joy of Life, Barnes Foundation No. 719
33 Blue Still-Life, " " " 185
42 Red Madras Headdress, " " 448
51 Goldfish, Barnes Foundation No. 569
52 Still-Life with Bust, " " 313
56 Riffian, Barnes Foundation No. 264
64 Music Lesson, " " 717
69 Three Sisters, Gray Background Barnes Foundation No. 888
70 Three Sisters, with Negro Sculpture Barnes Foundation No. 363
71 Three Sisters, with "Pink Marble Table," Barnes Foundation No. 25

I should also like to reproduce No. 25, Joy of Life. (Study.), Barnes Foundation No. 35, and the very interesting photograph on

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page 362 of Matisse at work on the Barnes Foundation mural, No. 223. Is it possible to secure these two photographs?

Sincerely and, believe me, with many thanks,

Dr. Albert C. Barnes
The Barnes Foundation
Latch's Lane
Merion, Pennsylvania

AHB:js

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January 23, 1951

Sir Kenneth Clark
16 E. 72nd Street
New York, N.Y.

Dear Clark:

Your recent letter telling me of your proposed visit here, prompts me to inform you that all participants in the current ballyhoo of the institution which has been widely publicized as "The House of Prostitution of Art and Education on the Parkway," are barred from admission to the Foundation's gallery.

Very truly,

/s/ Albert C. Barnes

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UPPER TERRACE HOUSE
HAMPSTEAD, N.W. 3
HAMPSTEAD 1357

December 29, 1950

Dear Dr. Barnes,

We are coming to Philadelphia in February, for the first time since the war, and much look forward to seeing you again. We shall be about from the 28th of January to the 8th of February, and could fit in with almost any time which would suit you. A great friend of ours, David Crawford is also coming to Philadelphia, but for a short time only. He is a real lover of painting and an honête (sic) homme. I think you would like him. Incidentally he has a great collection of old pictures, and was for years chairman of our National Gallery. If he could visit the Gallery he would be extremely grateful, but unfortunately he is only about for two days and could only manage the 25th January. For all I know you have classes all that day, and couln't fit him in.

With best wishes from us both,

Yours sincerely,

/s/ Kenneth Clark

We leave England on the 21st January. Our address in New York is 16 East 72nd Street.

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M. Book - BARNES

Mr. Barr:

In addition to the attached, Mr. Barnes sent us:

copy of your letter of January 10th to him and
his reply of January 12th.
leaflet "A Disgrace to Philadelphia"
excerpts from Stenographic Notes Taken at a
Lecture on Matisse by Fiske Kimball

ly 27, 1950

Reading your letter in Sunday's Book Review Section of the Times reminded me that I have not yet heard from you as to whether I might reproduce several of the Matisse paintings in the collection of the Barnes Foundation, in the book on Matisse which I am basing on our catalog of 1931. My letter was written June 14; I enclose a copy.

I found your letter in the Times most interesting. Of course you are absolutely right about Leo Stein's attitude toward cubism. I have always found Sweeney very careful but he does seem to imply pretty definitely that Stein's disapproval of Picasso dates from after the cubist period, which is certainly not the case.

In connection with Matisse, I have been reading the Stein book with the greatest interest. Although it is made up of fragments it seems to me his most important work; it may well stand as one of the great confessional books in English. I felt deeply moved, I must say, by the absolute honesty of this extraordinary, unhappy man. It is exasperating, though, to find the publishers and reviewers - I'm not counting Sweeney - treating Leo as if he were the tail to Gertrude's kite.

About Matisse, though, I cannot agree with him. I realize that I have not looked at Matisse nearly as hard as Leo Stein did. Perhaps he is right. Yet I wonder if his change of attitude toward Matisse was not more the result of his own rather questionable change in taste than of Matisse's weakness. How could Coubine have filled Matisse's place as the most significant living painter for Stein?

This leads me to wonder how you yourself feel about Matisse now. Have you changed your mind since your extraordinary book about him, written with Miss De Mazia 17 years ago?

Sincerely,

Dr. Albert C. Barnes
The Barnes Foundation
Latch's Lane
Merion, Pennsylvania
(dictated by Mr. Barr;
transcribed and signed in
his absence, August 7, 1950)

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M. Rook - BARNES

cc: AHB - Vt.

July 27, 1950

Dear Dr. Barnes:

Reading your letter in Sunday's Book Review Section of the Times reminded me that I have not yet heard from you as to whether I might reproduce several of the Matisse paintings in the collection of the Barnes Foundation, in the book on Matisse which I am basing on our catalog of 1931. My letter was written June 14; I enclose a copy.

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Sincerely,

Dr. Albert C. Barnes
The Barnes Foundation
Latch's Lane
Merion, Pennsylvania
(dictated by Mr. Barr;
transcribed and signed in
his absence, August 7, 1950)

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Barnes

cc: Mr. Abe Chanin

January 10, 1951

Dear Dr. Barnes:

Work on my book on Matisse is progressing slowly. I find I have now reached the stage at which it would be of the greatest help to me to be able to study again the magnificent Matisses in the collection of the Barnes Foundation. I had the privilege of visiting the collection in the 20's while I was still a student - a visit which marked a turning point in my interest. That was a long time ago. Although I remember some of the Matisses vividly I really need badly to study them freshly and carefully.

Would it be possible to visit the Foundation's collection some time this coming week, any day except Tuesday, January 16th? I would, of course, be glad to adjust the time of my visit so as not to interfere in any way with the educational program of the Foundation. May I hear from you?

Sincerely yours,

Dr. Albert C. Barnes
The Barnes Foundation
Latch's Lane
Merion, Pennsylvania

AHB:mh

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MATISSE
BAR

June 14, 1950

Dear Dr. Barnes:

Four years ago when I started work on a revised edition of our Matisse catalog of 1931, I bought a number of photographs of paintings in the collection of the Barnes Foundation. The book was interrupted but I am now resuming work on it and hope to publish it next fall. Of course I should like to include reproductions of some of the masterpieces in the Barnes Foundation without which even a modest book on Matisse would be impossibly handicapped. May I have your permission?

The paintings I should want to reproduce are the following. (Before the title I give the numbers used in the list in The Art of Henri Matisse by Albert C. Barnes and Violette De Mazia, 1933 edition; after the title, the Barnes Foundation number.)

31 Joy of Life, Barnes Foundation No. 719
33 Blue Still-Life, " " " 185
42 Red Madras Headdress, " " 448
51 Goldfish, Barnes Foundation No. 569
52 Still-Life with Bust, " " 313
56 Riffian, Barnes Foundation No. 264
64 Music Lesson, " " " 717
69 Three Sisters, Gray Background
Barnes Foundation No. 888
70 Three Sisters, with Negro Sculpture
Barnes Foundation No. 363
71 Three Sisters, with "Pink Marble
Table", Barnes Foundation No. 25

I should also like to reproduce No. 25, Joy of Life (Study.), Barnes Foundation No. 35, and the very interesting photograph on

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page 362 of Matisse at work on the Barnes Foundation mural, No. 225.
Is it possible to secure these two photographs?

Sincerely and, believe me, with
many thanks,

Dr. Albert C. Barnes
The Barnes Foundation
Latch's Lane
Merion, Pennsylvania

AHB:js

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4/30/1952

Albert C. Barnes

HOW IT HAPPENED

Returned to Mrs. Alexina Matisse

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REGISTERED MAIL
RECEIPT REQUESTED

BARNES FOUNDATION
MERION
MONTGOMERY COUNTY
PENNSYLVANIA

December 26, 1951

Trustees of the Museum of Modern Art,
11 West 53rd Street,
New York 19, N. Y.

Dear Sirs:

We have recently received numerous inquiries about statements appearing on pages 220 and 243 of the book MATISSE: HIS ART AND HIS PUBLIC by Alfred H. Barr, Jr. (published by the Museum of Modern Art) and on page 7 of the Catalogue of the Henri Matisse Exhibition, now current at the Museum of Modern Art, New York.

The statements referred to read as follows:

> Page 220 of MATISSE: HIS ART AND HIS PUBLIC - "The measurements he [Matisse] had been given . . . . were wrong."
>
> Page 243 of MATISSE: HIS ART AND HIS PUBLIC - "The mistake in measuring the wall in the Foundation. . . .but Matisse. . . .began all over again, moved in part by Dr. Barnes' apologies and eager exhortations."
>
> Page 7 of Catalogue of Henri Matisse Exhibition - "Dr. Albert C. Barnes, Merion, Pennsylvania, commissions large mural, "The Dance". First version, begun 1931, unsatisfactory because of incorrect measurements given the artist;. . . ."

In the belief that the author (or authors) of the above texts is interested in presenting facts as they occurred, we submit documents, herein enclosed, as factual evidence that

1. No person gave any "incorrect measurements" to the artist.
2. The artist himself acknowledges this fact.
3. The artist apologizes for his own error in his use of the correct measurements given him at our gallery in Merion.
4. The artist himself decided to begin all over again.

In view of what these documents reveal, and since both your book and your catalogue use the name of Dr. Albert C. Barnes in reference to the commissioning of the Matisse murals, we ask that you promptly attend to acquainting your readers with the true circumstances as against your present misrepresentations.

Yours truly,
BARNES FOUNDATION
Laura L. Barnes
President

Enclosures: Photostatic copy of excerpts from letter of February 23, 1932 from Henri Matisse to Dr. Albert C. Barnes
Copy of cable of February 22, 1932 from Henri Matisse to Barnes Foundation
Originals of above letter and cable are at your disposal for consultation at our office.

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Nice 23 Février 1932

Cher Docteur Barnes et ami,

C'est en consultant le plan au sujet de la maquette que j'ai commencé à soupçonner une erreur. elle s'est tout à fait manifestée lorsque j'ai constaté sur vos croquis du gabarit faits à Mérion d'une façon si claire, la présence d'une bande de papier sous chaque pendentif. Votre calle ne me laisse plus de doute. Je n'arrive pas à m'expliquer ce qui s'est produit et comment j'ai pu omettre ces deux pièces lors de la pose du gabarit sur les toiles. Je n'ai rien négligé pour que tout soit conforme et pourtant l'erreur est faite.

Ensuite la chose était ainsi et je n'ai qu'à recommencer

Je pense que vous voudrez bien excuser mon erreur

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COPY OF CABLE FROM HENRI MATISSE TO DR. ALBERT C. BARNES

1932 February 22
AM 6 19

NC106 CABLE=NICE 30 22/925
LCO BARNES FOUNDATION
MERION PENN

MILLE EXCUSES COMME NOUVELLE COMPOSITION EST NECESSAIRE JE TERMINE PANNEAUX ACTUELS PRESQUE FINIS ET RECOMMENCE SUR NOUVELLES TOILES ENVOYEZ GABARIT INUTILE VENIR MERCI LETTRE SUIT.

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Barnes Foundation
BOX 128
MERION. PA.

REGISTERED MAIL

RECEIPT REQUESTED




Return Receipt Requested
Fee Paid

REGISTERED
NO. 518

Trustees of the Museum of Modern Art
11 West 53rd Street
New York City 19,
N. Y.

which I have delayed answering until I could consult the person who had led me to believe the error in the first version of Matisse's mural for the Barnes Foundation was the result of incorrect measurements furnished the artist. My informant, who has been quite close to Matisse and whose memory I have generally found to be accurate, agrees with me that the documents in your possession prove beyond any question that the error was the artist's.

We shall take measures to correct this error on the corrigenda slip which we shall have printed for insertion in the book. It will also be corrected in the second edition should one be printed.

Since I am also responsible for the error in the catalog of the Matisse exhibition, I shall ask to have it corrected too.

My apologies to you and to the Barnes Foundation for this mistake, which of course would not have occurred had I been granted the opportunity to consult Dr. Barnes or the Barnes Foundation records while I was writing the book.

Sincerely yours,

Alfred H. Barr, Jr.
Director of the Museum Collections

Mrs. Albert C. Barnes, President
Barnes Foundation
Merion, Pennsylvania

AHB:mh

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cc: Mr. Wheeler
Mr. Stillman
Miss Dorothy Miller

January 11, 1952

Dear Mrs. Barnes:

Thank you for your letter of December 26th, which I have delayed answering until I could consult the person who had led me to believe the error in the first version of Matisse's mural for the Barnes Foundation was the result of incorrect measurements furnished the artist. My informant, who has been quite close to Matisse and whose memory I have generally found to be accurate, agrees with me that the documents in your possession prove beyond any question that the error was the artist's.

We shall take measures to correct this error on the corrigenda slip which we shall have printed for insertion in the book. It will also be corrected in the second edition should one be printed.

Since I am also responsible for the error in the catalog of the Matisse exhibition, I shall ask to have it corrected too.

My apologies to you and to the Barnes Foundation for this mistake, which of course would not have occurred had I been granted the opportunity to consult Dr. Barnes or the Barnes Foundation records while I was writing the book.

Sincerely yours,

Alfred H. Barr, Jr.
Director of the Museum Collections

Mrs. Albert C. Barnes, President
Barnes Foundation
Merion, Pennsylvania

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# THE MUSEUM OF MODERN ART

**Date** January 10, 1952

**To:** Mr. Monroe Wheeler

**From:** Alfred H. Barr, Jr.

**Re:** Barnes Foundation

Dear Monroe:

Here is a charming letter from the Barnes Foundation signed by Mrs. Barnes and asking us to correct an error in the Matisse book which was repeated, though less overtly, in the Matisse exhibition catalog.

Ironically I had originally written the account of the error in dimensions in the first Barnes mural without indicating whose fault it was, but Pierre, when he read it, told me that he believed that his father had been furnished with the wrong dimensions. In a later conversation he told me how, as soon as Barnes had heard about the débacle, he immediately took the next boat to Nice. Most unwise I assumed that he had taken the boat to apologize to Matisse and to exhort him to paint the mural over again.

Be that as it may, the documents furnished by the Foundation prove beyond much question that it was Matisse's fault and not Dr. Barnes'.

There are several other errors which I should like to correct so that I think we ought to print a correction slip to be inserted in the remaining copies of the book.

I enclose a draft of my reply to Mrs. Barnes which I think you as publisher ought to read over.

You may also wish to take some steps to correct the error in the catalog -- do the other Museums expect to print insert slips for their exhibitions?

I should like to sign the letter to Mrs. Barnes Friday. So would you please get in touch with me.

encl. 4

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THE MUSEUM OF MODERN ART

DATE March 17, 1952

# REQUEST FOR PUBLICATIONS

***Kindly send*** one ***copies of the following publications:***

***paper*** Corrected catalog of the Matisse exhibition

***cloth***

CONFIRMATION ORDER - CATALOG ALREADY RECEIVED

***To:*** Alfred Barr

(to be sent to Barnes Found'n)

***For:*** _____

***Requested by*** _____

**NO.** _____ **DELIVERED** _____

Sincerely yours,

Alfred H. Barr, Jr.
Director of the Museum Collections

Mrs. Albert C. Barnes, President
Barnes Foundation
Merion, Pennsylvania

AHBjah

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# THE MUSEUM OF MODERN ART

**Date** February 28, 1952

**To:** Mr. Monroe Wheeler

**From:** Alfred H. Barr, Jr.

**Re:** Matisse -- Barnes Foundation

Dear Monroe:

I have had another letter from the Barnes Foundation signed by Mrs. Barnes, asking us why we have not corrected the error about who was responsible for the mistake in the dimensions of the first Matisse mural.

As I remember you agreed to have this error corrected in the exhibition catalog. I am of course going to correct it in the corrigenda slip in the book. She says: "It seems to us the corrections should have been attended to before the Matisse exhibition left New York for Cleveland."

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BARNES FOUNDATION
MERION
MONTGOMERY COUNTY
PENNSYLVANIA

March 20, 1952

Dear Mrs. Barnes:

Forgive me for not answering your letter before this. I am happy to send you under another cover a copy of the catalog of our Matisse Exhibition with the words "given the artist" blacked out on page 7. I believe that this correction takes care of the error.

I am now at work on the corrections of the book made by readers in Europe and America. As I assured you before I will take pains to correct the errors which you have pointed out. This corrigenda slip will be sent to the thirteen thousand members of the Museum, to libraries, and will be inserted in the remaining copies of the book.

Sincerely yours,

Alfred H. Barr, Jr.
Director of the Museum Collections

Mrs. Albert C. Barnes, President
Barnes Foundation
Merion, Pennsylvania

AHB:mh

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BARNES FOUNDATION
MERION
MONTGOMERY COUNTY
PENNSYLVANIA

February 21, 1952

Mr. Alfred H. Barr, Jr.
The Museum of Modern Art
11 West 53rd Street
New York 19, N.Y.

Dear Mr. Barr:

Your letter of January 11, 1952, in answer to ours of December 26, states in its second and third paragraphs that: --

> "We shall take measures to correct this error on the corrigenda slip which we shall have printed for insertion in the book....
>
> "Since I am also responsible for the error in the catalog of the Matisse exhibition, I shall ask to have it corrected too."

Up until Monday, February 18, both your publications, we find, continued to be offered and sold to the public with those errors of fact uncorrected.

It seems to us the corrections should have been attended to before the Matisse exhibition left New York for Cleveland.

May we expect that you will have them made now.

Yours truly,
BARNES FOUNDATION
Laura L. Barnes
President

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# THE MUSEUM OF MODERN ART

**Date** May 13, 1952

**To:** Mr. Monroe Wheeler

**From:** Marianne Hartog

**Re:** Matisse Book - Barnes Foundation

Dear Mr. Wheeler:

In order to complete our Barnes Foundation file I'd appreciate your letting me know when a copy of the Matisse correction sheet has been sent to the Foundation.

Very sincerely yours,

Monroe Wheeler

Mrs. Albert C. Barnes
The Barnes Foundation
Latch's Lane
Merion, Pennsylvania

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Barnes

20 May 1952

Dear Mrs. Barnes:

Mr. Alfred H. Barr, Jr., who is in Europe, has asked me to send you the enclosed copies of the correction sheet made for insertion in all copies of Matisse - His Art and His Public.

Very sincerely yours,

Monroe Wheeler

Mrs. Albert C. Barnes
The Barnes Foundation
Latch's Lane
Merion, Pennsylvania

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Barnes file

## NOTICE TO THE PUBLIC:

## DESTROYING OUR EDUCATIONAL FACILITIES IS NOT BUILDING OUR CULTURE

"THAT WORK [CARRIED ON AT THE BARNES FOUNDATION] IS OF A PIONEER QUALITY COMPARABLE TO THE BEST THAT HAS BEEN DONE IN ANY FIELD DURING THE PRESENT GENERATION, THAT OF SCIENCE NOT EXCEPTED." --
JOHN DEWEY.

Current students and alumni of the Barnes Foundation's Art Department and other persons familiar with its work and general policies have been shocked at the recent campaign by Press and State to malign the Foundation and to obscure the nature of its work as a school. Our group, having no connection with the Foundation itself, was formed to counteract the extensive misinformation given the public.

Our purpose is not to protest public admittance to the galleries. It is to prevent further damage to one of our nation's most valuable schools through future infringement upon its educational facilities. In accordance with this purpose, we want to make known the following facts about the Barnes Foundation:

1) Established by Dr. Albert C. Barnes, the Foundation has functioned as a school ever since its opening as such in 1925. Dr. Barnes' purpose was to apply to the study of art-- through the use of actual works of art-- a method of approach based on revolutionary principles of modern philosophy, psychology, and education. This vital approach resulted in contributions to the philosophy and appreciation of art which have earned the Foundation world-wide recognition and acclaim.

2) Paintings, sculptures, and other art objects were carefully selected for their fittingness to the Foundation's educational program. Growth of the collection was due mainly to expansion of classwork and specific study projects. The walls were organized as aids in the study of traditions and their interactions, and the galleries were used as the School's classrooms.

3) Enrollment in the Art School's two-year course has steadily increased over the years; for the 1960-61 scholastic year, one hundred and thirty students were enrolled.

4) Under the direction of Miss Violette de Mazia-- widely recognized for her outstanding lectures and writings in the field of art-- the teaching staff at the Barnes Foundation continues the development of Dr. Barnes' work. The instruction is based on the same principles of creativeness as are the art works themselves. To maintain the high level of creative teaching and the unique educational program at the Foundation, it is essential that the instructors have sufficient time in the Gallery to work with the paintings for weekly preparation of lectures.

5) The collection is in constant use, since, for both class-preparation and class-presentation, the paintings, sculptures, furniture, and other art objects are moved from their usual locations and re-grouped according to the new relationships to be shown. What the instructors present to the students comes not from books, but from the works of art themselves. Up until March 18, 1961, when the School was made to serve on

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Paintings hanging in the offices at the plant aroused the interest of the workers, and their questions about them inspired Dr. Barnes to initiate a series of lectures on art appreciation. Growth of outside interest in the lectures necessitated the expansion of facilities, and, thus, the Barnes Foundation was officially established. From the very start, the paintings served as the basis upon which the lectures were built. Applying to his study of art a background rooted in science, philosophy, psychology, and educational methods, Dr. Barnes evolved an approach to art of epoch-making significance. He did for painting what Freud had done for psychology; he distilled, synthesized, and built on past art criticism, finally initiating what John Dewey called "the method that must be used in any intelligent approach to the understanding and appreciation of art in all its forms".

Barnes believed that life is a continually developing, unfolding experience, and the growing collection of paintings reflected this as it was assembled for ever-broadening educational purposes. Indeed, it was the refinement of his method of objective study which made possible the breadth and quality of the collection. Barnes was among the very first to recognize such greats as Pascin, Matisse, Picasso, Modigliani, Soutine, de Chirico, Demuth, Maurice Prendergast, William Glackens, and numerous others; he wrote about these men nearly forty years ago in the first edition of his book, The Art in Painting, proclaiming their greatness and objectively verifying his claims at a time when the "art world" almost universally rejected their work. This revolutionary book was acclaimed by many of the world's leading philosophers, but art critics and professors-- absorbed, in esoteric theories, irrelevant formulas, and subjective "analysis"-- chose to disregard its vital message. Today Barnes' ideas have seeped into the art world in a misinterpreted, distorted, and diluted form. Although these ideas have been plagiarized by most contemporary critics, the work carried on at the Foundation itself is still widely ignored. This is especially true in the United States, but abroad the story has been different. The French government was among those who recognized the importance of Dr. Barnes' achievement; it gave him its highest award-- The Legion of Honor-- for his great contribution to the understanding and advancement of art.

Today, the Foundation's dedicated, highly trained staff creatively continues Dr. Barnes' work-- the like of which exists nowhere else in the world. That this work is now being stifled is the great tragedy of the newly enforced opening of the Barnes Foundation. Political opportunism and flagrant publicity-seeking by the Press and individuals involved have been a major factor in "giving the Foundation" to the public. The Barnes collection does belong to the public; but, it belongs in a much deeper sense than the Press or State have shown themselves able to realize. The Barnes Foundation belongs to the public as all educational institutions belong-- in what it gives to society through its students. Indeed, the impairment of an educational institution encourages, perhaps more than any other single act, the leveling of individual accomplishments to common obscurity. Those who have demanded that the Foundation's School open its doors as a public museum threaten a principle basic to our belief in individual rights and in the value of education to a free society.

As a non-profit-making, tuition-free, educational institution, the Barnes Foundation filed for and was granted the tax-exempt privileges which all such bona fide schools are guaranteed under Pennsylvania law; that the Foundation had valuable paintings played and plays no part in this grant. The newspapers and politicians would not have dared to assault such schools as the University of Pennsylvania, Jefferson Medical School, Lincoln University, Harvard or Yale, in an effort to force open their laboratories or libraries to unqualified free use, without regard for the effect upon the teaching programs of

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the institutions. If that were attempted, the public would rise in opposition against such a threat to education, especially in these times, when our national political leaders have rightly proclaimed the value of, and are supporting, aids rather than deterrents to education.

But since paintings, unlike books, present a unique problem in accessibility in that there is only one source which conveys the ideas of the artist, the administration of the Barnes Foundation established many years ago the previously described program for visiting the Gallery in an uncrowded and relaxed atmosphere. But these arrangements had been set up with the recognition of the Foundation as a school; the visiting hours were scheduled so as not to interfere with the School's work, which now-- under the new arrangement-- must be significantly abridged.

It is indeed unfortunate that the opponents of the Foundation's School have failed to understand that Dr. Barnes' greatest contribution to mankind is not the collection, but rather, the unique tools which made it possible-- tools which, through genuine interest and intelligent guidance, can belong to all.

Should you have any questions concerning the information presented in this notice, or should you be interested in further information about the Barnes Foundation and its work-- please write to:

Friends of the Barnes Foundation
P. O. Box 7993
Philadelphia 1, Pa.

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# A NEW WRINKLE IN "THE PHILADELPHIA STORY"

The sloth of Philadelphia is proverbial: the city's 50-year-old label, "corrupt and contented," and the 50-year-old war-weary soldier's song - "I'll put my un-i-form a-way, sail to Phil-a-del-phi-a, and spend the rest of my life in bed" -- are more widely known than the story of William Penn's treaty with the Indians. No local organization, neither the corrupt political machine nor the fossilized Board of Education, has done so much to perpetuate "Philadelphia's Shame" as the Philadelphia Museum of Art under its present Administration. This report of the latest scandal at the Museum is newsworthy because a public demonstration in the Museum on April 30, 1948 revealed not only the cause of the "Progressive Decay" of the Museum, but an example of how the citizens can, in a law-abiding manner, make the Museum's resources beneficial to the community.

The newest scandal is a by-product of the present exhibition of Matisse's paintings. What is put on record now is a summary of the essentials of the scandal; it can be completed by documentary records, covering the period from February 23 to April 27, 1948, in the Museum's official files. These documents prove violation of Federal laws, the Museum officials' arrogant defiance of the rights of the people, and their contempt for the accepted canons of decent behavior.

The event herewith summarized took place on Friday, April 30, 1948, in one of the galleries at the Museum. It was a lecture by Mr. Fiske Kimball, Director of the Museum, to an audience that filled the room and was composed of distinguished artists, educators and writers from New York, Philadelphia, Baltimore and Boston, students from most of the local institutions of higher education, and the usual attendants on similar occasions. Present also, lined up against the walls, were practically the entire staff of the Museum, including the official bouncer, and some armed Park Guards -- all paid by taxpayer's money.

The lecturer began with a lengthy recital of his qualifications to talk about art. The foundation-stones he offered as the support of his position as an authority were a series of quotations from various books on art, philosophy and esthetics. When he spoke in front of Matisse's paintings, he furnished abundant proof that the statements he had quoted from books had no rational relation to what he said about the paintings: he had substituted hearsay for authentic firsthand experience with works of art. He repetitiously summed up a painting with the grandiloquent statement -- "This is a 'great masterpiece'"; what in the painting made it a "masterpiece," he never disclosed. The stenographic record of his lecture embodies an incredible farrago of ipse dixits that reveal mental confusion, incompetence and transparent sham.

After about thirty minutes of this sort of futile rambling, the intelligent portion of his audience had had enough, was restive, and started to question Kimball on some of the statements he had made. These questions, all proper, pertinent and politely asked -- each from a different person -- were flagrantly evaded by Kimball. The audience, perturbed and amazed, snickered. "You have not made a single statement," a young man then said to Kimball, "that would enable a person of average intelligence to learn what makes a painting a work of art, or what makes a painting by Matisse different from the work of any other modern painter." Kimball's incoherent murmurings about "life" bespoke his consternation and confusion. When asked whether what he had said about Matisse's work could be said also about any other modern painting, he flabbergasted the listeners with -- "Yes, it could."

After brandishing the magic word "life," again and again, Kimball said to the young man who had declared that all he had had from Kimball was meaningless language -- "Why don't you enlighten these people?" The reply was -- "I will, if they want me to." The audience responded enthusiastically to the proposal, and the young man took the floor. Kimball's abdication was a unique and sensational event in local history.

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The new lecturer began with an objective demonstration of the characteristics of the Matisse painting of which Kimball had read an "analysis" from a book on art. He pointed out that the "analysis," which Kimball had raved about, is but a medley of disparate non-essentials on the same level as Kimball's own pointless and puerile dissertations on Matisse's paintings. In other words, he took Kimball for an inglorious ride in a vehicle furnished by Kimball himself.

With that rubbish disposed of, the lecturer proceeded with a systematic analysis of the painting in easily understandable terms: the mystification, fog and bewilderment, that Kimball had left in the minds of the audience, were banished by the new lecturer's ability to communicate clean-cut ideas and demonstrate their significance in the painting. He did it with the simplicity, directness and clarity that carry conviction of a person's sincerity and competence. He talked from a background of genuine experience.

