

AFFIDAVIT OF COMMON LAW NAME CHANGE

Idaho 73-116 statute states:

73-116. COMMON LAW IN FORCE. The common law of England, so far as it is not repugnant to, or inconsistent with, the constitution or laws of the United States, in all cases not provided for in these compiled laws, is the rule of decision in all courts of this state.

United States v. McKay 2 F.2d 257 further states:

Under the common law a man can change his name **at will**, provided it is not done with a fraudulent purpose; he may **sue and be sued by such adopted name, and will be bound by any contract into which he enters in his adopted name**. This is true in the absence of a restrictive statute, and is not abrogated by the fact that a procedure is provided by statute for the change of one's name. 20 Standard Ency. 250; In re McUlta (D. C.) 189 Fed. 250; Linton v. Bank (C. C.) 10 Fed. 894.

STATE OF Idaho

ss.}

COUNTY OF _____

_____, previously known as _____, affirms the following:

1. I am currently ___ years of age, I was born on the ___ day of _____, _____
2. My birth records and other legal documents have the name(s) of:

3. I have since changed my name to _____ **at will** under the Common law.
4. I have not changed my name for any fraudulent purpose or to avoid criminal prosecution.
5. I am making this Affidavit in order to aid appropriate agencies in correcting or adjusting my records.

Current Signature in new name

Previous signature in old name

State of Idaho)

) ss

County of _____)

Subscribed and sworn (or affirmed) before me this ___ day of _____, _____

Notary Signature

(SEAL)