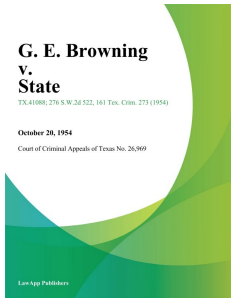


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Author: Court of Criminal Appeals of Texas

Realese Date: Lanzamiento previsto: @@expectedReleaseDate@@

It is again insisted that under the rule stated and applied in Anderson v. State, 132 Tex. Crim. 37, 105 S.W.2d 258; Baker v. State, 132 Tex. Crim. 527, 106 S.W.2d 308; Rice v. State, 37 Tex. Crim. 36, 38 S.W. 801; and U.S. v. Cook, 21 L. Ed. 538, the information is fatally defective in failing to negative that the barbiturate was a compound, mixture or preparation such as declared to be without the act in Sec. 4 thereof; and in failing to negative the premise that barbiturate may have been delivered by a pharmacist or practitioner under the conditions and in the manner permitted by Sec. 3a -1 and 2 of the statute.

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