

be recovered from it by the Captain of the Company, in his own name, and when received or recovered shall be paid over to the Officers and men entitled thereto.

*How they may be called out, and their duty in such cases.*

Sec. 39. It shall be the duty of the Captain or Officer commanding any such Volunteer Company to call out the same, or such portion thereof as may be necessary, for the purpose of quelling any Riot, when thereunto required in writing by the Mayor, Warden, or other Head of the Municipality in which such Riot should be, or any two Magistrates therein, and to obey such instructions as shall be lawfully given him by any Magistrate in regard to the mode of quelling such Riot; and every Officer, Non-commissioned Officer and man of such Company shall on every such occasion obey the orders of his Commanding Officer; and Officers and men when so called out shall, without any further or other appointment, and without taking any oath of office, but Special Constables, and may and shall act as such so long as they shall remain so called.

*Exemptions in favor of Volunteers.*

Sec. 40. The Officers, Non-commissioned Officers and men of Volunteer Companies shall, while they