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試  
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問  
題  
集

(昭和三年度)

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## 大學部

### 法學部第一學年

#### 憲法 (金森)

- 一、天皇と國家との關係を説明すべし。
  - 二、貴族院の組織を論ずべし。
  - 三、臣民の公權の性質を明にすべし。
- 右三題中任意の二題に答ふべし。

#### 民法總論 (吉田)

- 一、法人の行爲能力を論ずべし。
  - 二、意思表示の效力を生ずる時期を論ずべし。
- 右の内一問を撰び答ふべし。

#### 物權法第一部 (西川)

- 一、占有權取得の要件を説明すべし。

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- 二、所有權取得の場合に於ける加工の意義を説明すべし。

#### 債權總論 (磯谷)

- 一、債務者の遲滞と債權者の遲滞と如何なる差異ありや。
  - 二、賠償に因る債務者代位の性質を説明すべし。
  - 三、債務不履行に因る損害賠償の範圍を説明せよ。
- 右の内二題を選択して答ふべし。

#### 親族法 (穗積)

- 一、家族の事實上の婚姻につき同意を爲したる戸主が、婚姻届提出の際に至り其同意書に署名捺印することを拒みたるにより、家族は其儘婚姻届を爲したるに、戸主は其家族を離籍せり。其離籍は有效なるか。
- 二、親族會制度の缺點を指摘論評せよ。

#### 刑法總論 (草野)

- 一、對物防衛とは何ぞや。
- 二、不能犯に關する學説を擧げて論評せよ。

一

### 英不動産法 (土法)

What is meant by the following terms respectively?

1. heir, executor, administrator, devisee, legatee, personal representative.
  2. legal estate, equitable estate, term of years, estate in fee simple, estate in fee tail, entailed interest.
  3. Words of limitation, hereditament, settlement, entailment, joint tenancy, tenancy in common.
  4. What estate in land does A get by a grant of land to him (1) under old law (2) under new law?
  5. What legal estates were there under old law? Are all or any of them recognized under new law? What equitable estates are there corresponding to legal estates under present law?
- (Answer the above questions in English if you can.  
If not, Japanese will do.)

### 英國賣買法 (總論)

#### 第一問 (國語を以て解答すべし)

(a) (1) の中何れか一つを選び先づ其全文を條文體に國譯し次に横線を附したる語を解説せよ。

(a) Where a person, having sold goods, continues or is in possession of the goods, or of the documents of title to the goods the delivery or transfer by that person, or by a mercantile agent acting for him, of the goods or documents of title under any sale, pledge, or other disposition hereof, to any person receiving the same in good faith and without notice of the previous sale, shall have the same effect as if the person making the delivery or transfer were expressly authorised by the owner of the good to make the same.

(b) The unpaid seller may exercise his right of stoppage in transitu either by taking actual possession of the goods, or by giving notice of his claim to the carrier or other bailee (or custodian) in whose possession the goods are. Such notice may be given either to the person in actual possession of the goods or to his principal. In the latter case the notice, to be effectual, must be given at such time and under such circumstances that the principal, by the exercise of reasonable diligence, may communicate it to his servant or agent in time to prevent a delivery to the buyer. When notice of stoppage in transitu is given by the seller to

the carrier, or other bailee (or custodian) in possession of the goods, he must re-deliver the goods to, or according to the directions of, the seller. The expenses of such re-delivery must be borne by the seller.

第二問 (英語を以て解答すべし)

State the statutory provisions relating to the rules for ascertaining the intention of the parties as to the time at which the property in the goods is to pass to the buyer.

契約法 (甲)

1. State conclusio<sup>r</sup> first, give all reasons concisely, and discuss all points involved.

- On Oct. 1. X offered by advertisement to sell a horse at certain price. On Oct. 5. Y posted his letter of acceptance, which had been lost and never reached X. On Oct. 10. X sold a horse to Z. On Oct. 15. Y tendered money to X, but X refused to deliver it. Y sued X for a breach of the contract. What is your decision?
2. State the attitude of the Common Law Court towards the innocent misrepresentation. (writes in English).

英語 (十数)

The state today is a socially organized organic group with certain people chosen to control, while others agree to obey. But each individual has a distinctive place and performs a distinctive service. In the modern democracy that state cannot exist apart from the people, and the whole people are organized by mutual agreement, tacit or expressed, in industry, service, and self-control. In the evolution of the state from the family there have been represented all ideas of government, from the first bare life protection to the establishment of social order, and, in the final instance, to the conscious purpose of securing the social well-being of the whole people. So the state of today represents the conscious, living emanation of the multiple thoughts, sentiments, and will of the people concerning social order and social control, social well-being, and the rights, privileges, and duties of individuals in their relations to one another and to the social group as a whole.

獨逸國法 (柴田)

左の獨文を邦譯すべし

1. Die herrschende Meinung lehnt Recht und Pflicht der gewählten Parlamentsmitglieder lediglich aus der Ver-

fassung ab und bestreitet, dass zwischen Volksvertreter und Wählerschaft irgend ein rechtliches Band besteht. Dieser Auffassung hat man nicht mit Unrecht entgegengehalten, dass sie dazu führe, den konstitutionellen Staat in der Zwischenzeit, von einer Parlamentswahl bis zur anderen, in einen absoluten Staat zu verwandeln. Richtig dürfte dagegen die Ansicht Jellineks, wonach die moderne Volksvertretung im ganzen und ihre Mitglieder als Teile derselben den Charakter unmittelbarer sekundärer Organe besitzen. "In Staaten mit repräsentativer Verfassung ist das Volk als einheitliches Staatselement zugleich aktives Staatsglied, kollegiales Staatsorgan.

2. Was wissen Sie über des Referendum?  
(Antwort auf deutsch)

1. Was versteht man unter Rechtsgeschäft und Willenserklärung? (Antwort auf deutsch).
2. Die Ausübung der Privatrechte hängt regelmässig vom freien Belieben ab. Pflichten müssen erfüllt, Rechte können ausgeübt werden. Doch zieht in vielen Fällen

der Nichtgebrauch den Verlust oder die Einschränkung des Rechtes nach sich. Indem das deutsche Recht derartige Wirkungen des Nichtgebrauches selbständig ausgebildet hat, gibt es dem gedanken Anstoss, dass auch die Privatrechte zuletzt dem Einzelnen nicht bloss als Mittel eigener Bedürfnisbefriedigung, sondern zugleich als Mittel für die Erfüllung sozialer Aufgaben verlichen sind.

3. Ist subjektives Recht Macht, so muss diese jemand zustehen. Bei der angeblichen Fällen subjektloser Rechte ist in Wahrheit ein Subjekt vorhanden oder es ist noch gar kein Recht im der Welt, es liegt nur eine Gebundenheit für die Zwecke des künftig Berechtigten vor.

獨逸刑法 (花井)

1. Aus welchen Merkmalen setzt sich mithin der Begriff des Verbrechens zusammen? Untersuchen Sie den Inhalt dieser Merkmale!
2. Erklären Sie
  - a. Dreiteilung der Straftatsu nach R St G B.
  - b. Universalitätsprinzip.
  - c. Akzentklausel.

d. Spezialprävention.

經濟學 (橋爪)

- 一、マルサスの人口論に就て。

社會學 (松本)

- 一、社會的集團を分類し例示せよ。
- 二、社會意識を説明すべし。

法學部第二學年

物權法第二部 (西川)

- 一、動産質權者が質物の占有を失ひたるとき其の質權は消滅するや。
- 二、抵當權の性質を畧説すべし。

債權各論 (岡村)

- 左記四問の中二問を選択して答ふべし。
- 一、危險負擔
  - 二、契約の解除と其契約に因る權利を讓受けたる第三者との關係
  - 三、不當利得成立の要件

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四、(イ) 不法行為の本體

- (ロ) 不法行為に因る損害賠償の債務及び責任の發生要件

刑法各論 (吉田)

- 一、二重抵當の刑事上の性質を説明せよ。
- 二、領得の意思と竊盜罪との關係を論ぜよ。

商法(總論、商行為) (高窪)

- 一、固有の商業帳簿の意義を説明すべし。
- 二、附屬的商行為の意義を説明すべし。

會社法 (片山)

- 一、株主に配當することを得べき利益を以てする株式の消却と資本總額との關係を論ずべし。
- 二、全社員が信用を出資する合名會社は有効に存立するや否やを論ずべし。

保險法 (三浦)

- 一、他人のためにする保險契約を説明せよ。
- 二、我商法上傷害保險契約は生命保險契約なりや。

民事訴訟法(第一編) (細野)

五

- 一、訴訟代理人の代理権の範圍を説明すべし。
- 二、左の内一間に付答へよ  
イ、不法行為の裁判籍   ロ、郵便に付する送達

刑事訴訟法 (林)

- 一、檢事同一體の原則を説明すべし。
- 二、直接審理主義とは何ぞや。

民事實習 (淺沼)

未成年者甲の親権者乙は甲を代表し丙と共に甲乙丙三名無限責任にて營利社團法人を設立したり設立行為は有效なりや。

刑事實習 (平井)

- 一、甲は乙に五百圓の借用證書を差入れ居りたる處一覽する際五の字を塗抹したり甲の刑法上の責任如何。
- 二、甲は乙丙の賭博を爲す際其の情を知りて房室を給與したり甲は常習賭博者にして乙丙は非常習賭博者なり甲に對する法律の適用を示せ。

英契約法 (玉井)

- 1. State conclusion first, give all reasons concisely, and discuss all points involved.

- 1. X went to A's store, representing himself as Y and imitating the signature of Y, induced A to supply him with goods which he afterwards sold to Z.  
Suppose you were asked by A to make out a suit, on what ground and against whom do you bring an action?
- 2. Why and how the contract is discharged by the renunciation of a contract before the time for performance? (write in English.)

英私犯法 (吉村)

- 1. Is damage always essential to constitute a tort?
- 2. A ship (A), damaged by a collision with another ship (B) owing to the negligence of those in charge of B, was put into dock for repairs, and while A was there a strike occurred, thus extending the period for which A was unable to go to sea.  
Is the owner of B liable for the full loss of time?
- 3. In an action of defamation, how can the defendant duly defend himself?
- 4. What are the essentials of fraud actionable as a tort?



獨逸民法 (柴田)

左の文章を邦譯すべし

1. Besteht das Vermögen einer Person in dem ihr zukommenden „Anteil an den Lebensgütern“, in dem, was ihr die Aussenwelt zur Befriedigung ihrer Bedürfnisse zu bieten vermag, so stellt ein Schuldverhältnis nur einen mittelbaren Vermögensbestandteil dar: der Gläubiger kann die Aussenwelt ihm zufolge nur beherrschen durch Vermittlung des schulnerischen Willens. Während der Eigentümer bereits Herr der zu seinem Dienst berufenen Sache ist, ihren Besitz gegenüber den Anstungen Dritter von Rechts wegen behaupten kann, enthält das Schuldverhältnis nichts als ein Bekommensollen. Der Schuldner soll dem Gläubiger etwas leisten und kann dazu gezwungen werden. Aber Dritte vermag das Schuldverhältnis nicht in seinen Bann zu ziehen.
2. Wodurch unterscheidet sich die Zinsschuld von der Rentenschuld und den Dividenden? (Antwort auf deutsch)

獨商法 (三浦)

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(1) 左の文章を翻譯せよ

1. Auch bei Abwägung eines wichtigen Grundes für vorzeitige Lösung des Rechtsverhältnisses wird die Zweckbestimmung des Vertrages von Bedeutung.
  2. Der Dienstvertrag nimmt sein Ende durch Kündigung. Diese hat mit sechswochenfrist auf Quartalsende zu geschehen.
- (II) Unterscheiden sie „Handlungsgehilfen“ und „Hantlungslehrlinge“
- (Antwort deutsch)

行政法 (龍谷)

1. 左の二問題中より一問題を選びて答ふべし。
  - (一) 行政行為の取消
  - (二) 行政上の不法行為に基く國家の賠償責任
2. 左の二問題中より一問題を選びて答ふべし。
  - (一) 警察の限界
  - (二) 公企業特許の性質

平時國際公法 (天野)

