

OVERFLOWED LANDS – Lands which are annually or periodically subject to natural flooding during the normal planting, growing or harvesting seasons of a region to such an extent that they are rendered wet and unfit for the cultivation of the staple crops of that region, unless artificially drained or protected. See SWAMP, SWAMP AND OVERFLOWED LANDS and SWAMP LANDS ACTS.

OVERLAP – Lands surveyed in conflict. A common area included in separate surveys. That portion of area which one survey extends over and covers a part of a different survey as is shown by the evidence on the ground.

OVERGROWTH – The growth of a tree as it heals over survey markings. See BARK SCRIBE.

P

- Property Line.

PA – Pennsylvania.

PAR (Land Status Records) – Parcel.

PART (Land Status Records) – Partially.

PAT (Land Status Records) – Patent.

PC – Point of curve.

PCC – Point of Compound Curve.

PCS – Point of Curve to Spiral.

PD (Land Status Records) – Public Domain.

PE – Professional Engineer.

PE and LS – Professional Engineer and Land Surveyor.

PER (Land Status Records) – Permit.

PET RES (Land Status Records) – Petroleum Reserve.

PHO (Land Status Records) – Phosphate.

PI – In highway surveying, Point of Intersection of two tangents.

PL (Land Status Records) – Public Law.

PLC (Land Status Records) – Private land claim.

PLO (Land Status Records) – Public Land Order.

POL – Point on line.

POST – In highway surveying, Point on semi tangent.

POT (Land Status Records) – Potassium.

POT - In highway surveys, Point on Tangent.

PPS (Land Status Records) – Primary Place of Business.

PR PER (Land Status Records) – Prospecting permit.

PRE (Land Status Records) – Preemption.

PRIN MER (Land Status Records) – Principal Meridian.

PROC (Land Status Records) – Proclamation.

PROJ (Land Status Records) – Project.

PROP (Land Status Records) – Propose, Proposed.

PROT WDL (Land Status Records) – Protective Withdrawal.

PS (Land Status Records) – Public Sale.

PS - Point of Spiral (curve).

PSC – Point of Spiral to Curve.

P.S.C. – Private survey claim. Used in the specimen field notes in the General Instructions of 1855.

PST – Point of Spiral to Tangent.

PU (Land Status Records) – Public Use.

PUR (Land Status Records) – Purchase.

PW RES (Land Status Records) – Public water reserve.

PWR PROJ (Land Status Records) – Power Project.

PWR S (Land Status Records) – Power site.

PX (Land Status Records) – Private Exchange.

PANELING*.

PARALLEL – See STANDARD PARALLEL; STANDARD PARALLEL, AUXILIARY and PARALLEL*.

PARALLEL OFFSET METHOD – A method of traversing around obstacles and maintaining a line parallel to, and offset a measured distance from, the survey line.

PARENTHETICAL DISTANCE – Distances noted on the plats in parentheses are those regular and fractional portions of lines constituting the boundaries of the quarter-quarter sections and fractional subdivisions bounded thereby. Parentheses are used where the record is not supplied by the field notes, indicating that the distance was not measured on the ground. The figures show what was used in the calculation of areas. The same lengths are to be adopted proportionately whenever there is a need for an establishment of sixteenth-section corners on the section boundaries, and for control points for the subdivision of sections. See PROTRACTION and PROTRACTION DIAGRAM.

PARK ENTRY – A cash entry by an incorporated municipality of public lands which will be used for municipal park purposes.

PAROL (Parole) – Executed by word of mouth, or by writing not under seal. Also means a spoken promise. In its usual usage in criminal law; the promise of a prisoner to fulfill stated conditions in consideration of his release. See PAROL AGREEMENT, PAROL CONTRACT and PAROL EVIDENCE.

PAROL AGREEMENT – An oral agreement between the owners establishing the boundary dividing adjacent land.

PAROL CONTRACT – Any contract not of record or under seal.

PAROL EVIDENCE – Evidence gathered by testimony of witnesses. Sometimes “*parole evidence.*” A witness who gives verbal evidence concerning positive knowledge of the location of an original monument prior to its destruction is said to give “*parol evidence.*”

PARTITION LINE – A survey line which cuts off a required area of a given parcel of land.

