

AFFIDAVIT OF COMMON LAW NAME CHANGE

Matter of Natale, 527 SW 2d 402 - Mo: Court of Appeals 1975 provides:

The law of England adopted by Section 1.010, supra, recognized the right to change name by the nonfraudulent use of another. The right was never limited to males; indeed, it was through this common law method that a woman changed her surname to that of her husband after marriage. Cowley v. Cowley, (1901) A.C. 450, 460; 19 Halsbury, Laws of England (3d ed.), p. 829; 32 Md.L.Rev. 409 (1972); Lamber, A Married Woman's Surname: Is Custom Law?, 1973 Wash.U.L.Q. 779. As Section 1.010, supra, does not purport to prohibit married females from exercising their common law rights, married women in Missouri are free to adopt another name by the common law method if this right has not been invalidated by constitutional or statutory mandate. This court is unaware of any constitutional or statutory provision which abrogates the English **common law right to change names through usage**, Section 417.200 (RSMo 1969, V.A.M.S.) notwithstanding.

STATE OF Missouri

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 Missouri

County of

Subscribed and sworn to before me this ___ day of _____ in the year _____

Notary Public

SEAL