- 一、國際法の法律性を論ず。
- 二、租借は領土取得の原因なりや。

七

三、公海自由の原則と公海の下に在る土地に關する國際法規との關係を明かにすべし。

四、國際聯盟の國際法上の地位を論ず。

右の内三題選擇

### 戰時國際公法 (松原)

一、世界戰爭中「中立商業自由の原則」が交戰國により如何に蹂躪せられたるやを説明せらるべし。

二、中立國の庇蔭權とは何ぞ。

### 法律學史 (柴田)

一、グロウチユウスミホップスミの人性論を比較論評すべし。

二、歴史學派(サヴィニイ)の特徴を説述すべし。

### 法學部第三學年

#### 相續法 (島田)

一、女戸主の家族中左に掲ぐる者は法定家督相續人と爲る資格を有するか又其の資格を有する者の間の順序如何。

甲者 戸主の夫の庶子(女)

乙者 戸主の私生子(男)

八

丙者 戸主の廢除せられたる嫡出子(女)の私生子(男)にして其の廢除前に民法第七百三十七條に依り家族と爲りたる者

二、共同遺産相續人二人ある場合に於て其の一人が單純承認を爲し他の一人が限定承認を爲したるときは如何なる效果を生ずるか。

#### 手形法 (佐竹)

一、一度真正に爲されたる振出人の署名が後日變更せられたる場合に於て既に爲されたる保證の效力如何。

二、參加引受の性質及效力を説明せよ。

#### 海商法 (樋貝)

一、Harter Act を引用し免責特約に關する我が商法の規定を論評せよ。

二、免責委付の效力を論ず。

#### 民事訴訟法(第二編乃至第五編) (細野)

一、確認の訴を論ず。

二、左の内一問を選ぶ可し。

- 1 裁判所に顯著なる事實に付説明すべし。
- 2 判決の既判力を論ず。

民事訴訟法(第六編乃至第八編)(細野)

左の内一間に付答へよ。

- 一、執行力ある債務名義を説明すべし。
- 二、請求に關する債務者の異議に付説明すべし。

民事實習 (淺沼)

- 一、甲の子乙は甲の代理人と詐稱し甲名義を以て丙より借金を爲し甲の所有地上に抵當權を設定し甲は此の事實を知らずして死亡し乙其の家督相續を爲したり右法律行爲の效力如何。

刑事實習 (平井)

左記三問中二問を選択すべし。

- 一、告訴不可分の意義。
- 二、官吏公吏の作成すべき書類に付第七十一條第七十二條等の形式を缺くときは其の書類は無効なりや。
- 三、裁判所は被告人の自白のみにて有罪を認定して差支へなきや。

衡平法 (堀江)

- 1. This holding goods as trustee of S's marriage settlement. In breach of trust he sells them to X; X

法 三

buys in good faith and has no notice of the trust. Does X get a good title to the goods?

(Answer in English)

- 2. What purports the following position?—

The law bore hardly on the dying landowner—with its reliefs, wardships, marriages, escheats. Can these be evaded? Yes, by a plurality of feoffees.

(Answer in English or Japanese)

英手形法 (五井)

Translate the following provisions, and make comparative discussions with the Japanese law.

- 1. A bill may be accepted before it has been signed by the drawer or when otherwise incomplete. When the bill is completed, the acceptance will date as from then, and not as from the actual date of the bill.

- 2. The drawer of a bill by drawing it engages that or due presentment it shall be accepted and paid according to its tenor, and if it be dishonoured he will compensate the holder or any indorser who is compelled to pay it. Where a qualified acceptance is taken, and the drawer has not expressly or impliedly authorised the

九

holder to take a qualified acceptance, or does not subsequently assent thereto, such drawer is discharged from his liability on the bill.

### 獨逸商法 (三編)

#### I. 下の文章を翻譯せよ

1.) Die Kommanditgesellschaft ist historisch aus der gleichen Wurzel hervorgegangen wie die stille Gesellschaft.

Im Grunde ist der Kommanditist gleich dem Stillen „Geldinleger“. Aber im Gegensatz zu letzterem tritt er in die Öffentlichkeit hinaus.

2.) Die Sätze über die Organisation der Kommanditgesellschaft sind zumeist nachgiebigen Rechts. Sie können durch Gesellschaftsvertrag geändert werden.

II. Vergleichen Sie die Kommanditgesellschaft mit der offenen Handelsgesellschaft. (Antwort deutsch)

### 獨逸民法總論 (櫻井)

1. Was ist das Wesen der Rechtskraft?  
(Antwort auf deutsch)

2. Die moderne Wissenschaft beginnt in der Fülle der

verschiedenen prozessualen Handlungen und Situationen nicht mehr ein zusammenhängendes Hinter- und Nebeneinander zu erblicken, sondern den Prozess unter dem feststehenden Punkt der Einheit zu betrachten. Dies mit Fug und Recht. Allerdings ist jene Einheit keine streng tatsächlich-historische, wohl aber eine teleologische—die Vielheit der Prozesshandlungen wird durch den einheitlichen Zweck zusammengehalten und folgeweise auch vom Recht in weitem Masse als Einheit gewertet. Manche Rechtserscheinungen, so die Nachfolge in den Prozess, die Änderungen der Rechtslage durch Eintritt neuer Prozesssituationen, z. B. die Beendigung einer Instanz, finden allein dadurch ihre Erklärung.

### Rechtsphilosophische Prüfung

(Th. Stannberg.)

#### Aufgaben.

1. Begriff, Wesen und Wert der freien Rechtsfindung bzw. der freirechtlichen Bewegung.

2. Lewin Goldschmidts Ansicht über die Leistung der Rechtswissenschaft soll kurz dargestellt und es soll angegeben werden, in welchem Verhältnis sie zur

heutigen modernen Auffassung steht.

3. Lösung einer der freigeählten Aufgaben.

Die betreffende Lösung von zwei der Aufgaben ist auszeichnend.

法理學 (三谷)

- 一、法律とは如何なる法則なりや、その道德律との關係如何。
  - 二、法の基礎づけ論理の性質如何例へば權力説の論理に如何なる妥當値を認め得と考ふるや。
- 右二問のうちより一を擇びて答ふべし。

法制史 (金田)

- (三問中二問適宜選擇)
  - 一、徳川時代に於ける土地所有權
  - 二、棄捐令及相對濟令
  - 三、イ、榮譽の質入 ロ、惣領 ハ、悔返金 ニ、丈夫届
- ホ、分散

國際私法 (佐々野)

- 一、我現行法上法廷地法(訴訟地法裁判所所在地法)に依るべき場合如何、理由を附して其各場合を詳説すべし。
- 二、我現行國際民商法上に於ける能力の準據法を各場合に付説

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明すべし。

破産法 (阿部)

- 一、破産債権者の有する債権が解除條件付金錢債権にして破産者の有する反對債権が停止條件付金錢債権なる場合に破産債権者より管財人に對し相殺の意思を表示するものとして其の對當額は如何に之を計算するものなりや。
- 二、否認權の效力を説明せよ。

財政學 (岩野)

- 一、次の三題中任意の一題を選擇すべし。
- イ、源泉課税に就て
- ロ、歳計剩餘金を論ず
- ハ、公債發行は通貨膨脹を惹起するか
- 二、所得税の特質を説明すべし。

經濟學部第一學年

經濟原論 (檜崎)

- 一、分業は如何なる動機に依り發展するや。
- 二、「商品の價格の構成部分」に就て論ぜよ。

一 一

三、アダムスミスの利潤に關する見解を述べよ。  
以上の中二題を選択して答ふべし但し一題は英語に依り答ふるを要す。

### 經濟學 (松浦)

- 一、財貨の價值と需要との關係を問ふ。
- 二、分業の種類を述べ、其の生産の社會性に對する關係を説明せよ。

### 地理 (田中)

- 一、イギリスの産業概況を述べ、其殖民地との關係を論ずべし。
  - 二、ドイツの工業地の分布、其概況及工業動力に就て記せ。
  - 三、ミラノ市の經濟地理的位置並に現況を述べし。
- 以上三問の内二問を選び答案を草すべし。

### 政治學 (川原)

左の三問題の内任意二題を選びそれに答へよ。

- 一、政治學の分科。
- 二、政治と社會との關係。
- 三、政體の分類。

### 貨幣論 (長崎)

- I. Explain the quantity theory of money.
- II. Give a brief answer in English to any of the following questions:—
  - 1. Expound the meaning of the gold standard.
  - 2. What determines the normal rate of foreign exchange?
  - 3. Explain I. Fisher's scheme of stabilizing the price-level.
  - 4. Comment upon the following terms:—
    - a. General acceptability.
    - b. Velocity of circulation.
    - c. Token money.

### 統計學 (中川)

- 一、比例數算出の目的及び各種比例數の性質を説明すべし。
- 二、左の各項を簡單に説明すべし。
  - イ、Zee-chart      ロ、標準偏差
  - ハ、相關々係

○憲法、民法總論、物權法第一部、債權總論、親族法、  
刑法總論、社會學は法學部第一學年に同じ。

### 經濟學部第二學年

銀行論 (和田)

- 一、預金銀行の職能に就て。
- 二、銀行の支拂準備金に就て。
- iii. Give a brief explanation about manufacture of money by bankers.

交通政策 (檜崎)

- 一、我國運河交通の過去及未來に就き知り且つ想ふ所を述べよ。
- 二、明治以前の我國各時代の爲政者は如何なる交通政策を採りたるか。

農政學 (八木澤)

- 一、農業の社會的意義を述べ、之れが振興に當り考慮すべき點を論ぜよ。
  - 二、農業問題に於ける土地問題の地位を問ふ。
  - 三、土地問題に於ける二大思想に就いて知る處を論ぜよ。
- 右の中二問を選び答へよ。

政治史 (川原)

左の三問題の内任意二題を選びそれに答へよ。

經 二

- 一、封建制度の發達過程
- 二、初期の王位について
- 三、戦争と國家との關係

經濟學史 (八木澤)

- 一、マーカンチリズムとフイジオクラット思想との關係を論ぜよ。
  - 二、Sir William Petty の經濟思想に就きて知る處を記せ。
  - 三、十八世紀の歐洲經濟學界に自由思想或は自然法感念の及したる影響を論ぜよ。
- 右の中二題を選べ

會計學 (鹿野)

- 一、貸借對照表作成の方法の種類を擧げて説明せよ。
- 二、價格減却に對する計算方法を説明せよ。

外國爲替 (和田)

- 一、金の輸出禁止と外國爲替相場との關係に就て。
- 二、外國爲替に於て賣相場及買相場の意義及其相違の理由。
- 三、左の意義を問ふ。

(イ) House Bill, (ロ) D/P,

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○物權二部、債權各論、刑法各論、商法總則商行為、  
會社法、行政法、平時戰時國際公法は法學部第二學  
年に同じ。

### 經濟學部第三學年

#### 商業政策 (山内)

##### 第一問

鐵道運賃政策と關稅政策とが輸入品に及ぼす關係を説け。

##### 第二問

國際經濟會議が商業政策に及せし影響を説き合せて論評せよ。

#### 社會政策、工業政策 (藤井)

一、現代賃金労働者の地位の特徴を説明して之と社會政策との關係を論ずべし。

二、左の二題の中一題を選びて解答をなすべし。

(一) 普通選舉と社會政策との關係を論ず。

(二) 左の語の意義を説明す。

社會階級 社會秩序 唯物史觀 社會民主主義

#### 植民政策 (川原)

一四

一、左の(A)(B)何れか一問に答へよ。

(A) 植民地の教育政策。

(B) 人口問題より見たる植民地。

二、左の各項につき略述せよ。

イ、植民地獲得の動機(列記せよ)

ロ、民族

ハ、勢力範圍と植民地の差異。

#### 保險學 (石川)

一、生命保險にありて獨り利益配當付契約の行はるゝ理由を問ふ。

二、生命保險契約を爲さんとする者の留意すべき點を列挙すべし。

三、船舶の行方が知れざる爲め委附を許す場合に關し内外の保險者の規定する處を畧記すべし。

四、損害防止の費用が單獨海損と看做さるゝ場合を舉げよ。

#### 外交史 (高木)

##### 甲

1. The Congress of Paris (1856)

1. The Ems Telegram and After.

##### 乙



- 一、伊太利統一當時の外交
  - 一、三國同盟
- 右四題の中甲乙各一題を擇みて答ふべし。

實習 (桑田)

- 一、露西亞「ソウイェト」政府の工業に關し外國人に對する特許貸下の制度を説明すべし。
- 二、獨逸に於ける工場委員會制度の特徴を何ん。

經濟學史 (長崎)

(Give answers to two of the following questions.)