Kimball, awakened from his daze, apparently realized the ominous situation he had gotten himself into, and he brusquely interrupted the lecturer. That this act was contrary to the wish of the audience was shown by an auditor who told Kimball that he had no right to interfere with the lecturer; that it was unfair; that Kimball had had his inning; that the audience wanted the lecturer to continue; that Kimball had suggested that the lecturer take on the job that Kimball had made a mess of. Once more Kimball called upon his supposed authority to validate his stand -- "I am Director of this Museum," he glowered. He was immediately reminded that it was his own acts that had placed the lecturer in moral and legal control of the situation; that a director of a tax-supported museum is a public servant, not the owner of the institution. Kimball, thus put in his place, made a hurried exit from the room: his discomfiture was based on the fact that he had "mistaken the rumblings of the bowels for the commands of the Almighty."

Two more acts in the drama took place before the curtain went down: a youth addressed these words to the audience: -- "His (Kimball's) attempt to silence the lecturer was his substitute for physical violence and amounted to cheating us out of our rights."

The last act consisted of the reading of the following passage from William James, the father of present-day enlightened conceptions of democracy and education:

> *"An entire volume of 784 pages lately published in Boston is composed of stuff like this passage picked out at random: 'The flow of the efferent fluids of all these vessels from their outlets at the terminal loop of each culminate link on the surface of the nuclear organism is continuous as their respective atmospheric fruitage up to the altitudinal limit of their expansibility, whence, when atmosphered by like but coalescing essences from higher altitudes, -- those sensibly expressed as the essential qualities of external forms, -- they descend, and become assimilated by the afferents of the nuclear organism.'
>
> ". . .To the reader, the book quoted from seems pure nonsense from beginning to end. It is impossible to divine, in such a case, just what sort of feeling of rational relation between the words may have appeared to the author's mind."

The quotation is a fitting epilogue to Kimball's demonstration of the "Progressive Decay" of the Philadelphia Museum of Art. What followed his abdication constitutes evidence that the decay can be arrested by the will -- and the acts -- of the people.

Albert C. Barnes
Merion, Pa.

May 5, 1948

*Principles of Psychology, Volume I, pp.263-264.

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Gen'l - Barnes

ALBERT C. BARNES

MERION, PA.

EXCERPTS FROM DR. BARNES' TALK AT THE PHILADELPHIA MUSEUM OF ART ON APRIL 7, 1948

The purpose of our meeting here today was to study the Matisse paintings by application of the principles of educational methods which you have been taught elsewhere for the past two years. We have pointed out in the Matisse paintings the objective features which any trained observer can see; we have tried to establish the relationships between these factors and your background of knowledge of the traditions of painting, and by these means arrive at a verifiable appraisal of the painting as a work of art.

This is the procedure by which the fundamental principles in any field of inquiry are established. It is the method of science; it differs in no essential from the research that resulted in the atom bomb, or your reasoned choice of food, clothes, friends.

Let us now apply the method of science to the problem offered by the written question handed in near the close of our discussion of the paintings. The question reads:

> "The Foreword to the Catalogue of the Matisse Exhibition says 'we are fortunate in having the blessing of Matisse himself.' What puzzles many of us artists is -- How can a man of Matisse's cultural and artistic stature put his 'blessing' upon an institution which has been so frequently named as a place where both art and education are prostituted? Does Matisse dispute another published charge that -- 'The main function of the Museum has been to serve as a pedestal upon which a clique of socialites pose as patrons of art and culture,' or does he not know of such charges?"

The first step toward the solution of any problem is a survey of the relevant facts. We may begin by the quotation from the Catalogue of the Matisse Exhibition: "We are fortunate in having the blessing of Matisse himself." This implies that Matisse approves of the Museum Director's thumbing his nose at the Federal laws, as he does on page 39 of the current issue of the Museum Bulletin by reproducing a photograph as part of the Museum's advertising propaganda. The photograph is of an important painting by Matisse which the author of the Foreword of the Catalogue asked on loan for the present exhibition and was refused because of the Museum's record of shady practices. The use of that photograph in the Museum Bulletin is a violation of a Federal law, and the Director of the Museum has ignored the request to withdraw it from publication.

Other verifiable facts indicate that the "blessing" idea should be taken with further grains of salt; one of these facts is Matisse's well-known reaction to the syrupy adulation showered upon him by "art lovers" and Museum officials -- and provided in full measure by the Foreword of the Catalogue. Matisse's mimicry of the antics of these performers is the delight of his friends.

Another fact to be noted is that the author of the Foreword hoists the Museum officials on to Matisse's bandwagon and lets them share,

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vicariously, the artist's renown. This grotesquerie accords with the process of ballyhoo that invariably heralds the Museum's efforts to steal other people's ideas or share in their glory.

The Foreword thus emerges as a remarkable document: How is its type of writing to be classified? Literary artists term it "fine writing," by which they mean the smoothly written platitudes that reveal an author's lack of genuine experience and original thinking. In the language of robust realists like Hemingway or Mencken, the Foreword is "perfumed tripe." Psychologists classify that type of writing as a form of gush -- and gush, they say, is "a mere explosion of disembodied feelings: the ghost of experience wandering aimlessly in an alien world of material objects."

Now we come to that part of the student's question which asks: "Does Matisse know" about the charges that the Museum "is a place where both art and education are prostituted?" -- and once more we may look at the record for relevant facts: when Matisse's paintings were first shown in Philadelphia in 1923, the equivalents of the present Museum officials told the newspapers that the exhibition was "trash". In 1938, a copy of the pamphlet, "A Disgrace to Philadelphia," was sent to Matisse. It was a documented record of a series of reprehensible acts by the Museum officials - including outrageous fraud upon the public -- that brought nationwide discredit upon the city. To Matisse was sent also the published information concerning other and similar scandals of the Museum officials; this fact should dispose of the student's question.

The last part of the question to be considered is how can a man of Matisse's stature stoop to exhibit his work at an institution that is notorious as "a pedestal upon which a clique of socialites pose as patrons of art and culture?" This question seems to be born of a confusion of values: those of art and those of the pretentious humbuggery that prevails in public institutions like the Philadelphia Museum of Art. Again let us look at the available facts for the answer: Matisse's letter, published in the Museum Catalogue, shows that his sole interest is to have artists and earnest students look at his work for what it contains of art and human values. For him to refuse to exhibit at the Philadelphia Museum because of the moral status of its officials, or because they usurp the center of the stage with their socialite parties, would be like cutting off his nose to spite his face.

The analysis thus far made of the material published in the Catalogue and in the Museum Bulletin, when brought into relation with the other facts we have noted, provides sufficient data to make informed people suspect that the Museum officials use Matisse's fame to bamboozle the public. The suspicion would take on more the character of proof if the Museum would publish from their official records some highly significant information about the exhibition which they keep under cover. This unpublished material indicates that Matisse was astute enough to suspect that he might be exploitedand took the precaution of providing a remedy if it should occur. At any rate, the total circumstances, including the unpublished data, reveal that the true status of affairs is that Matisse is holding the exhibition and the Museum officials are "holding the bag." The real blessing, therefore, falls upon earnest students in the opportunity to see so many paintings by a great creative artist who is also an honest, intelligent, worldly-wise man, possessed of subtle humor and the savoir-faire of the skilled diplomat.

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BARNES

COPY

ALBERT C. BARNES

MERION, PA.

STENOGRAPHIC REPORT OF THE CONCLUSION OF DR. BARNES' TALK AT THE PHILADELPHIA MUSEUM OF ART ON APRIL 7, 1948.

The purpose of our meeting here today was to study the Matisse paintings by application of the principles of educational methods which you have been taught elsewhere for the past two years. We have pointed out in the Matisse paintings the objective features which any trained observer can see; we have tried to establish the relationships between these factors and your background of knowledge of the traditions of painting, and by these means arrive at a verifiable appraisal of the painting as a work of art.

This is the procedure by which the fundamental principles in any field of inquiry are established. It is the method of science; it differs in no essential from the research that resulted in the atom bomb, or your reasoned choice of food, clothes, friends.

Let us now apply the method of science to the problem offered by the written question handed in near the close of our discussion of the paintings. The question reads:

> "The Foreword to the catalogue of the Matisse Exhibition says 'we are fortunate in having the blessing of Matisse himself.' What puzzles many of us artists is -- How can a man of Matisse's cultural and artistic stature put his 'blessing' upon an institution which has been so frequently named as a place where both art and education are prostituted? Does Matisse dispute another published charge that -- "The main function of the Museum has been to serve as a pedestal upon which a clique of socialites pose as patrons of art and culture,' or does he not know of such charges?"

The first step toward the solution of any problem is a survey of the relevant facts. It may be assumed that a man of Matisse's integrity did not put his "blessing" upon the Museum Director's published misrepresentations or his illegal exploitation of other people's names and property. This flaw in the Foreword calls for comment on other of its aspects. For example, its author expresses regret that certain important local Matisses would not be in the Museum exhibit. The Curator of Painting asked for the loan of these paintings and it was refused; the reason for the refusal, given to him in a letter, is that the owner of the paintings would not be associated with people who prostitute art and education by habitual deception of the public.

The manner of the regurgitation of thricetold data in the Foreword fits in well with the ballyhoo that invariably hails the Museum's efforts to steal other people's ideas or shine in their glory. Its

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author hoists the Museum officials on to Matisse's bandwagon; they share the seat of the famous artist who got where he is in spite of the obstructions of the Museum's prototypes of 1923 who crucified Matisse in public. No person knows this better than Matisse.

How is the type of writing in the Foreword to be classified? Literary artists term it "fine writing," by which they mean the smoothly written platitudes that reveal the author's lack of genuine experience and original thinking. It is the syrupy adulation of Matisse that "art lovers" and Museum officials now shower upon him. His mimicry of the antics of these sycophants is the delight of his friends. In the terms of robust realists like Hemingway or Mencken the Foreword is "perfumed tripe." Up-to-date psychologists classify that kind of writing as a form of gush -- and gush, they say, is "a mere explosion of disembodied emotion: the ghost of experience wandering aimlessly in an alien world of material objects."

Since Matisse agreed to the exhibition, it is obvious that he considered the morals of the Museum officials no deterrent to an exhibition of his own honest work. This is consistent with the intelligent, clear-thinking, worldly-wise artist whom everybody respects and admires: he would never cut off his nose to spite his face. Philadelphia artists rejoice that they have the opportunity to see so many of his paintings; that the phonies who run the Museum are all set to occupy the center of the stage with their socialite parties, bothers neither Matisse nor serious students of his work.

Matisse is exceedingly well informed concerning what goes on in the art world, especially in Philadelphia. He knows that in the first Philadelphia exhibition of his paintings in 1923 he was denounced by the equivalent of the present Museum officials as a bungling charlatan. In 1938, Matisse received a copy of the pamphlet entitled "A Disgrace to Philadelphia," which told the world how the present Museum officials not only perpetrated an outrageous fraud upon the public, but also revealed that the Museum, in buying two inferior paintings by Cezanne, paid for them $82,000 more than the prices quoted to other prospective buyers. Matisse received also the published information concerning other activities of the officials which indicate that their philosophy is "You can fool all of the people all of the time." They get away with it because when the Museum Director's incompetence and maladministration get him in hot water, his Board of Trustees extricate him by the combined power of their social, financial and political influence. Matisse has been furnished with the records of all these scandals -- and this fact disposes of the student's question: "Does Matisse know about such charges?"

Matisse's probable reaction to the Philadelphia Story, now running in the public mind, is a chuckle as he recalls what he underwent in Philadelphia in 1923 at the hands of the identical brand of old hats that now exploit his fame to bamboozle the public.

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AHB's copy

Excerpts from Stenographic Notes Taken at a Lecture on Matisse by

FISKE KIMBALL
Director, Philadelphia Museum of Art

Foreword: On April 30, 1948, the spirit of ancient Athens was at work in the Museum at Philadelphia, and a modest simulacrum of early Greek drama was born spontaneously. Its dialogue, herein recorded, was in the manner of Socrates; its content, the eternal human conflict between ignorance and knowledge, the counterfeit and the genuine, that pervades the great dramas of ancient Greece. It was loaded with the poignant tragedy and pathos of Aeschylus, relieved by an occasional flash of the comedy of Aristophanes. The emotions of the audience gradually took on substantial body as the actors in the drama communicated facts that crystallized in their minds as ideas which appealed to their reason and sense of propriety. Their words and acts, as set down in the record, attest their endorsement of competence and honesty, and their abhorrence of pompous pretentiousness wearing the mask of authority. It was a memorable demonstration that democracy and education, put into practice, provide the means of intelligent living.*

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The scene as it unfolded:-

Chanin to Kimball: "What makes a still-life a masterpiece?"

Kimball: "The life with which the artist has impressed it."

Chanin: "Can you give me an idea of what you mean by that?"

Kimball: "Do you know the secret of organic life?"

Chanin: "There are no specifics that make it a Matisse?"

Kimball: "I think there are, but they are not the ones that give it life."

Chanin: "What does 'life' mean?"

Someone: "That's a mystery."

Kimball: "Yes, that's a mystery."

Chanin: "Well, I have been trained in the field of art and I have worked at explaining paintings, and all I heard this afternoon is meaningless language, just a confusion of words."

Kimball: "Oh! You would like to have a formula?"

Chanin: "I have come to Philadelphia from a distance of 90 miles, hoping to add to my knowledge of Matisse, but I find myself deeply disappointed with the talk."

Woman: "So do I, and I came all the way from Baltimore."

Kimball: "Yes, I know."

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*Foreword by Laurence Buermeyer

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Chanin: "You have not made a single statement that would enable a person of average intelligence to learn what makes a painting a work of art, or what makes a painting by Matisse different from the work of any other modern painter."

Woman: "I feel that all that you said about Matisse could be said about any modern painter."

Kimball (to Chanin): "Young man, art can't be explained like that. The only specific thing about Matisse is his being Matisse. What is the difference, for instance, between Shelley and Keats?"

Someone: "That Shelley was Shelley and Keats was Keats!"

(Laughter)

Kimball: "Yes, each one is different."

Woman: "How about Mr. Smith and Mr. Jones; they are different from each other, too, and from Matisse. Are their paintings masterpieces for that?"

Kimball: "I think Matisse has impressed more life on his work than Smith or Jones."

Chanin: "But one can explain the difference between Shelley and Keats."

Barnes: "You mean Kelly and Sheets, don't you?"

(Laughter)

Chanin: "Shelley and Keats are not the same, in theme, style, aim. One was vastly more revolutionary, more dynamic, and preached reason above passion; the other was more opulent in style and wrote, as you yourself quoted, 'Truth is beauty, beauty truth, that's all we need to know.'"

Kimball: "It's the life they gave!"

Barnes: "Wouldn't you point out what that 'life' in Matisse consists of?"

Kimball: "Yes! Wouldn't you tell us, Doctor Barnes?"

Barnes: "It is you who are here to talk about Matisse; I came here to learn."

Kimball (to Chanin): "We are very happy to welcome guest artists ... and ... uh ... Doctor Barnes, you know a lot about Matisse, you began in 1921."

Barnes: "Nineteen twelve is correct."

Kimball: "You own sixty-odd Matisses."

Barnes: "Sixty-five is correct."

Kimball: "I wish you would interpret them to me."

Barnes: "I would if you would come out there and enter as a student in the first-year class, learn what the first principles of psychology and education are, and learn something about paintings by being shown, not by banalities and platitudes. I have been swamped by questions here this afternoon."

Kimball: "Won't you answer them?"

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Barnes: "Why should I answer them? They refer to your talk, which seems to have confused everybody. For instance, here is one question: 'Do you mean that what you pointed out is what makes Matisse a great artist?'"

Kimball: "Yes, the life!"

Barnes: "A very vague thing. As I understand it, these people came to learn something about Matisse and what makes the difference between Matisse and any other painter."

Woman: "Couldn't what you said about Matisse be said of any other artist?"

Kimball: "Yes, it could."

Voices in Audience: "What! My God!"

Barnes: "There is no difference then? That's what we want to know. That fellow (pointing to Chanin) asked you what you mean; you didn't tell him."

Kimball: "I have no pretense, as I said, of being a master of interpretation. (To Chanin) Maybe you want to talk to the audience; why don't you enlighten these people? Don't you get from the Matisse what life meant to him?"

Someone: "Perhaps he (Chanin) can give us a good talk if you let him go ahead."

Boy: "Yes, I know he can. I know he's good."

Chanin: "I came here to listen, not to lecture."

Kimball (to Chanin): "Don't you get how much better he gives life?"

Chanin: "It sounds like an advertising slogan: 'Pepsodent toothpaste is better' -- better than what? And why is it better? What are you talking about? Only one single painting, masterpiece or not, is only one step in the development of a painter's career. In order to understand that painting, you have to see and study his prior work and follow how, step by step, he came to express his feelings in that particular painting."

Kimball: "No, each picture is a thing in itself, it is complete; otherwise it is not a work of art. But won't you, please, show us what you mean?"

Chanin: "Well, it's not my job, but I will, if they want me to. If you select a painting, I'll show you what I mean."

Someone: "How about 'The Blue Window?'"

Chanin: "Do you want to go back to 'The Blue Window?'"

Kimball: "Yes --"

Voices in Audience: "Oh! Yes."

Chanin: "All right, if you want me to prove a painting can be analyzed so that it makes sense, I'll talk on 'The Blue Window.'"

In front of "The Blue Window"

Kimball (to Chanin): "Won't you tell us your name first, young man?"

Chanin (quizzical look at Kimball)

Kimball: "I gave you my name; won't you give us yours?"

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Chanin: "Well, I don't see what that has to do with the Matisse painting. Do you want a name, or a talk on the painting? I thought you were interested in an analysis of this picture, not in me."

Turning to picture and facing the audience, Chanin began his talk.

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. . . . . .

Kimball (interrupting Chanin's analysis): "My dear boy, I am sure we have all enjoyed --"

Someone: "Hey! Let him go on! He hasn't finished."

Barnes: "You can't interrupt him. He (Chanin) has the floor. That's not very polite, and you know, Mr. Kimball, that I am never impolite."

Kimball: "I am Director of the Museum --"

Barnes: "That doesn't mean you own the Museum. It's tax-supported and you are expected to serve the tax-paying public. Besides, you asked the man to speak and he has the right to finish what he wants to say."

Audience: "Yes! Yes!"

Kimball: "Unfortunately, I have to leave myself and I wanted to thank our young friend here" (Chanin).

Boy (to Kimball): "May I have the floor, Sir, for two minutes, only two minutes?"

Kimball: "I have to go and I won't be able to congratualte you."

(Exit of Kimball through door where Marceau and Clifford stood.)

. . . . . .
. . . . . .

Boy: "There is an old Chinese proverb: Two Chinese are arguing with each other and an American comes along and wants to know why they don't hit each other. The explanation is that he who strikes first is the loser. He (pointing to Mr. Kimball's exit) didn't come up and shove Mr. Chanin out of the way with physical force, but it amounted to that when he cut him off. His (Kimball's) attempt to silence the lecturer was his substitute for physical violence and amounted to cheating us out of our rights. I propose we give Mr. Chanin a hand --"

(Applause)

Barnes: "I'll give you my opinion of the whole situation by reading this passage from William James' first volume of Psychology": (Reads from pp. 263 and 264, ending with the paragraph from James which reads:-

> ' . . . To the reader, the book quoted from seems pure nonsense from beginning to end. It is impossible to divine, in such a case, just what sort of feeling of rational relation between the words may have appeared to the author's mind.')

Barnes: "The quotation (from James) is a fitting epilogue to Kimball's demonstration of the 'Progressive Decay' of the Philadelphia Museum of Art. What followed his abdication, constitutes evidence that the decay can be arrested by the will -- and the acts -- of the people."

(Applause)

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AN OPEN LETTER

President
Philadelphia Museum of Art

Sir:

The Museum's latest publication, "The College and the Museum," has the earmarks of another of your characteristic attempts to deceive the public. It leaves unanswered the numerous public charges that the Museum officials are guilty of violation of the Federal laws, perpetration of fraud upon the public, incompetent administration, illegal exploitation of the names and works of respectable people, and a series of other reprehensible acts that have brought nationwide discredit upon the city; in short, the prostitution of art and education, largely at the taxpayers' expense.

Instead of submitting these charges to a competent, disinterested body for judicial review and decision, your new publication tries to build up the Museum's shattered reputation by invoking the unanalyzed prestige of six local educational institutions. The professor of the decrepit art department in each of these institutions describes, in "The College and the Museum," his method of teaching the understanding of art. This is unfortunate for the institutions themselves, because a survey of the results of those methods has been analyzed by a famous educator who reported that "the students' minds have been debauched by what they have been taught." The survey and the report are available as evidence.

It is obvious, therefore, that the first necessary step is an examination of the qualifications of the professors who you think can nullify the moral bankruptcy into which the Museum has fallen. On this score, the comments on the professors' contributions to "The College and the Museum," noted on the attached sheets, will suffice for the present.

The next step is to have any or all of the professors appear in the Museum, or any other place, and demonstrate, in particular paintings, in the presence of well-known specialists, their fitness to use paintings as means of education. This was the plan carried out at the Museum on April 30, 1948, when your Director, Mr. Fiske Kimball, was publicly exposed as a mental delinquent. He also shed additional light upon "The Progressive Decay of the Pennsylvania Museum of Art," so fully documented in the brochure of that title.

Until this "next step" is taken, the informed public will retain the suspicion that the six professors have the status of mama's little helpers in the Museum's deception of the public. All that you need do to clarify the situation is to set the stage for the proposed demonstrations. The specialists are ready to do their part.

Yours,

Albert C. Barnes

Merion, Pa., June 16, 1948

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University of Pennsylvania

The Professor of Art at this institution was announced to lecture on Matisse at the Museum on April 30, 1948, but he failed to appear. The rumor persists that he knew that if he did lecture the audience would recognize the brand of counterfeit which he usually passes for education in art, and the treatment accorded him would bring his institution into disrepute. By welshing on his agreement to lecture, he escaped playing the stellar role that his successor, Kimball, filled in the "Greek drama" which has afforded the art world the best entertainment ever provided by the Museum.

The professor's contribution to "The College and the Museum" is mostly a fulsome plug for the Museum. What he writes is essentially a paraphrase of the usual rhapsodic lip-service to art and education that one finds in the books that palm off lofty sentiments and high-sounding words as substitutes for thinking. It reveals his lack of knowledge of scientific educational methods and also that the understanding of art as an experience is foreign to him. Further relevant data is in the official files of the institution which he serves.

Bryn Mawr College

Bryn Mawr's Chairman of the Department of History of Art laments that the resources of the College are far from satisfactory but at the Museum his students rejoice in "the minute perfection of the Van Eyck. . . and many more." "The opportunity to experience the art. . . directly," which he says is given his students, is wishful thinking, for nothing in his course deals intelligently with firsthand, authentic experience of what is expressed in a painting. The raison d'être of the professor's confusion is the essence of William James' essay on HABIT. It also explains why his students are not admitted to an institution that seriously strives to demonstrate art as experience by means of works of art.

As to the relationship between the Museum and his College, the Bryn Mawr professor says that "The Museum. . . supplies that for which he is looking," and the Museum "also furnishes them in various ways with the elements of understanding. . ." These two statements, considered in the light of the public utterances of the lecturers at the Museum on April 16, 23 and 30 and May 7, 1948, can mean but one thing: that the blind are leading the blind.

Swarthmore College

Swarthmore's Chairman, Fine Arts Department, writes, "The Philadelphia Museum is helping to break the academic lockstep of standard operating procedure in the study of art history at the college level." The way the Director, Fiske Kimball, helped to "break" it on April 30th, was enacted in a drama that made the art world laugh as they read it. The way Swarthmore's Chairman helped to "break" it at the Museum on April 23rd was by reading long-winded quotations, and, at a distance of six feet, pointing at various parts of a painting by Matisse; this, apparently, is his version of the subjective-objective method of teaching.

In his classes he tries to transform one entity into another, a photograph into a painting. His slogan pleases the ignorant and lazy -- it is "Chacun à son goût," which is his paraphrase of the adage -- "Everybody to his own taste, as the old woman said when she kissed the cow." He says, in effect, if you like it, it's good; to hell with the fact that what the artist has to say can be expressed only in terms of the qualities of his medium; and, once more, to hell with the arduous work of learning to see what in a painting makes it significant in terms of experience. A record of his lecture on Matisse at the Museum is a good example of the kind of art teaching that obstructs education.

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Beaver College

The Professor of Fine Arts at Beaver College provided excellent entertainment by his lecture at the Museum on May 7th. His smile was pleasant, he wore becoming tweeds, was glib, talked a blue streak, and made a wisecrack about sex that labelled one of Matisse's paintings an alluring expression of pornography; his "The nude says 'How about it, boys?'" -- as he pointed to the painting -- revealed the professor's mental and artistic makeup with precision.

The most illuminating part of his contribution to "The College and the Museum" is this sentence about the Museum -- "any static character has vanished in its becoming vitally (sic) alive -- a place of action"; it certainly was while he lectured: words, movements, change from one irrelevancy to another, went at lightning speed. Indeed, his different ideas moved so fast that they never had time to establish that relationship between one idea and another which makes for rationality. His "How about it, boys?" -- in front of the nude -- caused one of the auditors to recall that the Museum's moniker in Philadelphia is "the house of prostitution of art and education." A record was made of his lecture, and it should be published in the Museum Bulletin as an example of the mental and moral status of the institution.

Temple University

Temple University's contribution to the whitewash is made by its Assistant Professor of History of Art. He writes -- "Our History of Art Department stands on solid ground now," and, like the other professor contributors, says this "solid ground" is "a collection of slides, reproductions and books. . . But we still look to the Museum for help when our own sources in these fields prove insufficient." In other words, he goes to the Museum and expects his students, taught by photographs, instinctively to break up one long-established bad habit and acquire a new, more complex, hard to learn, indispensable set of visual, mental and physical coordinations. This exemplifies part of what the famous educator, referred to in the accompanying letter, meant by "the students' minds have been debauched by what they have been taught."

The Temple professor states further that the students "check in the Museum the reliability of conclusions to which we arrived in the classroom without the presence of originals." This is an ingenuous confession that, with or without visits to the Museum, the study of art at Temple follows a cart-before-the-horse procedure. It is a matter of recorded experience that students subjected to this sort of teaching are, in most cases, totally unable to get rid of the incubus sufficiently to understand the subjective-objective interaction indispensable to an intelligent approach to the study of works of art. The professor never learned it and the students thus taught, who take up teaching, land as instructors in some fifth-rate university or fresh-water college and perpetuate the evil and, when called on, serve as props for decayed public institutions like the Philadelphia Museum of Art.

Rosemont College

Rosemont College, through the medium of its Instructor in History of Painting, finds that its students "scrutinized an early Bellini, made careful notes of the colors of Botticelli," and appreciate the great value of loan exhibitions of "Daumier, Degas, Corot and. . . Matisse." They know only by hearsay that Bellini painted the pictures; they don't know that trained observers compare Botticelli's color to cosmetics, or that, of the exhibitions of the painters quoted, only that of Matisse was free from the fakes that abounded in the other exhibitions named.

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SUMMARY

The professor of art in each of six different educational institutions applies, by published statements, a coat of whitewash to the unsavory record of the Philadelphia Museum of Art as a citadel of art and education.

The Museum reciprocates this favor by publishing the names of these institutions, at which, according to authoritative records, students of art can have their minds "debauched by what they have been taught."

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Mrs Dorothy Miller

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News Clippings re Albert C. Barnes

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# Barnes Cites Deficit in Fight for $2 Fee

By ARTHUR M. LOUIS

Continued from First Page

**had made it necessary to increase the guard strength.**

Under questioning by Victor J. Roberts attorney for the foundation, Frick said the institution's deficit in 1961 was due to factors involved in the visiting program.

**EXPENSE ITEMS LISTED**

These included guard service, telephone bills, hat and coat checking facilities, secretarial and stenographic services and legal and accounting expenses.

Increased income from investments this year should reduce the deficit to $43,705, Frick said. The proposed $2 admission fee, applied to an anticipated total of 17,000 visitors, will raise $34,000, or $9705 short of covering the cost of the program, Frick said.

The witness said the institution realized a jump in income by transferring certain holdings from U. S. Treasury bonds yielding 2½ to 2¾ percent to other bonds yielding up to 3½ percent.

**QUESTIONS INVESTMENTS**

This apparently did not satisfy Mrs. Forer, who wanted to know why the institution, which is tax-exempt, had invested a large share of its money in tax-exempt State and municipal securities, with lower interest yields than it would get on Federal bonds.

If all the $7,500,000 the Barnes Foundation now has in municipal and State bonds were put into U. S. bonds, the yield would increase $37,000 a year, Mrs. Forer said.

