

Commodity Futures Trading Commission
CEA CASES

NAME: SECRETARY OF AGRICULTURE V. H. H. HEARD

DOCKET NUMBER: 9

DATE: AUGUST 31, 1938

DOCUMENT TYPE: COMPLAINT

UNITED STATES OF AMERICA

BEFORE THE SECRETARY OF AGRICULTURE

C.E.A. DOCKET NO. 9

Secretary of Agriculture, Complainant, v. H. H. Heard, Respondent.

Complaint and Notice of Hearing under Section 6(b) of Commodity Exchange Act.

The Secretary of Agriculture has reason to believe that H. H. Heard has violated the Commodity Exchange Act (7 U.S.C. and Supp. III, Secs. 1-17a) and the rules and regulations promulgated pursuant thereto, and therefore issues this complaint, alleging the following:

1.

H. H. Heard is an individual whose business address is 117A West Evans Street, Florence, South Carolina.

2.

H. H. Heard registered with the Secretary of Agriculture as futures commission merchant under the set for the period ending December 31, 1938, and such registration has not been suspended or revoked.

3.

Continuously from January 1, 1938, to June 23, 1938, H. H. Heard engaged as futures commission merchant in soliciting and accepting orders for the purchase and sale of commodities named in said act for future delivery on and subject to the rules of contract markets, accepting money in connection with such solicitation and acceptance of orders, without segregating the funds of customers as required by the act. Such failure to segregate resulted in shortages in customers' segregated funds of \$ 2,150.21 on February 28, 1938, \$ 2,010.23 on March 31, 1938, \$ 148.20 on April 30, 1938, \$ 177.72 on May 31, 1938, and various other amounts on other dates during the period concerned.

Therefore, Respondent H. H. Heard is hereby notified to be and appear at a hearing to be held at 10 o'clock a.m., on the 10th day of September, 1938, in Room 1832, South Building, Department of Agriculture, Washington, D. C., before a referee to be designated by the Secretary of Agriculture to conduct such hearing, and then and there show cause, if any there be, why an order should not be made revoking his registration as futures commission merchant and directing that all contract markets, until further notice by the Secretary of Agriculture, refuse all trading privileges to such respondent.

IT IS ORDERED That this complaint and notice of hearing be served on Respondent H. H. Heard by delivery of a true copy hereof

to him, by an employe of the Department of Agriculture or by registered mail at least three days prior to the date herein set for the hearing.

IN WITNESS THEREBY, the Secretary of Agriculture has [ILLEGIBLE TEXT] set his [ILLEGIBLE TEXT] and [ILLEGIBLE TEXT] the official seal of the Department of Agriculture to be affixed in the City of Washington, District of Columbia, on the 31st day of August, [ILLEGIBLE TEXT].

[ILLEGIBLE TEXT]

(Signed)

[SEE SIGNATURE IN ORIGINAL]

Acting Secretary of Agriculture

LOAD-DATE: June 11, 2008

