

**BETTERMENT ACT - OCCUPYING CLAIMANTS ACT**  
**Act of Apr. 12, 1842, P.L. 262, No. 91**  
A SUPPLEMENT

CL. 53

To an act, entitled "An act authorizing the Governor to incorporate the Tioga Navigation Company," passed the twenty-six day of February, one thousand eight hundred and twenty-six, and for other purposes.

Section 19. (19 repealed Nov. 29, 2004, P.L.1280, No.156)

Section 20. Value of improvements to be recovered

No law respecting the sale of land for taxes shall be so construed by any court as to prevent a recovery of the value of the improvements made, in all cases whatsoever where a recovery is effected against a purchaser at a sale for taxes, or other person claiming under him; but the Acts of Assembly shall be so construed that a recovery for improvements as aforesaid shall be an incident in all cases whatsoever, where there is a recovery against the tax title, without regard to the nature of the defects of said title, and wherever any person claiming under such tax title may be out of possession, and on account of defects in said title fail to recover the land, the jury under the direction of the court trying the cause shall assess the value of the improvements made by such person, or those under whom he claims, and shall fix the time within which said assessment shall be paid by the defendant or defendants; and if the sum so assessed be not paid within the time specified by the said jury, the title of the plaintiff shall thenceforth be confirmed and rendered good and valid to the land in dispute, as against the defendant, and all claiming under him; and after a failure to pay such assessment, a writ of haberi facias possessionem may issue forthwith from said court, without any other proceeding, and in all cases where a recovery is had against the defendant or defendants, claiming under a tax title as aforesaid, the jury assessing the value of the improvements shall under the direction of the court also find the time within which the same shall be paid by the plaintiff, and on failure to pay such assessment within the time so fixed by the said jury, the title of the said defendant or defendants shall thenceforth be confirmed and rendered good and valid as against plaintiff and all claiming title under him: Provided, that no improvements made within two years after the sale of said land for taxes shall be paid for by the party recovering or purchasing the same: Provided also, that if the defects in the tax title shall be known to the purchaser at the time of the sale, or if a tender of the redemption money be made within two years of sale, he shall not be allowed for his improvement: And provided further, that nothing herein contained shall affect the interests of minors who shall claim the lands inherited by them within two years after they shall arrive at age. 1842, April 12, P.L. 262, Sec. 20.