(N.B. One of the answers must be written in English.)

1. Explain the principle of population of T.R. Malthus.
2. Enumerate the theory of value of T. Ricardo.
3. Expound the theory of rent of D. Ricardo.
4. Account for the position of J. S. Mill in the history of political economy.

取引所論 (鈴木)

左の各題中任意一題を擇びて之を詳論せよ。

- 一、取引所の特徴を論ず
- 二、取引所法人の種類及性質を論ず。

- 三、清算決済制度を論ず。
  - 四、團體賣買を論ず。
  - 五、取引所の四大機能を論ず。
  - 六、本邦に於ける生糸取引の大系を記説して横濱取引所の機能を論ず。
  - 七、大東京を中心とする米取引の大系を解説して東京米穀取引所の機能を論ず。
- 手形法、海商法、國際私法、財政學は法學部第三學年に、行政法は法學部第二年に同じ。

商學部第一學年

銀行簿記 (墨澤)

左記五題中三題を選擇すべし。

- 一、銀行簿記に於ける帳簿組織の概要。
- 二、双方附替の効果。
- 三、他店勘定を當方口先方口に分つ理由。
- 四、手形交換所計算に關する若干の取引例を假設して傳票の作り方を説明すべし。
- 五、支店相互間の爲替取引を本店の帳簿にて統制する方法若干の取引例を假設して説明すべし。

商品學 (坂口)

一、米

種類、加工の程度に由る名稱、白米壹石の重量、本邦の内地朝鮮及臺灣の收穫高(大數)、本邦内地の需給狀況、世界の主産地、取引の方法荷造等

一、人造絹糸

主なる種類、原料及製法の大要、用途、性質及天然絹糸との鑑別法、本邦の需給狀況等

右貳問題の内壹問題を選択して答案を提出すべし。

經濟原論 (八木澤)

1 次の問題から一をを選びて邦語にて答へよ。

a. Adam Smith の勞働論に於いて最も注意すべき點は如何なるものか之を記せ。

b. Adam Smith の分配論 (The Division of stock) において知るべきところを述べよ。

2 次の單語を英語にて簡單に説明せよ。

- a. natural price and market price.
- b. Adam Smith's interpretation of "profit."

民法要論 (齋藤)

一、次の各項中より法律行為を抽出しそれが法律行為なる理由を述べよ。

イ、禁治産宣告の請求

ロ、埋藏物發見

ハ、債務履行の請求

ニ、無權代理行為の追認

ホ、成熟したる果物の採取

二、物權と債權との差異を問ふ。

工業通論 (倉橋)

二、本邦工業界に對する希望

(答案作成上の注意)

一、箇條書とし一ヶ條二十字以内

全部に於て五ヶ條百字以内

商業算術 (橋本)

1 今より二年半後に償還せらるべき年六分利付某會社々債額面 100 圓を 95.75 にて買入るゝとき單利 廻幾何であるか且し所得税五分、資本利子税二分を控除したるものにて就て算出すべし。

2 上海S商は New York N 商に對し代價 \$1,234 (米貨以下同) の商品を注文したるに N 商は右米貨を額面とする一覽

後六十日拂利付手形な S 商宛に振出し 1927/1/10 正金銀行 New York 支店に荷爲替を取組むたり、下記条件による S 商の支拂高幾何なりしか。

△ S 商手形引受日 1927/2/3

△ New York 上海間郵便日数概算 25

△ 手形面記載利率 年四分

△ S 商手形支拂日 1927/3/24 但し New York 宛着拂爲替相場 \$633/8 (100兩に付) にて。

### 商業英語 (三輪)

左を英語に譯せよ。

一、近刊『商業の日本』に御廣告相成倅鐵飯中三呎長と六呎のもの多量に引合有之候處右に對する横濱埠頭渡同業者割引にて如何程の値段に御座候哉御尋申上候。

二、貴店御注文品印刷機械は本月二十五日入港の神戸丸にて到着可致候間來月十日頃までには貴方へ發送の手配致度存居候、尙同貨物は荷印令として一號より五號までの番號を附し置き申候間左様御承知被下度候。

左を日本語に譯せよ。

I. If you are prepared to consider our offer to become your sole selling agents for Japan, we shall be pleased to receive your price list and trade terms and full particulars resp-

ecting the establishment of your agency here.

2. Replying to yours of 15th inst., we regret to say that we do not see our way clear to accept your offer to represent our firm in Japan.

The trade we do with Japan is done through Messrs. Kato & Co., of your city for many years past, etc.

### 商業史 (杉本)

Ashley: Economic organisation of England.

(1) Give your brief explanation to "demesne".

(2) Thorold Brgans explained that the Peasants' Revolt in the fourteenth century was the reply of the tenants to an attempt of the lords of land to reverse the process of agrarian development. Criticise this view from the standpoint of Sir William Ashley.

### 會話 (三輪)

左を英語に譯せよ

一、私は山口縣の者で中田信一と申す者でありまして、此の四月で滿二十五歳になります。

二、何より第一に外國人が日本に來て日本品を買ふ様に努力せねばならぬと思ひます。

三、日本には外國で見られぬ良い風習が澤山あります。

四、封建時代に城主が都市を山岳の多い土地に設けたのは何故でせうか。

五、私は今日學校の歸り途に太田商會に廻つて友人を訪れて歸ります。

憲法は法學部第一學年に、取引所論は經濟學部第三學年に、經濟學、貨幣論、統計學は經濟學部第一學年に同じ。

### 商學部第二學年

#### 商工經營論 (杉本)

一、ハーヴァード學派の景氣豫測法を概説し且つ之が企業經營上に持つ意義を論ぜよ。

二、次の諸項中任意二間を選択し之を簡單に説明すべし。

(イ)標準 (ロ)留保資本 (ハ)持株會社 (ニ)連業 (ホ)時間研究

#### 民法要論 (齋藤)

一、契約解除權行使の効果を論ず。

二、雇傭、請負、委任の異同を説明し、次の契約がその何れに該

當するやを述べよ。

「甲醫師に毎月一回自己の全家族の健康診斷を求め疾病者あらば其治療をも委囑する契約」

#### 商法要論 (西本)

一、合名會社々員の持分の性質に關する諸説を説明批評せよ。

二、創立總會の權限を説明せよ。

三、發起人の責任を説明せよ。

#### 工業簿記 (橋本)

一、左記條件の外は任意の内容により原料元帳(一口座)を記入し且つ之を締切れ。

(イ) 仕入高欄は仕入毎に、使用高欄は月末一回、記入のこ

(ロ) 決算に際し在庫品價格の切下を行ふこと

二、製造部(工場)會計が獨立する場合に其營業部(本部)との取引例三個を擧げ且つ之が各部仕譯を示せ。

#### 商業實務 (生出)

Explain a "Bill of Lading".

### 商業英語 (生出)

Correct the following, and show your own new letter only.

Dear Gentlemen :

On 22nd this month you have given us orders of Leather Belting. But I am very regretly say that there must be some few days yet before delivery can be effected owing to pressure on business.

A short time ago we have obtained contract between our firm and Admiralty, so my factories are manufacturing from day-break to sun-set to go with orders already on our books.

If you allow me a few days extension we engage you to make your order quickly despatched.

Hoping you do not feel any inconvenience by delay of this kind.

We are your truly servant,

### 會話 (三輪)

左を英語に譯せよ。

- 一、行儀作法の上品な人は、ドシ／＼歩いたり、戸をヒシヤリと、しめたり、大聲で話をしたりしません。
- 二、『何卒』とか、『有り難う』とか云ふ、極めて簡單なる言葉

商二 商三

を用ふるを聞えがよいです。

三、御採用下さるなら成る丈け長くお勤めしたいと思ひます。

四、あの店は何より第一に拂ひが悪いし、おまけに品物によく

苦情をつけるのです。

五、多くの場合に於て、演劇場などでは、婦人は襪敷の前方に

男子は後方に坐ります。

### 倉庫關稅 (和田)

一、開港港則概論

二、從價税と從量税の長短

三、輸出獎勵金の効果に就て

○地理は經濟學部第一學年に、銀行論、農政學は經濟學部第二學年に、商業政策、社會工業政策は經濟學部第三學年に、行政法は法學部第二學年に同じ。

### 商學部第三學年

#### 鐵道論 (竹歲)

左の二問を説明せよ

- 一、鐵道の經營主義。
- 二、運賃決定の基準。

一九

海運論 (渡邊)

- 一、定期航海業の發達を説明すべし。
- 二、定期船、不定期船の間に於ける運送の分割状態を説明すべし。
- 二題中一題を選択すべし。

會計學 (鹿野)

- 一、賣買勘定に於て正しき總利益を算出するに注意すべき各項を説明せよ。
- 二、償却資金の記帳方法を問ふ。

商法要論 (西本)

- 一、物品運送人の損害賠償責任を説明せよ。
- 二、重複保險の意義及效力を説明せよ。
- 三、不單純引受の意義及效力を説明せよ。

商業事情 (緒方)

- 左の内二題を選び一題は邦文一題は英文にて答ふべし。
- 一、ヱイクトリヤ時代に於ける英國労働運動の特色
- 二、Trade Union と Friendly Society の區別
- 三、消費組合の理想

- 四、労働者生産組合に就て
- 五、商業界の景氣と労働運動との關係

商業實踐 (生出)

- Explain a or b.
- a. "Quarter part".
- b. Important clauses in a "Marine policy".

商業英語 (生出)

Notify drawers of cheque dishonoured by telegraph and confirm by letter.

會話 (三輪)

- 左を英譯せよ
- 一、人が讀み書きをして居る時に、其人の後に立つて肩越に覗き見したりすべきではありません。
- 二、雑踏する都會の大通では、交通巡査が立つて居て通行人に横斷しても可い時には其の様に會圖をします。
- 三、商業都市は普通人口稠密な所にあります、其の譯は物貨の集散に便宜である爲めです。
- 四、大藏大臣は每議會に於て衆議院議員に對して過去十二ヶ月間に國庫に幾何の金額が拂込まれて其金が如何なる方面に如

何なる方法にて支出されたか云ふ詳細の説明をします。  
五、(イ) 山田さんから電話がかゝりまして、あなた様が御歸

りなされたら京橋の二百四十番(但し数字の読み方通りに記せよ)にかけてくれこの事でした。

(ロ) 此の帽子は大き過ぎるから中位のを見せて下さい。

(帽子屋ニテ買物スル時ノ話)。

(ハ) 値段は五圓から十圓迄ありますが、この方に致しませうか。

(ニ) 手前共では決して掛値は申しません。

○國際私法、破産法、財政學は法學部第三學年に、植民政策、保險學は經濟學部第三學年に同じ。

## 専門部

### 法學科第一學年

#### 法學通論 (天野)

一、自然的法則と規範的法則との區別を明かにして法律が此兩者の中何れに屬すべきかを説くべし。

法專一

二、法(法律)と道德との關係を明かにし且兩者を區別する標準を論ずべし。

三、權利の本質に關する學說中何れを可とするや。

四、法の運用に關する根本方針を論じて惡法は法にあらずといふ學說の當否に及ぶ。

五、法律と制裁との關係を論ず。

右五題中三題選擇

#### 憲法 (龍谷)

一、國務大臣の責任を論ずべし。

二、責任支出は違憲なりや否やを論ずべし。

三、左の語の意味を説明すべし。

(イ) 緊急命令 (ロ) 執行命令

(ハ) 獨立命令 (ニ) 委任命令

(ホ) 大權命令

右の三問題中より二問題を選びて答ふべし。

#### 民法總則 (長島)

一、左の語の意義を説明せよ。

(イ) 不動産 (ロ) 權利能力

(ハ) 禁治産者 (ニ) 推定

二、代理の種類を擧げ之を説明すべし。

二二

物權法第一部 (黒崎)

