

Form 4 (Firearms)

(Rev. September 1971)
 Department of the Treasury
 Internal Revenue Service

Application for Transfer and Registration of Firearm

(Chapter 53, Internal Revenue Code)

(To be completed in duplicate by the transferor of firearm)

TO: Director, Alcohol, Tobacco and Firearms Division, Internal Revenue Service, Washington, D.C. 20224

The undersigned hereby makes application as required by section 5812 of the Internal Revenue Code to transfer and register the firearm described below to the transferee identified in this application.

1. Description of firearm.

Name and address of manufacturer and importer of firearm, if known (a)	Type of firearm (short-barreled rifle, machine gun, destructive device, etc.) (b)	Caliber, gauge, or size (c)	Model (d)	Length of barrels (inches) (e)	Overall length (inches) (f)	Serial number (g)
Harrington & Richardson Worcester, Mass. USA	short barrel shotgun	28 ga.	Handy- gun	12 3/16	16 7/8	29691

(h) Additional description of firearm or device (use additional sheets if necessary)

2. Name of transferee
 Robert R. Miller

3. Trade name of transferee, if any
 M/G Distributing Co.

4. Address of transferee (number, street, city, county, State, ZIP Code)
 2100 Travis St., Houston, Texas 77002

5. Transferee is: individual corporation partnership other (specify)

6. Transferee's federal firearms license, if any
 (If transferee is not licensed under Chapter 44, Title 18, U.S.C., see instruction 1(c).)

License number 74-3425	Class of business dealer	Expiration date 7/7/72
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7. Transferee's special (occupational) tax stamp, if any

Stamp number 255522	Class DF-3
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IMPORTANT: If the transferee is an individual who is not a special (occupational) taxpayer the transferor must attach, as part of this application, a Form 4539, Identification of Transferee or Maker of Firearm.

A \$5 or \$200 obtainable from Revenue, must be canceled by the date on it. Application must be Director, Alcohol, Internal Revenue.



stamp, Internal Revenue Service, this application to the Division, D.C. 20224.

8. Transferor's federal firearms license, if any

License number	Class of business	Expiration date
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9. Transferor's special (occupational) tax stamp, if any

Stamp number	Class
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Under penalties of perjury, I declare that I have examined this application, and to the best of my knowledge and belief it is true, correct and complete, and that the transfer of the described firearm to the transferee and his receipt and possession of it are not prohibited by the provisions of Chapter 44, Title 18, United States Code, or Title VII of the Omnibus Crime Control and Safe Streets Act of 1968, as amended (Public Law 90-351, 18 U.S.C., Appendix) or any provision of State or local law.

10. Transferor (print or type name of individual or firm)
 Alan C. Buck

11. By (signature of transferor)
Alan C. Buck

12. Date
 3/18/72

13. Address (number, street, city or town, State, ZIP code)
 2515 Lazy Lake Dr.
 Houston, Texas 77058

14. Title or status (individual, member of firm, etc.; if officer of firm, give title)
 individual

For Use of Internal Revenue Service. Please Make No Entries in This Part

The application has been examined, and the transfer and registration of the firearm described herein and the interstate movement of that firearm, when applicable, to the transferee are: approved disapproved for the following reason:

Signature of Director, Alcohol, Tobacco and Firearms Division: *Roy D. Davis*

Date: **MAR 23 1972**

Instructions

1. Preparation of application for transfer and registration of firearm and payment of tax.—(a) According to section 5812 of the Internal Revenue Code, and except as otherwise provided, every person seeking to transfer a firearm must make, in duplicate, a separate application on this form for each firearm. The applicant transferor must furnish all the information called for on the form.

(b) If the transferee of the firearm is an individual not qualified as a manufacturer, importer or dealer under Chapter 53 of the Internal Revenue Code, the transferor must submit, in duplicate, as part of this application, Form 4539, Identification of Transferee or Maker of Firearm. (Section 5812(a)(3), Internal Revenue Code.)

(c) If the firearm to be transferred is a destructive device, machinegun, short-barreled shotgun or short-barreled rifle and the transferor is a licensee under Chapter 44, Title 18, U.S.C., and the transferee is not licensed under that chapter, this application must be accompanied by a sworn statement from the transferee stating: (1) why there is a reasonable necessity for him to purchase or otherwise acquire the device or weapon, and (2) that his receipt or possession of the device or weapon would be consistent with public safety. (18 U.S.C. 922(b)(4) and 26 CFR 178.98)

(d) All signatures required by this form must be entered in ink. It is preferred that the form be prepared by use of a typewriter, using carbon paper to make an exact duplicate. Pen and ink may be used, but under no circumstances will a form filled in by use of lead pencil be accepted.

(e) Upon completion of the form, the transferor will affix a \$5 or \$200 "National Firearms Act" stamp in the proper space on the original only, and cancel the stamp by writing his initials and the date on it in ink.

