

November 2, 1967

OPINION NO. 310
Answered by Letter
(Louren R. Wood)

Major General L. B. Adams, Jr.
Adjutant General of Missouri
Broadway State Office Building
Jefferson City, Missouri

Attention: Karl Bennett



Re: Warrenton Armory-
Missouri Edison Company

Dear General Adams:

In your letter of June 16, 1967, you have inquired whether or not you have the legal authority to grant an easement to the Missouri Edison Company for the running of a pipeline across Armory property in Warrenton, Missouri.

The Adjutant General has no existing authority to convey state owned land or any interest therein. Only the General Assembly of Missouri may do this. The construction of a natural gas pipeline in or across land can hardly be considered less than an easement, and thus an interest in land. We understand that the Missouri Edison Company has already constructed its pipeline across the Warrenton Armory land. Since Missouri Edison was without any legal right to do this, it is now a trespasser on state land. However, we trust that Missouri Edison will make every effort to secure legislative authorization for the pipeline from either the Seventy-fourth or Seventy-fifth General Assembly of Missouri. The decision whether the utility shall be allowed to

Major General L. B. Adams, Jr.

keep such pipeline laid across Armory property until an easement is granted by the Legislature is a matter to be determined by the Adjutant General.

Yours very truly,

NORMAN H. ANDERSON
Attorney General

LRW:ms