- 一、民法第二百六條を説明すべし。
- 二、甲自己所有の時計を乙に賣却したるも未だ引渡を了せざるを奇貨として之を丙に賣却交付したり。

乙之を聞知し丙に對し自己の所有權を理由として該時計の引渡を請求せり、然るに丙は平穩且公然、善意無過失にて該時計の占有を取得したるの故を以て民法第九十二條の規定に依り該時計は却て自己の所有に屬するものなりと抗辨せり。

右の事例に於て

- (イ) 乙及丙の主張は正當なりや否や
  - (ロ) 時計の所有權は乙丙何れに屬するか
- 夫々理由を具して答ふべし。

債權總論 (村上)

- (一) 債權者の遲滞(受領の遲滞)の意義及效果を説明すべし。
- (二) 共同保證と副保證との差異を説明すべし。

親族法 (豊水)

- 一、隱居の効力を説明すべし。

- 二、左の言葉の内隨意に二個を選び其の意義を簡単に説明すべし。

- イ、姻族
- ロ、離籍
- ハ、准正

刑法總論 (平井)

- 一、緊急避難と緊急防衛との特質。
  - 二、必要的共犯と任意的共犯との區別。
  - 三、間接正犯とは何ぞ。
- 右三問中二問を選択すべし。

經濟學 (道家)

- 一、大規模企業の利害得失を述べよ。
  - 二、收獲漸減之法則を説明せよ。
  - 三、協同組合の起源並に我國産業組合の概要を説明せよ。
- 以上の中二問を撰び回答せよ。

社會學 (小林)

- 一、社會過程
- 二、社會統制



論理心理 (小林)

- 一、概念は如何にして成立つか。
- 二、感情作用の特色。
- 三、意志と感情との關係如何。
- 四、サレンツスは如何なるものか。
- 五、左の結論を得る爲に前提を求む。  
 い、正義は強し、學者必ずしも樂まざるは、或人は貧なも樂むに、智者は惑はざるの内三題選擇の中心

英語 (中川)

Third, we have the preferential system, known from its inventor as the Hare system. Each voter votes for his first, second, and third choices, etc. The total number of votes cast is divided by the number of seats to find the minimum number which a candidate must receive in order to be elected. The first choices are counted first, and those who have received a number of these equal to the electoral quotient are declared elected. The first choices remaining to the winners are then counted for the other candidates in the order of preference indicated, and as the latter are brought

up to the necessary quota they are awarded places, until the seats have been filled.

英語 (入木澤)

- 1. And although so much of the cost, waste, suffering, vice and crime that afflict society are due to the presence of a submerged tenth, yet their elevation might not add so much to the net worth of human life as would the securing of social justice to the far larger number who are not submerged, but who back the means to fulfill their possibilities of happiness, service and personal development, and who by sickness or other misfortune may at any moment be forced below the line of economic independence.
- 2. a. The monotonous nature of the work and the fact that the workman does not see his product are the characteristics of modern industry which cripple the effort that instinct could put into the work and which are responsible for the dissatisfaction and unrest.
- b. Modern thinkers on industrial questions are inclined to hold, however, that any business that cannot maintain safe and sanitary plants and pay decent

wages is "parasitic"; that is a prey upon the health and wealth of the community, and should be abandoned.

### 英語 (大體)

Internal unrest and foreign wars, a spendthrift Court and oppressive taxes prevented France from making much progress during the Period of the Great Discoveries. In the second half of the sixteenth century, it was more particularly religious unrest which acted adversely upon the country; so that Henry IV (1589-1610) and his minister, Sully, had great trouble in restoring peace, in bringing order into the existing finances of the State, and in raising the peasant and agricultural class who were undergoing great suffering. During his reign manufactures, trade, and transport were all greatly improved by the construction of roads, canals, and bridges, by improvements in the monetary system, and by measures calculated to benefit shipping. Owing to the confusion in economic policy, which had been inherited from the old town economy, with its local and provincial transport restrictions which resulted in a mistaken revenue system, these reforms did not have an enduring effect during

the succeeding decades. Even the efforts of Richelieu and Mazarin, who founded the political supremacy of the French in Europe, permanently broke down the opposition of the aristocracy, brought about the victory of the absolute monarchy, and terminated internal conflict, did not succeed in raising commerce to an appreciably higher level. A new era in this respect was not introduced until the administration of Colbert.

1. enlightening ideas
2. audacious attempt
3. fabulous tales
4. internal disintegration
5. mercantile state
6. buccaneers and filibusters
7. plundering and devastation
8. They were commandered for labor.
9. predominant mediator
10. extravagant nature.
11. speculative dealings in future
12. incumbent
13. recuperate
14. serfdom

- 15. investigate
- 16. ruthless exploitation
- 17. uninterceptedly
- 18. her hegemony was indisputable
- 19. irritating search for contraband
- 20. avarice and cruelty

### 法學科第二學年

#### 行政法 (川村)

- 一、左の問題に付き簡単に述べべし
    - イ、許可と認可との異同
    - ロ、刑罰と懲戒との異同
    - ハ、職務命令の限界
  - ニ、市町村長の國法上の地位
- 二、左の三問題中一問題を選び論述すべし
- (一) 公共團體に對する國家の監督
  - (二) 警察權の限界に關する原則
  - (三) 行政行爲の無効原因

#### 行政法 (山田)

#### 法專二

- 一、公法上の法律行爲の附款たる條件とは何ぞ、なるべく例を擧げて説明せよ。
  - 二、各省大臣の説明をせよ。
  - 三、官吏の刑法上の責任を論ぜよ。
- 右三問中より二問を選びて答ふべし。

#### 物權法第二部 (西川)

- 一、留置權成立の要件を説明すべし。
- 二、動産質權の對抗條件を説明すべし。

#### 物權法第二部 (久保)

- 一、留置權成立の要件を説明すべし。
- 二、左記用語の意義を詳論すべし。
  - (イ) 根抵當
  - (ロ) 轉賃
  - (ハ) 代價辨濟
  - (ニ) 滌除

#### 債權各論 (中村)

- 左の問題に關して二問題を選択して答へなさい。
- 一、混合契約の觀念と其取扱方に就いて。
  - 二、不法行爲法に對する我民法の態度を論じ其文化的意義に及

ハ。

三、左の言葉の簡単な説明を試みなさい。

- イ、労働協約
- ロ、契約自由の制限
- ハ、造作買取請求権
- ニ、同時履行の抗辯

### 債権各論 (村上)

一、左に掲げたるものの意義を説明すべし。

- (イ) 要物契約 (ロ) 物權契約
  - (ハ) 双務契約 (ニ) 有償契約
- 二、賣買と交換との差異及賣買と請負との差異を説明すべし

### 商法(總論商行為) (織田)

- 一、商號と商標との區別如何
- 二、番頭手代の代理權の範圍如何
- 三、不要因有價證券とは如何
- 四、或酒造營業者は酒造稅納付の爲めに或非商人より金員を借入れたる、右借入行爲は商行為なりと謂ふことを得るか。

### 商法(總論商行為) (村瀬)

- 一、商業登記の法律上の效力を説明すべし。
  - 二、左の語の意義を略述すべし
- (イ) 有價證券

二六

(ロ) 代理商

(ハ) 絶對的商行為

(ニ) 營業所

### 會社法 (田中)

一、株主平等の原則を論ぜよ。

二、甲は某會社記名株式百株の株主なる所、會社が第二回拂込一株十圓を催告したるに甲は之を支拂はずして其の株式を乙に讓渡し名義書換を了し置き自ら株主に非ることを理由として拂込を拒絶せり正當なりや又乙に對する讓渡行爲が無効なるときは差異ある結果を生ずるや。

### 會社法 (片山)

- 一、株式併合の場合に於ける失權處分と株金拂込不履行の場合に於て失權處分との差異を説明すべし。
- 二、有限責任社員を業務執行社員たらしむる旨の定款の規定の效力如何

### 刑法各論 (井上)

- 一、質權者が質物を轉賣を爲す行爲は犯罪となるや。
  - 二、左記二問中一問を選択すべし。
- (1) 營利誘拐罪を論ず

(2) 刑法第二百四十條を論評すべし。

刑法各論 (飯塚)

- 一、文書の所謂無形偽造罪に就て知れる所を記せ。
- 二、現行刑法典第三十六章乃至第四十章の犯罪に關し任意の一題を選択して論究せよ。

民事訴訟法(第一編) (神谷)

- 一、獨立参加に付説明せよ。
- 二、訴訟物の價額に付説明せよ。

民事訴訟法 (第一編) (前田)

- 一、從参加を説明すべし。
- 二、訴訟能力を説明すべし。

刑事訴訟法 (矢追)

- 一、宣誓に關する手續に違背したる證言の效力を説明すべし。
- 二、受訴裁判所は被告人出頭せざるに拘はらず被告事件に付審判し得るや。

刑事訴訟法 (林、平井)

- 一、被告人の訴訟能力を説明すべし。(林)

法專二

左記二問中一問を選択すべし。(平井)

- 一、告訴發自首の異同
- 二、上訴の效力

平時國際公法 (天野)

- 一、國際私法と國際法との關係を明かにすべし。
  - 二、國際主義とは何ぞや。
  - 三、スエズ運河に關する條約とパナマ運河に關する條約との異同。
  - 四、一國の領土權が行はるる範圍を問ふ。
- 右の内三題選擇

戰時國際公法 (松原)

- 一、占領軍が占領地に於て爲し得ざることは何々なるや。
- 二、「アンガリー」權とは何ぞ。

國際公法 (松原)

- 一、國際聯盟が人格を有すとの説の當否を論ずべし。
- 二、日本は先年尼港事件の爲め樺太に出兵せるも世人之を戰爭と云はず其理由(戰爭と看做されざる理由)如何。

二七

又右出兵が戦争にあらずさせば果して如何なる性質のものなりしや。

又何故に日本は同事件の解決と共に撤兵せざるべからざりしや。

(右の三點に分ちて答ふること)

### 民事實習 (吉田)

甲其の所有のa地に乙の爲め永小作權を設定したるに其の登記を爲さざる内a地を丙に讓渡し其の登記を経由したるに付乙は丙に對し永小作權を主張し得ざるに至れり乃て乙は甲に對し其の損害賠償を請求したり正當なりや。

### 民事實習 (西川)

一、甲が其の所有家屋一棟を丙に賣渡すに當り乙は甲丙兩人の代理人と爲りて其の賣買契約を締結したり。  
右賣買の效力如何。

一、甲所有の土地の上に乙は第一順位の抵當權丙は第二順位の抵當權を有したる處乙は甲より其の土地を買受けて所有權を取得したり。

右乙の抵當權の運命如何。

以上二問の中其の一を選で答ふべし。

### 刑事實習 (三橋)

一、村長甲が收入役乙と共謀して乙が收入役として保管せる村税金を甲乙兩人にて共同經營せる營利事業の資金に費消したるときは甲乙兩人の處分如何。

二、甲乙兩人共謀して丙より金員を編取せん企て丙を恐喝したるに丙は危害を加へられんことを恐れ兩人に對し友人丁方に至り全員を借受け交付すべしと告げ兩人を丁方に同道せんとしたり然るに甲は其途中に於て畏怖の念を生じ事に託して乙丙に別れ逃走したり其後丙は乙を丁方に伴ひ誘ひて丁と協議し警察署に密告して刑事調査を門外に待たせ置き而して乙の犯行を證明し易からしむる爲め故らに乙の要求せる金額を交付し乙が門外に出るや刑事調査をして直ちて逮捕せしめたり此場合に於て甲乙の責任如何。

### 刑事實習 (藤井)

甲は毒藥研究者たる乙が新發見に係るを稱する白色毒藥が果して人を殺すの效力ありや否やを試み且つ乙の助手にして甲の仇敵たる丙を殺し得れば幸なりと思惟し乙に對して新發見に係る白色毒藥を以て丙を殺害せば將來貴下の研究費全部を負擔すべき旨を手紙を以て乙に申込みたり。

乙は甲よりの手紙を披見し偶々研究費に窮し居たる時なれば其

申込を承諾する旨を手紙を以て答へたり。

丙は甲より乙に宛てたる右手紙を發見し甲乙の企圖を知りたるも當時人生を悲觀し既に自殺を決意し居りたる折柄にて寧ろ乙の勸むる右毒藥を服し以て死せむとて其機を待ち居たり。

