



A HISTORY OF DELAWARE
THROUGH ITS GOVERNORS

1776 - 2008

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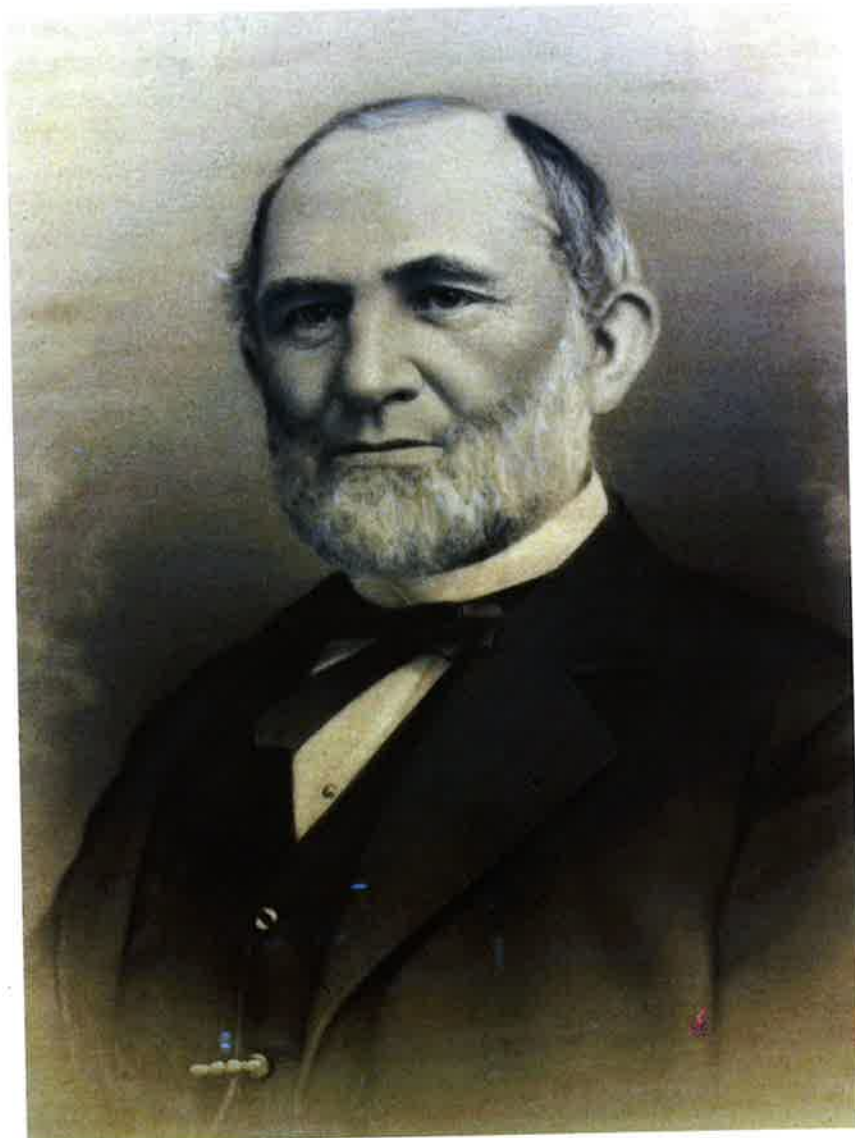


44. JAMES PONDER

October 31, 1819 – November 5, 1897

Governor Ponder took some criticism when he named his brother-in-law, former U.S. Senator Willard Saulsbury, Chancellor of the state. Maybe it was a humanitarian gesture to help Saulsbury rid himself of the image as a drunk, but Ponder exacted a pledge to control his drinking and Saulsbury kept it.

Ponder served as governor during the 76th and 77th General Assemblies, from January 17, 1871, until January 19, 1875. A Sussex Countian and resident of Milton, he was a Democrat, a merchant and an Episcopalian. He was 51 years old when he became governor.