Frick said the institution felt it wise to diversify its holdings.

**GUARD SERVICE AIRED**

At the close of the day's testimony, Judge Taxis said he would study the transcript and then set a date for oral arguments on the Commonwealth's motion to make permanent the injunction against the $2 admission fee. Mrs. Forer was given 10 days to file certain motions she said she intended making. She did not reveal what they would be.

Roberts asked Frick to comment on the largest single expense in maintaining the visitor program: the approximately $3000 a month for guards. Roberts asked why the Pinkerton service was chosen over some other service.

Frick replied that an independent service could do the job more efficiently than the institution could on its own. The guards, he said, are employed on a part-time basis. Under the consent decree signed by the Commonwealth and the Foundation, visitors are admitted only two days a week.

Twenty-seven guards are employed during gallery hours, Frick said, at the rate of $2.25 an hour each.

If the Barnes Foundation undertook to provide its own guard service, it would have to do its own screening and training and would be faced with such fringe costs as Social Security payments, uniforms, paid vacations and administration of withholding taxes and pensions, Frick pointed out.

**FEARFUL OF THEFTS**

Pinkerton, said Frick, has a good reputation for preventing thefts and vandalism. The foundation was especially worried about this, Frick said, because of newspaper reports of art thefts elsewhere. "We are the victims of rather extreme publicity . . . perhaps attracting to a degree curiosity seekers and persons who might have a potential for harm," he added.

Another witness, Thomas J. Bauman, security manager for the Pinkerton agency in Philadelphia, testified that three guards had been added to the staff of 24 at the gallery last February after gallery officials noticed damage to "No Smoking" signs, markings on the walls and scratches on the doors.

Widespread news coverage has been given to the attempts of the Commonwealth to force the foundation to open its doors to the general public on a non-discriminatory basis.

Under a court-approved agreement reached Dec. 10, 1960, the foundation agreed to do just that —twice a week—for the first time since the gallery was founded 38 years before by the late Dr. Albert C. Barnes, patent medicine millionaire.

**200 ALLOWED DAILY**

The doors opened on March 18, 1961. Fridays and Saturdays were the days selected for the public. Two hundred visitors were to be admitted on each day, half of whom could make advance reservations.

Frick testified that 19,692 persons had visited the gallery between the day it opened and May 18 of this year. This figure was 93.8 percent of the quota of 21,000.

A total of 2662 persons were refused admission because the quota was filled on the day they applied. Some of these, however, returned later in the day and were admitted when it developed that all reserved appointments had not been kept, Frick said.

The trustee said it was foundation policy to accept around 118 reservations for a visiting day, 18 more than the required 100, to allow for cancellations.

**ART GROUP INCENSED**

Referring to attendance records of the past, Frick said that 326 persons from the general public were admitted to the gallery in 1956 and 373 saw the collection in 1957.

It was while questioning Frick about admission policies that Mrs. Forer stated that the International Society of Art Historians, a new group sponsored by the United Nations Educational, Scientific and Culutural Organization, recently held its first meeting in the United States and applied for admission to the Barnes gallery.

Mrs. Forer said the group was told it could only be admitted at 8 A. M. The group, she said, passed a censure motion against the foundation.

Mrs. Forer read a list of the foundation's capital assets in an attempt to discover if the trustees had done anything to cut down expenses of maintaining such establishments as Kerfeal farm in Chester county, an office in Merion and an arboretum on the grounds of the gallery.

In this list, the arboretum loomed largest, with the cost of maintenance, including salaries, amounting to $45,838 a year. In addition, Mrs. Forer said, salaries paid to the educational staff at the arboretum run to $42,900, which includes the $30,000 annual salary of Mrs. Laura C. Barnes, widow of Dr. Barnes.

Frick objected that Mrs. Barnes' salary covered not only her work for the arboretum but her services as a director and president of the foundation.

Horticultural classes are held in the arboretum, which Frick described as the foremost institution of its type in the Nation. He said expenses could not be cut without reducing the quality of work in the arboretum school.

Mrs. Barnes later took the witness stand to defend expenses at the arboretum. She said she wanted to make it as important in its field as the gallery is in the world of art.

Mrs. Forer tried in vain to correct previous testimony given by a key Commonwealth witness, Prof. Frederick Hartt, chairman of the Art Department of the University of Pennsylvania. He had said on the witness stand that Penn accepted transfer credits from the school of art at the Barnes gallery.

**BARRED AS WITNESS**

William Owen, dean of admissions at Penn, was in the courtroom, prepared to testify on this point, but Judge Taxis ruled that the testimony would not be newly discovered evidence and ruled that Owen could not take the stand.

Mrs. Forer had with her a letter to Hartt from Allan G. Chester, chairman of the committee on instruction at Penn, which said that the university had never approved courses given at the Barnes Foundation for Penn credits.

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# 4 Barnes Trustees Accused

*Continued From First Page*

regulations to the court within 90 days."

It added:

"Also, that the decree of Dec. 12, 1960, be modified to require (a) admission of 100 persons by prior reservation; (b) admission by prior reservation of members of the public as a group, with the names of only one member of the group and the number listed, and (c) the continuous admission of members of the public throughout each public visiting day, the only restriction being that no more than 200 visitors are present in the art gallery at any one time."

The petition said that the trustees have a cash income of $305,076 a year.

**Spending Criticised**

It charged that they "have abused their discretion by spending 80.3 per cent of this income for maintenance of the arboretum and conduct of arboretum classes, for maintenance of Kerfeal, a farm (in Chester County, which Miss Mullen once testified was worth an estimated $177,000) which is closed to the public and visited by arboretum students two or three times a year, for the art instruction program of the foundation and for administration, and by failing to provide adequate funds for the management and maintenance of the art gallery, which contains a unique and priceless collection of art."

**Paintings 'Periled'**

Another paragraph accused the trustees of violating fire regulations by allowing up to 70 "members of the so-called art classes" to use the second floor of the gallery without installing a fire escape.

It continued:

"The trustees, in reckless disregard for the care and preservation of the paintings entrusted to their care, have abused their discretion and violated their trust by knowingly permitting the paintings to be moved about in the gallery five days a week, thus endangering the collection, weakening the paintings, placing in jeopardy and peril the entire collection of paintings and impairing its value."

The collection was originally brought together by the late Dr. Albert Barnes, a patent medicine maker, who was killed in July, 1951, in an auto accident in East Whiteland Township, Chester County.

A two-page financial statement attached to today's petition stated that Langran was paid $2,100 under "arboretum education," Miss De Mazia $10,000 under "art education," and Miss Mullen $12,000 under "administrative expenses."

## Medicare Bill Needs Miracle, Supporter

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Phila. Inquirer 5/30/62

# Barnes Gallery Cites Deficit in Fight for $2 Fee

By ARTHUR M. LOUIS

A trustee of the Barnes Foundation testified Tuesday that the public visiting program at the famed art gallery had boosted the institution's expenses $54,798 beyond its total income in 1961.

The trustee, Sidney W. Frick, an attorney, was a witness for the foundation in its court fight to impose a $2 admission fee on visitors to the $100 million collection of art in Merion.

The hearing, before President Judge Alfred L. Taxis, of the Montgomery County Orphans' Court, was a continuance of sessions held last April when the Commonwealth asked Judge Taxis to issue a permanent injunction against the proposed admission fee.

**INCOME PLAN OFFERED**

Other developments at Tuesday's hearing included:

**The charge by Deputy State Attorney General Lois G. Forer that the foundation could increase its annual income from investments by $37,000 by reshuffling its holdings.**

**The disclosure that annual attendance at the gallery is running about 17,000 visitors as compared to some 350 a year who managed to gain admission before the foundation was forced to abandon a restrictive admission policy.**

**The disclosure by Mrs. Forer that an international group of art experts had voted censure of the Barnes Foundation after encountering admission difficulties.**

**A report that incipient signs of vandalism at the art gallery**

**Continued on Page 5, Column 3**

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...LADELPHIA INQUIRER, SATURDAY MORNING, M...

# Art Expert Lists 26 False Works In Barnes Group

By LEONARD J. McADAMS

Continued from First Page

campaign by The Inquirer and the State. Hearings on this resume in Norristown on May 29.

Concerning the Barnes restrictions on visitors — including the ban on opera glasses to view distant paintings—Prof. Freedberg said he had been in Germany under the Nazi regime and in Italy under the Fascists but "never encountered restrictions in any public institution comparable to this."

**URGES LONGER HOURS**

"The Barnes Art Gallery, a magnificent treasure of Impressionist and Post Impressionist art should be open eight hours a day, seven days a week," the visiting dignitary declared.

"To understand Cezanne," he continued, "you must see the Barnes art. To write of Impressionists and Post Impressionists you must view the extremely important body of work at the Barnes gallery.

"And art experts and historians should not be restricted as to viewing glasses."

**STAFF DESCRIBED**

Prof. Freedberg described the Barnes staff during his visit as "courteous but uncooperative."

"It should be possible," said the winner of three art fellowships and the author of two books on art, "for experts to examine the collection in a good light.

"Most art galleries welcome visits by experts or historians of art. Here there seems to be an air of defensive hostility toward their works of art."

Prof. Freedberg said he could not understand this attitude inasmuch as the foundation had saved in his estimation some $30 million in taxes by its exempt status.

**'THEY ARE PLEDGED'**

"My feeling is that they are pledged thus to render to the public what the Commonwealth could purchase for $30 million.

"A sum of this size could establish another campus of the University of Pennsylvania or it could supply 1000 yearly scholarships at Harvard University at $1500 each.

"Or it could purchase or build an art institution that really would discharge its services to the public.

"There is no comparable institution in the world that operates as a public trust that makes it so difficult for the public to take advantage of its holdings."

**'COMPLETE FORGERY'**

The painting "Entombment of Christ" is a "complete forgery," Prof. Freedberg said in agreeing with an earlier opinion by Dr. Hartt.

He pointed out such things hanging in galleries are not only misrepresentations esthetically but also in an economic sense. The Harvard art expert said a painting of this size by Domenico Veneziano—of whose works only about a dozen are known—would bring at present-day prices more than $100,000. Dr. Hartt's estimate was $250,000.

The list of 26 misattributions Prof. Freedberg called a "disfigurement."

"It is a major sin in the discharge of public responsibility by a major institution," he said.

The two art experts also cited two scenes bearing French 15th century labels, namely a "Kitchen Scene" and a "Farmyard Scene," as "complete modern fabrications without any relation to the 15th century, the figures in fact, wearing 17th century garb."

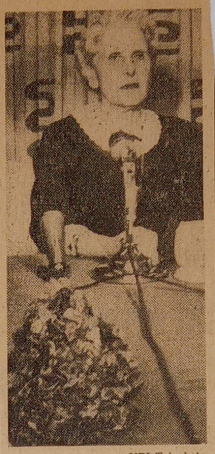
The Harvard visitor said he was surprised that the staff at the art gallery was as reasonable as they were but that he was "startled when told to put my opera glasses in my pocket."

"This never happened before," he said, "and I have been in many museums throughout the world. Some have restrictions on cameras but none on eyeglasses which are what my opera glasses really are."

**NO SLIDES AVAILABLE**

He decried the fact that no photographs or slides are available of masterpieces in the $100,000,000 Barnes collection so that other art galleries and students could make use of them.

Prof. Freedberg is a 1936 graduate of Harvard summa cum laude and won his doctorate in the history of art in 1940. He is a specialist in the Italian Renaissance field and has written two books on that field and has another on the presses.



UPI Telephoto

**Many hats have been tossed into political rings but seldom a bonnet (foreground) made by the candidate. Vivien Kellems, of North Stonington, Conn., did just that when she announced in Hartford she will seek Senate seat.**

## Lili Damita ... Business

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INQUIRER 6/30/62 p.14 1st p. 2nd Sect.

# Barnes Foundation Fights State's Move To Oust 4 Trustees

The Barnes Foundation on Friday asked the Montgomery county Orphans' Court to block a Commonwealth move to oust four of the foundation's five trustees.

In an answer to the State's legal action against it, attorneys for the foundation argued there was no reason to allow the Commonwealth to amend a previous action to include the ouster.

**DENIES ALLEGATIONS**

The State should initiate separate proceedings, if it wanted to move against the trustees, the answer stated. It also denied all the allegations made by the State in its ouster petition.

Following the filing of the action, President Judge Alfred L. Taxis scheduled arguments on the amendment of the Commonwealth's petition against the foundation for July 27.

**FEE CUT SOUGHT**

The State originally sought to halt the imposition of a $2 entrance fee on the two days a week the foundation's art gallery in Merion is open to a limited number of the public. The gallery houses the $100 million art collection of the late Dr. Albert C. Barnes, argyrol baron.

On June 9 State Attorney General David Stahl and Deputy Attorney General Lois G. Forer moved to amend the petition. The amendment would call for removal of four trustees on charges of abuse of discretion and "reckless disregard" for the care and preservation of the art treasures of the tax-free foundation.

The answers were filed by Philip R. Detwiler, associated with Victor J. Roberts, of Norristown, attorney for the foundation.

**MOTION TO AMEND**

Deputy Attorney General Rorer asked that on July 27 a hearing be held on the motion to amend on the merits of the case. Judge Taxis took the request under advisement.

The Commonwealth seeks the ouster of Sidney W. Frick, Joe W. Langran, Nelle E. Mullen and Violette deMazia. The amended petition contends that Mrs. Laura L. Barnes, wido wof Dr. Barnes, is entitled to have trustees whose judgment in the matter of art and finances she can rely on.

In its latest action the Commonwealth contends the four trustees abused discretion in spending 80.3 percent of the foundation's income of $305,076 per year for arboretum uses, art instruction and administration and failing to provide adequate funds for management and maintenance of the art gallery, located Latches lane and Lapsley rd., ...ion.

'Moon' Is Rising

## Court OK Jar Whi...

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# 26 Paintings False In Barnes Gallery, Art Expert Says

By LEONARD J. McADAMS

The chairman of the Department of Fine Arts of Harvard University visited the Barnes Foundation Art Gallery on Friday and found hanging in the multimillion-dollar collection 26 paintings that are either complete fabrications, copies or misattributions. He might have found more except custodians at the gallery in Merion refused to let him use his opera glasses to examine pictures hung on walls high above eye level.

Such tight restrictions as imposed on the public by the tax-free Barnes gallery he had never experienced even in Nazi

*List of Questioned Paintings, Page 8*

Germany or Fascist Italy, he declared.

**CITES REPUTATION**

"I can't tell you the reputation the Barnes Foundation has for rudeness and inhospitality with the world of scholarship and learning," said Prof. Sydney J. Freedberg, the Harvard visitor.

He and Dr. Frederick Hartt, chairman of the Art Department of the University of Pennsylvania, spent from 9:30 A. M. to 1 P. M. viewing the paintings in the gallery.

At the conclusion they drew up the list of 26 paintings which both agreed were complete modern fabrications of old masters, copies of originals or plain misattributions — that is, designating as the artist a person other than the one who executed the painting.

**EXPLAINS IMPORTANCE**

"The label of an art work," Prof. Freedberg said, "carries the same relation as the label of an item of merchandise in a store. An article of rayon should not be labeled silk.

"In a museum directed by persons concerned with proper display an objectionable picture would be withdrawn."

"The sin in misrepresentation," he continued, "is not from ignorance. The sin lies in not letting the persons who do know correct the misrepresentation."

Prof. Freedberg said his suggestion was for the people to give the Commonwealth "all their support to get this tax-free foundation to meet its debt to the public."

The Commonwealth presently is engaged in battling the high visitors fee established by the foundation after it was forced to open its doors following a 10-year

Continued on Page 8, Column 4

Phila. Inquirer May 27, 1962 p. 1

# Barnes Case Set Oct. 8

**President Judge Alfred L. Taxis, Jr., of Montgomery County Orphans' Court, has set Oct. 8 for further argument of the Commonwealth's case against the Barnes Foundation, it was learned Thursday.**

**Matters to be discussed include a petition calling for the ouster of four of the foundation's five trustees, and summary arguments of both sides on the Commonwealth's bid for a permanent injunction to block establishment of a $2 admission fee at the foundation gallery in Merion.**

**Deputy Attorney General Lois G. Forer had asked that the hearing on the ouster petition be set for July 27. Judge Taxis observed, however, that the notes of testimony on the admission fee injunction would not be ready by then, and that he wanted to consider both matters at the same time.**

Phila. Inquirer 7/20/62 p. 21 1st p. 3rd Sect.

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SATURDAY MORNING, JUNE 9, 1962

# State Seeks to Oust 4 Barnes' Aides

By LEONARD J. McADAMS

Continued from First Page

received salaries from the foundation in violation of the indenture agreement and without court permission.

By employing Pinkerton guards at a cost of $25,028, the petition claims the trustees abused their discretion in that adequate personnel that could be of service to the public could be obtained for substantially less money. It charged harassment in the employment of guards unable to furnish information or forbidden to do so.

**'TREATED WITH CONTEMPT'**

Although the foundation has a complete file of photographs of its priceless collection the Commonwealth alleges the trustees have failed to make these available to scholars "treating with insolent contempt the scholarly world in a manner unbecoming a public art gallery and a tax exempt foundation claiming to be an educational institution."

Other harassments alleged are:

**Constant surveillance of visitors, not only by hired guards but by trustee Violette deMazio.**

**Failure and refusal to provide legible and correct identification of all works of art.**

**Failure to maintain proper lighting.**

**Imposition of unreasonable restrictions with respect to viewing the paintings.**

In violation of court decree Violette deMazia, the petition charges, permitted the solicitation and collection of funds in the art gallery from persons attending classes there in order to publish literature attacking the decree of the court.

**'FAILING TO ACT'**

Sidney W. Frick and Joe W. Langran are charged in the petition with failing to act as reasonably prudent fiduciaries by failing to apprise themselves of the lack of professional training of their co-trustees; failing to consult professionally qualified persons with respect to operation and maintenance of a public art gallery.

Also failing to consult qualified investment counsel in order to obtain maximum income, and relying upon the management and judgment of co-trustees lacking professional training, experience and qualifications with respect to the care and maintenance of a priceless collection of art and the operation of a public art gallery.

The art gallery of the Barnes Foundation, at Latches lane and Lapsley rd., Merion, was opened to the public after a long battle pressed by The Inquirer and the Commonwealth. Aim of the campaign was to bring full use of the tax free gallery to the taxpaying public.

**INJUNCTION OBTAINED**

The court action resulted in an agreement on Dec. 12, 1960, permitting 200 persons admission on two days a week. But last June the foundation notified the court it intended to charge a $2 admission fee.

Again the Commonwealth went to court and on Aug. 7, 1961, obtained a temporary injunction against imposition of the fee. It seeks to make this permanent. Hearings in this litigation have been held before Judge Alfred Taxis.

An exhibit with the proposed amendment shows annual income of $305,076 and the following expenses:

Kerfeal, salaries and maintenance, $27,374; arboretum salaries and maintenance plus maintenance of 57 Lapsley rd., $48,-455; arboretum education, salaries, $42,900; amortization of bond premiums, $40,408.

For art education salaries and supplies, less $3419 income. were listed at $26,067, including $10,-000 for Violette deMazia; administrative expenses totaled $32,212, and salaries, including $12,000 for Nelle E. Mullen, totaled $27,558.

The exhibit showed total expenses specifically allocated to operations other than maintenance of the art gallery were $244,974, or 80.3 percent. Other expenses were $60,102 or 19.7 percent.

The petition charged that the trustees in addition to failing to take steps to increase income and cut expenses have also neglected to ask court permission for a less restrictive investment program to yield greater returns. On the contrary, it continues, they have sought "further to harass and deter the public by imposing an admission charge substantially higher than that of any other gallery in the United States.

## King Honors Newsman

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*At Barnes Gallery*

Phila Sunday INQUIRER 4/8/62 p. 1

# Famous Painting 'Ignored'

A panel of art experts discovered a world-famous Italian masterpiece hanging in the Barnes Foundation gallery without any label or information indicating its standing in the history of art, it was learned Saturday.

This, despite the fact that photographic reproductions of the work exist in many of the world's most widely-circulated catalogues of great art.

The connoisseurs, who examined the collection for four days, concluded that foundation officials were unaware of the nature or value of some of the paintings in the foundation.

**19 CALLED FORGERIES**

In addition, some 19 paintings have been termed by experts as "misattributed" or "forged" works of art.

All of the paintings in question, it was reported, were from the older schools of art, mostly Italian in origin.

Dr. Albert C. Barnes, who established the foundation and gallery at Latches lane and Lapsley rd., Merion, was more familiar with late 19th and early 20th century paintings and purchased many of the world's finest, some from the artists themselves.

The specialists, however, said he apparently was "taken" by some dealers when he delved into the older, classical schools of art.

One of these experts, it was reported, went so far as to describe some of the forgeries as "crude."

The fact that there are forgeries at the gallery was brought out Friday in testimony taken before the Montgomery County Orphans' Court in Norristown where the State of Pennsylvania is battling a $2 public admission fee to the tax-exempt foundation gallery.

Professor Frederick Hartt, chairman of the Art Department

Continued on Page 20, Column 4

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LADELPHIA INQUIRER, SUNDAY MORNING, APR

# Famous Masterpiece Lacks a Notation In Barnes Gallery

Continued from First Page

at the University of Pennsylvania, was the witness who said that forgeries and misattributions existed in the Barnes collection.

**SPECTATORS SHOCKED**

He got no further when the foundation attorney objected to the testimony as irrelevant and was sustained by Judge Alfred L. Taxis. Afterwards, Hartt refused to expand on his testimony, which had shocked spectators at the hearing.

It was learned, however, that he and two other art experts had counted the 19 which they alleged were misattributed or were outright forgeries.

A "misattributed" painting, it was explained, is one which has been painted by one artist and mistakenly attributed to another.

**NOT IDENTIFIED**

In the case of the old Italian masterwork, the painting is not identified as Italian nor is the century listed in which it was executed. It allegedly bears no label or other inscription whatever.

Art catalogues which contain reproductions of the work reportedly do not say where the painting may be seen or even if it still exists because the information was not previously available. Generally in such cases the catalogues list the works as in a "private collection."

**STATE RESTS CASE**

In attempting to bring out this information before Judge Taxis, the Commonwealth of Pennsylvania is trying to prove that officials of the foundation are not experts in the field of art.

The Commonwealth, which previously succeeded in having the gallery opened to the public in a campaign started by The Inquirer, rested its case Friday against the newly-imposed $2 admission fee.

The Barnes Foundation will begin its case on May 17 when its witnesses will be cross-examined by the Deputy State Attorney General Lois G. Forer. It is anticipated that the State may also have further witnesses later in the case.

PHILA BULLETIN 4/7/62 pp 3

# Art Teacher Saw Forgeries At Barnes Gallery, He Says

A professor of art at the University of Pennsylvania testified yesterday he saw forged and misattributed paintings in the Barnes Foundation art gallery in Lower Merion.

The testimony caused a small furor in the Montgomery County courtroom where Judge Alfred L. Taxis was hearing testimony to decide on a state request to bar a $2 admission fee proposed by the foundation's trustees.

Dr. Frederick Hartt, chairman of the department of art at Penn, told the court he visited the Barnes gallery four times.

**Questioned About Visit**

Deputy Attorney General Lois G. Forer asked him if he noticed anything unusual or peculiar there.

Dr. Hartt said he did on the first visit with four colleagues.

"We were aware of misatributed pictures and even forgeries," he said.

Victor J. Roberts, attorney for the Barnes trustees, leaped up to object, "this has nothing to do with the issue at hand."

Judge Taxis asked Dr. Hartt what he meant by the word "misattributed."

"A misattributed picture is one attributed to an artist who did not in fact do the painting," he replied.

**Testimony Cut Off**

Roberts again objected and Judge Taxis sustained the objection on the grounds that the question was far afield.

Last night Dr. Hartt was asked if he had a list of the alleged forgeries and misattributions.

"I will make no statement beyond the few words I was allowed to say in court today," he said.

The point in the case is a $2 admission fee the trustees had planned to charge starting last September 1.

Judge Taxis granted the state a temporary injunction against the fee on August 7.

The state argues the foundation can operate the tax-free gallery without charging the admission fee. The foundation claims it needs the money to underwrite expenses made necessary by the opening of the gallery to the public.

Judge Carr

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# Barnes Gallery to Charge

*Continued From First Page*

Government bonds, yielding about 3½ percent, and that the balance is practically all derived from tax-free municipal bonds yielding 2½ per cent or slightly more.

The trustees said this was done to attain diversification within the limits of the trust indenture setting up the foundation. The indenture restricts investments to U. S. bonds and those of states and municipalities.

State and municipal bonds pay lower interest because they are tax free. However, it was pointed out, this is of no concern to the Barnes Foundation since it is a tax-free institution.

**No Convincing Reasons**

In his opinion, Judge Taxis said:

"No convincing reasons were set forth to justify such distribution of the investments and if the investment ratio were merely reversed, thus maintaining reasonable diversification, the increase in income would be from $25,000 to $50,000 annually."

Judge Taxis also hit the foundation for hiring 27 Pinkerton guards for the art gallery's 23 rooms. He said this was, "to say the least, overguarding."

"The art gallery is small compared to other art galleries," the judge said, "and it seems clear to the court that by reducing the guards to 17, the trustees would be able to reduce their expenses by $9,000 to $10,000 per year."

**No Obstacle to Fee**

Judge Taxis pointed out that the trustees in explaining the hiring of so many guards "relied substantially on the recommendations of the Pinkerton Agency who, of course, are in the security business for profit."

Regarding the admission fee, Judge Taxis said there was nothing in the state laws or in the indenture setting up the foundation that prevents it from charging a fee.

However, the judge said that "common sense would indicate that an admission charge will, if anything, reduce the number of visitors and thus not produce even as much revenue as simple arithmetic would indicate."

He also pointed out that the trustees indicated they felt the visiting program must be self-sustaining "while no other programs of the foundation need be."

He said the operation of the admittance program "apparently has come to be regarded by the Commonwealth, at least, as the most important activity of the foundation, but this importance . . . appears not to have been fully recognized by the trustees."

He also said that no "satisfactory reason has been advanced to justify the imposition of an overall operating deficit almost entirely upon the members of the general public who visit the gallery . . . "

Judge Taxis added, however, that since the additional revenues and savings possible to the trustees "are relatively long range and obviously cannot be accomplished with great rapidity" he felt the $1 admission fee was reasonable.

After hearings were held on the state's original suit, Mrs. Forer filed amendments that contained new charges, in addition to asking that the trustees be replaced.

The amendment asked that all the trustees be replaced except Mrs. Laura Barnes, wife of the late Dr. Albert C. Barnes, millionaire drug manufacturer who set up the foundation in his will.

Judge Taxis said one of the reasons for his rejection of the amended petition was that the trustees had not had an opportunity to study the new charges or present evidence in reply.

"The trustees, in short," the judge said, "have not had their 'day in court' on these proposed allegations and this fact alone would be sufficient to warrant rejection of the amendment."

**Admission of Students**

A dispute arose during the litigation over one section in the 1960 consent decree that opened the art gallery to the public. This directed that art students and instructors be admitted by special arrangement with the trustees.

The state contended that the section meant admission to the gallery in addition to the admission of the general public. The trustees said it meant admission to the art classes at the gallery.

To clear this up, Judge Taxis amended the section to specify admission to the gallery and to provide that admission of the art students and instructors be in addition to the admission of the public.

FM).

# Judge Blocks Ban by Barnes

**Continued from First Page**

trustees can appeal his decision to the State Supreme Court.

However, Victor J. Roberts, counsel for the Foundation, indicated no appeal would be filed and that arrangements would be considered to admit the outside art students and art teachers.

In its exceptions, a copy of which had been filed with Deputy Attorney General Lois G. Forer, the Foundation maintained that the Taxis ruling would compel it to admit any art student or art teacher to its classes at the gallery.

The Foundation has set up four art classes, with a total of 160 students, it was said, receiving instructions in the afternoons Mondays through Thursdays. One class meets each day.

**REQUIREMENTS**

One source said no qualifications or requirements have been established for the admission of art students to the gallery classes and those selected were chosen arbitrarily by Foundation aides.

In his ruling Judge Taxis spelled out—but was evidently misinterpreted by Foundation trustees—that his ruling applied only to the admission of outside art students and instructors, in addition to admissi 1 of the public.

Judge Taxis ordered the Foundation to make special arrangements for admission of the visiting art sturents and teachers, but did not indicate whether any limit was to be fixed as to the number which should be admitted.

**ATTORNEY RETAINED**

During the hearings preceding Judge Taxis's ruling, the Commonwealth also contended that outside art students and instructors should be admitted to the gallery, in addition to the public.