丁も亦右手紙を發見し大に驚き直に告發し以て甲乙の企圖を防止し得る状態に在りたるも丙に對して日頃より心算からざりし爲め此際丙の胃腸を害し遣らむとて竊かに毒藥の在る箱の中の白色のものを他の單に胃腸を害する效力のある白色のものを取替へ置きたり。

乙は或る日人を殺すに足る效力のある毒藥十數壺のみを入れある右藥箱の中より丁が他の藥を取替へたることを知らずして其白色の藥を新發見に係る白色の毒藥なりと信じ竊かに丙の飲む牛乳中に混じ置きたり丙は此の牛乳を飲みたるも胃腸を害したるに止まり所期の如くこの勸むる毒藥にて死を遂ぐるを得ざりき。

以上の事實に基き甲、乙、丁は刑事責任を負ふか、責任ありきすれば其理由如何。

### 倫理 (小林)

- 一、何を標準として善惡を別つべきか。
- 二、品性とは何ぞや。
- 三、克己主義の價値如何。

法專二

### 四、カント倫理説の概要

#### 英語 (八木澤)

1. The improvement of agricultural skill has rendered it possible to obtain an average of some thirty or forty bushels per acre steadily, without exhausting the soil, if the land is properly farmed; but it cannot be properly farmed unless the price which is obtainable renders high farming remunerative; and therefore for the fullutilisation of the rural resources and the maintenance of the standard of comfort of the rural labourer it is essential that a price of corn should be ensured by the State.
2. a. By far the larger number of craftsmen through the Middle Ages would hardly be conscious of any return on capital itself, but would have thought of their stock in trade as something to be constantly replenished so that they might be able to live by their work.
- b. As time went on the direct interference of the lord and his officials in the management of land diminished, and the part played by the community seems to have become relatively more important, at all events, in retarding economic changes.

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## 英語 (英譯)

1. But the rulership of the world will and ought to belong to no one class. It will and ought to belong neither to labor nor to capital nor to any other class. It will, of right and in fact, belong to those of all classes who acquire title to it by talent, hard work, self-discipline, character, and service.

He is no genuine friend or bound councillor of the people nor a true patriot who recklessly, calculatingly, or ignorantly raises or encourages expectations which cannot or which ought not to be fulfilled.

2. Narrowness or prejudice, a patronizing attitude of one group toward another, the discrediting of this calling as compared with that, the limiting of the conception of research to traditional fields of inquiry,—these things have no place in an institution mattered by a sense of loyal duty to commonwealth and nation.

3. The sense of team play that makes the eleven or the nine an efficient unit give us the type. Each individual sees the group as a whole, is aware of his own relation to it, knows that his fellows share his feeling, and

counts upon them to act promptly for a common end.

4. America is neither the monstrous country where men think solely of making money nor the country of marvels boasted by her admirers. It is the country where the principles of Quantity, which have become so powerful during the last one hundred and fifty years, have achieved their most extraordinary triumph. An active, energetic, vigorous nation has found itself master of an enormous territory, portions of which were very fertile and other portions very rich in mines and forests, at the very moment when our civilization finally invented the machine which makes possible the exploitation of vast countries and the swift creation of wealth—the steam engine.

## 英語 (英譯)

1. For the satisfaction of our national pride, I could wish that he might have seen it under more normal and prosperous conditions; but for his own observation and instruction he could hardly have visited these islands at a more vital moment.

2. Rehearsals had to be carried out in another building,



and the fact that he has been able to carry out his promise to produce six plays in a week at all is something to marvel at. One is inclined rather to admire the achievement as a whole than to criticise the details.

3. A party of two arriving at the top, each so tired that he is beyond helping the other, might provide good copy for the Press, but the performance would provoke the censure of reasonable opinion.

4. It is no uncommon experience to hear those who have paid the price of hasty alterations express their amazement at the sanity and knowledge of former generations, even of the Greeks and Romans of the early ages.

英 語 (體文)

下の英語を譯せ

1. Roosevelt preached against the neglect of civic obligations by those of our citizens who should take most interest in them—the educated and well-to-do. His name is a synonym for honest courage and the spirit of service. He was indeed a true statesman.

2. She gave us Abraham Lincoln, whose gaunt frontier

英語 11

from and gaunted, massive hand told of the conflict with the forest, whose grasp on the ax handle of the pioneer was no firmer than his grasp of the helm of the ship of state as it breasted the seas of civil war.

英 語 (文題)

二問選擇

1. Nothing impresses me more deeply than the courage and endurance, mingled with the fine spirit of moderation and common sense, which the British people always exhibit in the face of national troubles. It is hoped that the present trouble should prove to be a transient cloud which will soon pass away and make the sky only the brighter.

2. The effect of the presence of the Prince on the populace is astonishing, and the enthusiastic popular outbursts are a matter of astonishment to the older generation, who are accustomed to exercise severe repression in the presence of Royalty.

3. I am thankful to feel that the time has not yet come for us to say what we might say were his work finished; but I cordially endorse and sympathize with every word

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that has been said shout him.

三二

### 法學科第三學年

#### 相續法 (柳川)

- 一、胎兒の家督相續法上の地位を説明すべし。
- 二、民法第千二十四條は意思の推定なりや。

#### 相續法 (島田)

- 一、隱居者が民法第九百八十八條但書の規定に違反して財産を留保したるときは留保は爲に其の效力を妨げらるるか。
- 二、相續人が詐欺に因り民法第千十七條第一項の期間を徒過したるときは如何なる効果を生ずるか。

#### 手形法 (矢部)

- 一、手形債權と手形所有權との關係を説明すべし。
  - 二、償還請求の通知の性質及其方法を説明すべし。
- #### 手形法 (佐竹)
- 一、手形の有效なる支拂の條件如何。
  - 二、参加支拂を爲さむとする者數人あるときは所持人は如何なる順序に依て之を受くべきか。

#### 海商法 (田中)

- 一、我海商法に於ける有限責任制度を論ぜよ。
- 二、左の如き船荷證券の效力如何。
  - イ、傭船者が發行せる場合
  - ロ、船長が船主より特別の授權を受けずして發行せる場合
  - ハ、某會社何航路第一船と云ふ以外に船舶の名稱の記載なき場合
  - ニ、實物と著しく異なる價額を記載せる場合
  - ホ、全然荷物の受取なきに發行せる場合

#### 海商法 (樋貝)

- 一、船主の堪航擔保責任と船長の船舶検査義務との關係を明にし船主の堪航擔保責任に關する我が商法の規定を批評せよ。
- 二、船荷證券の觀念及其の性質を説明すべし。

#### 保險法 (三浦)

- 一、超過保險を論ず。
- 二、保險の目的の上に擔保權を有する者の地位如何。

#### 保險法 (三浦)

- 一、生命保險に於ける被保險利益の觀念を論ず。

二、告知義務違反に對する保險者の解除權につきて知る所を記せ。

民事訴訟法(第二編乃至第五編) (神谷)

- 一、權利拘束消滅の原因を擧げて之を畧説せよ。
- 二、附帯控訴を説明せよ。

民事訴訟法(第二編乃至第五編) (前田)

- 一、民事訴訟法に所謂請求の意義を説明す可し。
- 二、執行命令(督促手續に於ける)と支拂命令の關係を説明す可し。

民事訴訟法(第六編乃至第八編) (中尾)

- 一、請求に關する異議を説明すべし。
- 一、取立命令及轉付命令の性質及效方を説明すべし。

民事訴訟法(第六編乃至第八編) (阿部)

左に掲ぐる事項の概念を説明すべし。

- (1) 強制執行
- (2) 債務名義
- (3) 執行力ある正本
- (4) 執行力ある裁判の正本
- (5) 差押
- (6) 轉付命令
- (7) 新競賣期日
- (8) 強制管理
- (9) 執行の委任
- (10) 假執行の宣言

法專三

破産法 (阿部)

- 一、破産原因を説明せよ。
- 二、債權調査期日に届出ありたる破産債權に對し破産者の述べたる異議の效果を説明すべし。

破産法 (阿部)

- 一、破産法第七十七條第一項の意義を解説すべし。
- 二、破産債權者に對し破産管財人より相殺の意思を表示するこゝが破産財團の爲利益と爲る場合の一例を示し且其の理由を説明せよ。

財政學 (岩野)

- 一、次の三題中任意の一題を選択すべし。
  - イ、源泉課税に就て
  - ロ、歳計剩餘金を論ず
  - ハ、公債發行は通貨膨脹を惹起するか
- 二、給付能力に應ずべき課税の方法を擧げて之を簡單に説明すべし。

財政學 (太田)

- 一、左の二題中一を選び解答すべし。

三三

(イ) 軍事費に付て論ずべし。

(ロ) 國費と地方費との關係を論ずべし。

二、左の二題中一を選び解答すべし。

(イ) 手数料及特別課徴金(分擔金)の性質を比較説明すべし。

(ロ) 累進税の性質を論ずべし。

### 國際私法 (河邊)

一、國際私法の本質を説明すべし。

二、婚姻の無効及取消は何れの國の法律に依りて之を定むべきや。

### 國際私法 (佐々野)

一、我現行法上債權關係に付自主權(自治の原則)を認めざる場合ありや若しありとせば明確に理由を附して其各場合を説明すべし。

二、我現行法上に於ける本國法適用の限界を各場合に付詳説すべし。

### 民法實習 (吉田)

乙、丙、丁の參名連帶して甲に對し金壹千圓の債務を負擔せるに甲は乙と和解を爲し請求金を五百圓に減額し殘金を請求せざ

ることに契約せり該契約は丙丁に對し如何なる效力を及ぼすや。

### 刑事實習 (松南)

一、檢事甲事件を某裁判所に起訴したる後甲事件と同一なる乙事件を同一裁判所に起訴したりとせば其裁判所は如何なる裁判を與ふ可きか。

二、被告人甲は公判廷に於て裁判長が審理中自己に對する訊問不親切なりとの理由の下に其處分に對し異議の申立を爲し又被告人甲の辯護人乙は同一公判廷に於て裁判長が證據調に際し被告人甲の意見辯解を聞かざりし事實を見て之を理由として其處分に對し異議の申立を爲したり裁判所は之に對し如何なる決定を與ふ可きか理由を付して解答せよ。

三、第一審裁判所に於て竊盜罪として起訴せられたる被告人に對し審理の結果證據十分なりと認め竊盜罪として懲役刑を言渡したるに被告人より控訴の申立を爲したり控訴審に於ては原審より重き刑を科し得るや否や。

若し科し得ずとせば控訴審に於ては如何なる場合に於て原審より重き刑を科し得るものなりや、簡單に理由を附して解答せよ。

### 刑事實習 (吉田)

- 一、行使の目的を以て代理名義を冒稱して文書(権利義務に關するもの)を作成したり文書偽造罪の成立ありや。
- 二、贓物故買の目的を以て竊盜を教唆し被教唆者の竊取し來れる財物を買受けたる者に對する擬律如何。

商法實習 (三橋)

左の者は株金拂込の義務ありや如何。

- (一) 株式申込證を用ゐざりしも書面を以て株式引受の意思を發起人に對し表示したる者。
- (二) 株式申込證一通を用ゐて株式引受の意思を表示したる者。
- (三) 口頭にて發起人に對し株式引受の意思を表示したる者。

商法實習 (三橋)

甲者某銀行より一萬圓を借受け乙、丙、丁の三人之が保證人となれるが辨濟期到來するや銀行は甲、乙、丙には請求せず直に丁に對し全部の支拂を求め來れり、丁は之に應ぜざるべからざる乎。

哲學概論 (中島)

一、批判論に就いて知れる所を記せ

法事三

二、左の術語を説明せよ

- (イ) 實證論
- (ロ) 一元論

哲學概論 (中島)

一、哲學と科學との關係を述べよ。  
二、次の術語を説明せよ。

- (イ) 觀念論
- (ロ) 實在論

英語 (八木澤)

1. What is done by parliament, and especially by the house of commons, is in the first place to secure that the King's ministers, who control and are responsible for the executive government of the country, shall represent and have the confidence of the party, or combination of parties, which commands a majority in the house, and is the next place to control the action of those ministers by means of questions and criticisms.
2. a. The sittings of the committee of supply continue during the greater part of the session, and, under the existing standing orders, at least twenty days must be

set apart for this purpose before the fifth of August in each year.

b. A measure introduced into the house of commons early in 1919 proposed to repeal all the enactments which required the holder of a political office to seek reelection, by enacting that "notwithstanding anything in any Act a member of the commons shall not vacate his seat by reason of his acceptance of an office of profit if that office is an office the holder of which is capable of being elected, or sitting and voting in that house."