The official portrait of Governor James Ponder at Legislative Hall. It was painted by artist Marjorie Virden and was presented to the State of Delaware in 1937 by Ponder's son, James W. Ponder.

GOVERNOR PONDER'S ANCESTORS WERE NOT different from those of many of his downstate predecessors. His progenitors came from England and helped settle Virginia in 1674. Eventually they made their way into Delaware and settled near Milton in Sussex County's Broadkill Hundred in 1719. Ponder's parents were John and Hester Milby. Ponder and the future governor was born on the old homestead on October 31, 1819. Ponder's father once clerked in the store of Governor Hazzard's father in Milton. After he learned the merchandising business he served in the War of 1812. Once the war was over he branched out into grain, lumber, and iron ore. By 1843, he admitted his son, James, to the business and managed to get himself elected to the State Senate for one term in 1852. Taking a cue from his father, James sought election to the State House in 1856 and won, serving for one term. When his father died in 1863, he took over the family business, concentrating on shipbuilding and later diversifying into agriculture and the cultivation of peaches. He built the Ponder House Hotel in Milton which once stood where the Milton branch of M & T Bank now stands. By the time Ponder was elected to the State Senate in 1864, he had "arrived" in business and was active in banking, agriculture, church work, and the masonic lodge; he had become the typical successful Sussex County businessman. In 1866, he succeeded Gove Saulsbury as Speaker of the Senate.

When Gove's term ended in 1871, Ponder followed him further in his footsteps by being named the Democratic candidate for governor in 1870. His opponent was Republican Thomas Boone Coursey of Felton. It was an important election because Negroes were voting for the first time and nobody knew what effect the newly-enfranchised voters would have on the outcome. Help had already been asked of Washington in

1867 to insure Negro voting rights in Delaware and Congress was petitioned by some whites and Negroes of Wilmington to determine whether the state had a republican form of government.¹ Nothing came of it. Now, just before election day, 1870, Democratic tax collectors listed hundreds of Negroes as "dead" or "having left the state," thus discounting their votes. At the polls many Negroes and U.S. marshals were driven away.² With the help of such shenanigans, only Democrats were elected to the General Assembly. Ponder defeated Coursey 11,646 to 9,130.³

Governor Ponder's message to the 76th General Assembly focused on states' rights and how wrong the Federal Government was to extend the right to vote to the "uneducated Negroes."⁴

To add to the disillusionment of Delaware's African American citizens, their old friend of Underground Railroad days, Thomas Garrett, died a week after Ponder's inauguration. His death may have been hastened after he had seen what happened to black Delawareans in the 1870 election. With deep sorrow, Wilmington's Negroes insisted on carrying

the simple coffin to its grave in the Quaker Meeting House yard at 4th and West Streets. A war had been fought and won mostly for their sakes and now, with Garrett's death, the realization of true political freedom must have seemed as remote as ever.⁵

In March came the political slug-fest among the Brothers Saulsbury to determine which of them, Gove, Eli, or Willard, was going to serve in the U.S. Senate. The legislature was reluctant to reelect Willard, mostly because of his notorious alcoholism.⁶ Willard suffered further humiliation in the manner in which he physically left the U.S. Senate chambers. On the night of March 3/4, 1871, that body was engaged in an all-night debate. Willard fell asleep in his chair. At noon on the Fourth the Senate was called into session and



Wilmington's new Masonic Lodge and "Grand Opera House" opened its doors in April, 1871, to great fanfare. It continues to be an integral part of the city's cultural scene (reproduced from Scharf's History of Delaware, 1609-1888).



The Bright House hotel at Rehoboth Beach was one of the first large, wood-frame hotels of the resort's early days.

Eli, his brother, was sworn in. Soon, Willard awoke, attempted to address the chair and was told he was no longer senator.⁷

The next month, the Masonic Lodge in Wilmington dedicated its new building on Market Street, calling it the "Grand Opera House," and in September, 1871, the Wilmington *Every Evening* newspaper was first published.