(f) If any questions arise concerning the preparation of the form, please contact the nearest Alcohol, Tobacco and Firearms office of the Internal Revenue Service.

2. Disposition of application for transfer and registration of firearm.—The transferor will forward both copies of the form to the Director, Alcohol, Tobacco and Firearms Division, Internal Revenue Service, Washington, D.C. 20224. If approved, the Director will return the original of the form, showing approval, to the transferor for delivery to the transferee with the firearm, and will retain the duplicate. Approval by the Director will effect the registration of the firearm to the transferee. The transferor shall not, under any circumstances, deliver the firearm to the transferee until the approved form, with the "National Firearms Act" stamp attached, is received from the Director, Alcohol, Tobacco and Firearms Division. The form must be retained by the transferee and be available at all times for inspection by Government officers until such time as the firearm may later be transferred. If the application is disapproved, the original with the "National Firearms Act" stamp affixed will be returned to the transferor with the reason for disapproval.

3. Procedure where firearm is not transferred.—If the form is completed and a stamp is affixed without the transfer of the firearm being made, the transferor may file a claim for redemption of the stamp. The claim, Form 843, should be filed with the Internal Revenue Service Center for the district where the stamp was purchased. The form to which the stamp is affixed must be attached to the claim.

4. Later transfers of the firearm.—If the firearm is to be transferred later by the transferee, a new application form covering the proposed transfer must be filed with the Director, Alcohol, Tobacco and Firearms Division.

5. Rate of tax on the transfer of a firearm.—The tax on the transfer of any firearm is \$200, except that the transfer tax

is \$5 on any gun classified as "any other weapon" as defined in Instruction 6(b) below. (Sec. 5811(a), I.R.C.)

6. Definitions.—

(a) **Firearm.**—The term "firearm" means: (1) a shotgun having a barrel or barrels of less than 18 inches in length; (2) a weapon made from a shotgun if such weapon as modified has an overall length of less than 26 inches or a barrel or barrels of less than 18 inches in length; (3) a rifle having a barrel or barrels of less than 16 inches in length; (4) a weapon made from a rifle if such weapon as modified has an overall length of less than 26 inches or a barrel or barrels of less than 16 inches in length; (5) any other weapon, as defined in instruction 6(b) below; (6) a machinegun; (7) a muffler or a silencer for any firearm whether or not such firearm is included within this definition; and (8) a destructive device. The term "firearm" shall not include an antique firearm or any device (other than a machinegun or destructive device) which, although designed as a weapon, the Director, Alcohol, Tobacco and Firearms Division or his delegate finds by reason of the date of its manufacture, value, design, and other characteristics is primarily a collector's item and is not likely to be used as a weapon.

(b) **Any Other Weapon.**—The term "any other weapon" means any weapon or device capable of being concealed on the person and from which a shot can be discharged through the energy of an explosive; a pistol or revolver having a barrel with a smooth bore designed or redesigned to fire a fixed shotgun shell; weapons with combination shotgun and rifle barrels 12 inches or more, less than 18 inches in length, from which only a single discharge can be made from either barrel without manual reloading; and shall include any such weapon which may be readily restored to fire. Such term shall not include a pistol or a revolver having a rifled bore, or rifled bores, or weapons designed, made, or intended to be fired from the shoulder and not capable of firing fixed ammunition.

7. Persons prohibited from receiving firearms.—The following persons are prohibited from receiving a firearm under 18 U.S.C., Chapter 44 and Title VII of Public Law 90-351, as amended (18 U.S.C., Appendix): (1) fugitives from justice (any crime); (2) persons under indictment for, or who have been convicted of, a crime punishable for a term exceeding 1 year; (3) narcotic addicts or drug users; (4) persons adjudicated as mental defectives or mentally incompetent, or who have been committed to any mental institution; (5) veterans discharged under dishonorable conditions; (6) persons who have renounced their United States citizenship; (7) aliens illegally or unlawfully in the United States; and (8) persons under 21 years of age in the case of any firearm other than a shotgun or a rifle and under 18 years of age in the case of a shotgun or a rifle. In addition, section 5812 of the Internal Revenue Code requires that an application to transfer a firearm be denied if the transfer, receipt or possession of the firearm would place the transferee in violation of law. The term "law" in this statute includes Federal laws as well as State statutes and local laws and ordinances applicable to the locality where the transferee resides.

8. Penalties.—Any person who violates or fails to comply with any of the requirements of Chapter 53 of the Internal Revenue Code shall, upon conviction, be fined not more than \$10,000 or be imprisoned for not more than 10 years, or both, in the discretion of the court. Moreover, any firearm involved in any violation of the provisions of Chapter 53 of the Internal Revenue Code or any regulations issued thereunder shall be subject to seizure and forfeiture. It is unlawful for any person to make or cause the making of a false entry on any application or record required by Chapter 53, Internal Revenue Code, knowing such entry to be false.