

some one of the constables of said county, to summon five inhabitants of said county not related to the parties nor interested in the property to be valued, to meet on or near the property to be valued, at a day named in the warrant, not less than ten nor more than thirty days after the issuing of the same, and the constable shall on its receipt, summon said five persons accordingly, and when so summoned and met, they or a majority of them, after having first qualified before some justice of the peace of said county, by oath or affirmation, that they will justly and impartially value the damages which such owner or owners will sustain by the taking of the property required by the trustees for the site of a school-house, and the said commissioners are hereby instructed in estimating said damages to consider the benefits which will accrue to such owner or owners from the erection of such school-house and to make the proper allowance for such benefit in their return; the said return shall be signed by at least three of the commissioners, and returned by them to the office of the clerk of Kent county court, and shall there be recorded by said clerk amongst the land records of said county, and every such return shall ascertain the bounds of the land, so valued, and the valuation shall be conclusive against the parties, and shall be paid by the trustees of said school district to such owner or owners, or his or her legal representatives, and when paid or tendered, shall entitle the said trustees to all the estate or interest of such owner or owners in the property so valued; and if the valuation be refused when tendered, or the party to whom it is due be unknown, it may afterwards be recovered of said trustees without interest and costs.

Return.

To be recorded.

Valuation may be final.

Trustees may take property.

SEC. 8. *And be it enacted,* That as soon as a valuation of the property, wanted as a site for a school-house shall have been made by the commissioners, in the manner prescribed in the preceding section, the said trustees may immediately enter upon, take and use the property so valued for the erection of a school-house and appendages, and the valuation shall be a bar to all actions by the person or persons against whom such valuation is made, for so entering upon, or using the said property after such valuation is made.

Clerk to contribute unappropriated money.

SEC. 9. *And be it enacted,* That the clerk of Kent county court, be, and he is hereby authorized and required to apportion and distribute among the several school districts in said county, which have been reported according to law, all unappropriated money in his hands, of the state school fund, belonging to said county, and to pay to the trustees of each school district, so entitled as aforesaid, or their order, the portions to which their respective school districts may be entitled.