Mrs. Forer, who conducted the arguments in behalf of the Commonwealth, has been officially detached from her State post as of April 17, but has been retained specially by Attorney General Walter E. Alessandroni on the Barnes case, in the event of an appeal, and several other ters in litigation.

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PHLA. INQUIRER 4/13/63 p1

# Judge Blocks Attempt Of Barnes Gallery To Bar 'Outsiders'

An attempt by trustees of the Barnes Foundation to bar outside art students and art teachers from admission to its multimillion dollar Merion art gallery has been temporarily blocked by Judge Alfred L. Taxis, of the Montgomery County Orphans Court, it was learned Friday.

Judge Taxis, earlier this week, refused to accept exceptions to his March 29 decree ordering admission of outside art students and art teachers to the gallery in addition to 200 members of the public on Fridays and Saturdays.

The jurist's ruling was included in the decree which also barred the foundation from charging an admission fee in excess of $1.

Originally, the Foundation trustees planned a $2 admission, but the Commonwealth instituted legal proceedings to prevent any charge on the grounds that the art gallery founder, the late Dr. Albert C. Barnes, who made his fortune from Argyrol, intended the public should be admitted to the gallery without payment of any fee.

Meanwhile, it was learned the Foundation trustees have not yet imposed the $1 admission and may not until the Commonwealth decides whether it will appeal Judge Taxis' ruling fixing the maximum $1 entry fee. The last day for filing an appeal from the jurist's decree is June 28.

Although Judge Taxis refused to accept the Foundation's exceptions—holding his ruling was a final decree and could not be excepted to — the art gallery

Continued on Page 7, Column 7

**60 Arrested in Anti-Bias March**

Phila. Bulletin 4/6/62 p1

# ome Barnes Paintings Forged, Professor Claims

A University of Pennsylvania are professor told the Montgomery County Court today that he saw forged and misattributed paintings in the Barnes Foundation art gallery in Lower Merion.

The testimony coused a surprise in the courtroom of Judge Alfred L. Taxis in Norristown. Judge Taxis is taking testimony before deciding on a state request to bar permanently a $2 admission fee proposed by the foundation's trustees.

This was the second day of the hearing.

Dr. Frederick Hartt, chairman of the department of art at Penn, took the stand this afternoon.

**Asked About Visits**

D eputy Attorney General Lois G. Forer asked Dr. Hartt if he had ever visited the Barnes gallery.

"Four times," he replied.

"Did you notice anything unusual or peculiar?" Mrs. Forer asked.

Dr. Hartt said he did on the first visit with four colleagues.

"We were aware of misattributed pictures and even forgeries," he said.

Victor J. Roberts, attorney for the Barnes trustees, leaped to his feet and objected.

"This has nothing to do with the issue at hand," he protested.

**Question by Judge**

Judge Taxis asked Dr. Hartt what he meant by the word "misattributed."

"A misattributed picture is one attributed to an artist who did not in fact do the painting," Dr. Hartt replied.

Roberts again objected, and Judge Taxis upheld him on the grounds that it was far afield.

The point of issue is a $2 admission fee the trustees had planned to start last Sept. 1. The state sought a temporary injunction against it, which was granted by Judge Taxis on Aug. 7.

The state contends the foundations is able to operate the tax-free art gallery without charging $2 admission. The foundation insists it needs the revenue to underwrite expenses made necessary by the opening of the gallery to the public.

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PHILA. BULLETIN 4/20/63 p. 6

## Barnes Trustees Question Decision

In your article "Court Allows Barnes Gallery to Charge Fee" (March 29), you quote Judge Alfred L. Taxis's comment that the Foundation's admittance program "apparently has come to be regarded by the Commonwealth, at least, as the most important activity of the Foundation, but this importance . . . appears not to have been fully recognized by the trustees." The Barnes Foundation was established by the late Dr. Albert C. Barnes —not as a public gallery, but as an educational institution; and it was chartered as such by the Commonwealth of Pennsylvania; and this charter and the Foundation's indenture were further endorsed by the Supreme Court of this State. Therefore, we would ask by what right the Commonwealth has come to regard the program of admittance to the Foundation's gallery "as the most important function of the Foundation" and by what kind of reasoning does Judge Taxis assume that the Trustees should subordinate the intentions of the founder and the legal indenture under which they function, in order to comply with the Commonwealth? Since when have the activities of private concerns, foundations, or individuals been decided by the Commonwealth? As long as a democracy exists in this country according to the Bill of Rights and the Constitution, this cannot be the case.

The Friends of The Barnes Foundation
Richard M. Segal, Chairman

Phila. Inquirer 4/11/62 p. 1 & p. 14

# State May Ask Court To Oust Trustees of Barnes Foundation

By JOSEPH H. MILLER
*Inquirer Harrisburg Bureau*

HARRISBURG, April 10.—The State may ask the Montgomery County Orphans' Court to oust trustees of the Barnes Foundation on the grounds they are not exercising proper discretion in managing the tax-exempt, multimillion-dollar art gallery in Merion.

This was learned Tuesday from an informed source who pointed to the State's position in its fight to permanently bar the foundation from charging the public a $2 admission fee as an indication of what steps the Department of Justice may take against the trustees.

**PRECEDENT EXISTS**

While Attorney General David Stahl declined comment on any procedure against the trustees, sufficient precedent prevails to permit the State to proceed against trustees of any charitable or other foundation for not performing their duties.

Under a 1922 agreement turning over his collection of paintings and art treasures, said to have a current value of more than $100,000,000, to the foundation, its founder, the late Dr. Albert C. Barnes, provided that the "plain people" should have "free access" to the gallery on stipulated days.

Under a consent decree issued by Judge Alfred L. Taxis, of the Montgomery County Orphans' Court in December, 1960, 200 members of the public were to be admitted on each of two days a week, except during the months of July and August.

**HEARINGS TO RESUME**

Action against the Barnes Foundation trustees may not be taken by the State until hearings are completed on the Justice Department's petition to prohibit the $2 admission fee to the gallery. The State's case was heard last Thursday and Friday in Norristown. Hearings

Continued on Page 14, Column 3

*2-in-1 Picasso*

## MaughamAr Is Sold for $1,466,64

LONDON, April 10
ART treasures amass Somerset Maugh loving care during 60 sold under the hamm night in 90 minutes

The 35 paintings gathering of 1300 ers and private flowing four r and Co.

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*Gallery Gets 3-Month 'Ultimatum'*

Phila Inquirer 6/28/63 p. 1

# Barnes Prodded on Savings

*Inquirer Harrisburg Bureau*

HARRISBURG, June 27.—Attorney General Walter E. Alessandroni said Thursday he would petition the Montgomery County Orphans' Court to eliminate the $1 admission fee to the Barnes art gallery if the gallery's board of trustees does not comply with the court's money-saving orders.

But, the Attorney General said, he would not appeal the decision by Judge Alfred L. Taxis authorizing the charge at this time.

"The trustees have already had three months within which to comply with the court's directive," the Attorney General said.

"In my opinion, six months should be ample time for complete compliance.

"At the expiration of that period, I propose to file a petition with the court, requesting modification of its order so as to eliminate the admission fee entirely.

"This procedure would result in a fair disposition of the issue within a much shorter period of time than would be consumed if the case were appealed to, and argued before, the Supreme Court of Pennsylvania."

Judge Taxis' order was issued March 29, and Alessandroni said it is "temporary and not conclusive" for these reasons:

—Judge Taxis concluded that the investment policies of the trustees constituted an abuse of discretion.

—The court also found "as a fact" that the number of guards employed at the gallery was excessive, and that maximum security could be maintained by reducing the number of guards from 27 to 17.

Alessandroni said that a reduction in the security force would mean a saving of $10,000 a year, and that these savings would eliminate any need to charge admission.

As for the investments, Alessandroni said no convincing reasons were set forth by the trustees to justify the method of distribution of trust investments.

If the investment ratio between Federal and municipal bonds and United States securities were reversed, there would be an annual increase in income of at least $25,000, and possibly $50,000, according to Taxis' decision.

"The most expeditious method of finally disposing of the trustees' authority to make an admission charge would be to postpone any further action by the Attorney General until the trustees have had a reasonable opportunity to comply with the court's conclusions regarding investments and a reduction of guard personnel," the Attorney General said.

Alessandroni added that the jurisdiction of Judge Taxis is continuous, and that any interested party may, at any time, petition him for further modification of his order "when the fact warrants such action."

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THE PHILADELPHIA INQUIRER, WEDNESDAY MORNING, A

# Barnes Board Faces Ouster

By JOSEPH H. MILLER

Continued from First Page

will be resumed May 17, when the foundation trustees will present their case.

**CHARGES OUTLINED**

In presenting the State's case, Deputy Attorney General Lois G. Forer laid the groundwork for possible action against the Barnes trustees, according to an observer close to the entire proceedings.

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Mrs. Forer charged that the trustees:

Expended funds to the detriment of the foundation and then tried to charge the public an admission fee.

Were not properly managing the gallery and not exercising proper discretion in discharging their duties.

**AGREEMENT RECALLED**

Violated the 1922 agreement establishing the foundation by failing to hire an art director or curator for the gallery.

Endangered the value of priceless paintings by permitting them to be shifted around from classroom to classroom. Prof. Frederick Hartt, chairman of the art department of the University of Pennsylvania, testified that such practices shorten the life of the paintings.

Refused to abide with the consent decree that art students should be admitted to the gallery without regard to the number of public visitors allowed in the gallery.

**FIRE LAW CITED**

Spent excessive sums for security purposes, running as high as $3000 a month for guards in each room at the gallery. The State claims adequate security could be provided for less money.

Maintained Kerfeal, a farm in Chester county, at a cost of $11,000 a year for maintenance, plus $13,000 yearly for employes salaries, despite the fact that art students visited the place only three times yearly.

Unnecessarily paid out $272 monthly for telephone bills.

**SECURITY COST HIT**

Violated zoning and fire laws in operating the gallery.

"It appears evident what the State is trying to establish," said an informed source close to the court proceedings.

"In all likelihood the State is attempting to lay the groundwork for subsequent proceedings to question the qualifications of the Barnes trustees to run the foundation.

"If such is the case, the next step against the trustees probably will be to file a petition with the Montgomery County Orphans' Court asking for their removal in the public interest because they are not properly performing their duties.

**'STATE HAS RIGHT'**

"The State has an inherent right to go before the court and question the qualifications of trustees of charitable institutions as well as tax-exempt foundations."

However, the State may not be able to proceed against the Barnes trustees until the case involving the $2 admission fee is adjudicated by the court.

Whichever way the court rules, the loser will have the right of appeal.

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Phila. BULLETIN 11/28/62 p. 7

# Barnes Foundation Argues Right to Charge Admission

The Barnes Foundation said today that it is supported only by private funds and is entitled to set admission fees and retain control over its own directors.

The arguments were set forth in detail in a brief filed in Montgomery County Orphans' Court.

The Foundation described itself as "a private charity . . . created by the charitable impulse of Dr. Albert C. Barnes, a private individual." The brief added:

"It has been maintained and supported solely by private funds, and the purposes have been those designated by Dr. Barnes and not any designated by the state."

**'Loose Talk' Deplored**

It added that the law also permits charging admission only to "purely public" art galleries.

Then, turning to previous proceedings, the brief said:

"There has been some loose talk, full of conclusions and opinions, by the Commonwealth's witnesses as to the manner in which they were admitted as visitors to the art gallery, how they were treated, how the paintings were labeled, how they were hung on the walls, whether or not the catalogues and photographs of the paintings were made available, etc., etc.

"Most of this testimony . . . was not admitted in evidence or was stricken from the record after it was heard."

**Strings on Endowment**

The petition then turned to the state's claims that the trustees had invested improperly the $10 million left for the foundation by Dr. Barnes.

If the trustees were to make the investments the state wants, in Series E and H U. S. savings bonds, "it would take 378 years to complete investments . . . in the suggested medium" because of government limitations on size of individual annual purchases, the argument continued.

Then if this were done, it went on, there is no proof that such investments would yield at least one half of one per cent more than the present portfolio, as the state contended.

It assailed the state's criticism of the trustees' handling of investments as "irresponsible."

**Why Is She Spared?**

And it called the Commonwealth's request for the trustees' removal "equally flagrant."

It said: "The attorney-general's request, in the proposed amended petition, for removal of the present trustees (or all but one of them—and why is Mrs. Barnes being spared?) is highly irregular, impertinent, and uncalled for by any of the circumstances of the case."

The state has long opposed the foundation's proposal for a $2 admission fee to the art gallery in Lower Merion Township.

Last Oct. 29 Mrs. Lois G. Forer, deputy attorney general, made the charge of improper investments and called for the trustees' removal.

Victor J. Roberts, foundation counsel, said the trustees complied with every request made by the Commonwealth and the courts. He argued further that a nonprofit corporation has the right to charge admission if the trustees deem it necessary.

Judge Alfred L. Taxis, of Orphans' Court, took the arguments under advisement.

## Coal Discovery

Coal was discovered in ... sylvania's Great Va... in 1791.



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THE PHILADELPHIA INQUIRER, TUESDAY MORNING, OCTOBER 30, 1962 adh

# State Concludes Case Against Barnes Gallery Trustees

By ARTUR M. LOUIS

Continued from First Page

Judge Taxis said. "You're not trying to frighten me, are you?" Mrs. Forer did not answer directly, but went on with her summary arguments.

Later, Roberts said he agreed that the foundation should be given an additional opportunity to be heard on the ouster motion.

Mrs. Forer's grounds for removing the trustees stem from an alleged "reckless disregard" for the care of the $100,000,000 Barnes art collection, and from a demonstrated "incompetency" in the management of the foundation's financial affairs.

The targets of the outster attempts are Nelle E. Mullen, Joe W. Langran, Violette deMazia and Sidney W. Frick, all trustees of the foundation. Only Mrs. Laura L. Barnes, widow of Dr. Albert C. Barnes, who established the foundation, was exempted.

As to Mrs. Barnes, the State petition says that she is entitled to the services of trustee upon whom she can rely in art and financial matters. In addition to holding a trusteeship, she is president of the foundation.

Mrs. Forer said the trustees were guilty of "a long, continued course of conduct of flagrantly ignoring numerous provisions" of the trusteeship indenture establishing the foundation.

She said that the salaries of foundation employes have been raised, and additional employes have been hired, "in clear violation of the indenture." She recalled that testimony had shown that the trustees had failed to hire an art director, or curator, as specified by Dr. Barnes.

The Deputy Attorney General added that Dr. Barnes had provided that the house in which Mrs. Barnes now lives, on the Merion estate at Latch's lane and Lapsley rd., was to be used for classroom instruction in art.

And she observed that the proposed admission fee itself would be a violation of the indenture.

This last drew a reply from Roberts, and detailed questioning from Judge Taxis.

"I didn't think she'd go that far, to say that we are attempting to deviate from the trust," Roberts said. He cited a section of the trusteeship indenture, which he said was the only one dealing with admission, and which declares that the public shall be admitted "under the direction of the board of trustees."

Roberts said this did not prohibit the trustees from establishing an admission fee.

"It rather provokes me, your honor," Roberts said, "to be charged with deliberate violation of the trust. It's a loose accusation, and Mrs. Forer should know better."

He charged that the foundation was being "singled out for persecution," and asked why the Philadelphia Museum of Art, which also plans to charge admission, was not "receiving this treatment."

This question was also raised by Judge Taxis.

"The Philadelphia Museum of Art didn't ask the court's permission to charge admission, did it?" the judge asked.

"They have that case before the court now," Mrs. Forer replied.

"Are you involved in that case?" Judge Taxis asked.

"Yes," said Mrs. Forer.

"That's a very important case," Judge Taxis observed.

Mrs. Forer said the Museum of Art seemed to have demonstrated a need for the extra funds.

Mrs. Forer charged that the Commonwealth had requested an accounting of the foundation's financial status for four years, but without success. Both Roberts and Judge Taxis noted that account sheets had been submitted to then Attorney General Anne X. Alpern in 1961, apparently to her satisfaction.

Recalling testimony, Mrs. Forer said the foundation's practice of moving paintings from place to place and room to room for classroom purposes was "a most dangerous and deleterious matter." She said this supported her charges of trustee "incompetence."

Roberts countered that the testimony on this related only to the chances of dropping a painting, and that moving the paintings was not dangerous in itself. He said he doubted that the Barnes personnel had ever dropped a painting.

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Saturday Review - April 5, 1952

# THE FINE ARTS

## THE CASE OF DR. BARNES

EVER since the death of Dr. Albert C. Barnes last year, the art world has seethed with rumors as to what would become of the very great collection of works of art in the Barnes Foundation, created by the doctor in 1922 and installed in its present building at Merion, Pa., in 1927. The collection is fabulous. It includes something like 200 Renoirs, 100 Cézannes, one of the very finest Seurats, seventy-five Matisses, more than thirty-five Picassos (though none later than cubism), as well as numerous pictures by such modern masters as Rousseau, Soutine, Modigliani, De Chirico, Pascin, Demuth; it also has a fine group of African tribal sculptures.

I say the collection contains these treasures, because I know from the evidence of various documents and reports that they are at Merion. But like most people professionally concerned with the arts, I have never been admitted to the collection despite several attempts. I hope to be soon. The question has now arisen whether the Foundation will at last be opened to the public. At present the matter is in the hands of the Court of Common Pleas of Montgomery County, where the *Philadelphia Inquirer,* through one of its editorial writers, has filed suit to force the Foundation to adopt "reasonable rules and regulations" about admitting art folk and the general public to the collection. The court's decision will hinge on its definition of the Foundation's responsibilities as a tax-free institution. All these years the Foundation has been exempt from taxes on its vast belongings (the value of the art works alone has been estimated at $25,000,000) on the grounds that its approved charter describes it as founded "to promote the advancement of education and appreciation of the fine arts."

A noble statement of purpose, surely, and one which would persuade almost any county in the land to call off its tax collectors. But the late Dr. Barnes's interpretation of the statement was egocentric to the point of fantasy. To him "the advancement of education and appreciation" meant that only a selected few visitors and enrolled students could advance beyond the front steps. The rest were stopped at the door, sometimes by the doctor himself, sometimes by a servant bearing from him a note with some such cryptic message as "Go away!" or "Dear Mrs. X. [in this case a generous patroness of the arts], I advise you to go to the movies."

There is, however, a statement in the *Inquirer*'s petition which demands correction. "While purporting to be operated as an educational institution," the petition declares, "the admission to which is theoretically granted without regard to race, color, or creed, the officers and trustees of said Foundation have in fact so operated the same as to deprive many



students of the advantage of study and of viewing said art collection. . ." The inference here is that the Foundation has been a "restricted" property, to use the horrible real-estate phrase. Actually, Dr. Barnes seems to have had no racial prejudices whatever. He admitted Jews and Negroes to his museum and his classes. His collection contains many pictures by, for example, the Lithuanian Jew, Chaim Soutine, and by the American Negro, Horace Pippin. Whatever charges can be brought against the doctor—and they are numerous and dire—snobbery is not among them. Indeed, special targets of his abuse were often rich, white, Gentile collectors like himself. Some of his most scathing messages of dismissal were handed or sent to the socially elite.

The doctor must have had fun composing these messages, for he reveled in rudeness and impertinence. His lifeblood was vituperation, spiced with the threat to others of litigation. He was particularly gratified when he could involve in dispute a sister institution like the Philadelphia Museum or any "authority" on the arts whose opinions differed in the slightest from his own. He was a prolific letter writer. His riposte to *Time,* which had the temerity to call him "terrible-tempered," is a classic in the field of invective, even after being purged of its more raucous obscenities by the magazine's editors. One could not but grudgingly admire the vigor with which he flung at his adversaries, real and imagined. To say that he had a chip on his shoulder would be a ludicrous understatement. He threw the chip in the face of anyone he did not like, on sight. He often won his quarrels by embarrassing his opponents into a state of debilitated silence. When behaving at his truculent worst, he was exciting to read or quote, and perhaps the curator of decorative arts at the Philadelphia Museum had a point in saying to the *Inquirer*'s reporter that it was a pity Dr. Barnes couldn't be around to make the current lawsuit against the Foundation "a colorful fight with his fireworks."

THERE would have been fireworks all right, but they would not, I think, have prevented the doctor from being soundly licked in court. It is true that he won a comparable lawsuit in the late 1920's, with the help of outstanding legal advisors. But at that time outside interest in the collection was far less pronounced than now, and the doctor's privacy was in a sense protected by the fact that his taste was so far in advance of the public's. It had been only a few years before, after all, that a local newspaper had averred that Dr. Barnes must be insane to buy works by the wildman Matisse—a charge which called forth the doctor's most virulent thunder. Today, however, the public is more interested in the Foundation's principal fields—post-impressionism and "modern" art—than in any other. It would be inconceivable that a court of law could countenance the Foundation's flimsy claim to tax exemption on the grounds of public services. These services are the opposite of public; they are for the most part extremely private. And this is not alone a matter of access in person to the collection. With rare exceptions the doctor forbade reproduction of his paintings and sculptures, even in books and articles by highly trained art historians and critics. He refused to issue an illustrated catalogue of his marvelous collection; he never lent to any exhibition, however important.

There was nevertheless one service performed by the doctor which must, I suppose, be considered public: the publication of his own books on art. These books were issued by established publishers, for sale to anyone

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who had the price. Personally I've found them useful on the whole, since they contain material not available elsewhere. But they are heavily written, and the analogies they propose are often far-fetched and sometimes downright absurd. (Henri Matisse is said to have goggled with wonder at certain parallels the doctor drew between his art and that of earlier, remote cultures.) Even so, it must be admitted that the books required serious research and that into them Dr. Barnes poured an energy quite different and more profound than that of the usual dilettante-collector.

THERE are two final points in the doctor's defense which must be mentioned in fairness. The *Inquirer*'s petition makes much of the fact that students at the Foundation were not given credit for their studies there when applying for admission to other institutions of learning and that the Foundation has not produced "one outstanding figure in the field of art." But the Foundation was never intended as a preparatory school for training elsewhere, and some of our leading universities have thus far failed to send forth into the professional art world figures who, as artists or historians, might without exaggeration be called eminent. The classes at the Foundation, according to first-hand accounts, were specialized and informal (they are still running, contrary to rumors). Their main purpose was to give students an insight into the fundamental meaning of art, and there were all manner of cross-references to music, literature, and philosophy. The doctor was an implacable foe of pedantry—rather oddly so, since his own books are far from "popular" in approach. He considered his school a final eye-opener for students; he would have been wildly irritated by the idea that the latter must go elsewhere to perfect, in this country, their knowledge and understanding of the subject at hand.

Here again, of course, the doctor's views ran contrary to everything we think of as the democratic process. And with all this process's failings, it is rightly what we believe in most. So one hopes that the Foundation will lose the suit now brought against it and that, at last, its magnificent possessions will face—and, of course, survive—the hard, shifty glare of public opinion.

—JAMES THRALL SOBY.

## *The Huts of Lions*

*CASTILIAN SCULPTURE: Gothic to Renaissance. By Beatrice Gilman Proske. New York: Hispanic Society of America.* 525 *pp.* 328 *illus.* $15.

By HAROLD E. WETHEY

SPAIN during the spectacular reign of Isabella the Catholic is the period to which Mrs. Proske has devoted this handsomely illustrated and encyclopedic volume. At no other time in Spain's history have works of art been produced in such abundance and with such luxuriance, the latter quality being explained both by the floridity of the Late Gothic style in general and by the taste for magnificence of the Spanish monarchs and aristocrats in particular. Mrs. Proske gives a vivid picture of the splendor of this Castilian society of which Burgos and Toledo were the principal artistic centers.

The greatest sculptor of the late Gothic in Spain was Gil de Siloe of Burgos, the man whom Queen Isabella chose to erect the tombs of her parents and brother in the Carthusian church of Miraflores. Regarding his disputed

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—From "Castilian Sculpture."

Frieze of Heads from Church of San Juan de los Reyes, Toledo.

origin, Mrs. Proske now concludes that he was born at Orleans in France in view of the new document in which he is called Gil de Urliones. Foreign artists in Spain frequently changed their names or were known by birthplace, and the spelling in different documents is so completely erratic that modern scholars are often faced with confusing and contradictory data. In the case of the sculptor from Brussels sometimes called Egas Cueman the first name is just as unmistakably Spanish as the second is the Flemish Coeman. Another man of northern birth but entirely Spanish in professional training was Juan Guas, who held the exalted position of chief architect to Ferdinand and Isabella. In that capacity he designed the church of San Juan de los Reyes at Toledo, originally intended as the royal pantheon, and the most luxurious of Spanish churches of the so-called Isabellan style, and he directed significant constructions at Segovia, at Avila, and the famous Infantado Palace at Guadalajara, the latter somewhat altered to meet Renaissance taste in 1570.

The complexities of styles and of personalities which Mrs. Proske treats with such clarity and such searching finality are nothing compared with the maze of artistic currents in the period of transition to the Renaissance beginning about 1500. She tackles the perplexing problem of the high altar of Toledo Cathedral, and she reviews the sculpture of the much-studied Felipe Vigarni, a transitional figure at Burgos, the abundance of whose work is in inverse relation to its uninspired quality. First-rate is the Italian master Domenico Fancelli, engaged by Ferdinand after Isabella's death to carve their sumptuous tomb now in the Royal Chapel at Granada. Mrs. Proske follows the introduction of the Italian Renaissance through the engagement of Italian artists by the great nobles who were then building new palaces. She stops just before the Spanish Renaissance style appeared in its full maturity with the return of the great masters Alonso Berruguete and Diego de Silóee from years of study in Italy.

Mrs. Proske's book, the fruit of many years of painstaking research, is the only comprehensive survey of the architectural and sepulchral sculpture of this rich and fascinating period. Although polychromed sculpture is less exhaustively treated, there is considerable data on architecture. The author has fully documented her study, and she has examined all of the original monuments. Her opinions are reached after thoughtful consideration, and she is never guilty of propounding irresponsible theories. Conservative in the matter of attributions, she displays at times decided boldness in discarding without much ado opinions which have won widespread acceptance. "Castilian Sculpture" is written in a fluent and sensitive style without pedantry. It will remain a definitive work for years.

*Harold E. Wethey is professor of fine arts at the University of Michigan. He is the author of "Gil de Siloe and His School" and "Colonial Architecture in Peru."*

## *Humanism in Crisis*

*PAINTING IN FLORENCE AND SIENA AFTER THE BLACK DEATH. By Millard Meiss. Princeton: Princeton University Press. 195 pp. 169 illus. $12.50.*

By Rensselaer W. Lee

THIS distinguished book analyzes and interprets Florentine and Sienese painting from about 1350 to 1375, a short but significant period that here for the first time in a single volume receives full and authoritative treatment. During the first half of the *trecento* Giotto in Padua and Florence, Simone Martini and the Lorenzetti in Siena, had brought into medieval art new elements of naturalism and humanity and these became again the absorbing interest of Masaccio and other forward-looking painters of the early fifteenth century, when the Renaissance proper begins. But during the intervening years humanistic development was arrested when a new and urgent religious content suddenly appeared in Tuscan painting, expressed in compositional and decorative forms that recall the hieratic and other-worldly art of the preceding century. Thus, the traditional religious scenes from the lives of Christ and the Virgin that in the early *trecento* had been treated in the spirit of human narratives assume after 1350 the character of solemn ritual enacted in a static world of heightened religious significance. And both style and iconography directly or implicitly emphasize the steadfast authority and dogma of the church and the sacred function of the priest. Andrea da Firenze and Orcagna in Florence and Barna in Siena are the most important masters of the new style to the analysis of which Professor Meiss devotes the brilliant first section of his book.

What lies behind this dramatic reversion from a proto-humanistic art to one of renewed religious conviction? Professor Meiss sees behind the change the compelling impact of two historical events that shook the prosperity and stability of early fourteenth-century society in Tuscany to their foundations and resulted in profound economic, political, and spiritual change: the great depression caused by the bank failures of Florentine and Sienese houses during the 1340's and the terrible pestilence of the Black

*Rensselaer W. Lee is professor of art at Columbia University. His books include "The Humanistic Theory of Painting."*

See next page

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THE NEW YORK TIMES, SUNDAY, FEBRUARY 17, 1952.

# SUIT SEEKS TO OPEN MUSEUM TO PUBLIC

## Action Urging Access to Barnes Collection by Art Students Filed in Philadelphia

Special to THE NEW YORK TIMES.

PHILADELPHIA, Feb. 16—The Philadelphia Inquirer filed suit today to compel the Barnes Foundation to admit art students and the general public to the museum of modern art established by the late Dr. Albert Coombes Barnes.

