

James D. Julia, Inc. Policy on Class III Firearms

(Written and researched by Jeff W. Zimba for James D. Julia Auctioneers, Inc.)

Collecting Class III Weapons can be a very enjoyable and rewarding experience. In the United States, many but not all citizens of the U.S. have the right to purchase and own machine guns. This is true in most states of the United States but not all states. It is your specific responsibility to determine your right to own and possess a Class III weapon before you bid on it. Once you have bid on a lot and won it, you are responsible for payment of that lot, regardless of whether you can own it or not. If you have purchased a lot and later find out that because of the state you live in or for other reasons that you cannot personally own it yourself, you will still be required to pay for the object and we will obviously have to sell it for you again at a future sale.

First and foremost, All NFA Rules Apply. *All Class III firearms must be registered and properly transferred in compliance with BATFE rules.* Class III Firearms we may be dealing with include the following; Machine Guns (MG), (Transferable, Pre-86 Dealer Samples and Post-86 Dealer Samples), Silencers, Destructive Devices (DD), Short Barreled Rifles (SBR), Short Barreled Shotguns (SBS) and Any Other Weapon (A.O.W.). If you are an individual who resides in an area where these firearms are legal, you may bid on these items. You are responsible for knowing your State and Local laws.

In order to complete the purchase of a Class III Firearm to a non-licensed individual, you will need 2 passport photos, 2 sets of fingerprints, 1 ATF Form 5330.20 Certificate of Compliance and the appropriate BATFE Form completed in duplicate, including the signature of your local Chief Law Enforcement Officer. James D. Julia, Inc will supply all the proper forms upon acceptance of your winning bid. If there are any State or local forms required you will be responsible for obtaining these. Regardless of the specific type of Class III Firearm, completing the transfer to an individual usually takes approximately 90 days from the time they receive the completed paperwork. Transfer to a licensed dealer (FFL/SOT) is usually approximately 30 days.

If you are a non-licensed individual the BATFE transfer fee for all NFA firearms (Machine Gun, Destructive Device, Silencer, Short Barreled Rifle, and Short Barreled Shotgun) is \$200.00 with the exception of those narrowly classified as Any Other Weapon (AOW) which has a transfer fee of \$5.00. AOWs may include pen-guns, cane guns, and certain pistols with vertical front pistol grips. These fees must be paid to James D. Julia, Inc. before any transfer paperwork can be submitted to BATFE as well as any other outstanding balances related to your Class III firearm purchase.

As of the publishing of this catalog, it is our understanding (but you must confirm for yourself) that, *silencers are legal for private ownership* in the following states: AL, AR, AK, AZ, CO, CT, FL, GA, ID, IN, KY, LA, ME, MD, MS, MT, NE, NV, NH, NM, NC, ND, OH, OK, OR, PA, SC, SD, TN, TX, UT, VA, WA, WV, WI and WY. Silencers may be owned by Class III licensed dealers and Class II manufacturers (*but not individuals*) in: CA, IA, KS, MA, MO, and MI. It is also our

understanding (but you must confirm for yourself) that *Machine Guns may not easily be owned (if at all) by individuals* in CA, DE, HI, IL, IA, KS, MI, NC, NJ, NY, RI and WA. There are some "special" exceptions in a few of these states that are "rarely issued" so while it is possible, this list should be a general rule. Please look into your own particular state law ahead of time when contemplating a bid. For more specific ownership information on NFA firearms, please visit the website of the Bureau of Alcohol, Tobacco, Firearms and Explosives directly at www.atf.gov

If you are an individual (Non FFL/SOT) and reside in the State of Maine we can transfer the firearms to you directly on an approved BATF Form 4 (subject to above rules) if you are the winning bidder. If you are an individual who resides in another State we will need to transfer the Class III firearm to a Class III Dealer in your State to complete the transfer with you. Please understand that there is usually an additional fee from this third party for them to handle your transfer.

Not all Class III may be purchased by individuals and most specifically, anything termed as a "**Dealer sample machine gun**" can only be sold to valid Class III dealers. If you are not a Class III dealer, you cannot purchase what is referred to as a Dealer Sample. Be positive you do not bid on any Dealer Sample in our catalog. All Dealer Samples in our catalog are clearly designated and most of them have been grouped together with a designation at the beginning of the title with three asterisks (***) and the initials "DS" as well as the words "Dealer Sample" in the title. If you have any question as to whether the lot is a Dealer Sample or not, please be sure to check with us. **You MUST BE A CLASS III DEALER (01/SOT or 07/SOT) to place a bid on any Dealer Sample Machine Guns.** *If you are not an FFL holder AND a Special Occupational Taxpayer, please do not bid on any of the Dealer Sample Machine Guns. BATFE will NOT transfer them to you.* If you are not a dealer and wish to purchase a machine gun, please make certain the firearm you are bidding on is a transferable machine gun and not listed specifically as a dealer sample.

Remember, it is your responsibility prior to the purchase to make certain that you may legally purchase and possess a machine gun.

Note Concerning Asterisks:

One asterisk (*). Any lot preceded by an asterisk (*) is considered modern and by Federal law all proper paperwork is required unless you are an FFL dealer.

Two asterisks ().** Any lot preceded by two asterisks (**) is a Class III item and subject to rules above.

Three asterisks (*).** Any lot preceded by three asterisks (***) indicates that this is a pre-86 Dealer Sample. Only licensed Class III weapons dealers may bid on/purchase these lots.

Special Note: We wish to publicly credit and thank two special people for assisting Jeff Zimba and our staff in cataloging and research for some of the Class III weapons. John Keene a non-commissioned officer in the National Guard and veteran of the Iraq War and Dr. Edwin Libby. John is a collector and enthusiastic scholar of Class III weapons. Dr. Libby is also a collector and a well known scholar on Japanese machine guns and other Japanese weapons.