

High Court Dismisses Paper's Plea for Access to

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WASHINGTON, March 18—The Supreme Court dismissed today an appeal by The Philadelphia Inquirer of a ruling denying its reporters access to state and city welfare rolls despite the Pennsylvania "right-to-know" law.

The newspaper had sought to obtain the names, addresses and amount of benefits for all welfare recipients, as part of an investigation of the high cost of the program and reported abuses by some applicants. State and city officials had refused to provide the information.

The high court unanimously left standing without opinion a ruling by the Pennsylvania Supreme Court that the newspaper, its executive editor and an urban affairs reporter did not have proper legal standing to sue under the law that gives an "adult resident" access to public records of any state agency.

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The Justices dismissed the Philadelphia newspaper's appeal summarily, on the basis of preliminary written statements from the parties without formally taking jurisdiction or hearing arguments. There was no opinion.

The Pennsylvania court also maintained that The Inquirer would not use the welfare information for "noncommercial" and "nonpolitical" purposes, as the right-to-know statute requires, and that the state's interest in protecting the privacy of welfare recipients outweighed the press's right to gather news.

Federal Information Act

In another decision, the high court declined to review a decision that established new procedures under which the courts will review requests by

citizens for access to government documents under the Freedom of Information Act. In general, the new rules make it harder for the Government to oppose such suits.

In one instance, Federal District Court had refused to force the Defense Department to make public its defense contract audit manual, saying it would be like giving the home team's football playbook to the opponents. In another, the Government had resisted efforts to release civil service personnel evaluation reports.

The United States Court of

Appeals for the District of Columbia, reversing both decisions, said that the courts were being too rigid in deciding freedom of information suits and should examine detailed descriptions of documents being withheld, if not the documents themselves.

HABITUAL OFFENDER

Over the objections of two Justices, the Court refused to review a decision that sentencing a West Virginia man to life imprisonment as a habitual offender was unconstitutional as cruel and unusual punishment.

when his record consisted of writing a \$50 bad check, carrying forged checks totaling \$140 across state lines and perjury.

Voting to re-examine the decision were Chief Justice Warren E. Burger and Justice Byron R. White. The court below that reversed the life sentence given Dewey Hart, the three-time felon, observed: "There aren't enough prisons in America to hold all the Harts that afflict us."

OBSCENE FILM CURB

The Justices also agreed to resolve a conflict between two

circuits of the United States Court of Appeals over whether a Federal judge can block a state court's decision that a motion picture theater should be shut down as a public nuisance on the grounds of showing allegedly obscene films.

In an Ohio case, the Federal court intervened and found the state public nuisance law unconstitutional. In a similar situation in Alabama, the Federal court maintained that circumstances did not warrant its issuing an injunction.

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Welfare Rolls