The museum is located on a ten-acre tract in Merion. Its collections are valued by experts at more than $25,000,000. They include 200 Renoirs, 100 Cezannes, seventy-five Matisses, thirty-five Picassos and more than 1,000 others.

The suit was filed in the Montgomery County Court of Common Pleas in the name of Harold J. Wiegand of Cynwyd, as a taxpayer and as an editorial writer for The Inquirer. The consent required for the action was granted by Attorney General Robert E. Woodside and was filed with the petition.

Mr. Woodside congratulated the newspaper on seeking to perform a service for art students and the public.

Dr. Barnes, who acquired a fortune from development and promotion of a chemical antiseptic, was killed in an automobile accident last year. Defendants in the suit are his widow, Mrs. Laura L. Barnes, who is president and member of the foundation's board of trustees; Nelle E. Mullen, secretary-treasurer and member of the board, and Mary Mullen, Violette De Mazia and Albert Nulty, members of the board.

The petition asked that the foundation be directed by the court to adopt "reasonable rules and regulations" to admit the general public during "reasonable specified hours on a reasonable number of specific days of the week throughout the year."

It also sought special access for "artists and connoisseurs, critics, collectors and students of art." Finally, it specifically requested "admission of students to courses in art education without regard to race, color or creed and subject only to such standards of eligibility as are required by institutions of learning in modern art enjoying the status of an educational public charity."

The court was asked to enjoin the foundation from enforcing any rules or regulations that bar "reasonable" access. It also was asked to restrain the foundation from denying admission to students for reasons other than "reasonable lack of facilities" or failure of students to meet requirements to be approved by the court.

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# Shaw's Letters To U. S. Actress To Be Printed

NEW YORK, Dec. 9 (AP).—More than 125 intimate letters written by the late George Bernard Shaw to American actress Molly Tompkins will be published for the first time Wednesday in facsimile of Shaw's handwriting and typescript.

The letters were discovered during the Second World War by her son, Peter Tompkins, a Washington, D.C., author, who said they would be published in an illustrated volume, "To a Young Actress."

**41 YEARS YOUNGER**

Miss Tompkins, who died this year at 63, was 41 years younger than Shaw. He began writing to her when he was 65 and she was 24.

In the letters Shaw frequently lamented the age difference. He once said to her, "Love me as long as you can, but make young friends."

Shaw was happy to advise her, and began a correspondence in which he mixed sharp barbs about American society, sex, love and politics with caustic counsel. More than a thousand letters she wrote to him are missing.

**SIMILARITY IN ADVICE**

Much of the advice parallels that given by Prof. Henry Higgins to his Cockney pupil, Eliza Doolittle, in Shaw's play "Pygmalion," which later became the musical "My Fair Lady" on Broadway.

Shaw told her how to speak, act, dress, make up, handle theatrical managers, write a fine hand and paint pictures.

# Penna. Deputy Ejected From Barnes Gallery; 3 Experts Inspect Art

By ARTHUR M. LOUIS and LEONARD J. McADAMS

Continued from First Page

ness of the collection, but added "we better reserve any further statements until after we have conferred."

Judge Taxis had directed that the three experts be given three hours to view the collection. In this connection Washburn said: "Thirty years wouldn't be enough time to study it."

Under the court directive the experts were permitted to make notes and sketches to help them arrive at these three basic determinations:

1. What the capacity of the gallery would be if the public were admitted.
2. The total value of the collection.
3. What improvements would be logical to make it a public museum.

None of the three would comment on estimates of the value of the collection housed in the two-story light gray brick gallery at Latches lane and Lapsley rd., Merion.

**REPORTER INVITED OUT**

Abrahamsen was not the only uninvited guest ousted from the gallery Friday. A reporter for The Philadelphia Inquirer who walked in at the same time as the three experts met a similar sudden fate.

The reporter had wandered off to one of the side galleries but the man with the signature cards approached him.

"Come with me," he said.

The reporter was led to a small office to the left of the entrance where a woman who refused to identify herself asked for his admission card. She was told he had none.

"Then will you please leave. I am just following the rules."

"May I talk with Mr. Abrahamsen first?" he asked.

"Mr. Abrahamsen already has been asked to leave," the woman replied.

**DIRECTOR OF GALLERY**

Abrahamsen identified her later as Violette DeMazio, director of the institution.

A woman spectator commented on the "brashness" of the reporter who entered the building without a formal admission card.

"I waited a year and a half to get in here," she said.

She was one of some 15 or 20 individuals wandering about the gallery. Just how she and the others came to be selected to view the collection denied the general public, only the foundation knows.

## Khrushchev Book Out

MOSCOW, Dec. 9 (AP).—Radio Moscow has announced the publication of Soviet Premier Nikita S. Khrushchev's September U.N. General Assembly speeches.

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ART NEWS March 1952

# Vernissage

## Barnes pro bono publico

It's about time. It is, in fact, almost incredible that the travesty of The Barnes "Foundation" should have gone on so long—thirty years. And now at last, on February 16 to be exact, a lawsuit has been filed to compel it, as a tax-exempt educational institution, to make its major possession, the most important collection in the world of French nineteenth- and twentieth-century paintings, available not only to artists and scholars but to the general public as well, hence no longer open merely to that scattered handful of oddities who happened to escape the censure of the late Terrible Tempered Doctor Barnes and his successors.

The suit has been filed by Harold J. Wiegand, as a resident of Montgomery County, Pennsylvania, where The Barnes Foundation and its collection are domiciled, and also in his capacity of editorial writer for *The Philadelphia Inquirer* which is aiding in the legal action on behalf of the community it serves. The complaint also has been filed with the consent of the Attorney General of Pennsylvania who states that he is "very happy to co-operate with the *Inquirer* in bringing suit to compel The Barnes Foundation to open its doors to the public . . . The full services of my office will be made available in this fight."

When the plans for this battle were made a few months ago, ARTNEWS took the larger share in instigating them and also a considerable part in preparing the evidence for the case. Like a good many other people, we had been waiting patiently for almost half a year since Dr. Barnes' sudden death last July [A.N., Sept. '51] for the trustees of the Foundation, which he had operated as an irrational despot, to adjust it to the accepted practices of educational institutions enjoying immunity from taxes and therefore accountable to the public from which this privilege stems.

But no such action has been forthcoming. The same ridiculous reasons as before have been given for refusing admittance to applicants ranging from the lay public to distinguished authorities in the very fields of painting which The Barnes Foundation has collected and about which it purportedly teaches: that the Foundation is an "educational institution" utilizing its collections for teaching purposes whose course would be interrupted by visitors. The same old nonsense, unsupported by facts—for at least the following distinguished educational institutions own outstanding art collections which are both used in the teaching curriculum and available to the public for generous hours each week: Andover, Bowdoin, Harvard, Oberlin, Smith, University of Pennsylvania, Princeton, Vassar, Williams, Yale, etc. But the nonsense goes still farther: not only is the general public excluded from The Barnes Foundation, but likewise excluded critics cannot even get photographs for publications on such artists as Cézanne, Renoir, Van Gogh, Manet, Soutine, etc., of whom there are many hundreds of examples in the fastnesses at Merion. In fact, when we published, in conjunction with a necrology of Dr. Barnes last September, a few photographs of the interior of the galleries at Merion, we received one of The Barnes Foundation's typical letters warning us that we had "infringed" on its rights by publishing these without its permission and that we were making ourselves liable to prosecution. (We hoped for the legal action, for it would be interesting to test in court just what infringement or damages could result from publication of works of art belonging to a tax-exempt, educational institution thus incorporated in the public interest.)

So there was no use in waiting any longer for the Foundation's trustees to show good will at long last by modifying its whimsical flouting of the law and of good sense. Up to now, the fact remains that Dr. Barnes bought his remarkable collection not only with the flair for quality for which he deserves every credit but also with tax-free money—which, as any collector of the last two decades can testify, represents a decided advantage. But though he bought the paintings with money that belongs to the public, he kept them in a building that adjoined his own residence—with easy access for his private guests, after good food and drink, through a door from his living room into what he made into his private galleries. This has represented, for these many years, an even bigger trick on the public than on the Bureau of Internal Revenue. Thus we are glad to co-operate in running it to cover at last, and to this end we solicit letters from artists, scholars and others in the field that will furnish evidence to help open the Barnes collection. It will be helpful to have testimony on methods by which approved educational institutions owning works of art make them available to both specialists and laymen. So will be actual, supportable records of the refusal of The Barnes Foundation to co-operate in any legitimate artistic or scholarly project, or any views of educational authorities on the teaching methods of The Barnes Foundation (which, it is reported, do not entitle its students to credits at leading colleges and universities). Please address such correspondence to the Editor.

## More on chiselers

Although it is not yet quite time to make final disposition of the National Sculpture Society's outraged—and outrageous—open letter of protest against the Metropolitan's "American Sculpture 1951" exhibition, our readers may wish a brief interim report on the matter, which was first published on this page last month.

Since then the N. S. S. letter has produced widespread publicity and reactions. Both the Museum of Modern Art and the Whitney Museum, as we hoped they would, immediately issued forcible denial and denunciation of the Society's deliberate misstatement that both museums had been "taken over" by a group of "left-wing" artists. The Metropolitan's director has been quoted as attributing the entire open letter to an "internal political squabble" within the National Sculpture Society—an idea partially borne out by the communication from some N.S.S. members in our *Editor's Letters* column in this issue (p. 6). Other artists' organizations have issued strong disavowals and reproaches to the N. S. S. for placing its dissatisfaction with the Met show on a demagogically moralistic and political level.

However, although an indirect quotation has appeared in the newspapers from the N. S. S. committee responsible for the open letter saying its members "didn't mean" to use the term "left-wing" in any political sense, there has been no disavowal or apology from the letter's authors and signers. Until there is one, the N. S. S. letter remains a libel upon every decent artist and upon the officials and staff of museums. Thus every member of the N. S. S. who has not disassociated himself from the letter and every layman who (more or less innocently) signed the letter are continuing this libel. We shall be glad to publish any disavowals from these sources—and also, ultimately, to publish a list of those who have not disavowed their connection with the letter, as a sampling of such Americans who share not only the artistic taste and prejudices of Mr. Stalin but also his methods of propaganda against what he doesn't like. A.M.F.

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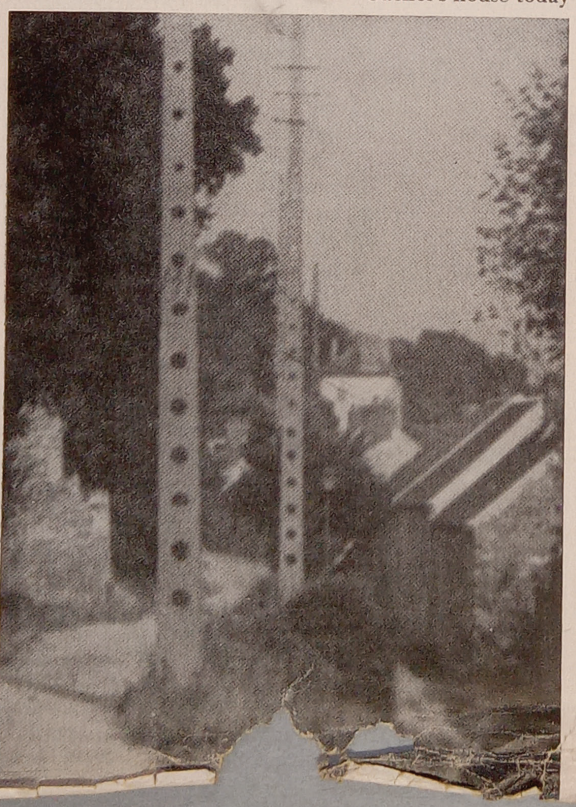
Dr. Gachet by Van Gogh

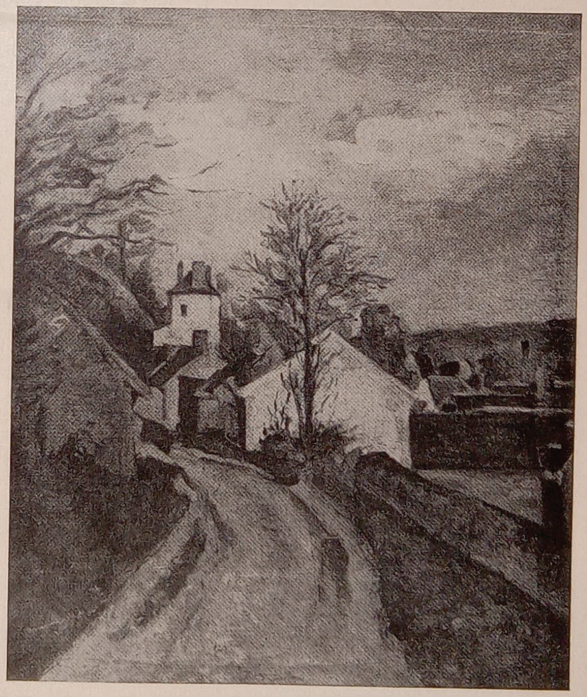


Paul Gachet, the doctor's son

Gachet's house today



Gachet's house by Cézanne



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Barnes file

THE PHILADELPHIA INQUIRER, SUNDAY MORNING, APRIL 1, 1962

# State Renews Fight Against $2 Fee at Barnes Gallery

By JOSEPH H. MILLER

The State renews its fight next Thursday to prevent the Barnes Foundation from charging a $2 fee for admission to its tax-exempt multimillion dollar art gallery in Merion.

Judge Albert L. Taxis, sitting in the Montgomery County Orphans Court in Norristown, will hear arguments at 10 A. M. on the State's petition for a permanent injunction restraining the foundation from imposing the fee.

The foundation was ready to put the admission charge into effect Sept. 1, 1961, but was blocked when Taxis granted a preliminary injunction on a petition filed by former Attorney General Anne X. Alpern, now a Judge of the Allegheny County Courts.

Miss Alpern, in her petition filed in the Montgomery County Orphans Court Aug. 5, 1961, said the purpose of the admission fee was to provide new ways of "harassing the public." Judge Taxis granted the preliminary injunction two days later.

Trustees of the foundation on Aug. 26 denied Miss Alpern's charges and contended the fee was "entirely logical and necessary" because a consent decree opening the art gallery to the public had increased costs.

In a letter to Taxis on July 14, 1961, Victor J. Roberts, one of the attorneys for the foundation, declared the additional expenses incurred in opening the gallery to the public amounted to $45,548 annually.

Under an agreement reached Dec. 10, 1960, by Miss Alpern and foundation trustees, and approved by the court two days later, the Merion art gallery was opened to the public March 18, 1961, for the first time since it was founded 38 years before by the late Dr. Albert C. Barnes.

The agreement provided that 200 members of the public shall be admitted two days a week between 9:30 A. M. and 4:30 P. M. The stipulation provided one of the days be Saturday.

The fight to open to public view the paintings and art treasures with a value estimated at $100,000,000 was launched by The Inquirer in 1952 by filing a taxpayers' suit in the Montgomery County Courts. Eight years later Miss Alpern reopened the legal battle to remove the barrier which had been thrown around the art gallery.

In her action to block the admission fee, Miss Alpern charged it was mean on the part of foundation trustees to discourage "large numbers of persons from visiting the art gallery and making it almost impossible for certain lovers of art to procure admission." Miss Alpern maintained the fee could not be justified on the ground of financial necessity.

She pointed out that the consent decree opening the gallery to the public barred the use of admission cards and that no discrimination was to be put into operation.

The attempt to impose an admission charge, Miss Alpern declared in her petition, indicated the court decree had "been violated and not carried out in good faith."

The State's petition for a permanent injunction against the admission charge will, it was indicated, pave the way for a thorough review of the foundation's operations, especially its financial structure.

Scheduled to represent the State when the case is reviewed by Taxis is Deputy Attorney General Lois G. Forer, acting under orders from Attorney General David Stahl.

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# Judge Orders Barnes Art Opened to Public March 18

The Barnes Foundation was ordered to open its art gallery to the public for 200 visitors twice weekly starting March 18, in a decision Tuesday by Judge Alfred L. Taxis in Montgomery County Orphans Court. The decision followed arguments by State Attorney General Anne X. Alpern that the Foundation had "deliberately delayed" giving the public access to the fabled $100,000,000 collection since agreeing to do so last Dec. 12.

Attorneys for the Foundation contended that Lower Merion township officials required the construction of a fire escape for the two-story gallery. They said the 2½-month delay was because of the slowness of the architect and builders.

**VISITORS ALLOWED**

Under the new order, all visitors would be permitted to enter the galleries on the main floor of the building, at Latches lane and Lapsley rd. Only three visitors at a time would be allowed in the second-story galleries until the fire escape was completed.

The hearing was ordered by Judge Taxis at the request of Miss Alpern. Its purpose was to determine whether the Barnes Foundation was complying with the Dec. 12 out-of-court agreement, which the Judge had approved.

Since Tuesday and Friday are the days agreed upon for public admission to the gallery, the first visit under the order would be Tuesday, March 21.

**'DELIBERATE DELAY'**

In Tuesday's hearing, Miss Alpern demanded that Judge Taxis open the lower floor to 200 visitors seven days a week, until the fire escape was installed. She said this would "make up for lost time caused by the Foundation's deliberate delay."

*Picture on Page 24*

"While they have had since mid-December to work out a simple matter of a fire escape," Miss Alpern remarked, "it is our understanding that nothing has been done. Reasonable, honorable people should be able to deal reasonably and honorably, but there is a point where patience is no longer estimable."

**DELAY 'INEVITABLE'**

Benjamin O. Frick and Victor J. Roberts, attorneys for the Barnes Foundation, introduced documents and testimony to show that the delay was caused by the architect and builders, and that it was inevitable.

They cited a series of meetings, letters, estimates, discussions and illness to prove that the delay was not deliberate.

The architect, John F. Harbison, testified. Frick and Roberts said the ironworker for the fire

Continued on Page 24, Column 2

Phila. Inquirer 3/1/61

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## Algerians Burn Car; 2 European Women Killed

ORAN, Algeria, Feb. 28 (A —A rampaging mob, setting as a mourning procession King Mohammed V of Mo became enraged Tuesda burned two European wo death in their car.

The outbreak of terro French authorities to rigid curfew on this ci largest in Algeria, a ed hopes for calm w makes a new effor nearly seven-year- Algerian rebels.

**250 IN MOB**

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# Judge Orders Barnes Gallery Open to Public March 18

Continued from First Page

escape project was the George R. Habgood Co., Torresdale and Frankford aves., and that the builder was J. S. Cornell & Son, Inc., 1528 Cherry st.

**FINISHED DRAWINGS**

Harbison testified that he had first been called in on the project Jan. 9, but that no written contract for his services had been signed. However, he produced finished drawings of the fire escape, which, he said, proved that he intended to complete the task.

Harbison said the delay could be attributed to his own unwillingness to hurry, because he did not want to ruin "the beauty of the building."

"We feel it is a shame to spoil this building with a fire escape," Harbison said. "We took time because we felt the building deserved it."

**COST SET AT $6100**

Harbison said the fire escape, once planned and approved by the State, could be constructed within four weeks, at a cost of $6100.

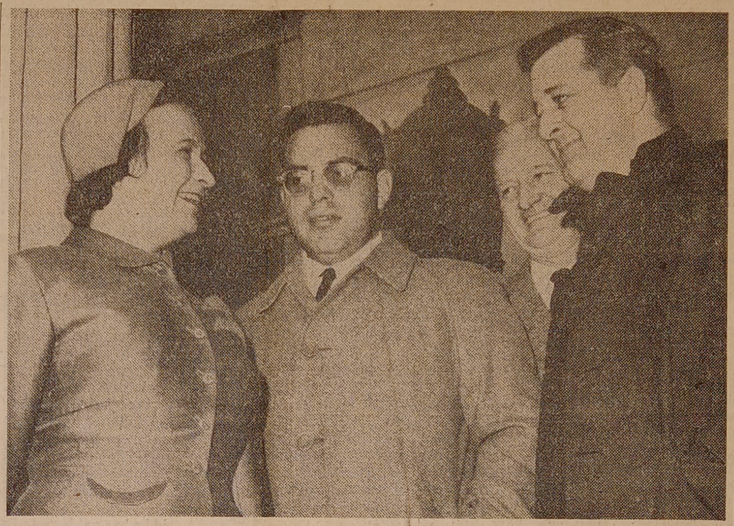
Miss Alpern also demanded that the Foundation give the State "an accounting of all expenditures," as agreed upon before Judge Taxis last Dec. 1, before the out-of-court settlement. She said the promise had not been met.

"I want a statement as to when we will receive the accounting," Miss Alpern told Judge Taxis.

"You are certainly entitled to it," the Judge said.

Frick and Roberts declined to set a date at once.

"I have tried gentlemen's agreements," Miss Alpern said, "but they don't work with this group."



After hearing on opening of Barnes Foundation art gallery, Pennsylvania Attorney General Anne X. Alpern confers with (from left), Mitchell A. Kramer, counsel for Department of Labor and Industry; John F. Dwyer, director of department's inspection bureau, and Buildings Division chief Foster McCoy.

A dispute also arose over the method of admitting visitors to the Barnes gallery.

Under Provision 7 of the nine-point Dec. 12 agreement, "A listed telephone will be installed in the Foundation in order to facilitate requests for admission by the public and to assure such admission within the 200 limitation specified each day."

Miss Alpern argued that the telephone is to be a convenience for prospective visitors, who could call to find out whether the quota of 200 had been reached on a given day, before making the trip to the gallery.

Roberts insisted that the telephone was to be used for appointments, and that once 200 calls had been received, no more appointments could be made.

"But, Your Honor," Miss Alpern asked, "isn't that just like the present method. I see little difference between that method and the card of admission method."

Under the long-standing practice of the 38-year-old gallery, admission has been limited to persons who write their requests in advance, and who are approved by the trustees of the Foundation.

**OPINION PROMISED**

Judge Taxis said he would not resolve this dispute from the bench, but that he would issue an opinion "as soon as possible."

The Judge urged the Foundation lawyers to notify Pinkerton's National Detective Agency at once of their need for additional guards at the Foundation, beginning March 18.

Frick and Roberts had remarked that Pinkerton's normally requires two weeks notice before assigning its men.

## Bill Asks Dry Clubs

OKLAHOMA CITY, Feb (UPI). — A bill to aboli private drinking clubs i homa has been introduce State Senate. Liquor restricted by State la age stores.

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# State Is Investigating Locked Main Gate at Barnes Art Gallery

Continued from First Page

heels in carrying out its part of the agreement.

At a hearing last Tuesday the Foundation cited one of the causes of delay as lack of a fire escape for the second floor.

Lower Merion Township Fire Superintendent James W. Mullin said Thursday that at a meeting attended by the doctor's widow, Mrs. Laura L. Barnes, 86; Sidney W. Frick, a member of the board of trustees; John Lehn, area inspector for the Department of Labor and Industry, and Mullin, the need for a fire escape was made known verbally to Mrs. Barnes.

**PROTESTED BY WIDOW**

He said both Mrs. Barnes and Frick protested that a fire escape would mar the beauty of the gallery.

"I told her I was more interested in safety than beauty," Mullin said.

He was asked where it should be built and replied that it should be constructed at the corner most remote from the present stairway.

Mullin said Mrs. Barnes told him it could not be put in that spot because there was a picture there. He said he told her to move the picture and she replied that could not be done because they were placed in sequence.

**WOULD SAVE SHRUBS**

Mullin reported that Mrs. Barnes also objected to an outside fire escape because it would touch the shrubbery surrounding the base of the building.

He told her that the fire escape just had to be installed because the code requires a second means of egress if the public is invited.

Asked why in his yearly fire inspections of the building the fire escape situation never came up, he said there was always some question of whether the building was public or private. He said the public had never been invited before, so he did not deem the escape necessary.

**EXPLAINS PARKING**

The strict parking regulations on Lapsley rd., leaving few spots for a visitor to park, were instituted at his behest in April, 1960, Mullin said.

Fire safety was the reason, he [illegible], it being determined that fire apparatus could not travel the twisting road with parking on both sides.

Lapsley rd. is a private road owned by abutting property owners. It runs from City Line ave. across from St. Joseph's College, twists around past the rear entrance of the foundation, then twists again and runs to Latch's lane on which the front of the gallery faces.

Since it is a private road, police had no jurisdiction but the fire code permits fire officials to restrict parking in the interest of free movement of fire apparatus.

The restrictions were approved by the Board of Commissioners of the township when Mullin pointed out parking was becoming congested after St. Joseph's College had acquired some properties in the area.

Parking was banned on the north side of Latch's lane from Old Lancaster rd. to Merion rd. at the front of the Foundation by resolution adopted on March 21, 1960.

**CITES CONGESTION**

Mullin said parking on both sides interfered with the heavy volume of traffic on the lane. Traffic became particularly congested, he said, at the time of athletic events held on the field of Episcopal Academy adjoining the Foundation grounds. This is a township road and the restrictions were at the request of the Police Department.

Mullin said he was against even a few persons using the second floor during the public hours until the fire escape is installed.

"If fire should cut off the present stairway there is nothing anybody could do to save a person up there," he said.

## U. S. Bars Export Of Tools to Re

WASHINGTON, M [illegible] (UPI).—The Admini[illegible] manently revoke[illegible] night an export [illegible] which $1.5 mill[illegible] chine tools co[illegible] ped to the [illegible]

Comme[illegible] H. Hodg[illegible] istrati[illegible] to [illegible] Co[illegible]

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# Barnes Foundation To Open Main Gate

Continued from First Page

construction of a fire barrier at the head of the stairway and the reversal of certain doors which now open inwardly.

Touching on the necessary security arrangments now that the $100,000,000 art treasures will be open to the public, the trustees said "arrangements were promptly and definitely made with Pinkertons for the supply of the large number of guards which will be necessary."

**TELEPHONE SERVICE**

Steps also have been taken, according to the Barnes letter, for "necessary telephone service."

It is this matter of "necessary telephone service" that threatens another furor in the case. Attorney General Anne X. Alpern has charged that the Barnes trustees seek to make a telephone call a condition of admission.

"Such a stipulation is contrary to our agreement," Miss Alpern said. "There is no reason why anyone can't just walk in off the street and visit the gallery—that is, if the maximum 200 already have not toured the gallery. An appointment is not and will not be necessary."

**PARKING PROBLEM**

Although the problem of the sealed gate apparently has now been resolved, the parking dilemma in the vicinity of the estate remains as formidable as ever. And the Barnes trustees believe that the parking problem "is certainly not a matter for the Foundation."

They said there was no parking problem there 38 years ago, when the gallery was built, and the "Foundation certainly cannot be held responsible for public street accommodations of automobiles . . ."

**'SATURATION POINT'**

Lower Merion township officials have said that the parking situation on nearby Latch's lane and Lapsley rd. has reached a "saturation point" and that they would resist any change in current parking regulations.

The letter said that although the gallery is not a "Taj Mahal," it has at least been called an "architectural gem."

Therefore, the trustees contend, the fire escape must be properly attached to or incorporated in the building.

The trustees also cautioned that an adjoining arboretum, one of the most outstanding in the country, must not be lost sight of.

**TRAMPLING FEARED**

"Naturally, it is important to protect the plantings of the arboretum against careless tramp[ling] of the grounds," they said. [The latter noted that an an]nt would be forthcom[ing re]gulations for the ad[mission] of the public.

"[Regul]ations . . . . will be [enforc]ed, and we hope will [be], for the convenience of the visitors, prevent undue congestion of neighboring roads and provide proper protection for the valuable painting and objects of art," the letter concluded.

It was signed by Laura L. Barnes, Nelle E. Mullen, Violette de Mazia, Joe W. Langran and Sidney W. Frick, all members of the board of trustees.

# Barnes Group Issues a Reply

Continued from First Page

gaged one of the leading architects of America, Mr. John Harbeson, and gave him carte blanche to proceed. After all, in view of the fact there have been many visitors to the gallery over the years, up to as many in recent months as 100 per week, the passage of three months for the necessary alterations does not warrant a charge of lack of good faith on the part of the Foundation trustees.

**BEAUTY OF BUILDING**

6. It is lightly contended that necessary protection by provision of a second means of egress from the second floor could have been accomplished within a mere matter of days or weeks. This is entirely untrue. The fact is that the building, while not as your article rather sarcastically says, a Taj Mahal, is a building of unique beauty. As Mr. Harbeson testified, "an architectural gem." It was designed by and built under the supervision of the noted architect, Paul Cret. Whatever is erected for a means of egress from the second floor must be properly attached or incorporated in the building, as Mr. Harbeson testified, with the necessary alteration thereof.