英語 (翻譯)

1. We have supposed that those aspiring to be employers are all equally well equipped with ability of the right sort, control over capital, and perseverance. This, of course, cannot be, as the most limited acquaintance with human nature will persuade us.
2. A labour exchange is a registry office for workpeople and employers. Each exchange is kept in communication with others, so that the man who applies at one place for work may be told of the work to be had, not

only in the place where he is (where there may be none), but also in other places. Labour exchanges facilitate the operation of demand and supply with reference to labour, just as cotton exchanges, or corn exchanges, or stock exchanges, facilitate the operation of demand and supply with reference to cotton, corn or stocks and shares, as the case may be.

英語 (十四)

1. A. When the devil was sick the devil a monk would be.  
B. We attach the utmost importance to the speedy carrying out of the great schemes for the total abolition of slum areas which have been undertaken by the council.
2. The return to normal economic conditions must take time, and in the interval unemployed men and women can not be left to await better times with no prospect but unemployment benefit and Poor Law relief.
3. I want to point out that if I agree with that explanation, the effect would be that if such a conference is held in future, and if that doctrine is accepted,

Ministers may go to those conferences and aid and abet the passing of resolutions contrary to the will of this House, and then come and say that if this House does not carry the same resolutions, then this House is breaking the pledges given by Ministers.

英語 (譯註)

1. Governments which issue paper money should be scrupulously careful not to issue it in excess, lest holders of notes should find a difficulty in changing them for bullion.
2. This law (Gresham's Law) lays it down that bad money drives out good money, when the two exist side by side. Its application to the currency under a system of free and gratuitous coinage, is immediately evident.
3. The money commodity must be cognoscible, that is to say it must be readily recognizable for what it is, so that persons who accept it may not be deceived easily.
4. However, we must be particularly careful to remark that competition does not necessarily imply self-seeking. The purchaser of a picture, who has competed with

others in buying it, may perhaps want it to present to a public art gallery.

經濟學科第一學年

經濟學 (松浦)

- 一、經濟行為の經濟性の社會性に就て述べよ。
- 二、市場の其の組織に就て説明せよ。

貨幣論 (青木)

- 一、左記二問題中隨意の一問題に答へよ。
  - (イ) 不換紙幣發行の経路と之が整理方法を述べよ。
  - (ロ) 貨幣價值變動の原因を述べよ。
- 二、左の語の意義を略述せよ。
  - (イ) 自由鑄造
  - (ロ) グreshamの法則
  - (ハ) 金爲替本位制
  - (ニ) 比例準備法

政治學 (川原)

左の三問題の内任意二題を選び、それに答へよ。

- 一、政治學と歴史との關係
- 二、國家と社會との關係
- 三、國家の統治權

統計學 (後藤)

- 一、左の術語を説明し尙兩者の關係の有無に言及せよ。
  - A 第一義統計と第二義統計
  - B 靜態大量と動態大量
- 二、比例の實質的區別を示し之を説明せよ。

簿記 (岡田)

- 一、複式元帳の目的を問ふ。
- 二、貸借仕譯の法則を問ふ。
- 三、次の仕譯中に誤りあらば訂正せよ。
  - a 買掛金五千圓に對し六十日後拂の約手を振出す  
 支拂手形 5000 買掛金 5000
  - b 商品千五百圓を賣渡し代金小切手にて受取る  
 受取手形 1500 商品 1500

經濟史 (栗栖)

- 一、徳川時代の諸學者中適宜貳名を選び其の經濟史的研究を簡單に誌されたし。

- 二、左の四問中壹問を選び知れる所を誌されたし。
  - (イ) 上古に於ける土地の開拓及殖民
  - (ロ) 平安朝に於ける農民の生活
  - (ハ) 徳川時代に於ける大名の財政
  - (ニ) 徳川時代に於ける商工階級

地理 (野口)

- 一、太平洋の漁業につきて知る所を記せ。
- 二、世界に於ける絹織物の重要産地を説け。
- 三、世界に於けるパルプの需給状態を記せ。
- 四、交通は如何なる經濟的法則によりて進化するかを述べよ。

法學通論 (大井)

- 一、自然科学と文化科学との區別を述べて法律學の研究方法を論ずべし。
- 二、法律と經濟との關係を論ぜよ。
- 三、裁判官が民事刑事の事件を裁判するに當り成文なきときは如何なる處置を執るべきや。

民法總論 (吉田)

- 一、公益法人と營利法人の區別を論ずべし。
- 二、詐欺に因る意思表示と強迫に因る意思表示とは其の效力に



於て如何なる差異ありや。  
右の内一問を選び答ふべし。

### 物權法第一部 (久保)

- 一、添附の種類を列擧して其の特質を説明すべし。
- 二、地上權の存續期間に付論述すべし。

### 債權總論 (齋藤)

- 一、種類債權の特定を論ず。
- 二、乙、丙が甲より金壹千圓を借受け連帶して辨濟すべき旨約したが其借受金は乙のみが使用したり。而して丁は別にこの委託を受けて乙二人の爲に其債務を單純保證を爲したるが辨濟期後債權者甲の請求を受けて金壹千圓の辨濟を爲したり。然るに實際乙は無資力にして丙に資力あり。此場合丁は丙に對し何等かの權利行使を爲し得ざるや。

### 英語 (中川)

- 1. This economic pressure is but beginning to be felt in the United States, but its premonitory symptoms are already seen. It is only a question of time when our complacent sense of security will give way to a realization that our vast agricultural basis is not vast enough

經專一

to sustain our even vaster industrial development. We shall then feel, if not so acutely as sister nations in the east, at least as truly, the need of expanding markets and enlarged sources of raw materials, if not of food.

- 2. In race-prejudice we see the same tendency to exalt the self and the group at the expense of outsiders. The alien group is belittled by attaching contempt to its peculiarities and habits—its color, speech, dress, and all the signs of its personality.

### 英語 (島田)

以下の二問を譯述すべし

- 1. You catch me the voices of humanity that are in the air. They grow daily more audible, more articulate, more persuasive, and they come from the hearts of men everywhere. They insist that the war shall not end in vindictive action of any kind: that no nation or people shall be robbed or punished because the irresponsible rulers of a single country have themselves done deep and abominable wrong.
- 2. Eight months have elapsed since I last had the

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honor of addressing you. They have been months crowded with events of immense and grave significance for us. I shall not undertake to detail or even summarize these events.

英語 (杉本)

Translate the following into Japanese :

- (1) Yet a certain amount of material means is necessary to life itself and to every kind of good in life, so that within the limits suggested the distribution of the wealth directly affect the distribution of the life's real values among the people composing the society.
- (2) It may be said that the school must furnish the elements of personal education. But the school cannot replace the home, nor adequately offset demoralizing influence surrounding the homes of play.
- (3) Neither is it true at the other extreme that all the rich are cultured and virtuous.

憲法、社會學、論理學心理學は法學科第一學年に同じ。

經濟學科第二學年

銀行論 (丹後)

- 一、手形割引が證書貸付、手形貸付に優る理由を問ふ。
- 二、中央銀行の金融市場に於ける地位を問ふ。
- 三、左の事項に就て説明せよ。
  - イ、代理交換
  - ロ、當座貸越

銀行論 (杉)

- 一、預金の種類に依り其の利息に差等ある所以を説明せよ。
  - 二、割引と貸付との優劣を比較論評せよ
  - 三、爲替相場の變動は輸出入貿易に如何なる影響を及ぼすや。
- 以上の内二題を選択して答ふべし。

農政學 (八木澤)

- 一、農業が國民生活上重要な所以を述べて之れが振興を期する上に考慮すべき點を論ぜよ。
- 二、現時に於ける我國農業の大勢から見て如何なる農業振興策が必要なる乎、之を論ぜよ。
- 三、小作法案と自作農創定案との得失を論ず。

以上の中二問を選ぶ可し。

### 農政學 (宮川)

- 一、自作農創定維持施設の社會的效果如何。
- 二、農民は何故所謂「保守的思想」を有つか？農業の特質と關係づけて之を論ぜよ。
- 三、農業に於ける純技術的生産獎勵の效果如何。  
右の中何れか二題を選べ。

### 交通政策 (橋崎)

- 一、組織的交通機關とは何ぞや、之と交通の發達との關係を論ずべし。
- 二、交通資金に關する我國及英米の法制を論ぜよ。
- 三、我國に於ける關の制度を論ぜよ。
- 四、交通發達の政治に及ぼす影響を論ぜよ。
- 五、我國有鐵道を電化し又廣軌に改築するは刻下の急務なりや。

以上五題の中二題選擇

### 交通政策 (橋崎)

- 一、交通政策とは何ぞや。
- 二、我國明治以前の交通状態を論ぜよ。

經專二

- 三、河川の特別使用の性質を述べよ。
  - 四、余が海運論に於て述べたる論議の要點を擧げよ。
- 以上四題の中二題を選擇して答ふべし。

### 政治史 (川原)

- 左の三問題の内任意二題を選びそれに答へよ。
- 一、宗教と國家建設との關係
  - 二、原始社會の政治的特長
  - 三、財産制度の發達と國家

### 政治史 (川原)

- 左の三問題の内任意二題を選び、それに答へよ。
- 一、原始社會の特長
  - 二、トーテム
  - 三、武器と國家の發達との關係

### 會計學 (岡田)

- 一、商品市價の變動と損益計算との關係
  - 二、買入暖簾に限り計算に入る理由。
  - 三、生産中心點とは何ぞや。
  - 四、偶發債務とは何ぞや。
- 以上の中二題を限り答ふべし。

四一

會計學 (橋本)

- 一、評價勘定を説明し且つ其著名なる二三の項目を列挙せよ。
  - 二、貸付有價證券の說明し且つ之を論議せよ。
  - 三、秘密積立金を設くる重なる手段を擧げよ。
- 以上三題中任意の二題選擇。

英語 (橋本)

- 1. Tentative efforts to check this or that abuse, and to introduce this or that improvement may be noticed before this time, but it is under Lord Binghamley that systematic attention is given to all the resources of the realm and their development.
- 2. For many of these public works a town has found it necessary to rely on its credit and borrow the capital it requires, but in all matters of economic management the State overhauls municipal affairs and determines the conditions and period for which loans may be raised.
- 3. London has suffered from the devastation of the Great Plue, so that there is little which remains to help us to picture its magnificence in the fourteenth century; but the town of York still gives us a conception of a

great centre of wealth and power.

- 4. Each of the master craftsmen in an ordinary mediaeval town was in a sort of way a capitalist; he catered for the wants of the public in a market, and by the sale of his wares got the means for buying materials and providing tools to carry on his work.

- 5. There is also commercial capital, from which an income is derived by what were known in the Middle Ages as successful 'Ventures'; and the aim of the merchant is to turn over his capital as rapidly as possible.

英語 (武野)

- 1. Not once or twice, but many times, did the immigration of foreigners come to our service. What is true of sheep dogs is true of industrial men—the mixed breeds are the most intelligent and successful. The advantages which England owes to her maintenance of free asylum for men of all races are incalculable. Again and again, at a crisis of economic change, this foreign element supplied the moral and intellectual fibre needed to knit together and consolidate some hardy-won

success.

2. Whereas in the earlier days the energies of all but a few had been fully engaged in meeting the elementary wants, now those wants can be met by the labour of a far smaller proportion of the total population, and larger numbers are set free for more elaborate production. Hence there arises an industrial class.

英語 (中級)

1. Textbooks of economics today make the statement that the motive for work is money-making, with the exception that artists and scientists work for the joy that their work gives them. There is no greater fallacy than to make this contrast. The workman has this same power, though latent, of enjoying self-expression in his work. Our usual acceptance of this fallacy shows how far we are off the track.