A curious event took place in Wilmington in October. At the same time that the great Chicago fire was raging many miles away, the city experienced an earthquake on October 9, 1871, at 9:40 a.m. but with very little serious damage or injury.

Delaware and New Jersey came eyeball-to-eyeball when complaints arose of Jersey fishermen invading Delaware waters. Delawareans, on the other hand, claimed fishing rights up to the low water mark on the Jersey shore, and the dispute raged for years.⁸ The year 1872 would give some political hopes to Delaware Republicans for three reasons. First, New Castle County District Attorney Anthony Higgins, a Republican, brought suit against Democratic tax collectors for rigging voter lists in the previous elections. There was a conviction and this caused Democrats to back off. Secondly, national Democrats, hoping to take advantage of a Republican schism, named the liberal Republican Horace Greeley of New York as their presidential candidate. To most Democrats, Greeley was unacceptable because

of what he had said about them in his newspapers. Thirdly, remembering what happened in the 1870 elections with U.S. marshals, President Grant sent in Federal troops to be at Delaware polling places on election day. For the first time, Delaware voted for a Republican president and elected a Republican congressman, James R. Lofland of Milford, but despite gains in the legislature, the body remained in the hands of the Democrats (Senate, 8-1; House, 14-7).⁹

Not only were nerves frayed between Democrats and Republicans on the Negro question, but frustrations extended to the very seat of politics itself on a more vital question in Dover—

the increasingly cramped physical quarters of the Old State House on the Green. Agitation for more room had begun before the Civil War. Finally, in 1873, after Governor Ponder became the last governor to take the gubernatorial oath in the old Kent County Court Room on the first floor of the State House, he suggested to the legislature that it buy out Kent County's share and spend \$20,000 on improvement of the building.¹⁰ To accent the need for more room, a local newspaper wrote that "lawyers, jurors, witnesses, and spectators are all packed together during court like herring in a box." It also spoke of the air being choked with the smell of tobacco, dust from the floor, plus "odors of all sorts of persons," which made repeated breathing somewhat offensive. In September, 1873, work began. For the first time, the building was centrally heated and some 200 gas lights illuminated the interior. The outside bricks were painted to resemble brownstone.¹¹

Once the 77th General Assembly met in January, 1873, it lost no time in countering the Republican victories of the previous November. It devised a poll tax and made it the responsibility of the voter to make sure he paid his taxes and that he was on the voting list. In addition, new legislation called the Assessment Act of 1873 gave discretion to tax collectors as to who was on the registration rolls. Once dropped from the rolls, a voter had to wait two years to get back on. When a voter became eligible again, he had to locate the tax collector to make sure he was on the list. As one



The Felton Railroad Station with a waiting train, circa 1873.

writer said, "he (the tax collector) was seldom home to blacks."¹²

For the next 15 years the two dominant Democratic dynasties, the Saulsburys and the Bayards, succeeded in keeping the Negro vote down with the aid, quite inadvertently of the Irish, who now made up about 11 percent of Wilmington's population. Outside New Castle County, few Negroes voted and in the city they numbered about 10 percent of the population. Coming to Wilmington since the 1840s, Irish tended to align themselves with Democrats. They remembered too well that it was the Whigs and later the Republicans who had associated themselves with the anti-foreign, anti-Catholic "Know-Nothings" of the late 1850s. Consequently, Negro gains tended to be offset by Irish votes.¹³ There was a sad twist in Sussex County, the seat of enmity toward the Negro and his newly-acquired rights. By not allowing the Negro to pay his taxes, it was estimated that the county lost \$10,000 of revenue a year, resulting in an eventual threat to its credit rating.¹⁴

Feeling most welcome after having won Delaware's vote, President Grant visited Wilmington on February 6, 1873, a month before his second inauguration. Hosted by Governor Ponder and the General Assembly at the home of Joshua Heald on Delaware Avenue and Broom Street, Grant toured the city's industrial sites at 2:00 p.m. At 8:00 p.m. he was led to the Masonic Temple at the Grand Opera House for a ceremony, going afterward to the home of Joseph Grubb on King Street. He left for Washington on the 1:00 a.m. train.¹⁵