7. It must not be lost sight of that surrounding and adjoining the gallery is an arboretum—one of the outstanding arboretums in the country—in connection with which classes have been conducted by Mrs. Barnes herself and by Professor Fogg of the University of Pennsylvania, and other expert botanists. Naturally, it is important to protect the plantings of the arboretum against careless trampling of the grounds.

**ANNOUNCEMENT READIED**

8. An announcement will shortly be made of the regulations for the admission of the public which will be intended to be, and we hope will be, for the convenience of the visitors, prevent undue congestion of neighboring roads and provide proper protection for the valuable paintings and objects of art.

We hope that the foregoing recital will serve to correct the unjustified charges made against the trustees in the articles in your paper.

Laura L. Barnes
Nelle E. Mullen
Violette de Mazia
Joe W. Langran
Sidney W. Frick

# Barnes Art Gallery Opens On Saturday for First Time

The Barnes Foundation today spelled out the details of a plan to admit the general public to its art galleries in Merion for the first time in its history.

Under an agreement approved by Montgomery County Orphans' court, the gallery will be open this Saturday and then every Friday and Saturday from 9.30 A. M. to 4.30 P. M. except on legal holidays and during the months of July and August.

A maximum of 200 persons will be admitted each day. Reservations for up to half this number may be made in advance by writing or telephoning the foundation.

The rest will be admitted on a first-come-first-served basis.

The art gallery is on Latches lane and Lapsley road. The public entrance will be through the main gate on Latches lane.

There is no parking space on the grounds, but there is limited parking on adjacent streets, officials said.

Officials of the foundation pointed out that telephoning in advance is not a condition for admission.

Judge Alfred L. Taxis, Jr., of Montgomery Orphans' Court, had insisted that the listed telephone be installed in the gallery as a "public convenience."

The officials noted that members of the public may call in advance to be sure the 200 figure has not been reached before they visit the gallery. The number is MOhawk 7-0290.

The gallery contains an estimated $100 million worth of art treasures including valuable paintings by Cezanne, Picasso and Renoir.

These works were collected by Dr. Albert C. Barnes, millionaire manufacturer of the antiseptic, Argyrol. Dr. Barnes set up the foundation in 1922. He died in 1951.

For 38 years, the trustees of the foundation have carried out Dr. Barnes' policy of allowing only invited guests into the gallery, claiming it was an educational institution.

**Taxpayers' Suit**

A taxpayers' suit, filed in 1952, declared that the gallery should be open because of its tax-free status. The controversy continued for the next eight years.

Finally, last December 10, attorneys for the foundation and Miss Anne X. Alpern, state attorney general, reached an agreement to have the gallery opened to the public.

On February 28, after hearing further arguments by Miss Alpern, Judge Taxis specified that the gallery should be opened to a maximum of 2000 persons two days a week. He also set the March 18 date for the opening.

**Dragging Feet**

Miss Alpern had accused foundation officials of dragging their feet on naming an opening date.

The judge noted that a fire escape, required for safety, had not yet been constructed on the building. Until it is completed, he said, only three persons at a time will be permitted to enter the second floor of the gallery.

Last Tuesday, Judge Taxis told foundation and state officials to "exert their best efforts" to open the foundation to students and art insructors by April 1.

A more complete examination of the paintings by such visitors would be permitted at that time.

Phila. BULLETIN

## Two Ambassadors G… High State Dept. Po…

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The Presider… Walter P. … now ambas… assistant … Far Eas…

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# Gallery to Admit Public Fridays And Saturdays

Continued from First Page

ed to assure that at least some people would be able to take advantage of the new open-door policy. If the system does not work, she said, other means will be explored to encourage visitors.

Judge Taxis set this Saturday as the opening day after a hearing last Feb. 28 in which Miss Alpern charged that the foundation trustees were stalling on their agreement to admit the general public.

**CLOSED 2 MONTHS**

The foundation's announcement also revealed that the gallery would be open one more month of the year than it had in the past. The gallery will be closed on legal holidays and during July and August, the announcement said.

Miss Alpern pointed out that previously the gallery had been closed during September as well as July and August.

The foundation's announcement follows:

**STATEMENT GIVEN**

"The Gallery of the Barnes Foundation, at Merion, Pennsylvania, will be open to the public on Saturday, March 18, 1961. The hours of admission are 9:30 A. M. to 4:30 P. M. Thereafter the Gallery will be open on Friday and Saturday of each week throughout the year except on legal holidays and during the months of July and August. Only 200 members of the public will be admitted on each public day.

"Reservations for 100 members of the public for each public day may be made by letters written to the Barnes Foundation or by telephoning. The telephone number is Mohawk 7-0290. Members of the public can telephone this number in advance for a reservation designating the date desired and whether attendance will be in the morning or afternoon. The other 100 members of the public on each public day will stand in line for admission on a first-come, first-served basis.

**PHOTOS FORBIDDEN**

"Telephoning is not a condition precedent for admission. It is a convenience for the public. Experience will determine whether the 200 figure will be divided in this fashion or whether some other means for assuring the utmost use of the gallery with the greatest possible convenience to the public may be utilized.

"On the opening day, members of the accredited press will be admitted without deduction from the 200 figure. No photographs can be taken within the galleries."

s of the Sley System garages
out among spectators in court
ail sentences for defying an in-

# Barnes Art Hits 'Esthetic' Snag

Continued from First Page

the easterly side of the building, that is the part facing Old Lancaster rd.

**GOOD COOPERATION**

Dwyer, whose department covers provisions for fire and panic protection, said the Barnes representatives were cooperative and mainly interested in maintaining the esthetic beauty of the building located on Latch's lane and Lapsley rd.

He quoted Harbeson as saying that any delay should be attributed to him as he is interested in getting proper materials and styling.

Harbeson said Friday that he had sent the amended plans to Harrisburg on Wednesday, but he expects other changes will be recommended by the bureau. Asked why, he replied: "Just say I am a natural pessimist."

He said work on the fire escape began Thursday at the Habgood and Co. metal products plant at Torresdale and Frankford aves.

The directive to enclose the stairway to the second floor was hailed by James W. Mullin, fire superintendent of Lower Merion township.

**IMPORTANT FEATURE**

He said at a previous inspection of the building he had mentioned he would like to see the stairway enclosed.

The importance of this type of protection was shown in Thursday night's fire at New York's Executive Mansion in Albany. It was reported flames shot up the main stairway to the second floor. Gov. and Mrs. Nelson Rockefeller escaped in their night clothes. Damage to art works was estimated at $350,000.

Mullin said the Barnes building is fire resistant and well maintained. Asked about the locked front gate which will force public viewers to make a wearisome detour to enter by the rear, he said this would offer no problem to firemen in event of a fire.

"We will break the padlock or drive a truck through the gate," he said.

**PARKING IS PROBLEM**

Maj. Andrew G. McLaughlin, superintendent of Lower Merion township police, said parking in the area of the gallery has already reached the saturation point and he knows of no solution when the gallery is opened to the public.

Agreement to open the gallery had been reached last December after Attorney General Anne X. Alpern had carried through long litigation on the part of the Commonwealth. Heretofore, entry was at the whim and caprice of the Foundation's trustees.

Miss Alpern said she intended to continue the campaign until the Foundation finally carries out fully the mandate of the court.

# Barnes Foundation To Open Art Gallery Fridays, Saturdays

Phila. Inquirer Wed. 15, 1961 p. 1

The Barnes Foundation announced Tuesday that its gallery housing one of the world's great art collections will be open to the public on Fridays as well as Saturdays.

The public will be admitted for the first time this Saturday. The first Friday opening will be on March 24.

**ADMISSION HOURS**

Admission will be restricted to 200 visitors a day, between 9:30 A. M. and 4:30 P. M.

The gallery is situated on Latch's lane and Lapsley rd., Lower Merion township.

The foundation's announcement that Friday had been picked as the other visiting day followed meetings of representatives of the institution with State Attorney General Anne X. Alpern. Saturday had been selected as one of the two days in an out-of-court agreement reached last December in the climax of a Commonwealth suit to pry open the tax-exempt gallery's doors to the public.

**CONDITIONS APPROVED**

Miss Alpern said the conditions of admission laid down by the foundation in the Tuesday announcement were satisfactory.

One of those conditions—hitherto undisclosed—was that the foundation will take reservations by telephone or letter from 100 members of the public for each visiting day.

The other 100 will be admitted on a first-come, first-served basis.

**'ASSURE UTMOST USE'**

This arrangement was designed to assure "the utmost use of the gallery with the greatest possible convenience to the public . . ." the foundation said.

The gallery's telephone number is MOhawk 7-0290. The foundation said prospective visitors may call this number and make advance reservations for morning or afternoon attendance.

"Telephoning is not a condition precedent for admission," the foundation said. "It is a convenience for the public." This echoed a strict order issued by Judge Alfred L. Taxis, Jr., of the Montgomery County Orphans Court, ending the former exclusive admission policy involving entrance cards.

**PLAN IS EXPERIMENT**

Both the foundation and Miss Alpern stressed that the new policy of taking reservations for half of one day's visitors was an experiment.

Miss Alpern said it was intend-

Continued on Page 20, Column 1

Phila. Inquirer 3/4/61
p. 1

Friday afternoon appointed
ict Attorney for the unexpired
last January following his ele-

# 'Esthetic' Issue Snags Showing Of Barnes Art

"Esthetic beauty" versus the safety of the general public has become the key issue in the Commonwealth battle to have the Barnes Foundation live up to the letter of a court decree to open the doors of its famous tax-free art gallery to the taxpayers.

To fully open both floors of the art gallery in Merion requires changes in the building relating to fire safety on the second floor, including the installation of a fire escape.

Foundation trustees object that these changes would mar the beauty of the gallery.

It is these changes over which the "esthetic" battle has been joined and which has caused a long delay so far in carrying out the court order, with the possibilities of even further delay.

**PUBLIC IS THE LOSER**

The longer the delay stretches out the longer the public is denied full access on two days a week to the $100,000,000 art collection built up by the late Dr. Albert C. Barnes.

Under an order of the Montgomery County Orphans Court the gallery doors must be opened on Saturday, March 18, to 200 visitors. But because of the delay in instituting the fire safety changes, access to the second floor will be limited to only two or three persons at a time.

Preliminary plans for the changes at the gallery had been rejected by the Bureau of Inspections of the State Department of Labor and Industry on Jan. 17, according to John F. Dwyer, director of the bureau.

**SAFETY FEATURES**

At a meeting in Harrisburg with John F. Harbeson, architect for the foundation, Dwyer said certain recommendations were set forth by his department to be incorporated in the final plans.

These were: an additional means of egress on the first floor; stairway to the second floor must be fully enclosed, and certain doors throughout the gallery should be reversed to open outward.

Dwyer said in the discussion with Harbeson it was decided the fire escape should be located on

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Phila. Inquirer Oct. 18, 1961

# Barnes Gallery Lifts Limit on 2d-Story Area

Visitors to the Barnes Foundation in Merion may now enter the second floor of the art galleries in unrestricted numbers, it was learned Tuesday.

The visitors had been limited to groups of three in their tours of the second floor during the construction of a fire escape at the east end of the building. The fire escape, required by law, was completed in time for the fall reopening of the galleries.

**$2 FEE IS BANNED**

A Montgomery County Orphans' Court injunction temporarily restraining the Foundation from charging a $2 admission fee is still in effect. Attorneys for the Foundation have requested an indefinite continuance of final arguments on the proposal.

Two hundred visitors, half of them by appointment, are admitted to the gallery each Friday and Saturday. The building is on Latch's lane near Lapley rd. in Lower Merion township.

**REQUIRED BY LAW**

Construction of the fire escape was demanded by Lower Merion township officials after the building was ordered opened to the public last December by Orphans' Court President Judge Alfred L. Taxis, Jr. Under township laws, only three persons may be allowed upstairs in a public building not equipped with a fire escape.

Two months later, the fire escape had not been started, and the Foundation trustees were still barring the general public from the gallery.

On Feb. 28, then State Attorney General Anne X. Alpern—who led the Commonwealth's fight—obtained an order from Judge Taxis setting March 18 as the opening day, under restricted conditions.

Phila. BULLETIN 11/24/62 p. 3

# $100 Yearly Student Fee Urged for Barnes Gallery

The state has suggested that the Barnes Foundation in Merion start charging its art students a fee if it needs money.

The suggestion was made in a brief filed in Montgomery County Orphans' Court by Deputy Attorney General Lois G. Forer.

The brief was filed as part of the state's case against a proposed $2 admission fee to the foundation's art gallery.

Judge Alfred L. Taxis has taken the question under advisement.

**$100 a Year**

In the brief, Mrs. Forer suggested that the foundation begin charging the 121 art students and the 130 arboretum students a $100 annual fee. She said this would yield about $25,000 a year.

She said this sum would be about the amount the trustees seek to realize from the imposition of an "illegal admission charge on the public."

The trustees have contended that the admission fee is needed to offset expenses caused by a court order directing the foundation to admit the public on a limited basis.

**Poor Investments**

The state has charged that the trustees have made poor investments and wasted money in other ways. Mrs. Forer has asked that four of the five trustees be removed by the court.

The new brief continued the attack on these investment policies, pointing out that the trustees have refused to consult investment counsel. It charged that the trustees' attempts to explain these "most peculiar investments is lacking in candor and reason."

The brief called for admissions to the galleries continuously through the day, rather than only in the morning, within the limits of the 200 daily figure set in the court decree last year.

**80 Turned Away**

The brief contended that "as many as 80 visitors" have been turned away because of the mornings-only policy.

It charged "a continued attempt to harass, impede, and prevent the public from visiting the art gallery."

Earlier, Mrs. Forer wrote a letter to Judge Taxis charging that Miss Violette deMazia, a Barnes trustee and director of education, has been asking her students to sign a statement urging that Miss deMazia be given a salary increase and that the art gallery be closed to the public at all times.

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# Barnes Gallery Defends Fee, Cites Cost of Letting in Public

Trustees of the Barnes Foundation Art Gallery at Merion said today they must impose a $2 admission fee to the gallery because of the additional expense of opening it to the public.

They said the additional expense is expected to be at least $45,548 a year, an increase of 18.1 per cent in annual expenses averaged over the last five years.

The trustees' position was explained in a petition filed in Montgomery County Orphans' Court.

**Court Decree**

A court decree last December directed the foundation to admit 200 visitors to the tax-exempt gallery each Friday and Saturday except on legal holidays and during July and August, when it is closed.

There was to be no admission charge to the gallery, which had been closed to the general public since it was founded 38 years ago by the late Dr. Albert Barnes.

The trustees subsequently proposed that the $2 admission fee be charged beginning September 1. This was opposed by State Attorney General Anne X. Alpern.

**Fee Suspended**

She challenged the validity of the fee in a petition filed with President Judge Alfred L. Taxis, Jr., of Montgomery County Orphans' Court.

Judge Taxis directed that the intended fee be suspended and ordered the trustees to state why the earlier court decree should not be continued. That is what the trustees did today.

Setting of a date for a hearing on the fee awaits the return of Judge Taxis from vacation.

The trustees petition said:

"We deny that the accumulated funds and income of the trust [established by Dr. Barnes to support the foundation] are in excess of the amount needed for the proper administration of the trust and for the security measures necessary to protect the paintings.

**Changes Needed**

"On the contrary, the increased cost experienced in administering the visiting program, which began March 18, 1961, and a forecast of continuing costs make evident the necessity of imposing a visitors' admission charge."

The answer also said that gallery structural changes ordered by the state because of admission of visitors will cost more than $35,000.

Miss Alpern charged that the purpose of the fee was to harass the public and discourage large numbers of visitors.

The trustees denied this.

"The foundation and its trustees have never harassed the public nor provided any way of so doing," said the answer.

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A Barnes Visitor Writes

# She Encounters Rudeness and Arrogance at Gallery

*The following letter was written after a visit to the Barnes Foundation Art Gallery by Miss Quaintance Eaton, of New York City. Miss Eaton is an author who specializes in writing about music. Her letter, written to a friend in Philadelphia, brings out some of the difficulties encountered by visitors to the Barnes Gallery.*

June 15, 1961.

WELL, I know you are eager to know how the adventure at the Barnes Gallery came out. And it was an adventure all right. We stood there for 45 minutes—I was lucky enough to get a perch on the fender of a big car, so wasn't too tired.

Some young people went through the line, distributing a "manifesto" which showed the most arrogant defiance of any public interest, and as much as said that opening the gallery constituted not only sacrilege but disfigurement. It was the students who protested. I noticed that they were all let in, regardless of the fact that they are supposed to have the whole week for their classes.

I kept getting madder and madder, and one young man said: "You are evidently out to make trouble."

I said, "No, trouble is being made for me." They wouldn't speak to me again, thank goodness.

At 9:30 a guard came to the gates and called out: "Now folks, listen to me while I tell you what you can and can't do, because I don't want to say it again, and I sure don't want you asking me questions."

Whereupon he reeled off a lot of rules, and we could not hear him that far back in line, so had to ask all over again anyway. We were admitted after signing our names—I scrawled mine so it couldn't be read—and raced up the path.

Then we had to go into a little room, produce a dime—of course I didn't have one, and had to get change—and then put all our things into a locker, including pocketbook. I kept out a notebook and pencil and got away with it, but had to check my umbrella across the hall.

Then, by the time I was ready to go in, they handed out tickets for the second floor—only three people admitted there at one time, you know, because of the excuse they don't yet have a fire escape. Well, the three were allowed to stay a half hour each, so you can see that in two hours I had no chance of reaching No. 132 (the number of Miss Eaton's ticket). So I never did see the upstairs, and there were some pictures I really wanted to see.

Fortunately there were benches to sit down on, and I sat frequently.

It is one of the most scrambled affairs you ever saw. Dozens of pictures jammed together in one space, according to Barnes' ideas, which were slightly wacky, I think. Anyhow, what with 200 Renoirs, and most of them plump and rosy nudes, 6 or 8 had to be in every display, regardless of what other pictures were there—so that out of the corner of your eye, whether you were looking at a cool Cezanne landscape, or a bold Soutine, or a fanciful Rousseau, or anything at all, you caught a glimpse of this overstuffed flesh.

I got so that I never want to see a Renoir again, and can spot one a mile off. Went day before yesterday to a small collection that had some beautiful pictures, but I could hardly bear to look at the Renoirs, fine as they were.

So it came on to 11:30, and I had seen pretty much everything I wanted to downstairs—and would have had time to go up, if allowed. But no—so I gave up my ticket, and maybe some other poor fool got up a little ahead of schedule.

You can't eat there, nor can you go outside the gate and expect to get back. I met a man here who stayed all day in order to go upstairs, not eating at all.

What you could do I suppose is bring a sandwich, go outdoors and eat it surreptiously on the path—don't step on the grass, please—and then go back in. But it is just appalling that a place should be run that way.

The people there (and there were at least a dozen of the "regulars," including the woman who teaches, and who guides you around if you can latch on to her) blame the State for the rudeness of the guards, but that is their own tone. It's barbaric. I've considered writing a letter to the papers but it wouldn't do any good except to let off my own steam.

The Barnes attitude is contemptuous, arrogant and inimical. Think of him getting away with a tax-exempt status all these years!

Some of the pictures, you know, are hung so high that you can't see the little plaque on which the artist's name appears, and just have to guess. I asked that woman about several—was real pleased that I'd guessed right. She's the one who rubbed salt in the wounds by saying the big and priceless Rousseaus were upstairs. Oh, I gritted my teeth, I can tell you.

Of course it was worthwhile to see so many treasures, but the surrounding conditions are so mean, and the exhibition so profuse and tasteless, that it leaves a residue of unhappiness and bitterness. One should not have to look at pictures in such a climate.

So that's off my chest, and I can thank you once again for making it possible for me to have the experience. I wouldn't have missed it. Perhaps I'll go again, when I come over to Philadelphia for the American Symphony League Convention on the 22nd, 23rd and 24th. I would try to get there early enough to get an early check for upstairs, take absolutely nothing that had to be checked, and make it or bust. Maybe I won't even try.

QUAINTANCE EATON

6/25/61 Phila. Inquirer p1 Sec B

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# Barnes Trust Denies $2 Art Gallery Fees Violate Court Order

The Barnes Foundation denied Friday that the proposed $2 admission fee to its art gallery in Merion is contrary to a court order which opened the priceless collection to the public after nine years of litigation.

The denial — together with reasons why the gallery trustees proposed the admission charge — came in the form of an answer filed by the foundation in Montgomery County Court, replying to a petition by Anne X. Alpern. While she was State Attorney General, Miss Alpern had asked the Orphans' Court to block the $2 fees for inspecting the treasures of the tax-exempt foundation.

**DELAY ASKED**

Gilbert P. High represented the Foundation's law firm and asked Judge Robert W. Honeyman to defer action pending the return from vacation of President Judge Alfred L. Taxis, Jr., of the Orphans' Court. Judge Taxis is scheduled to return to his duties next Friday, the day the $2 admission fee was to have gone into effect.

High said the Foundation's answer "raised certain questions of fact" and added that he had asked Judge Honeyman to defer further action until Judge Taxis has an opportunity to hear the matter in open court.

**FEE DEFERRED**

Hence, the attorney said, the $2 fee would not be charged, since Judge Taxis' order staying its imposition remains in effect.

The Barnes Foundation denied that the proposed $2 fee violated a consent decree which opened the gallery to the public.

"We admit there is no provision for the admission fee in the stipulation of the parties," the answer stated. "Neither is there any prohibition thereof. Nothing is said in the stipulation or in the order of the court with

Continued on Page 14, Column 5

ATURDAY MORNING, AUGUST 26, 1961

# Gallery Denies Fee Is Illegal

Continued from First Page

regard to an admission fee. We deny that there is not any logical basis for the charge of the $2 admission fee by the Foundation. On the contrary, we aver that the basis for such a charge is entirely logical and that the charge is necessary . . ."

**PRECEDENT CITED**

The document pointed out that the Commonwealth, which moved for the injunction against the admission charge, itself charges admission to persons over 12 years of age to the Pennsylvania Farm Museum of Landis Valley, a state-owned museum near Lancaster, and to some state parks.

Regarding the tax-free status of the Foundation, it said it is tax-exempt because it is an educational institution, privately endowed, and conducts classes without tuition charges.

"The tax-free status of the Foundation was decided under a 1925 statute providing for exemption . . . of institutions of learning, but not of public art galleries," the answer states. "Paintings and other objects of art are not subject to tax, irrespective of who owns them."

The Foundation denied that accumulated funds and income from the Trust are more than the amount needed for proper administration and for security measures necessary to protect the paintings.

**COSTS RISING**

"On the contrary," it declared, "the increased cost experienced in administering the visiting program . . . since March 18, 1961, together with projected costs for the future . . . make evident the necessity of imposing a visitors' admission charge."

The Foundation admitted only that it planned to charge a $2 admission fee and that such an impost was not spelled out in the court order of Dec. 12, 1960. Everything else was denied, and the phrase, "We deny . . ." appeared at the start of 27 different sentences in the eight-page document.

Among the denials were:

**That the $2 fee provides new way of harassing the public, discourages would-be visitors and makes it impossible for certain lovers of art to see the collection established by Dr. Albert Barnes, inventor of Argyrol; that the fee thwarts the purpose of Dr. Barnes, who refused to admit the public—except by whim—to the gallery, and that the charge places a roadblock in the path of those who wish to visit the gallery.**

**Also that the Trust "was specifically created for 'men and women who toil,' " as stated by the Attorney General in her petition; that there is any disservice to the memory of Dr. Barnes, and a $2 fee is contrary to the intent of the Trust.**

**Also, that the fee means discrimination; that the decree of the court has been violated or not carried out to the letter, and that steps have been taken to make it difficult or impossible for the public to gain admission.**

In her petition, Miss Alpern had cited complaints by persons who said they had to stand in line for long periods of time. It also had been charged that the Foundation solicited persons to stand in line along with the general public, so the number of outsiders would be curtailed. A limit of 200 visitors on Fridays and Saturdays was set under the court order.

**LIMIT CRITICIZED**

The Foundation denied the charges, and said the only complaints it has received dealt with the limit on the number who could visit the second floor simultaneously because of fire regulations. The reply to Miss Alpern's petition took a somewhat dry view of the entire matter. Hinting that neither the Foundation nor Dr. Barnes waited the public admitted to the gallery in the first place, the document said:

"Other than criticism of the restriction of the number of visitors on the second floor as required by the Commonwealth, the only criticism we have heard is of the standing in line, which was a procedure not initiated by, but imposed upon, us."

The Foundation denied also that under Judge Taxis' order, art students and instructors must be admitted over and above the 200 public visitors allowed each week.

In her petition, Miss Alpern had charged that the "vast reserves" of the Foundation were more than enough to cover the additional charges incurred in the admission of the public.

This, too, was denied by the Barnes trustees, who said that while it is true the assets of the Foundation are more than $13,000,000, that figure includes paintings, other objects of art, buildings, land and other non-income producing properties owned by the Foundation.

"We deny the imposition of an admission charge cannot be justified on the grounds of financial necessity," the Foundation said. "We deny that the real purpose, or any purpose, for imposing the $2 admission fee, is to provide new ways, or any way, of harassing the public. The Foundation and its trustees have never harrassed the public, nor provided any way of so doing. . . .

"We aver that the administration of the Foundation subsequent to the entry of the decree has been in accordance with the decree. We have no knowledge, information or belief on what complaints have been received by the Attorney General. . . .

"We aver that the listed admission fee is entirely proper, that there has been no violation of the decree of Your Honorable Court by the Foundation or its trustees and we pray that the rule to show cause be discharged."

**HEARING EXPECTED**

Upon Judge Taxis' return, he is expected to set a hearing date and decide whether his restraining order should be made permanent or withdrawn as requested by the Foundation on Friday. Meanwhile, there will be no admission charges to the 200 persons admitted to the gallery on Fridays and Saturdays, beginning Sept. 1, after a summer layoff.

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# She Unlocked Barnes Gallery

THE five-foot-two, eyes-of-blue blonde might be taken for any of the young beauties walking on Chestnut st. with nothing on the mind but maybe dinner and tickets for a show.

But the blonde, State Deputy Attorney General Lois G. Forer, has plenty on her mind and plenty of mind to handle it.

She is the woman who slugged it out toe-to-toe with the immensely wealthy Barnes Foundation as field commander for retiring Attorney General Anne X. Alpern. And grateful Philadelphia art lovers know the results of that match.

This Philadelphia Portia is the only woman ever to win the American Bar Association's Ross Essay Contest. She won the contest, and $2500, in 1953 with a paper on "A Free Press and a Fair Trial."

She has written many legal articles for the American Bar Association Journal, the Harvard Law Review, the University of Pennsylvania Law Review, the Cornell Law Quarterly and similar publications.

For six years, 1952-58, she lectured on appellate practice at the University of Pennsylvania Law School.

She has pleaded successfully before the United States Supreme Court. Notable among her victories were the Girard College case involving city trustees and integration, and the Great Lakes water diversion case.



LOIS G. FORER

These are achievements enough for a lawyer dedicated solely to the law. But Mrs. Forer has other dedicated interests such as a husband and three children, archeology (requiring yearly trips to distant places), music, roses and badminton.

"I have time to do all this," she says, "because I have a very cooperative family and we all like to work."

Born in Chicago in 1914, she lived and attended schools in suburban Winnetka until she entered Northwestern University. Majoring in English, she received her degree of Bachelor of Arts with honors in 1935. She entered Northwestern's Law School, edited its Law Review and received her law degree.

She went to Washington in the fall of 1938 to work with the New Deal, first as counsel for the Senate Committee on Education and Labor and next with the legal staff of the Rural Electrification Administration.

Her leaving caused consternation in Winnetka, where she had served as Democratic committeeman since reaching voting age. She said there were only two Democrats in the community at the time, the late Harold Ickes, former Secretary of the Interior, and herself. They couldn't find a replacement.

In Washington she met another lawyer, Morris L. Forer, from Trenton, N. J., one of Felix Frankfurter's bright young men. They were married in Winnetka and their first child, Stuart, now a junior at the University of Pennsylvania, arrived a week after the Pearl Harbor attack.

The same week the Government's agencies were decentralized. Her husband's, the Securities and Exchange Commission was sent to Philadelphia. Her's, the Electrification Administration, to St. Louis.

"So we came to Philadelphia," she said, "principally because we wanted to hear the Philadelphia Orchestra."

They took up residence in Melrose Park. She got a job as law clerk for Chief Judge John Biggs, Jr., of the U. S. Court of Appeals for the Third Circuit. Her husband became a partner in the law firm of Wolf, Block, Schorr and Solis-Cohen.

Their son John, named after Judge Biggs, was born in 1943. He is now a senior at Chestnut Hill Academy. Hope Abigail, now a sophomore at Springside School, Chestnut Hill, was born in 1946.