PASSING CALLS – Found frequently in cadastral surveyor’s field notes, they are calls for (references to) cultural or topographic features along a survey line. Passing calls are sometimes used to locate a line or to recover obliterated corners.

PATENT – A document by which the United States conveys, to those entitled thereto, legal title to some portion of the public lands. See PATENT, TRUST; PATENT, CURATIVE; FEE SIMPLE and DEED.

PATENT, CURATIVE – An instrument issued to correct a patent. Patents issued in error may be annulled. Patents obtained fraudulently may be cancelled. Patents with conditions may be amended by new patents without conditions. Such actions and documents are authorized only in special situations recognized by public land laws and agency regulations.

PATENT, TRUST – A trust patent vests title in the Bureau of Indian Affairs as trustee for an Indian. Upon termination of the trust status of the Indian, a patent issues conveying fee-simple title to the Indian.

PEDIS POSSESSIO – Actual possession of real property implying actual occupancy or enclosure and use.

PENULTIMATE – Next to the last. The next to the last member in a series, such as the text to the last paragraph in a letter or the next to the last syllable of a word.

PERCH – A unit of linear measure equal to 25 links or 16½ feet. Also termed a “*pole*” or “*rod.*” In land area, a square rod; 272.25 square feet or .00625 acres.

PERPETUATION OF CORNERS – Establishment of points or other evidence which preserves the location of a corner. See REHABILITATE and REMONUMENTATION.

PER SE – Of itself; taken alone; unconnected with other matters.

PERSONAL PROPERTY – In a broad and general sense, everything that is the subject of ownership, excluding real property. See REAL PROPERTY.

PHOTOGRAMMETRIC RESURVEY – A survey, using a system combining photogrammetry and resurvey methods to re-establish the evidence of a prior official survey.

PHOTOGRAMMETRIC SURVEY – An original survey in which monuments are placed at corner positions which have been pre-determined by photogrammetric techniques and equipment.

PHOTOGRAMMETRY – The science or art of obtaining reliable measurements by means of photographs.

PIN, CHAINING – A metal pin used for marking intermediate measurements on the ground. In “*tally chaining*” with a five-chain tape a set would consist of 9 pins. See OUT, TALLY and ARROW.

PITS AND MOUNDS – A system of witnessing public land survey corner stakes in prairie country.

PITTMAN ACT ENTRY – An entry of public lands in Nevada made by an individual or association of individuals who earned the right to acquire title to the lands through discovery of underground sources of water.

PITTMAN UNDERGROUND WATER ACT – The Act of October 22, 1919, under the terms of which an entry of public lands in Nevada could be made by an individual or association of individuals who earned the right to acquire title to a portion of the public lands through discovery of underground water sources.

PLACE LANDS – Lands granted in aid of a railroad company which are within certain limits on each side of the road, and which became instantly fixed by the adoption of the centerline of the railroad. See INDEMNITY LANDS, GRANT IN PLACE and QUANTITY GRANT.

PLACER – An alluvial or glacial deposit containing particles of valuable minerals. See PLACER CLAIM, PLACER LOCATION, MINERAL SURVEY, LODGE, and VEIN.

PLACER ACT OF 1870 – Under this act, placer claims included “*all forms of deposit, excepting veins of quartz, or other rock in place.*” It did not restrict placer claims to valuable deposits, probably due to an oversight. There was no provision for the reservation of known lodes within placer patents. Placer locations were limited to not more than 160 acres for any person or association of persons, though patents for additional acreages could be issued where adjoining claims had been purchased by the locator. See MINING ACT OF 1866, MINING LAW OF 1872 and PLACER LAW OF 1897.

PLACER CLAIM – A mining claim located on the public domain for the purpose of placer mining. Under U.S. mining laws, mineral deposits not veins or lodes in place, are treated as placers so far as locating, holding, surveying, and patenting are concerned. Revised Statutes, sec. 2331 (30 U.S.C., sec. 35) provides that all placer-mining claims located after May 10, 1872, shall conform as nearly as practicable with the United States system of public land surveys and the rectangular subdivision of such surveys, and such locations shall not include more than 20 acres for each individual claimant (43 C.F.R. 3842.1-2(b)).

