

New Orleans April 18 1854

Non Calib Century.

Ally Gen U.S.

Sir

I enclose you will find a list of the best Spanish authorities, made up by Mr. Hemen who has been some half a century at our bar - Mr. H informs me that at the request of Judge Stedden of our Supreme Court he has furnished a much fuller list of the best civil law books for Judge R. B. Taney Chief Justice of the Supreme Court - U.S. to which he particularly calls your attention - In a few days I shall send you Mr. Schmidt's list whose civil law library is one of the best in our city - From these several lists with the remarks, you will be able to make either for Congress or the Supreme Court or for your own library a complete library with the opinion of our best civilians upon the respective merits of the authors -

We are looking most anxiously for news from Madrid with doubtless be able to sustain the reputation as a diplomatist which he has justly as an advocate!

Will the reputation which he carried with him as a "quasi plebiscite" be conducive to the settlement of our difficulties, or facilitate the acquisition of the island of Cuba?

Entre nous, the expensive military force which Spain is forced to keep in Cuba must necessarily consume all the pecuniary advantages

Caleb Cushing Papers

which she derives or has derived from the islands
Quebec were it possible to suggest something to Spain
which would not touch the pride of the haughty Cardinal
& put some millions into her treasury, with a "discourse"
to some of her controlling politicians, as for instance
by showing the utter impossibility of her retaining the
island without a very great expenditure of
money to keep the people in subjection
or well as to defend it from the
attacks of filibusters, & the suggestion
that from its peculiar position lying
out the mouth of the commerce of the
west, and the constant causes of difficulty &
dispute which will necessarily arise by the increasing
commerce of those "rascally young Americans" & be a bone
of contention with the hundred 70 70 70 which must
occur to any enquiring mind, might not Spain
be induced to do a generous thing? for a valuable
consideration, & and offer as England has to the
Canadians offer them independence at the price
of some millions, which we might guarantee
& take the chance of ultimate annexation

If my old friend Calderon has any influence
He is so perfectly persuaded of the ultimate
loss of that island by hook or by crook, that
any plan which would save her honor, (for sell it
to us I suppose she would not more than ~~be~~ beggar on the
road would her cloak) would be viewed as relieving them
from the danger of parting with it - But to
grant them their independence would look like an
act of magnanimous generosity - & if the Cabinet
should be present her with a hundred millions, I presume
she would not care much where it came from, that
is she could open her hands - shut her eyes - open her Spain & France

John C. Calhoun
Francis Pickens

R. M. S.

French Law books

1. Explication théorique et pratique du Code Napoléon, par A. Marcadé. This is the ablest commentator of the modern Civil Law.
2. Le Droit Civil Français suivant l'ordre du Code, ouvrage dans lequel on a tâché de réunir la théorie et la pratique, par G. B. M. Faullier, continué et complété par J. B. Survergie.
3. Le Droit Civil expliqué, par M. Troplong, in the form of commentaries. This is a work of great merit.
4. Cours de Droit Français suivant le Code Civil, par M. Duranton. This is the only author whose works embrace the whole Code, ^{extending} ~~comprehending~~ to 21 volumes.

Latin Law Books.

1. Johannis Voet Commentarius ad Pandectas, the Paris edition of 1827, with references to the Napoleonic Code, in 4 vols. quarto, with an index in a separate vol.
2. Doctrina Pandectarum, by Christian Frederick Müllenchuck, edition of 1840.

3. Hugonis Donelli Commentarii de Jure Civili, the
Nuremberg edition of 1832.

4. Savigny, *Trate du Droit Romain*
Spanish Law Books.

1. Las Siete Partidas, with the notes of Gregorio Lopez de
Tovar. These notes are in Latin, and are considered
the best commentary on the Spanish Law.
2. Novisimo Recopilacion de las Indias, laws relating
principally to the Spanish American Provinces,
of great importance in many cases arising in
Louisiana, Texas and California.
3. ~~Trate~~ *Trate de las Leyes Novisimas*, por don Eugenio de Tapia.
This is a work of great merit and practical utility.
4. *Guia Filipina*.

These are the best works on the Roman, Spa-
nish and French Law, and can all be procured
at reasonable prices by sending this list to Hector
Bosange, at Paris, who will send the books to
Mr. Gushing, to New York, Boston or Philadel-
phia, and draw on him for the amount.

James E. Morse,

April 18, 1857.