About that time, busy Mrs. Forer decided to open her own law office. The family moved to 622 W. Hortter st., Germantown, where she set up her law quarters.

Attorney General Herbert Cohen named her Deputy Attorney General as his first appointment at the start of the Gov. George M. Leader Administration in 1955.

Under Attorney General Thomas D. McBride she got into the Barnes case, a campaign sponsored by The Inquirer to open the doors of the $100,000,000 to $500,000,000 tax free art treasury in Merion. Under Attorney General Alpern she continued in the fight until its successful conclusion.

She is proud, also, of her work in the Levittown, Pa. case three years ago in which the State enjoined rioters who were preventing Negroes from moving in. The State action was the first of its kind in the country.

Currently she has been subpenaed by the U. S. Senate Judiciary Committee as an expert witness on the bill relating to disqualification of judges for bias and prejudice.

Tax Liens Hit Celebrity Pairs

ANGELES, A

Williams Is Made

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# Judge Asks 'Best Efforts' To Open Barnes Art Gallery

Trustees of the Barnes Foundation and state officials were asked yesterday to "exert their best efforts" to open the foundation's art gallery to students and art instructors by April 1.

Judge Alfred L. Taxis, Jr., said in Montgomery County Orphans' Court he thought the April 1 deadline is "reasonable."

Judge Taxis also affirmed his statement of February 28 that he expected the public to be admitted to the art gallery in Merion by March 18.

**Defends Trustees**

Then he also set an April 1 deadline for the submission of an accounting of the gallery's finances from the death of its founder, Dr. Albert C. Barnes, in 1951 to the present. The accounting is to be rendered either to the Commonwealth or to Judge Taxis.

The judge went out of his way to say that the trustees were not at fault in the delay in carrying out an agreement to admit the public.

The agreement was reached last December between the trustees and the Commonwealth and provided for admission of 200 persons a day two days a week to the art gallery between the hours of 9.30 A. M. and 4.30 P. M. One of these days must be a Saturday.

**Fire Escape Asked**

At the February 28 hearing, State Attorney General Anne X. Alpern complained that the foundation said it was anxious to install a fire escape first.

Judge Taxis said it seemed "prudent and wise to make haste slowly" in order not to damage the structure, which, he added, "was one of the masterpieces of America's greatest contemporary architect." He was referring to the late Dr. Paul Cret.

Phila. BULLETIN 3/8/61 p. 7

elicious

# Barnes Art Quota Early

The Barnes Foundation art gallery in Merion was opened to the public for the second time Friday morning and in 30 minutes the quota of 100 first-come-first-served visitors had been filled.

Some 90 persons were lined up at the front gate on Latches lane near Lapsley rd. when it was opened at 9:30 A. M. The size of the early turnout surpassed the crowd at the first public showing last Saturday, when the unreserved quota was not filled until 12:10 P. M. Another 100 art lovers had advance reservations.

A Foundation spokesman said the backlog of advance reservations had gone beyond June, and that reservations now were being made for September. Under the terms of the Foundation's court-approved agreement with the State, the gallery will not be open to the public during July and August.

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Phila. Inq. 3/25/61

# Barnes Gallery Visits Slowed by Delay in Work on Fire Escape

Phila. Inquirer 5/23/61

Delays in completing the construction of an elaborate fire escape have curtailed free access to the second floor of the Barnes Foundation art gallery in Merion for more than two months, it was learned Monday.

John F. Harbeson, architect for the project, said the fire escape could not be completed until a special metal door, which will fit properly and not clash with the architecture of the building, has been built and installed at the head of the staircase.

**DESIGN CHANGED**

In addition, a spokesman for the George R. Habgood Co., Torresdale and Frankford aves. which was commissioned to build the stairs and railings, remarked that his job has been "drawn out" by a sudden change in the design of the structure.

Fire officials demanded the construction of a fire escape on the two-story brick structure at Latch's lane and Lapsley rd. last December, after the gallery was ordered opened to the public by Judge Alfred L. Taxis, Jr. in Montgomery County Orphans' Court.

They said Lower Merion township regulations specified that no more than three persons may be admitted to the second floor at one time until the fire escape is finished.

**MUST WAIT HOURS**

Meanwhile, hundreds of art lovers who have visited the gallery since its opening to the public on March 18 have been forced to wait hours before being allowed to visit the upstairs gallery.

Adolph Hubner, vice president of the George R. Habgood Co., said the stairs and railings of the decorative metal structure will be completed by the end of the week. He said the job would have been finished sooner if Harbeson hadn't asked him to cut holes in the steps after they had been installed. He said Harbeson wanted this done to prevent the surfaces from freezing over during winter.

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# Another Dreary Barnes Evasion

The latest petty harassment of the art-loving public by the trustees of the Barnes Foundation in Merion, the plan to charge $2 admission to their tax-free gallery, has rightly been met with prompt action by Attorney General Anne X. Alpern, who has asked the Orphans Court to block the proposed fee.

Although the trustees cite additional expenses of $45,500 annually "chargeable to the operation of our visiting program," Miss Alpern's counter-petition flatly states that "imposition of an admission charge cannot be justified on the grounds of financial necessity."

She points out that the Foundation has reserves of more than $13,000,000 already, pays no taxes, and derives a substantial income from its holdings. Further, unlike many other charitable trusts, this one is specifically prohibited from buying more paintings (the ones it now has and so jealously guards are worth anywhere up to $500,000,000).

The total estimated yearly expense of the gallery since visitors have begun to be admitted, sparsely and grudgingly, comes to about $290,000. If the Foundation had no other resources than its $13,000,000 reserves, it would mean obtaining slightly over 2 percent on the principal, surely no great trick for any competent estate manager these days.

This latest dreary episode, in a long series of dreary episodes that stretch back before The Inquirer 10 years ago first instituted a taxpayer's suit to open up the tax-free collection to the taxpaying public, surely warrants Miss Alpern's characterization:

"The real purpose in imposing a $2 admission fee is to provide new ways of harassing the public, discouraging large numbers of persons from visiting the gallery and making it almost impossible for certain lovers of art to procure admission because of a burdensome and illegal admission charge."

The "illegal" part is, of course, up to Judge Alfred R. Taxis of the Montgomery County Orphans Court, who must rule on the petition. It is a fact that no stipulation allowing such a charge was included in the court's decree of last December which finally opened up the tax-exempt gallery to long-suffering, long-waiting art lovers and taxpayers in March.

THE PHILADELPHIA INQUIRER, TUESDAY MORNING, MARCH 21, 1961

# Inquirer Lauded for Barnes Art Stand

*Inquirer Harrisburg Bureau*

HARRISBURG, March 20.— A joint resolution commending The Philadelphia Inquirer and Attorney General Anne X. Alpern for their "untiring and public spirited campaign" to open the Barnes Foundation Art Gallery to the public was introduced in the Legislature Monday.

The resolution, sponsored by Rep. Thomas J. McCormack (D., Phila.) and referred to the House Rules Committee, pointed out that the Barnes Foundation had successfully resisted every attempt to open its gates to the public until The Inquirer became interested.

**HAILS THE INQUIRER**

Text of the resolution:

"In 1951 The Philadelphia Inquirer, a newspaper of general circulation, commenced the waging of a vigorous campaign to compel the Trustees of the Barnes Foundation, located in Merion, Montgomery County, to open to the general public its multimillion dollar collection of paintings.

"The Barnes Foundation, despite the fact that it enjoys tax immunity as an educational institution, had sucessfully resisted every attempt made to open its gates to the public as well as to artists, students and critics because of rules laid down by its founder, Dr. Albert C. Barnes.

"In further pursuit of its campaign on behalf of the public, the aforesaid newspaper instituted lawsuits in the Common Pleas and Orphans' Courts of Montgomery County to compel the Trustees of the aforesaid Foundation to open its doors to the public.

**ALPERN AID CITED**

"Through the personal efforts and intervention of the Attorney General of the Commonwealth of Pennsylvania, who relentlessly, and with diligence unparalleled in the history of the Attorney General's office, prosecuted in behalf of the public the aforementioned lawsuit in the Orphans' Court of Montgomery County.

"On Dec. 12, 1960, it was announced that an agreement had been reached between the Attorney General and the Trustees of the Barnes Foundation wherein and whereby the fabulous gallery would be opened to the public.

"On Saturday, March 18, 1961, the gallery was opened to the public for the first time in 38 years.

"The Attorney General has stated publicly that the campaign to open the doors of the Barnes Foundation gallery to the public would never have started were it not for The Philadelphia Inquirer; therefore be it

"RESOLVED, (the Senate concurring), that The Philadelphia Inquirer and the Attorney General of the Commonwealth of Pennsylvania be given the highest commendation in bringing to a successful conclusion their untiring and public spirited campaign for the good of the public in causing the gallery of the Barnes Foundation to be opened to the public; and be it further

"RESOLVED, that a copy of this resolution be transmitted to The Philadelphia Inquirer and to the Attorney General of the Commonwealth of Pennsylvania."


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# Candy Workers Halt Production

Some 1400 employes at Stephen F. Whitman and Son, Inc., candy makers, refused to work Monday in a dispute over whether company maintenance men or outside construction workers should install equipment moved from the 415 Race st. plant to new site at 9700 Roosevelt

The Building and Const Trades Council insisted bers do the work and eting last Feb. 27 was given to 60 ers, member American B tionery W agreed District

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Philadelphia Inquirer March 18, 1961 p. 1

# Barnes Art Gallery Opens For 1st Public View Today

Invaluable art treasures of the Barnes Foundation at Merion, unseen by all but a selected few since its establishment nearly 38 years ago, will be opened to the general public at 9:30 A. M. Saturday under a new policy demanded by the State of Pennsylvania and agreed to by the foundation trustees.

The new practice will make the priceless works of art available for study by artists, connoisseurs, critics, collectors, students and amateurs. The "open door policy" represents the victorious climax of a court battle started nine years ago by The Inquirer.

**LIMIT OF 200 SET**

Two hundred visitors, in addition to representatives of the accredited press, will be admitted to the gallery at Latch's lane and Lapsley rd., near Episcopal Academy, on Saturday.

Thereafter, 200 members of the general public will be admitted each Friday and Saturday, between 9:30 A. M. and 4:30 P. M., except on legal holidays. The gallery will be closed during July and August.

The celebrated collection of the late Dr. Albert C. Barnes, roughly appraised at hundreds of millions of dollars, includes sculptures dating to the 6th century B. C., African primitives, early American furniture, tapestries, wrought-iron objects of art and Italian, Flemish and French paintings.

**HOST OF MASTERPIECES**

It is most famous, however, for its examples of the work of French impressionist and post-impressionist painters. Among its 1000 paintings are some 200 Renoirs, a hundred Cezannes, more than 70 Matisse oils, and nearly 30 Picassos, as well as paintings by Van Gogh, Utrillo, Modigliani, Degas and the American, William Glackens, an intimate friend of the founder.

Under regulations approved as "satisfactory" by Anne X. Alpern, Attorney General of Pennsylvania, 100 members of the public to be admitted each day may make reservations by writing letters to the Barnes Foundation, or by telephoning MOhawk 7-0290.

Persons seeking advance reservations may designate the

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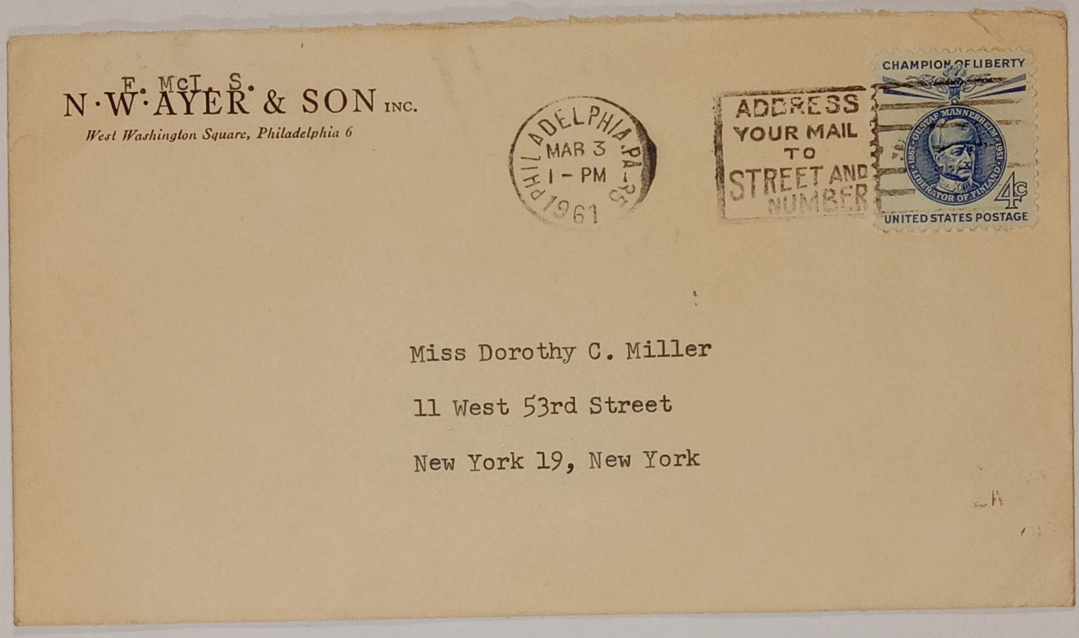

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# Dean of Judges

• The gentlest and fiercest of men, by turns relaxed and blazing, a profound philosopher with a broad wit, Learned Hand, America's senior judge in point of service, has had a more powerful effect on two generations of judges and lawyers than any other modern jurist. Judge Hand has the same impatience with ceremonial and tribute that he has with long-winded barristers who try to conceal the fuzziness of their arguments under a torrent of verbiage. "Rubbish!" is his formula for cutting off both. A year ago, when he retired (or so he thought) from the Federal Bench, he brusquely told reporters that he did not consider himself "newsworthy." He was, for once, thunderingly wrong. At eighty, he is as close to legendary as a man can be in his lifetime. One Supreme Court Justice has called him "the most distinguished living English jurist." Another has said that the judge is the man "at whose feet I sit." His prose has been described as "English at its best"—a world away from the usual sticky jargon of legal opinions.

Learned Hand is the descendant of a Kentishman named John Hand who came to East Hampton, Long Island, in the mid-1600's, equipped only with a Bible, a psalm book, a sword and a pistol. The judge was christened Billings Learned Hand, but as a young man he dropped the Billings. Learned, which has caused some confusion, is his mother's maiden name. At Harvard, he wore a drooping mustache and a pointed beard, was known as "the ancient Mongolian," studied philosophy, graduated *summa cum laude* and delivered the Class Day Oration. His decision to enter the law was somewhat casual. His cousin, closest friend and colleague on the Circuit Court of Appeals, Judge Augustus Noble Hand, now eighty-two, had gone to law school a couple of years before. "So," said Learned, "I went, too." At thirty-seven, after some prosperous but not happy years as a lawyer, Hand was first appointed to the Federal Bench by President William Howard Taft. He has sat on it steadily ever since, for the last eighteen years on the Circuit Court, the nation's second highest judicial body. Even after his retirement from active service—inactive service and Learned Hand do not mix—he has often returned to court, no longer as the senior, but as a junior, judge, "going in last, sitting at the extreme left and keeping my mouth shut."

Unlike generals and senators, judges do not often become familiar personalities to the public, but in recent years Judge Hand has, especially since the publication this spring of his first non-legal work, *The Spirit of Liberty*. Two of his recent statements have already become classics. The first, from his definition of liberty: "The spirit of liberty is the spirit which is not too sure that it is right . . . the spirit of Him who, nearly two thousand years ago, taught mankind that lesson it has never learned, but has never quite forgotten; that there may be a kingdom where the least shall be heard and considered side by side with the greatest." The second, from his 23,000-word denial of the appeal of the eleven sentenced Communist leaders: "One may reasonably think it wiser in the long run to let an unhappy, bitter outcast vent his venom before any crowds he can muster. . . . Here we are faced with something very different . . . a conspiracy for the violent capture of all existing governments."

Judge Hand has lived, ever since his marriage to Frances Amelia Fincke in 1902, in a brownstone house in the East Sixties in New York, often walks four brisk miles to the courthouse in the morning and amuses his grandchildren with stories of his own invention about a litigious, blowzy character called Marge, and with impersonations of an Indian chief. He has a summer place in New Hampshire, "Low Court," where he likes to read, tramp around the woods and lend a hand drying the dishes.

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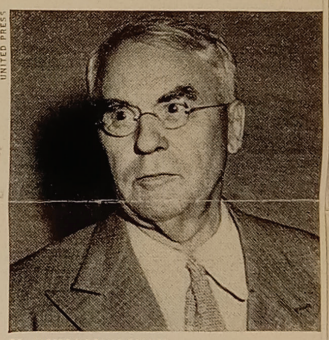
←Opposite: A small part of the wealth of paintings in the Barnes Foundation Collection.

# The House That Barnes Built

by A. L. Chanin

• Last July, Dr. Albert Coombs Barnes, a hale and robust seventy-eight, was killed instantly when the car he was driving collided with a trailer-truck. It was a death of peculiar significance to the art world. For in Merion, Pennsylvania, on the Main Line just outside of Philadelphia, stands the handsome, cream-colored French limestone building of the Barnes Foundation, surrounded by twelve acres of rare horticulture—and a tall iron fence. Here, aggressively closed off to most visitors, is a vast treasure house of art, the world's greatest collection of post-Impressionist paintings (two hundred Renoirs, almost one hundred Cézannes, sixty-five Matisse oils, more than thirty-five of the Blue and Rose period Picassos)—plus old masters, Greek and Egyptian sculpture, Persian and Chinese art, Pennsylvania Dutch objects and contemporary American paintings.



DR. ALBERT COOMBS BARNES

An extraordinary example of the self-made man, the Doctor was a Philadelphia butcher's son who made a fortune through his invention of Argyrol. He became a legend in his lifetime—one of the most gifted, influential, belligerent, blunt and unpredictable citizens in the history of the Quaker City.

At present, the Doctor's unorthodox concepts, as expressed in his Foundation, are in the glaring limelight of a widely discussed taxpayers' suit. For the art, vaguely valued at between $35,000,000 and $50,000,000, has been seen and studied only by a comparatively small number of people. Indeed, Barnes kept everyone out except about two hundred students a year, and a handful of special guests. To all others—not only curiosity seekers, but artists, collectors and museum officials as well, the collection remains as inaccessible as the vaults of Fort Knox. Characteristically, the Doctor even refused some art critics and historians permission to reproduce Foundation paintings in their books or articles. "When the Museum of Modern Art published my *History of Impressionism*," cites John Rewald, "Dr. Barnes let it be known that he would confiscate the entire edition if a single one of his pictures was reproduced."

As a rule, those who apply for permission to see the collection receive a brief printed reply: "The Barnes Foundation is not a public gallery. It is an educational institution with a program for systematic work organized into classes which are held every day and conducted by a staff of experienced teachers." Sometimes, during Barnes's life, the refusal card would be caustically signed, Fidèle de Port-Manech, the name of the Doctor's pet mongrel. This name, the Doctor pointed out, was derived from the Brittany coastal town, Port-Manech, "where Fidèle adopted me and where I wrote the books on Renoir and Cézanne."

When the Doctor died, the art world, after a spree of recounting with relish some classic stories of his many feuds, waited soberly for a change in the Foundation's policy of admission. The Foundation, however, remained as impenetrable as ever. Six months later, the *Philadelphia Inquirer* made international art news when one of its editorial writers filed suit to have the trustees adopt rules which would "give the public a fair and reasonable opportunity to view the masterpieces" and to offer the same "to artists, connoisseurs, critics, collectors and students of art." The basis for the suit is the newspaper's contention that "the Foundation has not been operated as required (*Continued on page 108*)

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# The House That Barnes Built

(*Continued from page 53*)

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In the hue and cry raised against the amazing Doctor and his Foundation, the public has received the impression of a callous and cantankerous individual, willfully retarding the enjoyment of art, who has finally been brought to account. (The Doctor, incidentally, would have relished the fight.) The truth, however, is not so simple. For the man who assembled the world-famous collection and created the unique Foundation emerges, despite his idiosyncrasies and acerbic temper, as one of the most vital and pioneering figures in the long history of Philadelphia.

The provocative Doctor who upset the applecart of art education, was born in 1873, in tough South Philadelphia. He worked his way through medical school at the University of Pennsylvania by tutoring, boxing and playing semi-professional baseball. Afterward he remarked that he learned more on the diamond than in the classroom, because "baseball requires the ability to see the relations of things, and this ability is thinking." With similar iconoclasm he once scandalized the citizenry by naming Philadelphia's veteran baseball manager, Connie Mack, "the greatest artist Philadelphia ever produced."

In the Nineties Barnes went to Germany to study physiological chemistry, and soon ran out of funds. Almost a half-century later, in a letter to bolster up a discouraged ex-GI who had been a student of the Foundation, Dr. Barnes nostalgically recalled this period: "Keep your shirt on! I landed in Antwerp after a year and a half in Berlin dead broke. For two nights I slept on a bench in front of the cathedral. The second morning I hocked my fraternity pin for seven francs and lived on that. The American consul used his influence to help me enlist as a deck hand on an oil steamer headed for Bayonne, N. J. The first night I slept in a bunk in the smelly forecastle and after that I got to doing things for the Captain, principally entertaining him with German college songs and Negro spirituals. After the second night I ate with him and had a little room all to myself. The voyage lasted fifteen days. The Captain loaned me a dollar to get to New York and from there it was easy to get to Philadelphia." Five years later Barnes returned to complete studies entitling him to a Ph.D. at Heidelberg University. He never took this degree, however, because he saw no reason to pay a fifty-dollar fee for a certificate.

Dr. Barnes also declined an invitation to work with the famed bacteriologist Paul Ehrlich, because for some time he had been turning over in his mind a formula for a new antiseptic. Returning to Philadelphia, he began experimenting in the basement laboratory in his parents' home. At the same time he became engaged to Miss Laura Leggett, of Brooklyn, the daughter of the founder of a wholesale grocery business. Mrs. Barnes, who is now the president of the Foundation, conducted research in arboriculture and horticulture, and led Foundation classes in those subjects.

Eventually, helped by a German technician, Dr. Barnes evolved Argyrol, a silver compound without the harshness of silver nitrate. Argyrol made Dr. Barnes wealthy. By the time he passed thirty he was a millionaire, and the greatest art collection of its kind was created from the fortune of Argyrol.

In the first Argyrol days, the Doctor began his educational experiments. He was an early follower of John Dewey, the American philosopher and founder of the Progressive School movement in education, and William James, pioneer of pragmatism—a philosophical doctrine concerned with the practical values and holding that the only test of the truth of ideas or philosophical principles is their practical result. Dr. Barnes tested their ideas with his sixteen Argyrol workers, Negro and white, several of whom had only the barest bits of formal schooling. He conducted seminars in philosophy and psychology with them for two hours a day on company time. (Two of the original employees, Mary and Nelle Mullen, are now Foundation trustees.) Dr. Barnes, in turn, enrolled in John Dewey's seminar at Columbia. In 1929, when he sold his business for a reported six million dollars, Doctor Barnes established a trust fund for life for his employees.

But along with his interest in educational philosophy the Doctor was already making the first strides in his career as an art collector. In his office and factory, as early as 1900, the Doctor hung paintings he had bought—chiefly contemporary Americans, which were often discussed by the Argyrol workers. Dr. Barnes had always been in love with art, and had once even tried his own hand at painting. But his talent lay in perceptive collecting. After he had outgrown these early acquisitions, the Doctor approached a former high-school friend, the brilliant painter William Glackens, and commissioned him to bring back examples of modern art from Europe. In those halcyon days for discerning buyers of modern art, when sweet English portraits fetched astronomical prices, Glackens was able to return with twenty pictures for $25,000, including Cézannes, Renoirs and Van Goghs. These the Doctor studied long and intently. Looking back, in 1915, on his beginnings as a collector, Dr. Barnes wrote: "Every collector who studies his paintings soon learns to accept his own discarded pictures as the necessary milestones on his way to the destination. It is more difficult to get a personally chosen good collection than it is to make a big fortune. The sin is not the mistakes made in buying the wrong kind but in keeping them on view after they cease to be the index of his present development."

Thereafter, Dr. Barnes, visiting Europe several times a year, learned, observed, debated and bought shrewdly. He was the very opposite of the easy mark for whom Paris dealers were eagerly lying in wait. In fact, shrewd dealers began to watch what the Doctor bought, for his purchase of an unknown could mean the discovery of a genius—and a rise in prices. One of the results of his perceptive judgment was that he became the first to collect Soutine, buying his oils for about forty dollars each.

Leo Stein, the brother of Gertrude, and perhaps the first to realize the importance of Matisse and Picasso, helped form the Doctor's early ideas. Matisse, who became a lifelong friend of the Doctor and in 1933 painted a large mural for the main gallery in the Foundation, was another important teacher. But a collector like the Doctor needed no adviser to help him decide whether a dealer was offering an exceptional Cézanne, Renoir or Picasso, or merely a mediocre painting with a famous signature. The king of modern art dealers, Ambrose Vollard, who gave Cézanne his first major exhibition, describes a visit from Barnes: "Mr. Barnes comes to see you. He gets you to show him twenty or thirty pictures—unhesitating, as they pass before him, he picks out this or that one. Then he goes away."

Later Dr. Barnes often boasted of his early prices. Waving toward a superb Picasso, he would say, "I bought it for eighty-five dollars, and got a drawing with it." But he was not a bargain-hunter as such; it was not the price but the quality of the painting which concerned him. For example, in 1936 he returned from Europe with twelve items acquired for a reported sum of $500,000, ranging from an Egyptian sculpture to a remarkable Manet. In the same period, he paid over $100,000 for a superb Cézanne "Bather," because it was a major composition which he wanted.

Among his last acquisitions were paintings by Chardin, an early Titian and Paul Klee. The Klee exhibition held at the Museum of Modern Art in 1949 was a revelation to the Doctor, for he admitted to a companion, in a rare confession, that he had underestimated Klee. "You know," he remarked, "I've always had Klees; you saw your first Klees in the Foundation twenty years ago. But I never dreamed he would develop so magnificently! I must find more good Klees." To the end, however, he remained cold to cubism and abstract art.

Along with his vigorous buying of art, his quarrels, the Argyrol seminars and the building up of his art collection, the Doctor immersed himself in a study of the famous paintings in museums. He studied the masterpieces, unimpressed by the hallowed reputations of many painters, and, with characteristic practicality, he dictated his analyses of the artists in question on the spot to his secretaries who often went along on his museum tours.

Later his museum notes served as the core for his pioneer art book *The Art in Painting*. As an author, the Doctor wrote didactically, and his opinions could not be missed. For all that, his was an important study, full of new common sense, shrewd judgments, healthy debunking and a real gift for aesthetic analyses in blunt terms which anybody could understand. His book's aim was "to replace the sentimentalism, the antiquarianism, sheltered under the cloak of academic prestige which makes futile the courses in art in universities and colleges," where, as a matter of fact, his book is frequently used today.

By the early Twenties, his collection and his fame were established. The *New Yorker* profiled him as "The Medici of Merion." The Pennsylvania Academy of Fine Arts—there was no museum then in Philadelphia—invited him to exhibit a number of paintings. Dr. Barnes selected the most forthright example of Cézanne, Renoir, Soutine and Van Gogh, and an outcry arose: several alienists wrote to the papers calling the paintings examples of insanity in art. Barnes promptly countered by offering $100,000 to the Philadelphia Orchestra if the critics could prove what they said; if they couldn't, they would have to pay the same sum to the orchestra. His offer was not accepted.

In 1925 the extensive and growing collection was placed in the building at Merion. Owen J. Roberts, later Justice of the Supreme Court, drew up the charter for the Foundation as an educational institution. At first groups of artists, professors, bankers, lawyers, as well as students from local art schools and universities, were freely admitted. Their reactions, interests and comments were observed, at the Doctor's orders, by his staff, whose notes confirmed Barnes's opinion that most casual looking was confused, bewildered and chaotic. He was convinced that mere visiting was a waste of time and a futile diversion. "Entertainment seekers," he snorted; "let them go to the movies instead! . . . That one can see paintings without going through a process of learning is just as absurd as to assume that one can learn surgery by walking through the wards of a hospital."

Each year, however, hundreds apply to attend classes at the Foundation. About two hundred students are selected. Tuition is free and students usually attend either preliminary, general or advanced sessions one afternoon a week. A typical class may include among others—professors, art students and housewives. The classes are not painting classes; there is no attempt to make an artist of anyone; they are instead classes in learning how to see meaningfully by analyzing the art of all periods at first hand. "The students have to be in earnest. Prestige doesn't count. Ph.D or Harvard are zero to us. If the student doesn't have the interest or ability, he is dead as far as we are concerned, and gets the gate," the Doctor told an interviewer.

