

Commodity Futures Trading Commission  
CEA CASES

**NAME:** HENRY C. JONES

**DOCKET NUMBER:** 138

**DATE:** JUNE 13, 1966

**DOCUMENT TYPE:** COMPLAINT

UNITED STATES DEPARTMENT OF AGRICULTURE  
BEFORE THE SECRETARY OF AGRICULTURE

In re: Henry C. Jones, Respondent

CEA Docket No. 138

Complaint and Notice of Hearing Under Section 6(b) of the Commodity Exchange Act

There is reason to believe that the respondent, Henry C. Jones, has violated the provisions of the Commodity Exchange Act (7 U.S.C. 1 et seq.), and the rules and regulations made pursuant to its requirements (17 CFR, Part 1), and in accordance with the provisions of section 6(b) of the said act (7 U.S.C. 9), this complaint and notice of hearing is issued stating the charges in that respect as follows:

I

The respondent is an individual whose address is Route 1, Eden, Idaho.

II

The New York Mercantile Exchange is now, and was at all times material to this complaint, a duly designated contract market under the Commodity Exchange Act.

III

On each day during the period February 17, 1966, through March 3, 1966, the respondent held a net long position in the

May 1966 potato future on the New York Mercantile Exchange, which position exceeded 25 carlots. The respondent was, therefore, in reporting status during such period and was required to report to the Commodity Exchange Authority with respect to all transactions executed and all open contract positions held or controlled by him, in all potato futures on all contract markets during the said period, and with respect to all transactions by reason of which the respondent's position was reduced below reporting levels, as provided in section 4i of the Commodity Exchange Act (7 U.S.C. 6i) and sections 15.01, 15.02, 15.03, 18.00, 18.01 and 18.03 of the rules and regulations thereunder (17 CFR 15.01, 15.02, 15.03, 18.00, 18.01, 18.03).

IV

On February 17 and 23, 1966, while the respondent was in reporting status as described in paragraph III above, and on March 4, 1966, when the respondent's position was reduced below 25 carlots in the May 1966 potato future on the New York Mercantile Exchange, transactions in potato futures on that exchange were executed on his behalf, but the respondent failed and refused to report to the Commodity Exchange Authority with respect to such transactions, as required

under the aforesaid provisions of the Commodity Exchange Act and the rules and regulations.

V

On March 9, 1966, the Administrator of the Commodity Exchange Authority notified the respondent by mail of the reporting requirements with respect to potato futures under the Commodity Exchange Act and the rules and regulations, and requested submission of reports which were then due from the respondent, as described in paragraphs III and IV above. Notwithstanding such letter, no reports were filed. In the circumstances, the respondent was aware of his obligations under the Commodity Exchange Act and the rules and regulations with respect to the filing of reports, and the failure and refusal to submit such reports constitutes a knowing and wilful violation of section 4i of the Commodity Exchange Act and sections 15.01, 15.02, 15.03, 18.00, 18.01 and 18.03 of the rules and regulations thereunder.

WHEREFORE, it is hereby ordered that this complaint and notice of hearing be served upon the said respondent. The respondent will have twenty (20) days after the receipt of this complaint in which to file with the Hearing Clerk, United States Department of Agriculture, Washington, D. C. 20250, an answer with an original and three copies, fully and completely stating the nature of the defense and admitting or denying, specifically and in detail, each allegation of this complaint. Allegations not answered will be deemed admitted for the purpose of this proceeding. Failure to file an answer will constitute an admission of all the allegations of this complaint and a waiver of hearing. The filing of an answer

in which all of the material allegations of fact contained in the complaint are admitted likewise shall constitute a waiver of hearing unless a hearing is requested. The respondent is hereby notified that unless hearing is waived, a hearing will be held at 10:00 a.m., local time, on July 20, 1966, in Twin Falls, Idaho, at a place therein to be specified later, before a referee designated to conduct such hearing. At such hearing the respondent will have the right to appear and show cause, if any there be, why an order should not be made directing that all contract markets refuse all trading privileges to the respondent for such period of time as may be determined.

It is ordered that this complaint and notice of hearing be served on the respondent at least twenty (20) days prior to the date set for hearing.

Done at Washington, D. C., on

June 13, 1966.

[SEE SIGNATURE IN ORIGINAL]

Assistant Secretary

George L. Mehren

**LOAD-DATE:** June 12, 2008