PLACER LAW OF 1897 – This law provided that petroleum lands might be entered and patented under the placer mining laws and led, eventually, to the leasing of public lands valuable for minerals.

PLACER LOCATION – A placer claim located and occupied on the public domain.

PLAINTIFF – A person who brings an action; the party who complains or sues in a personal action and is so named on the record. See DEFENDANT.

PLANE COORDINATES – In general, coordinates specifying the location of points on a plane. In surveying use, the “*plane*” is usually a projection of the earth’s surface such as a developed cone or cylinder.

PLAT – As used technically by the BLM, the drawing which represents the particular area included in a survey, such as a township, private land claim or mineral claim, and the lines surveyed, established, retraced or resurveyed, showing the direction and length of each such line; the relation to the adjoining official surveys; the boundaries, descriptions, and area of each parcel of land subdivided; and, as nearly as may be practicable, a representation of the relief and improvements within the limits of the survey. See BASE PLAT, SUPPLEMENTAL PLAT, MASTER TITLE PLAT, USE PLAT, STATUS DIAGRAM and APPROVED SURVEY.

POCKET PARTS – Revisions prepared for bound law books to keep them current. The name comes from the fact that these supplements, usually in pamphlet form, are stored in a pocket inside the back cover of the volume undated.

POINT – A position or location in a reference system determined by survey, See POINT*.

POINT OF BEGINNING, THE – The point on the west boundary of the State of Pennsylvania at the north bank of the Ohio River is the point of beginning for the survey of the public lands of the United States. The point was marked by a stake on August 20, 1785.

POINT OF DISCOVERY – In mining, the precisely indicated position at which a valuable mineral is exposed to view. In the absence of proof to the contrary, the discovery point is held to be the center of the vein on the surface. See DISCOVERY and VEIN DISCOVERY.

POINT ON LINE – A stake or other object a surveyor has placed on a line for his convenience, such as for a back sight. In earlier times, under regulations found in various manuals of surveying instructions, surveyors were to set a Point on Line (POL) on top of ridges or spurs, at places where the line crossed trails or roads and at other like places. This was done to facilitate identification of the line. This type of point is now called a witness point. See WITNESS POINT.

POINT SETTER – See FLAGMAN.

POLE – Also termed “*perch*” and “*rod*”; a unit of length in land measurement, equal to 25 links or 16.5 feet.

POSITION AZIMUTH DETERMINATION SYSTEM*.

POSSESSION – Exercise of the right to use real property to the exclusion of others. See PEDIS POSSESSIO.

POSSESSION IS NONE-TENTHS OF THE LAW – This adage is not to be taken as true to the full extent. It does, however, focus light on the legal truth that every claimant must succeed by the strength of his own title and not by the weakness of his antagonist’s. Prior to passage of statutory mining laws in this country, miners made this, quite literally, their rule.

POWER-SITE RESERVE – A reservation of public lands which have been classified as having potential value for water power development and which have been so designated under the Act of June 20, 1910 (39 stat. 557), June 9, 1916 (39 stat. 218), or Feb. 26, 1919 (40 Stat. 1178). See FEDERAL POWER PROJECT RESERVATION.

PRAESENTI – See IN PRAESENTI.

PRECISION – A quality associated with the refinement of instruments and measurements, indicated by the degree of uniformity and repeatability of observations. See PRECISION*.

