be of opinion that the navigation at any of the wharves or docks, from not being sufficiently deep=ened and cleaned, are in such a condition that a nuisance may be created thereby, he shall cause a notice to be served upon the occupier or occupiers, agent or agents, owner or owners of any wharf or wharves, dock or docks, to deepen or cleanse the navigation at any wharf or dock, in such manner as may be prescribed in such notice; and if such owner or owners, occupier or occupi=ers, agent or agents shall neglect or refuse to deepen or cleanse the same, each person so offend=ing shall forfeit and pay ten dollars, and the further sum of five dollars for each and every day he, she or they shall so neglect or refuse, and shall moreover pay the expense incurred in case the navigation of such wharf or dock shall be deepened and cleansed under the authority and direction of said commissioner, which he is hereby authorized to cause to be done on such neglect or refusal, within five days, under the superintendence of the port warden.

Sec. 23. Be it enacted and ordained, That the board of health is hereby empowered and required to substitute draining in low grounds instead of filling them up, in all instances where in their opinion, the draining will as effectually answer the intended purpose.

Sec. 24. Be it enacted and ordained. That whenever the commissioner of health, in proceed=ing to remove nuisances, shall discover that the nuisance complained of originates on an ad=joining lot or lots, it shall be his duty to enter thereon, and the owner or owners, occupier or occu=piers of such lots, or his, her or their agents, on neglect or refusal to remove such cause of nuisance, after notice from said commissioner, shall forfeit and pay for every such neglect or refusal, the sum of twenty dollars.

Sec. 25. Be it enacted and ordained, That if there be no owner, occupier or agent of owner, of any lot or premises upon whom such notice can be served, notice shall be deemed in all re=spects sufficient, if exposed in some open way upon the lot or premises to which it refers.

Sec. 26. Be it enacted and ordained, That it shall be the duty of the board of health to