

road is in good order and repair, or may move to quash the proceedings for any matter of law, in which case the State's Attorney for the county shall appear for the petitioners, and the proceedings on the part of the petitioners shall be conducted at the cost of the county, and the Court may adjudge on the finding of the jury or otherwise, as may be just and in accordance with principles of law, and may give judgment for costs against the county or against the corporation, in its discretion.

Sec. 116. *And be it enacted*, That if the inquisition shall be finally confirmed, and the said road shall not be put in good order and repair within thirty days thereafter, the said Court may order that the right of the corporation to charge tolls on any part of said road within the limits of said county be forfeited, until it shall be made to appear to said Court by said corporation that the whole of said road within said county has been put in good order and repair, when said order of forfeiture may be rescinded by the said Court.

Tolls forfeited.

Sec. 117. *And be it enacted*, That, and if within six months after the date of an order of the Court forfeiting the right of the corporation to charge tolls, the said road shall not have been put in good order and repair within the limits of the county in which said order may have been passed, the said road within said county shall be forfeited by the corporation, and shall vest in the County Commissioners of the county, who may cause the same to be put and kept in good order and repair, and collect tolls sufficient for that purpose, or may transfer the same to another corporation, in their discretion, in which case the new corporation shall have the same rights and franchises, and be subject to the same conditions and forfeitures, with the original corporation constructing said road.

Road forfeited.

Sec. 118. *And be it enacted*, That if any corporation formed under the provisions of this Article shall desire to erect any bridge over any river, creek or stream of water in this State, or between this and another state, the said corporation shall first obtain the consent, in writing, of the County Commissioners of the county in which said bridge may be proposed to be located: or if said bridge

Erect Bridge.