P

- PREEMPTION ENTRY** – An entry of public lands for purchase under the preemption laws. These laws, now repealed, gave the entryman a preferred right to acquire the land by virtue of his occupation and improvement to it.
- PREEMPTION RIGHT** – The right given to settlers upon the public lands of the United States to purchase such lands in preference to other persons. This right was granted under preemption laws now repealed.
- PRESCRIPTION** – The manner of acquiring adverse rights in another’s land. Prescriptive rights are similar to “*adverse possession*” but that term is used for title interest. “*Prescription*” refers to rights of use in land belonging to another, such as right of access, grazing rights or the right to divert flood waters. See ADVERSE POSSESSION and PRESCRIPTIVE RIGHT OF WAY.
- PRESCRIPTIVE RIGHT OF WAY** – A right of way based upon its adverse using extending to the limits of tradition and memory. In contrast, a right of way by dedication exists by the consent, either expressed or implied, of the owner of the land crossed. If a claim to a right of way is based upon the fact that the owners of a certain ranch have “*always*” driven across a portion of another ranch, that may be the basis for a “*prescriptive*” right of way. See ADVERSE POSSESSION and PRESCRIPTION.
- PRESIDENT’S SIGNATURE ON LAND PATENTS** – Prior to 1833, the President personally signed each land patent before issuance by the General Land Office. Beginning in 1833, the President’s name was written on every land patent by an authorized secretary or executive clerk. The necessity for the President’s signature on all land patents was eliminated by law on June 17, 1948.
- PRIMA FACIE** – Latin. At first sight; on the first appearance; on the face of it; a fact presumed to be true unless disproved by some evidence to the contrary. Evidence good and sufficient on its face is prima facie evidence.
- PRIMARY LIMITS** – In railroad and wagon road grants, the strip of land lying within a specified distance on each side of, and adjacent to, the right-of-way, within which (usually) every odd-numbered section was granted. Also the outside boundaries of this strip. The term “*place limits*” is sometimes used to indicate primary limits. See INDEMNITY LIMITS.
- PRINCIPALS MERIDIAN** – The meridian extended from an initial point, upon which regular quarter quarter-section, section and township corners have been or are to be established. See GUIDE MERIDIAN and AUXILIARY GUIDE MERIDIAN.
- PRIVATE CONTEST** – See CONTEST.
- PRIVATE EXCHANGE** – An exchange between the Federal Government and any landowner other than a State. See EXCHANGE, STATE EXCHANGE and TAYLOR ACT EXCHANGE.
- PRIVATE LAND CLAIM** – A claim to a tract of land which is based on the assertion that title thereto was granted to the claimant or his predecessors in interest by a foreign government before the territory in which it is situated was acquired by the United States; also, the land so claimed. See DONATION LAND CLAIM.
- PRIVATE LAND GRANT** – Land, title to which was conferred by a predecessor government and confirmed by the Federal government after the territory in which it is situated was acquired by the United States, i.e., the Spanish land grants in the Southwest.
- PROJECT INSPECTOR** – An employee designated by the Contracting Officer’s Authorized Representative to directly inspect the work and enforce the terms of the contract.
- PROPERTY** – Used commonly to denote everything which is the subject of ownership. It extends to every species of valuable right and interest, and includes real and personal property. See PERSONAL PROPERTY, REAL PROPERTY and REAL ESTATE.
- PROPORTIONATE MEASUREMENT** – A proportionate measurement is one that applies an even distribution of a determined excess or deficiency of measurement, ascertained by retracement of an established line, so as to give concordant relation between all parts; that is, the new values given to each of the several parts, as determined by the measurement, shall bear the same relation to the record lengths as the new measurement of the whole line bears to that record. It should be noted that the rule is not ordinarily applicable in treating gross error or blunder, if the latter can be definitely segregated. See DOUBLE PROPORTIONATE MEASUREMENT and SINGLE PROPORTIONATE MEASUREMENT.
- PRORATION** – Proportionate measurement, division, distribution or adjustment. See PROPORTIONATE MEASUREMENT.
- PROTECT THE PLAT** – The responsibility of the surveyor to examine, weigh and interpret the available evidence in respect to the execution of a resurvey, looking to the protection of the valid rights acquired under the original survey as shown by the plat. The bona fide rights of claimants are protected under the Constitution and the Act of March 3, 1909 as amended by the Act of June 25, 1910, and by provisions under the Act of September 21, 1918. See INTERPRETATION OF PLAT.

PROTEST – A formal statement of objection, dissent, or disapproval in regard to some act about to be done or already performed, such as an objection to an application, entry, claim, etc.

PROTRACTION – The word means extension; prolongation. An example of its use would be the representation on paper of the fractional lots in the north and west tiers of sections within a township. These lines are not monumented on the ground. They are shown on the plat as protractions (dashed lines) indicating that they were not run in the field. The distances given are parenthetical until they are actually surveyed. See PROTRACTION DIAGRAM.