Students arrive about an hour before class begins, in order to study by themselves in the galleries—galleries without the usual museum guards. The paintings, sculpture and furniture were carefully arranged, and rearranged, by the Doctor. Unlike most museums where art is placed either in chronological order or by countries or periods, the Foundation links all periods together. This is done to demonstrate the kinship and continuity of traditions: the power of form in a Tintoretto is present in a Cézanne, the color and pattern of Matisse is not unrelated to a Pennsylvania Dutch chest.

In the first years, and occasionally in

(*Continued on page 115*)

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# The House That Barnes Built

(*Continued from page 108*)

the Thirties, Dr. Barnes often taught classes himself. But he scorned the typical art jargon heard too often in classrooms; he used down-to-earth terms and made his points clear, sometimes by unorthodox illustrations. He might suddenly remove a small picture to prove how a unified arrangement can be unbalanced and destroyed; or else play a series of different versions of "Swanee River," or of a Beethovian sonata, on a phonograph in the main gallery, to show the variety of approaches and interpretations possible on a given theme.

To the very end of his life, Barnes would stride into the main gallery at the conclusion of most classes, sit down in his chair underneath the Matisse mural, with Fidèle or a favorite Afghan near by. This meant that he was ready to discuss almost anything with the students, from personal recollections of Pascin or Picasso, the use of color in a given Cézanne or an early Italian, to some problem or issue of everyday living which might be brought up.

One student recalls an afternoon in the bleak depths of the depression, when the Doctor called in a selected group and pacing up and down said, "Well, you have learned something of modern painting at the Foundation, but what about the old masters? They can be studied only in Europe. Why don't you go?" Singling out one student, the Doctor demanded, "You, for example, why don't you go to Europe?"

"Cash," the student answered concisely.

"Oh, is that all?" Barnes replied. "All of you step into my office. All your tickets for the boat are ready. You leave for Europe within two weeks. Train fares, too, are paid for. And you'll get a monthly sum for expenses for the trip to study in the museums of eight countries." Such traveling fellowships were given frequently. In addition, students whose talent the Doctor spotted in local exhibitions were sometimes sent to Morocco or Nice to paint at leisure. Others received financial aid which allowed them to go on with their studies at the Foundation. He was as generous to those he took an interest in as he was obdurate and forbidding to the agglomerate of the public.

If anyone of reputed prestige raised some basic issue about the Doctor or the Foundation, he castigated them with letters which reached rare heights of sarcasm. A pugnacious fighter and mocker of those whom he considered "phonies and stuffed shirts in positions of wealth and supposed prestige," he loved few things better than "to give an opponent an intellectual punch in the nose."

One typical battle arose when the exalted Town Crier, Alexander Woollcott, was in Philadelphia performing in *The Man Who Came to Dinner*. He infuriated the Doctor by a lordly press statement to the effect that Dr. Barnes had invited him to see a half-dozen of his masterpieces—that he was too busy to see a larger number. The withering blasts with which the Doctor contradicted Woollcott, also a terrible-tempered man, echoed and re-echoed in the Philadelphia press. Finally, Woollcott despite his skill with words, "threw in the towel," in the Doctor's fighting language, and took the count. "Philadelphia," crowed the Doctor in typical Barnesonian style, "enjoyed the trimming of the fringe of your intellectual trousers, carried so high that your mental bottom was exposed to the public at large."

For all of Barnes's eccentricity, he had never claimed that the Foundation was a public museum. Unlike most collections, it was not a display of wealth, but art assembled as a serious experiment in education. It would seem that the real problem of the Foundation today is one of expanding social usefulness. When the Foundation solves this problem, it will be clearer than it can be now that only brilliant originality, scholarship and purposefulness could have created the amazing collection assembled by the "Medici of Merion."

# The Novel in Knots

(*Continued from page 44*)

one-sided. (It is crude and over-life-size and the raw experience has resisted transformation. Or it is small and very well made and has, as Faulkner once said, "nothin' to say.") Maybe society has failed the novelist. The novel moves through social classes, depends to a great extent on a hierarchy of social values. The southern writer, to that degree, holds an advantage: social existence in the South continues to be marked out, and its gradual breakdown creates conflict and drama on a grand scale. Such a human and social condition has helped Faulkner create a novel of magnitude. Hemingway has sought this help in other places, in France, in Spain, in the Keys, in Italy, and he too has created memorable and tense fiction.

Today, the first-rank novels have not appeared. The good novels (Wouk's *The Caine Mutiny*, Salinger's *Catcher in the Rye*, Schulberg's *The Disenchanted*, Marquand's *Melville Goodwin, U.S.A.*, Jones's *From Here to Eternity*, and still others) do not suggest that there exists a literary culture out of which great novels may emerge. Not just now. Maybe tomorrow it will be one of the above-mentioned, maybe Robert Penn Warren or James Agee or Eudora Welty or Jean Stafford, who will write the novel that will create a brighter literary prospect. In the meanwhile, we will read Rachel Carson and her friends at least partially in the way we read a rich and rewarding novel.




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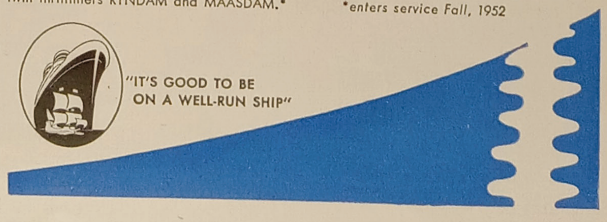

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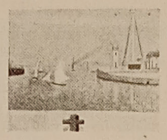














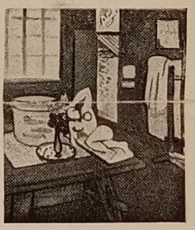




















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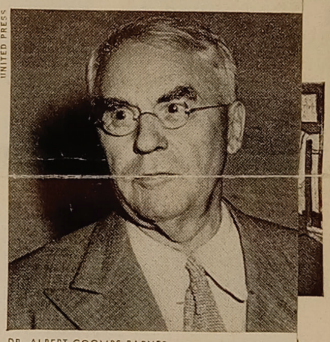

UNITED PRESS

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(*Continued from page 53*)

by its charter . . . as a tax-free corporation to promote the advancement of education and appreciation of the fine arts." These charges, if true, are indeed a black catalogue, and the case against the Foundation seems eminently justified—*if* its purpose is to make one of the greatest collections of post-Impressionist art finally available to more than a limited circle.

In the hue and cry raised against the amazing Doctor and his Foundation, the public has received the impression of a callous and cantankerous individual, willfully retarding the enjoyment of art, who has finally been brought to account. (The Doctor, incidentally, would have relished the fight.) The truth, however, is not so simple. For the man who assembled the world-famous collection and created the unique Foundation emerges, despite his idiosyncrasies and acerbic temper, as one of the most vital and pioneering figures in the long history of Philadelphia.

The provocative Doctor who upset the applecart of art education, was born in 1873, in tough South Philadelphia. He worked his way through medical school at the University of Pennsylvania by tutoring, boxing and playing semi-professional baseball. Afterward he remarked that he learned more on the diamond than in the classroom, because "baseball requires the ability to see the relations of things, and this ability is thinking." With similar iconoclasm he once scandalized the citizenry by naming Philadelphia's veteran baseball manager, Connie Mack, "the greatest artist Philadelphia ever produced."

In the Nineties Barnes went to Germany to study physiological chemistry, and soon ran out of funds. Almost a half-century later, in a letter to bolster up a discouraged ex-GI who had been a student of the Foundation, Dr. Barnes nostalgically recalled this period: "Keep your shirt on! I landed in Antwerp after a year and a half in Berlin dead broke. For two nights I slept on a bench in front of the cathedral. The second morning I hocked my fraternity pin for seven francs and lived on that. The American consul used his influence to help me enlist as a deck hand on an oil steamer headed for Bayonne, N. J. The first night I slept in a bunk in the smelly forecastle and after that I got to doing things for the Captain, principally entertaining him with German college songs and Negro spirituals. After the second night I ate with him and had a little room all to myself. The voyage lasted fifteen days. The Captain loaned me a dollar to get to New York and from there it was easy to get to Philadelphia." Five years later Barnes returned to complete studies entitling him to a Ph.D. at Heidelberg University. He never took this degree, however, because he saw no reason to pay a fifty-dollar fee for a certificate.

Dr. Barnes also declined an invitation to work with the famed bacteriologist Paul Ehrlich, because for some time he had been turning over in his mind a formula for a new antiseptic. Returning to Philadelphia, he began experimenting in the basement laboratory in his parents' home. At the same time he became engaged to Miss Laura Leggett, of Brooklyn, the daughter of the founder of a wholesale grocery business. Mrs. Barnes, who is now the president of the Foundation, conducted research in arboriculture and horticulture, and led Foundation classes in those subjects.

Eventually, helped by a German technician, Dr. Barnes evolved Argyrol, a silver compound without the harshness of silver nitrate. Argyrol made Dr. Barnes wealthy. By the time he passed thirty he was a millionaire, and the greatest art collection of its kind was created from the fortune of Argyrol.

In the first Argyrol days, the Doctor began his educational experiments. He was an early follower of John Dewey, the American philosopher and founder of the Progressive School movement in education, and William James, pioneer of pragmatism—a philosophical doctrine concerned with the practical values and holding that the only test of the truth of ideas or philosophical principles is their practical result. Dr. Barnes tested their ideas with his sixteen Argyrol workers, Negro and white, several of whom had only the barest bits of formal schooling. He conducted seminars in philosophy and psychology with them for two hours a day on company time. (Two of the original employees, Mary and Nelle Mullen, are now Foundation trustees.) Dr. Barnes, in turn, enrolled in John Dewey's seminar at Columbia. In 1929, when he sold his business for a reported six million dollars, Doctor Barnes established a trust fund for life for his employees.

But along with his interest in educational philosophy the Doctor was already making the first strides in his career as an art collector. In his office and factory, as early as 1900, the Doctor hung paintings he had bought—chiefly contemporary Americans, which were often discussed by the Argyrol workers. Dr. Barnes had always been in love with art, and had once even tried his own hand at painting. But his talent lay in perceptive collecting. After he had outgrown these early acquisitions, the Doctor approached a former high-school friend, the brilliant painter William Glackens, and commissioned him to bring back examples of modern art from Europe. In those halcyon days for discerning buyers of modern art, when sweet English portraits fetched astronomical prices, Glackens was able to return with twenty pictures for $25,000, including Cézannes, Renoirs and Van Goghs. These the Doctor studied long and intently. Looking back, in 1915, on his beginnings as a collector, Dr. Barnes wrote: "Every collector who studies his paintings soon learns to accept his own discarded pictures as the necessary milestones on his way to the destination. It is more difficult to get a personally chosen good collection than it is to make a big fortune. The sin is not the mistakes made in buying the wrong kind but in keeping them on view after they cease to be the index of his present development."

Thereafter, Dr. Barnes, visiting Europe several times a year, learned, observed, debated and bought shrewdly. He was the very opposite of the easy mark for whom Paris dealers were eagerly lying in wait. In fact, shrewd dealers began to watch what the Doctor bought, for his purchase of an unknown could mean the discovery of a genius—and a rise in prices. One of the results of his perceptive judgment was that he became the first to collect Soutine, buying his oils for about forty dollars each.

Leo Stein, the brother of Gertrude, and perhaps the first to realize the importance of Matisse and Picasso, helped form the Doctor's early ideas. Matisse, who became a lifelong friend of the Doctor and in 1933 painted a large mural for the main gallery in the Foundation, was another important teacher. But a collector like the Doctor needed no adviser to help him decide whether a dealer was offering an exceptional Cézanne, Renoir or Picasso, or merely a mediocre painting with a famous signature. The king of modern art dealers, Ambrose Vollard, who gave Cézanne his first major exhibition, describes a visit from Barnes: "Mr. Barnes comes to see you. He gets you to show him twenty or thirty pictures—unhesitating, as they pass before him, he picks out this or that one. Then he goes away."

Later Dr. Barnes often boasted of his early prices. Waving toward a superb Picasso, he would say, "I bought it for eighty-five dollars, and got a drawing with it." But he was not a bargain-hunter as such; it was not the price but the quality of the painting which concerned him. For example, in 1936 he returned from Europe with twelve items acquired for a reported sum of $500,000, ranging from an Egyptian sculpture to a remarkable Manet. In the same period, he paid over $100,000 for a superb Cézanne "Bather," because it was a major composition which he wanted.

Among his last acquisitions were paintings by Chardin, an early Titian and Paul Klee. The Klee exhibition held at the Museum of Modern Art in 1949 was a revelation to the Doctor, for he admitted to a companion, in a rare confession, that he had underestimated Klee. "You know," he remarked, "I've always had Klees; you saw your first Klees in the Foundation twenty years ago. But I never dreamed he would develop so magnificently! I must find more good Klees." To the end, however, he remained cold to cubism and abstract art.

Along with his vigorous buying of art, his quarrels, the Argyrol seminars and the building up of his art collection, the Doctor immersed himself in a study of the famous paintings in museums. He studied the masterpieces, unimpressed by the hallowed reputations of many painters, and, with characteristic practicality, he dictated his analyses of the artists in question on the spot to his secretaries who often went along on his museum tours.

Later his museum notes served as the core for his pioneer art book *The Art in Painting*. As an author, the Doctor wrote didactically, and his opinions could not be missed. For all that, his was an important study, full of new common sense, shrewd judgments, healthy debunking and a real gift for aesthetic analyses in blunt terms which anybody could understand. His book's aim was "to replace the sentimentalism, the antiquarianism, sheltered under the cloak of academic prestige which makes futile the courses in art in universities and colleges," where, as a matter of fact, his book is frequently used today.

By the early Twenties, his collection and his fame were established. The *New Yorker* profiled him as "The Medici of Merion." The Pennsylvania Academy of Fine Arts—there was no museum then in Philadelphia—invited him to exhibit a number of paintings. Dr. Barnes selected the most forthright example of Cézanne, Renoir, Soutine and Van Gogh, and an outcry arose: several alienists wrote to the papers calling the paintings examples of insanity in art. Barnes promptly countered by offering $100,000 to the Philadelphia Orchestra if the critics could prove what they said; if they couldn't, they would have to pay the same sum to the orchestra. His offer was not accepted.

In 1925 the extensive and growing collection was placed in the building at Merion. Owen J. Roberts, later Justice of the Supreme Court, drew up the charter for the Foundation as an educational institution. At first groups of artists, professors, bankers, lawyers, as well as students from local art schools and universities, were freely admitted. Their reactions, interests and comments were observed, at the Doctor's orders, by his staff, whose notes confirmed Barnes's opinion that most casual looking was confused, bewildered and chaotic. He was convinced that mere visiting was a waste of time and a futile diversion. "Entertainment seekers," he snorted; "let them go to the movies instead! . . . That one can see paintings without going through a process of learning is just as absurd as to assume that one can learn surgery by walking through the wards of a hospital."

Each year, however, hundreds apply to attend classes at the Foundation. About two hundred students are selected. Tuition is free and students usually attend either preliminary, general or advanced sessions one afternoon a week. A typical class may include among others—professors, art students and housewives. The classes are not painting classes; there is no attempt to make an artist of anyone; they are instead classes in learning how to see meaningfully by analyzing the art of all periods at first hand. "The students have to be in earnest. Prestige doesn't count. Ph.D or Harvard are zero to us. If the student doesn't have the interest or ability, he is dead as far as we are concerned, and gets the gate," the Doctor told an interviewer.

Students arrive about an hour before class begins, in order to study by themselves in the galleries—galleries without the usual museum guards. The paintings, sculpture and furniture were carefully arranged, and rearranged, by the Doctor. Unlike most museums where art is placed either in chronological order or by countries or periods, the Foundation links all periods together. This is done to demonstrate the kinship and continuity of traditions: the power of form in a Tintoretto is present in a Cézanne, the color and pattern of Matisse is not unrelated to a Pennsylvania Dutch chest.

In the first years, and occasionally in

(*Continued on page 115*)

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# The House That Barnes Built

(*Continued from page 108*)

the Thirties, Dr. Barnes often taught classes himself. But he scorned the typical art jargon heard too often in classrooms; he used down-to-earth terms and made his points clear, sometimes by unorthodox illustrations. He might suddenly remove a small picture to prove how a unified arrangement can be unbalanced and destroyed; or else play a series of different versions of "Swanee River," or of a Beethovian sonata, on a phonograph in the main gallery, to show the variety of approaches and interpretations possible on a given theme.

To the very end of his life, Barnes would stride into the main gallery at the conclusion of most classes, sit down in his chair underneath the Matisse mural, with Fidèle or a favorite Afghan near by. This meant that he was ready to discuss almost anything with the students, from personal recollections of Pascin or Picasso, the use of color in a given Cézanne or an early Italian, to some problem or issue of everyday living which might be brought up.

One student recalls an afternoon in the bleak depths of the depression, when the Doctor called in a selected group and pacing up and down said, "Well, you have learned something of modern painting at the Foundation, but what about the old masters? They can be studied only in Europe. Why don't you go?" Singling out one student, the Doctor demanded, "You, for example, why don't you go to Europe?"

"Cash," the student answered concisely.

"Oh, is that all?" Barnes replied. "All of you step into my office. All your tickets for the boat are ready. You leave for Europe within two weeks. Train fares, too, are paid for. And you'll get a monthly sum for expenses for the trip to study in the museums of eight countries." Such traveling fellowships were given frequently. In addition, students whose talent the Doctor spotted in local exhibitions were sometimes sent to Morocco or Nice to paint at leisure. Others received financial aid which allowed them to go on with their studies at the Foundation. He was as generous to those he took an interest in as he was obdurate and forbidding to the agglomerate of the public.

If anyone of reputed prestige raised some basic issue about the Doctor or the Foundation, he castigated them with letters which reached rare heights of sarcasm. A pugnacious fighter and mocker of those whom he considered "phonies and stuffed shirts in positions of wealth and supposed prestige," he loved few things better than "to give an opponent an intellectual punch in the nose."

One typical battle arose when the exalted Town Crier, Alexander Woollcott, was in Philadelphia performing in *The Man Who Came to Dinner*. He infuriated the Doctor by a lordly press statement to the effect that Dr. Barnes had invited him to see a half-dozen of his masterpieces—that he was too busy to see a larger number. The withering blasts with which the Doctor contradicted Woollcott, also a terrible-tempered man, echoed and re-echoed in the Philadelphia press. Finally, Woollcott despite his skill with words, "threw in the towel," in the Doctor's fighting language, and took the count. "Philadelphia," crowed the Doctor in typical Barnesonian style, "enjoyed the trimming of the fringe of your intellectual trousers, carried so high that your mental bottom was exposed to the public at large."

For all of Barnes's eccentricity, he had never claimed that the Foundation was a public museum. Unlike most collections, it was not a display of wealth, but art assembled as a serious experiment in education. It would seem that the real problem of the Foundation today is one of expanding social usefulness. When the Foundation solves this problem, it will be clearer than it can be now that only brilliant originality, scholarship and purposefulness could have created the amazing collection assembled by the "Medici of Merion."

# The Novel in Knots

(*Continued from page 44*)

one-sided. (It is crude and over-life-size and the raw experience has resisted transformation. Or it is small and very well made and has, as Faulkner once said, "nothin' to say.") Maybe society has failed the novelist. The novel moves through social classes, depends to a great extent on a hierarchy of social values. The southern writer, to that degree, holds an advantage: social existence in the South continues to be marked out, and its gradual breakdown creates conflict and drama on a grand scale. Such a human and social condition has helped Faulkner create a novel of magnitude. Hemingway has sought this help in other places, in France, in Spain, in the Keys, in Italy, and he too has created memorable and tense fiction.

Today, the first-rank novels have not appeared. The good novels (Wouk's *The Caine Mutiny*, Salinger's *Catcher in the Rye*, Schulberg's *The Disenchanted*, Marquand's *Melville Goodwin, U.S.A.*, Jones's *From Here to Eternity*, and still others) do not suggest that there exists a literary culture out of which great novels may emerge. Not just now. Maybe tomorrow it will be one of the above-mentioned, maybe Robert Penn Warren or James Agee or Eudora Welty or Jean Stafford, who will write the novel that will create a brighter literary prospect. In the meanwhile, we will read Rachel Carson and her friends at least partially in the way we read a rich and rewarding novel.




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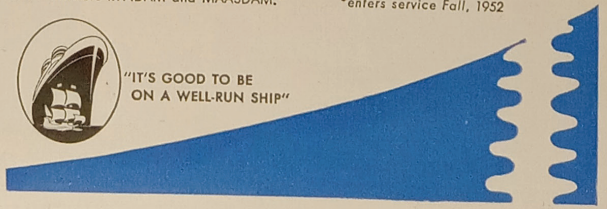

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THE CAMPUS
SARAH LAWRENCE COLLEGE
FEB. 25, 1953

# Art Students See 1000 Paintings

Last Tuesday, 14 of William Ruben's "History of Art" students were fortunate enough to visit the Barnes Foundation in Merion, Pa. On exhibition were approximately 1000 paintings of masters from the early Renaissance to the present day.

The Barnes Foundation is the private collection of Albert C. Barnes who spent much of his time and fortune in the art centers in the world gathering these works.

Since the death of its founder, the galleries have been used for educational purposes with small art classes organized and instructed by the members of the foundation.

Upon entering the spacious gallery, the students were overawed by the quantity and quality of the paintings arranged literally "all over the walls." They spent two and one half hours touring some 20 rooms in which were hung works of Cezanne, Renoir, Soutine, Seurat, Henri Rousseau, Matisse, Tintorello and others too numerous to mention.

Impressions can hardly be recorded, but the students could agree that it was one of the finest collections they had ever seen, and in fact, "the chance of a lifetime."

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## THE BARNES FOUNDATION

THE BARNES FOUNDATION was chartered as an educational institution by the state of Pennsylvania on December 4, 1922.

Its equipment consists of a gallery and other buildings located at Merion in a twelve-acre arboretum comprising an extensive collection of rare and specimen trees, shrubs and flowers. A pre-revolutionary farmhouse —Ker-Feal—in Chester County, Pa., furnished with authentic pieces of the period, and surrounded by large expanses of cultivated ground and woodland, offers abundant material to supplement the Foundation's educational work.

The gallery, in Merion, contains a collection of paintings and sculpture which is universally acknowledged to be the most important of its kind in the world. Its more than one thousand paintings include works by Renoir, Cézanne, Manet, Degas, Seurat, Picasso, Matisse, and other modern painters down to Soutine, Modigliani, Miró, Rouault, Glackens, Prendergast, Demuth, Pascin, Pippin, etc. Among the old masters are paintings by Giorgione, Titian, Tintoretto, Paolo Veronese, El Greco, Claude le Lorrain, Chardin, Daumier, Delacroix, Courbet and Corot, as well as the work of the early Dutch painters, Italian, Flemish, German and French primitives and some of the more important Chinese and Persian works of art.

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Included also are representative pieces of ancient Greek, Egyptian, Hindu and American Indian art, and a collection of primitive African Negro sculpture which is unrivaled in the world.

Exhibited with these, is a comprehensive assemblage of antique furniture and of early handwrought iron, telling a continuous story of original ideas and good craftsmanship throughout the ages. All of these objects—paintings, sculpture, furniture, ironwork—serve to demonstrate the continuity of the respective traditions and to show how the artists of each era achieved work expressive of their own times and personalities.

The record of the Foundation's research in art and education is contained in the ten volumes written by members of the Foundation's staff.

## THE ART DEPARTMENT OF THE BARNES FOUNDATION

The educational program of the courses in art appreciation is based upon John Dewey's conception that education is another name for meeting the practical problems of life, one of which is the significance of art. Education, as indeed any intelligent human activity, results from the interaction between an individual and his environment —an environment which affects the individual and, in turn, is affected by him. The individual and the world are engaged in a constantly developing situation, and education, therefore, is a continually unfolding process. This interacting process, and this only, leads to genuine experience. From experience arises culture, that is, the expansion of the range and accuracy of the perceptions. Education, governed by these principles of objective personal experiences—the method of science—develops initiative, inventiveness, and the ability to re-adapt one's self to that constantly changing situation, which is life.

In the Foundation's art appreciation classes, the above general conceptions are specifically applied to the study of art. The basic factors emphasized are as follows:

1. The appreciation of works of art requires organized effort and systematic study, on the same principle that it requires effort and study to become a lawyer, an engineer or a physician. Art appreciation can no more be absorbed by aimless wandering in galleries than surgery can be learned by casual visits to a hospital.

2. Art is not a phase of life apart from the workaday world, to which one may turn in moments of leisure, or perhaps in the name of "culture" or in a spirit of worship. In the Foundation's courses, art is taken out of its usually detached, esoteric world and is linked up with life itself. All the qualities which give art its value are those which are found in various phases of everyday life, and art has value only because it expresses those qualities. In other words, "art is a fragment of life presented to us enriched in feeling by means of the creative spirit of the artist."

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3. There is no essential difference between the great art of the past and the great art of the present: in both forms, competent study will discern certain well-recognized fundamental principles. The object of the Foundation is not to defend any particular school or work of art, but to provide for impartial and scientific study of the art of all periods, and to show the continuity of the traditions of great art throughout its history.

In order to achieve its purpose, the Foundation's art appreciation program requires organized study and systematic work.

The courses consist of lectures and seminar discussions with objective observation and verification in the paintings themselves or other works of art in the collection. Preliminary, advanced and research work covers the fundamental principles of art, the development of the various traditions and the contributions of individual artists.

Each class group meets once or twice a week. Class membership includes laymen and artists, and persons who are studying to become teachers. All students are required to attend regularly, to take an active part in the work, and to do all designated reading.

The furnishings at Ker-Feal, and the structure itself, as well as plans for summer studies in the principal galleries of Europe afford further opportunities to expand the Foundation's educational work.

The educational staff of The Barnes Foundation's Art Department renders consultation service in matters relating to courses in the study of art.

*Requirements for Admission:*

Previous training in the subject is not required. The requisites for admission are: a genuine interest, an open mind, and the assurance of regular and punctual attendance, and of time to do the assigned reading. Applicants are interviewed. Membership in each class is limited.

*Fees:*

The Barnes Foundation is a privately endowed, non-profit educational institution. No tuition fee is charged.

*Application for Admission to Courses:*

The course of lectures starts in the latter part of September and continues to the end of May. Application for the scholastic year must be received before the first of September. Address: Director of Education of the Art Department, The Barnes Foundation, Merion, Pa.

**THE BARNES FOUNDATION IS NOT A PUBLIC GALLERY**

**It is an educational institution with a program for systematic work, organized into classes and conducted by a staff of experienced teachers.**

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## THE ARBORETUM OF THE BARNES FOUNDATION

Following the purpose of The Barnes Foundation as an educational institution, the Arboretum offers courses, in the classroom at 57 Lapsley Road, Merion, Pa., in the practical, scientific, and esthetic phases of Botany and Horticulture. These related subjects have become increasingly important to hosts of amateurs and professionals during the last few years. The Arboretum of The Barnes Foundation now offers courses in Plant Geography, Ecology and Soils, Plant Physiology, History of Systematic Botany, Families of Flowering Plants, Genetics, Plant Propagation and Culture, History of Plant Exploration, and Landscape Architecture.

The woody plants are intended to supplement the educational activities of the Foundation by illustrating plant characters, such as form, texture, color, seasonal changes and floral display, as the size limitations of the Foundation property suggested the idea of a collection pointed to esthetic values as well as to the botanical and horticultural interests.

Application for admittance to the courses offered by the Foundation's Arboretum should be addressed to: Director, The Arboretum of The Barnes Foundation, Merion, Pa.

## BOOKS WRITTEN BY STAFF MEMBERS OF THE BARNES FOUNDATION

THE ART IN PAINTING
Albert C. Barnes

THE AESTHETIC EXPERIENCE
Laurence Buermeyer

AN APPROACH TO ART
Mary Mullen

ART AND EDUCATION
Dewey, Barnes, Buermeyer, Mullen, & de Mazia

ART AS EXPERIENCE
John Dewey

PRIMITIVE NEGRO SCULPTURE (*Out of Prtnt*)
Paul Guillaume & Thomas Munro

THE FRENCH PRIMITIVES AND THEIR FORMS
Albert C. Barnes & Violette de Mazia

THE ART OF RENOIR
Albert C. Barnes & Violette de Mazia

THE ART OF HENRI MATISSE
Albert C. Barnes & Violette de Mazia

THE ART OF CÉZANNE
Albert C. Barnes & Violette de Mazia