2. Therefore, wherever it is practicable and really desired by the employees themselves to have representation on the Board of Direction, I think that should be conceded. It would give them a better notion of the problems, complexities, and cases which the employer has

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to face. It would tend to allay the suspicions and to remove the misconceptions which, so frequently, are the primary cause of trouble.

3. The peace of a nation depends in the last resort, like domestic order, upon the force of the community and upon the ability of the community to maintain peace, assuming that the nation lives up to its obligations, seeks no conquest, and wishes only to be able to repel aggression and invasion.

英語 (中級)

1. It matters not in the least, from the economic standpoint, which side, the persecuting or the persecuted, has, in the abstract, the better of the question at issue. The important thing is that here be opinions, and a class of men and women convinced enough, and brave enough, to leave their all behind, and rather than do violence to their convictions, to try their fortunes anew in distant countries, relying upon their teeming brain and skilled hands for their chief stock-in-trade.

2. The property which every man has in his own labour, as it is the original foundation of all other property, so

四三

it is the most sacred and inviolable.

英語 (吉田)

以下二問を譯述すべし

1. While we call the aristocratic administrative system of lords serving the state in war and peace, "feudalism," we call the economic system which constituted the support of feudalism, "manorialism". The manor provided the fiefdom lord with material resources, so that he could devote himself to the affairs of government and war.

1. It should be remembered that three economic practices characterized the people in this stage: (1) they engaged in cultivation, either of plants or animals or both; (2) they moved about from place to place; and (3) they supplemented cultivation by collectional pursuits.

物權法第二部、債權各論、商法總則商行為、會社法、國際公法、倫理學は法學科第二學年に同じ。

經濟學科第三學年

商業政策 (橋崎)

- 一、アダムスミンスの自由放任論と「リスト」の保護貿易論を對照して論ずべし。
  - 二、獨逸關稅同盟成立の經過を述べよ。
  - 三、相殺關稅の性質を詳論すべし。
  - 四、我國と諸外國との通商條約は過去に於て我國に如何なる點に遺憾ありしか。
  - 五、關稅轉嫁の法則を論ぜよ。
- 以上の中三題選擇

商業政策 (橋崎)

- 一、商業政策とは何ぞや。
  - 二、幕末以來我國通商條約の變遷の大綱を述べよ。
  - 三、海運と貿易との關係を詳論せよ。
  - 四、關稅同盟の性質を述べよ。
  - 五、保護貿易政策の缺點を述べよ。
- 以上の中三題選擇

社會、工業政策 (吉田)

- 一、資本主義、社會主義、社會政策三者の觀念を略説せよ。
- 二、所謂産業革命の經濟上社會上の影響を説明すべし。

三、強制社會保險の必要なる理由を説明すべし。  
四、労働者團結權とは何ぞ。

五、各種労働争議解決手段の特徴を畧説せよ。

六、我國に於ける工業振興の必要を論ず。

七、現時重要なる社會改良手段を論ず。

注意 右七題中二題選擇、答案は簡明に認むること、但特に意見ある者は一題を選び充分詳細に論述するを妨げず

### 社會、工業政策 (豊田)

一、專賣特許の制度を論ず。

二、社會改良主義を論ず。

三、工場法の性質を論ず。

右參問中、貳問を撰んで答へよ。

### 植民政策 (川原)

一、左の(A)(B)何れか一間に答へよ

(A) 契約労働者と奴隷との差異

(B) 同化主義の植民政策

二、左の各項につき略述せよ。

(イ) 移民

(ロ) 商業植民地

(ハ) 土地増價税と植民地

經專三

### 植民政策 (川原)

一、左の(A)(B)何れか一間に答へよ。

(A) 植民の意義

(B) 自治主義の植民政策

二、左の各項につき略述せよ。

(イ) 栽培植民地

(ロ) 先買法

(ハ) 土民と言語

### 保險學 (三浦)

一、生命保險に於ける保險金の差押を禁ぜんとする場合に立法上考慮すべき諸點如何。

二、國立保險私立保險の是非を批判せよ。

### 外交史 (高木)

一、伯林會議

二、英佛協商

右二題中一題を擇みて答ふべし。

### 外交史 (高木)

一、露土戦争前の外交

四五

二、三國語

右二題の中一題を轉じて答へよ。

英語 (三輪)

Translate the followings into Japanese:—

1. Reserve money must not only be piped into a few large reservoirs, but these large reservoirs must be piped together, and there must be a pumping engine of sufficient power to force the reserves promptly and in large quantities to any place desired. The federal reserve system creates just this machinery.
2. The federal reserve act provides that the federal reserve board "may at its discretion exercise the functions of a clearing house for federal reserve banks, or may designate a federal reserve bank to exercise such functions, and may also require each such bank to exercise the functions of a clearing house for its member bank".
3. The new system eliminates the necessity of a large proportion of the currency shipments and both reduces the expense of those shipments which do take place and lightens its burden by distributing it.
4. Under the new system national banks may invest to

an amount not exceeding 10 per cent of their capital and surplus in the stock of banks chartered in the United States and principally engaged in international or foreign banking or banking in American dependencies, or engaged in such phases of international or foreign financial operations as may be necessary to facilitate our foreign export trade.

英語 (鯉澤)

1. Monopolies are of many different types; several classifications of monopolies have been made by students of the monopoly problem monopolies are either public or private. A public monopoly is owned and operated by some governmental unit,—national, state, or local. The American post-office system and a municipal water plant are examples of public monopolies. Such monopolies are operated primarily not for profits but for the benefit of the community. A private monopoly is operated and owned by an individual or by a private corporation. In the case of the private monopoly, the profits go into the pockets of private individuals.
2. Evidently, if the population tends to increase faster



than the improvements in the productive capacity of the nation, the average share of necessities and comforts will be reduced. The population will be on the road toward greater and greater misery, toward lower and lower standards of living. But, under such unfortunate circumstances, stronger individuals and groups will try to maintain their accustomed standards of living at the expense of weaker individuals, groups, or classes.

- 3. In a city, the land in the downtown section is the most expensive; the owner of such land receives high rents. On the contrary, land situated far from the centers of population, that is, far from markets, bears no rent or a very low rent. Many persons wish to use the first-mentioned kind of land; but few desire to use the second. Competition among business men wishing to rent good city land, forces up the rental return. A business man is willing to pay more rent for a lot in the downtown district than for one of the same area and frontage located in the suburb.

英語 (土肥)

- 1. I said that I thought that the obligations which were

櫻崎川

concerned in by his Majesty's Ministers should be met, in view of the very handsome behaviour of the Dominions toward us.

- 2. Of all sections of the community, women are in the closest and most intimate contact with prices, and no one will suffer more from tariffs than the chanceholder of the exchequer of the home.

- 3. A. No civilization is possible save through the enforcement of just laws and the acceptance of sound morals.

B. Until the present shortage of houses has been overcome there should be no further decontrol of rents.

英語 (櫻崎)

- 1. The Negro was brought to this country because short-sighted land owners saw an opportunity to make immediate gains through the use of a cheap and docile labor force.

- 2. Careful investigations made before the opening of the Great War indicated that the income of many families of American wage earners was insufficient to maintain

四七

those sections where the rate is relatively low.

手形法、海商法、財政學、國際私法、哲學概論は法學科第三學年の、行政法は法學科第二學年の同じ。

### 商學科第一學年

#### 簿記 (學本)

1. 下記取引の仕譯を示せ (答案例商品 500 現金 500)

(イ) 豫て日東銀行より借入金本日期日に付下の通り支拂ふ、

△元金 ¥2,000      △利子 ¥50

右の内 ¥1,800 (は同行宛小切手 (A)5) 振出し殘額 ¥2,50

は現金にて

(ロ) 大阪甲商店へ下記商品を委託販賣品として積送す

越後米 100 俵 此帳簿價額 ¥1,400

右大阪驛迄の運賃 ¥20 現金にて支拂を爲す

(ハ) 上記(ロ)の場合に於て右商品發送に際し日東銀行にて ¥1,200 の爲替替を差組み割引料 ¥10 差引手取金を同行へ預入れたるとき如何 (全體の仕譯を示せ)

(ニ) 乙商店へ原價 ¥1,000 の商品を ¥1,250 にて賣渡し代金の内 ¥800 は住友銀行宛小切手にて受取り殘額 ¥450

- a standard of living sufficiently high to assure the physical efficiency of the family.
- 3. In reality, the individual bargain made with the lower paid workers is a one-sided matter. The employer tells the seer for work that he is paying so much for the kind of labor in question.
- 4. Consumption gives greater satisfaction when a variety of goods are consumed than when the consumer is restricted to a small range of choices.

#### 英語 (讀田)

以下二問を譯述すべし

- 1. There are two noteworthy features of a federal reserve bank's plan of organization. They are first, its democracy, and second, its recognition of the quasi-public nature of the banking business through its grant to the public of participation in the bank's management.
- 2. Inasmuch as bank acceptances and high grade trade acceptances have a wide market, their increasing use is causing more and more paper to flow away from the banks in sections of the country where the discount rate is relatively high to be discounted in the banks of

は月末迄掛さす右小切手は即時日東銀行へ預入る

(ホ) 上記(ニ)の場合に於て小切手の代りに乙商店振出當店宛の約束手形を受取りたるさき如何

2, 下記用語の内孰れか任意の一個を説明し且つ其著名なる項目二三を列擧せよ

(イ) 評價勘定 (ロ) 混合勘定

3, 下記要項により倉敷料勘定及び未拂倉敷料勘定を記入し且つ其締切を爲すべし

△昭和二年十一月五日十分(但し當期分倉敷料 卒150 現金にて支拂ふ

△同年十二月五日十一月分倉敷料 卒250 現金にて支拂ふ

△同年同月三十一日決算を行ふ十二月分倉敷料 卒100 未拂あり

尙ほ以上△印三項に對する仕譯をも示すべし

### 商業通論 (栗田)

1. Firm offer をなすには特機分子を伴ふことと理由を詳論せよ

二. 荷造荷印に就て

三. 左の意義を問ふ

(イ) F. P. a. (ロ) confirmation

(ハ) counter offer (ニ) allowance

商考 1

### 商業算術 (長瀬)

注意 1. 運算は下書に明示し置くべし。

2. 下書は一入三枚限、追加せず。尙兩面を使用すべからず。

3. 配布を受けたる紙は全部提出すべし。

4. 鉛筆の使用を許すもペンの使用は許さず。

(1) 1Kg の値が 422.6337625 なる時 420.37356623Kg. の代金何程なるか

(2) 47,92504. の貨物を海送せんとするに運賃率は一噸に付 37/7 として 5% の Primage を要すと云ふ。荷主の支拂高何程なるか。

(3) 米國宛 \$ 26,348.15 の爲替手形を有する横濱商人仲立人に託して賣却し  $\frac{1}{8}\%$  の口錢を支拂ひたる時手取金幾何を得たるか。但し其日の相場は \$ 47  $\frac{1}{8}$  ナリしと云ふ。

### 取引所論 (鈴木)

左の各題中任意一題を擇びて之を詳論せよ。

一. 取引所の特徴を論ず。

二. 取引所法人の種類及性質を論ず。

三. 清算決済制度を論ず。

四. 團體賣買を論ず。

五. 取引所の四大機能を論ず。

四九

六、本邦に於ける生糸取引の大系を解説して横濱取引所の機能を論ず。

七、大東京を中心とする米取引の大系を解説して東京米穀取引所の機能を論ず。

### 統計學 (後藤)

一、幾何圖及地圖の種類を擧げ其の特質を述べよ。

二、左の統計類似法の性質、特徴及相互の異同を述べよ。

推計

アンケート

典型調査

### 法學通論 (天野)

一、左の語の意義を簡単に述べよ。

(1) 實體法、手續法

(2) 法學、法術

(3) 公法、私法

(4) 普通法、特別法

(5) 條理、慣習

二、吾人が法律に従ふは其制裁を恐るる爲めなるや。

三、法と道徳とは何に因つて區別せらるるや。

四、專制國及立憲國の區別を明かにせよ。

右の内三題選擇

### 民法要論 (及川)

一、次の問題中其一を選択して解答すべし。

(a) 時效の拋棄と債務の承認との異同及其效果を述べよ。

(b) 甲乙共に商人にして丙は甲の店員として數年來乙との取引に付其衝に當り來れり、昭和三年一月十日丙、乙方に到り清酒一石價格金二百圓、月末拂の約にて買受け乙之を丙に引渡したり、依て乙は同年二月初旬甲に對し右代金二百圓の支拂を求めたる處甲は乙に對し丙は己に昨年十二月中之を解雇したるを以て甲方の店員に非ず從て乙丙間の賣買に付甲何等の責あるものに非ずと主張し其請求を拒否したり、理由を附して其當否を論ぜよ。

二、次の問題中其二個に付説明すべし。

(A) 公の秩序に關せざる規定に異なりたる慣習(九二條)

(B) 發信主義

(C) 瑕疵ある意思表示

(D) 解除條件

### 商業英語 (生出)

1. Show a specimen of "Accepted Bills of Exchange" domiciled at a bank.

2. Explain 5 technical terms and expressions out of the following 10.

- a. Lloyds' 100 A 1.
- b. York-Antwerp Rules of 1890.
- c. Request note.
- d. On New York—Bank T. T. .... 46 7/3
- e. Del credere.
- f. Franco Osaka.
- g. Pigeon hoing.
- h. Dormant partner.
- i. Letter of credit.
- j. Documents against payment.