PROTRACTION DIAGRAM – It is prepared for the purpose of describing unsurveyed land areas. The diagram is approved for the Director by the Chief, Division of Cadastral Survey, and filed in the respective state offices of the BLM – after public notice in the Federal Register.

PRUDENT MAN TEST – Also called “*prudent man rule.*” In determining whether or not a mineral deposit is “*valuable*” under the meaning of the law, discovered deposits must be of such a character that a person of ordinary prudence would be justified in the expenditure of his labor and means, with a reasonable prospect of success, in developing a paying mine. See MARKETABILITY TEST.

PUBLIC DOMAIN – The term applied to any or all of those areas of land ceded to the Federal Government by the Original States and to such other lands as were later acquired by treaty, purchase or cession, and are disposed of only under the authority of Congress. See ORIGINAL PUBLIC DOMAIN ACQUISITIONS, PUBLIC LANDS, PUBLIC LAND STATES and FEDERAL LAND.

PUBLIC-LAND LAWS – The laws which have been passed by the Congress concerning the administration of the public lands and the resources thereon.

PUBLIC LAND ORDER – An order effecting, modifying or canceling a withdrawal or reservation. Such an order is issued by the Secretary of the Interior pursuant to powers delegated to the Secretary by the Federal Land Policy and Management Act of 1976, Sec. 204 (a) PL94-579, dated Oct. 21, 1976. (90 stat. 2751).

PUBLIC LANDS – (1) The term “public lands” means any land and interest in land owned by the United States within the several States and administered by the Secretary of the Interior through the Bureau of Land Management, without regard to how the United States acquired ownership, except – (a) lands located on the Outer Continental Shelf; and (b) lands held for the benefit of Indians, Aleuts, and Eskimos. Sec. 103(e) 43 U.S.C. 1702. (2) Includes a) the remaining public domain of the United States, b) reservations, other than Indian reservations, created from the public domain, c) lands withdrawn, reserved or withheld from private appropriation and disposal under the public land laws, including the mining laws, d) outstanding interests of the United States in lands which have been patented or otherwise conveyed under the public land laws, e) National Forests, f) wildlife refuges and ranges, and g) the surface and subsurface resources of all such lands. See ORIGINAL PUBLIC DOMAIN ACQUISITIONS, PUBLIC DOMAIN, PUBLIC LAND STATES and FEDERAL LAND.

PUBLIC LAND STATES – Those states created out of the public domain of the United States. They are: Alabama, Alaska, Arizona, Arkansas, California, Colorado, Florida, Idaho, Illinois, Indiana, Iowa, Kansas, Louisiana, Michigan, Minnesota, Mississippi, Missouri, Montana, Nebraska, Nevada, New Mexico, North Dakota, Ohio, Oklahoma, Oregon, South Dakota, Utah, Washington, Wisconsin and Wyoming.

PUBLIC LAW 31 (MAY 22, 1953) – See SUBMERGED LANDS ACT.

PUBLIC LAW 167 – (July 23, 1955, 69 Stat. 357). Provides for multiple use of mining claims, and for a procedure where the Government may determine that it has the right to manage surface resources not required for mining purposes.

PUBLIC LAW 212 (August 7, 1953) – See OUTER CONTINENTAL SHELF LANDS ACT.

PUBLIC LAW 359 – (Aug. 11, 1955, 69 Stat. 681). Provides for the location of mining claims on lands reserved or withdrawn for power or powersite purposes.

Q

QCD (Land Status Records) – Quitclaim deed.

QS (Land Status Records) – Quicksilver.

QUADRANGLE MAP – A map of a four sided figure bounded by parallels of latitude and meridians of longitude. See STANDARD QUADRANGLE MAP* and MAP SERIES*.

QUALIFIED (as a witness) – Persons who are accepted by the court as being professionally skilled and knowledgeable in a particular field of study or science, as surveying. See WITNESS and EXPERT.

QUANTITY GRANT – A grant in connection with which the Congress specifies only the number of acres or the general type of public lands which are granted and which the grantee will secure by making selections from available public lands. See GRANT IN PLACE, INDEMNITY LANDS and PLACE LANDS.