

Commodity Futures Trading Commission
CEA CASES

NAME: SECRETARY OF AGRICULTURE V. ELMER C. KIMBALL

DOCKET NUMBER: 17

DATE: FEBRUARY 3, 1940

DOCUMENT TYPE: COMPLAINT

UNITED STATES OF AMERICA

BEFORE THE SECRETARY OF AGRICULTURE

DOCKET NO. CE-A 17

Secretary of Agriculture, Complainant, v. Elmer G. Kimball, Respondent.

Complaint and Notice of Hearing Under the Commodity Exchange Act.

There being reason to believe that the respondent hereinafter named has violated and is violating the Commodity Exchange Act (7 U. S. C., 1934 ed., and Supp. IV, § 1-17a), and the rules and regulations promulgated pursuant thereto, this complaint is issued alleging the following:

1.

Elmer C. Kimball is an individual trading and doing business at Chicago, Illinois, who was on December 15, 1939 and has been continuously since that time registered with the Secretary of Agriculture as a futures commission merchant and floor broker.

2.

The respondent, Elmer C. Kimball, on December 15, 1939 and continuously since that date, has been a member of the Board of Trade

of the City of Chicago, a contract market designated by the Secretary of Agriculture, and on various dates after December 15, 1939, including December 16, 19 and 20, 1939, in connection with orders to make and the asking of futures contracts in the commodities named in the Commodity Exchange Act on contract markets, which contracts may be used for hedging or determining the price basis of transactions in interstate commerce in the commodities involved, wilfully and knowingly and without the prior consent of persons from whom he had received such orders became the buyer in respect to selling orders of such persons and the seller in respect to buying orders of such persons, all in violation of the Commodity Exchange Act and the Rules and Regulations promulgated pursuant thereto.

THEREFORE, the respondent is hereby notified to be and appear before a referee to be appointed by the Secretary of Agriculture at a hearing to be held at 10:00 a.m. on February 26, 1940, in Room 1831, South Building, Department of Agriculture, Washington, D. C., or at such other times and places as may be determined by the referee, and then and there show cause, if any there be, why an order shall not be made revoking the registrations of the respondent as a futures commission merchant and floor broker, and directing that all contract markets, until further notice of the Secretary of Agriculture, refuse all trading privileges to the respondent.

IT IS ORDERED that this complaint and notice of hearing be [ILLEGIBLE TEXT] on the named respondent, by delivery of a true copy hereof to him by an employee

of the Department of Agriculture or by registered mail, at least three days prior to the date herein not for hearing.

Done at Washington, D. C., this 3rd day of February, 1940. Witness my hand and the seal of the Department of Agriculture.

Secretary's File Room

(Signed)

[SEE SIGNATURE IN ORIGINAL]

Assistant Secretary of Agriculture.

LOAD-DATE: June 16, 2008