Some small gains were made in education by Negroes in Wilmington. The philanthropic association

begun in 1866 for the education of Negroes petitioned that Howard High School be integrated into the city's school system. This being denied, a compromise was agreed upon, whereby the city would assume administration of the Negro schools while maintaining segregation. Further, Negroes were still not permitted to pay school taxes. Consequently, they would still not be allowed to vote in school elections.¹⁶

Delaware College in Newark made news when it experimented by accepting women students for the first time on campus.

Summer came and Delawareans' thoughts turned to lighter things. Two hotels, the Bright and Surf, along with a boardwalk had been built near the camp meeting grounds at a growing new Methodist seaside resort at Rehoboth Beach.¹⁷ In Wilmington, the famous Siamese twins, the Bunker Brothers, Chang and Eng, came to town for the last time. It had been 37 years since they first were exhibited in Wilmington. Soon they would quit show business and settle down in North Carolina, where each would marry his own wife, and, despite being joined together at the waist, father children.

The Chesapeake and Delaware Canal reached its peak in business receipts the year before when 1.3 million tons of cargo brought forth revenue of over \$114,000. Good times were not to last, however, for the recurrence of bad times plagued the operation. In the second week of August, 1873, heavy rains lasting for several days caused severe damage and flooding. Water rose in the canal and some vessels were cast over the side onto the fields and marshes. Needed repairs ate into revenues as the operation began a slow decline.¹⁸

Governor Ponder took some criticism when he named his brother-in-law, former U.S. Senator Willard Saulsbury as Chancellor of Delaware. Saulsbury had married Ponder's sister, Anna, in 1850. Perhaps it was a humanitarian gesture that prompted Ponder to help Saulsbury eschew the image of a drunkard. To do his part, Willard reputedly gave a pledge to his father-in-law to stop drinking.¹⁹ Meanwhile, the *Delaware State Journal* blasted the governor for appointing his "drunken brother-in-law." Despite the criticism, Saulsbury performed well as chancellor in a tenure extending over nearly two decades and remained true to his temperance pledge.²⁰

Ponder left office as the economic panic of 1873 set in across the country. In his last message to the legislature, he said the state debt had to be brought down to \$1,250,000, \$500,000 of which had been incurred by the expansion of the Junction and Breakwater Railroad to Frankford in Sussex County. He suggested no more debt be incurred for such internal improvements.²¹ Ironically, it had been Ponder who, as a state representative in the late 1850s, had sponsored the legislation incorporating the railroad.²²

Ponder resumed his business and professional careers after leaving office. In 1875, he became president of the Georgetown branch of the Farmers

Bank of the State of Delaware and soon thereafter became president of the Wilmington branch. Returning to Milton, he declined to serve a second time as president of the Georgetown branch. He died of paralysis on November 5, 1897, at the age of 78 and was buried in Milton's Goshen Cemetery. On his tombstone is inscribed the phrase: "His Word His Bond." His wife, Sally Waples Ponder, whom he had married in 1851, survived him until October, 1907. Children of the marriage were Ida (1852-1934), John and James Waples (1868-1942) and Anna. James W. Ponder attended Swarthmore and was admitted to the New Castle County bar in 1893. He joined the firm of Saulsbury, Ponder, and Morris in Wilmington. After retiring from the law in 1912, he bought huge orange groves in Sarasota, Florida. Upon selling his interest in the groves, he moved to Ventnor, New Jersey, and died at his Atlantic City, New Jersey, home.

Governor Ponder's enormous estate was broken up after his death, with his son, John, assuming the operation of the business interests. The governor's old home was at 418 Federal Street in Milton, but when he was in office he had an imposing new home built at 414-416 on the same street. That house still stands today and is now a private funeral home.

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