

MARTINSVILLE'S TRANSITION FROM A TOWN, TO A CITY OF THE SECOND CLASS, AND THEN TO A CITY OF THE FIRST CLASS.

LEGISLATIVE BACKGROUND.

The classification of cities as first and second class was first used by the General Assembly in 1871, and the Virginia Constitution of 1902 included a provision that classified cities as those of the first class and of the second class, based upon population. Cities having a population of 10,000 or more based upon the last U.S. Census enumeration, or other census provided by law, were cities of the first class, while those that had a population of less than 10,000 were second class cities.

Cities of the second class did not have a court of record and were required to share the cost of that court with their adjacent county. Further, a city of the second class also shared the cost for three constitutional officers of that court – clerk, commonwealth attorney and sheriff – and those shared officers stood for election in both the city and the county. Cities of the second class were required to have two constitutional officers – treasurer and commissioner of the revenue – who were elected solely by the residents of the city.

The distinction between first and second class cities was removed from the Virginia Constitution with its adoption in 1971 and from the Code of Virginia generally with the re-codification of Title 15.1 in 1997.

SPECIFIC HISTORY OF MARTINSVILLE.

Martinsville, in Henry County, was established a town in 1791, incorporated as a town in 1873, became a city of the second class in 1928, and was declared a city of the first class in 1941.

December 5, 1928

Total inhabitants in town of Martinsville as counted and reported by four enumerators appointed by the Court equal 6,636.

The Court is satisfied from the enumeration that the town has a population of Five Thousand or more inhabitants, and orders that the town shall be hereafter known as a city. The court's order is recorded in the Henry County Circuit Court Clerk's Office in Law Order Book 6 page 231.

July 7, 1941

The Henry County Circuit Court enters an order recognizing that the city of Martinsville has according to the official count of the sixteenth Census attained a population of ten thousand inhabitants or more, to-wit: Ten Thousand and Eighty (10,080) inhabitants. The court's order is recorded in the Henry County Circuit Court Clerk's Office in Law Order Book 8 page 75.

February 25, 1942

The General Assembly in Chapter 69 provides a new charter for the City of Martinsville. A circuit court is established for the city, and the office of commonwealth's attorney and clerk of circuit court.