英語 (生出)

Explain the meaning of:—

It is not only the large concerns which appreciate the advantages of limited liability. Many small partnership incorporate likewise, because they are thereby able to escape the danger of dissolution due to the death or retirement of one of the partners, and because a corporation is more stable than a partnership owing to the interests of the different members being more easily re-adjusted in the former

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than in the latter.

英語 (片断)

- 1. And so the fountains of learning become the fountains of perpetual youth. At them are our minds renewed; at them do we drink of the pure waters undefiled whose sources lie below all circumstance, all accident, all surface temperature or season.
- 2. But what has made us strong? The toil of millions of men, the toil of men who do not boast, who are inconsiderate, but who live their lives humbly from day to day; it is the great luck of toilers that constitutes the might of America.
- 3. Now movement has no virtue in itself. Change is not worth while for its own sake. I am not one of those who love variety for its own sake.

經濟學、貨幣論、地理、經濟學第一學年、論理學、心理學、法學科第一學年、同。

商學科第一學年

銀行簿記 (片断)

五十一

左記五題中三題を選択すべし

一、銀行貸借対照表に表はるる勘定科目を知れるだけ列挙すべし。

二、銀行簿記に於ける帳簿組織の概要

三、他店勘定を當方口先方口に分つ理由

四、手形交換所計算に關する若干の取引例を假設して傳票の作り方を説明すべし。

五、支店相互間の爲替取引を本店の帳簿にて統制する方法。若干の取引例を假設して説明すべし。

銀行簿記 (黒澤)

一、銀行簿記に於ける帳簿組織の概要(主として傳票と補助簿、日記帳、元帳の關係を略述すべし)

二、左の取引につき傳票を作成し、記入すべき補助簿の名稱を附記すべし(補助元帳については借方貸方指摘せよ)

(1) 交換所計算

持出手形 A 銀行振出預金手形三號 金八千圓  
B 銀行拂代金取立手形四號 金七千圓

受入手形 當店宛小切手十號(春野振出) 金壹萬圓  
當店振出預金手形五號 金五千圓

(2) 本日(二月九日)甲の依頼により左の商業手形(他割手甲一號)の割引をなす

振出人乙、受取人甲、名宛人丙、爲替手形、手形日附二月一

日、手形期日三月一日、手形額面金五萬圓也

割引日步貳錢

手取金は同人當座預金に振替ふ

外國爲替 (和田)

一、外國爲替相場變動の危険は何人の負擔となるか、及其對策と其要項

二、利付外國爲替手形

三、左の意義を問ふ (1) House Bill. (2) Sight Bill or Solat.

外國爲替 (和田)

一、外國爲替相場を期間上より區別し其各種相場の差違が何を標準として計算せらるるか及其理由を問ふ

二、恐慌と外國爲替相場との關係に就て

三、左の意義を問ふ (1) P/A. (2) London Bar silver 26 1/4

商工經營論 (沖鹽)

一、公共企業の株式資本金額決定の基礎は収益力なりや

二、米國の投資仲介銀行の證券引受方法を略述すべし

三、株式會社に於ける配當率安定の必要とこれが維持につき注

意すべき事項を述べし  
右三問題中二問題を任意選擇すべし

### 商工經營論 (岡田)

- 一、次の語を略解せよ
  - a 清算財
  - b 實費價額
- 二、物的組織の緊張度とは何ぞや
- 三、量的分勞と種的分勞との區別如何
- 四、軍隊式組織の最大缺點は何か

### 倉庫關稅 (和田)

- 一、複率式國定稅率制度と國定協定稅率併用制度との異同
- 二、本邦輸入稅賦課の標準に就て
- 三、相殺關稅

### 倉庫關稅 (和田)

- 一、關稅制度に就て
- 二、免稅品と無稅品との相違
- 三、不當廉賣防止稅

### 商品學 (坂口)

- 一、砂糖

### 商專二

種類成分世界に於ける甘蔗糖及甜菜糖の主なる産地本邦の産額(大數)製糖法の大要本邦の需給狀況等

#### 一、棉花

種類世界に於ける産額及主産地、本邦の需要額、本邦への供給地、良否鑑定法、米棉の標準品、荷造等

右貳問題の中壹問題を選擇して答案を提出すべし

### 商品學 (坂口)

- 一、小麥粉
  - 原料の需給、製粉歩合、良否の鑑定法、本邦の製粉能力輸入の狀況等
- 一、羊毛

世界に於ける供給額、本邦の需要額、本邦が供給を受くる地方、毛の性質及良否、商業上に顯る、毛の種類將來の自給見込等

右貳問題の内壹問題を選擇して解答を求む

### 商業史 (杉本)

下文の大意を述べよ

T. Put other things were needed to make this new machinery available. It was much too expensive for the old cottage weavers to buy and use. Capital, fuel, the re-

fore, to be brought into manufacturing which had been previously used in trade or other employments. Capital was in reality abundant relatively to existing opportunities for investment, and the early machine spinners and weavers drew into partnership moneyed men from the towns who had previously no connection with manufacturing. Again, the new industry required bodies of labourers working regular hours under the control of the employers and in the buildings where the machines were placed and the power provided. Such groups of labourers or "mill hands" were gradually collected where the new kind of manufacturing was going on. Thus factories, in the modern sense, came into existence—a new phenomenon in the world.

II. Along with the abolition of the corn-laws went the whole system of the protective tariffs. Taxes on raw materials generally and even on many manufactured goods were condemned by some of the same arguments as those used against the grain duties. England was now far ahead of most other countries in the amount of her capital, the perfection of her machinery, the skill of her working men, and the excellence of her

organization for producing manufactured goods of almost all kinds. She had become the leading industrial nation of the world. The arguments for free trade seemed therefore overwhelming. Between 1848 and 1849 the duties were taken off of two hundred more articles, and soon afterwards the few remaining duties were abolished. England had become a free-trade country. The loss of revenue to the government was made up by the adoption of an income tax.

經濟史 (終)

下文の大蔵を述べよ

(1) A scarcely less complete change than that which had occurred in manufactures, in agriculture and in social life as based upon these, was that which was in progress at the same time in the realm of ideas, especially as applied to questions of economic and social life. The complete acceptance of the view that it was the natural and the desirable part of the work of government to regulate the economic life of the people had persisted well past the middle of the eighteenth century. But very different tendencies of thought cross in the



latter part of the century. One of these was the prevailing desire for greater liberty. The word liberty was defined differently by different men, but for all alike it meant a resistance to oppression, a revulsion against interference with personal freedom of action, a disinclination to be controlled any more than absolutely necessary, a belief that men had a right to be left free to do as they chose, so far as such freedom was practicable.

(2) The opinion of the most men at this time, as during the period before it, was that the regulation was a bad thing, that each person ought to be left free to succeed or fail according to his own efforts, without support or without interference. Especially was this true of those who, favored by fortune, the conditions of the time, or the special nature of their own abilities, were in a position to take advantage of the inventions and opportunities that were constantly presenting themselves and to utilise them to attain success and to become more wealthy or more powerful. It was widely believed both by theoretical individualists and by successful business men that self-interest should be the guiding

principle in all business relations. It was unwise for the government to participate in the economic protections or to seek to increase the well-being of the community; men of enterprise had no responsibility for others connected with their enterprise, and the government had no responsibility except to secure to them opportunity.

### 民法要論 (柳川)

【注意】臨時試験を受けたる者は左記(一)及(二)に。然らざる者は(一)及(二)の二問を選択し之を(三)に答ぐよ。  
一、債権者以外の者に對して爲されたる辨濟の效力如何  
二、債権者の交替に因る更改を説明せよ  
三、履行遲滞の効果如何

### 民法要論 (柳川)

【注意】臨時試験を受けたる者は左記(一)及(二)に。然らざる者は(一)及(二)中の二問を選択し之を(三)に答ぐよ。  
(一) 辨濟者の權利を説明せよ。  
(二) 相殺の要件如何  
(三) 損害賠償義務者の代位を説明せよ。

商法要論 (淺沼)

- 一、絶對的商行爲、相對的商行爲、及附屬的商行爲を説明せよ
- 二、商事會社を説明せよ

商法要論 (中村)

- 左の問題中二つを選択して簡明に説明せよ。
- 一、代理商の觀念を説明せよ。
  - 二、客の來集を目的とする湯屋主人の責任に就いて。
  - 三、商人の意義を説明し其種類に及べ。

商業英語 (高谷)

- 1. 商業通信文の構造に就き知る所を述べよ
- 2. 下の英文を候文に譯せ
  - a. As instructed, we have valued upon you this day, in our draft at thirty days' sight, for the amount of £50 10s., and trust you will give it due protection.
  - b. The net proceeds, viz., £209 0s. 10d., we hold at your disposal as desired.
- 1. 下文を英譯せよ
 

市場の恐慌も幾分鎮まり原料の買入れも多少都合よく相成候間御註文品は來月十日迄には必ず積込み可

中候

商業英語 (高谷)

- 1. 商業通信文の構造に就き知る所を書け。
- 2. 下の英文を候文に譯せ
  - a. Our terms are each, less 1 1/4 per cent, or acceptance at three months from date of bill of lading against documents.
  - b. You had better send us your newest productions, as if satisfied we hope to secure considerable orders in the quarter mentioned.
- 3. 下の文を英譯せよ
 

御指値と弊店見積との開きに付ては双方歩み合ひに致しては如何に候や貴意御洩し被下度候

英語 (十田)

二問選擇

- 1. We all deeply appreciate the signal compliment paid to us by his Majesty the Emperor in thus entrusting to our country you, his eldest son, on the first occasion recorded by history in which the Heir-Apparent to the Throne of Japan has ever left his native shores?

2. The cheering swelled to a crescendo from the British subjects opposite the gate as the carriage swung over the bridge and entered the Palace precincts.

3. I am grateful to the House for the reception of me today and the cheers, which come as though encouraging a new knight entering the arena. I know quite well that should he be unhorsed, though possibly he will receive sympathy, there are many who will rejoice. But that does not detract for a moment from the chivalrous welcome that every man receives who in turn has to stand here and take up his shoulders, whether he desired to do so or not. the heaviest burden in the Empire.

英語 (長崎)

1. Had as the enclosure was upon the villagers in- dividualy, there were certain compensations from the national point of view. For the enclosed land was more productive than the unenclosed land has been. But the advantage, such as it was, was dearly bought, the dispossessed tenants going to swell the unemployed class, and many of them taking to beggary or out-

lawry, to the great aggravation of the poverty and distress that were so soon to culminate in a grave danger to the very fabric of society.

2. The patrimony of a poor man lies in the strength and dexterity of his hands; and to hinder him from employing this strength and dexterity in what manner he thinks proper, without injury to his neighbour, is a plain violation of the most sacred property.

英語 (松浦)

左の英文を和譯せよ

1. Wherefore the early craftsman simply represents the side of industry that was not agricultural; and rather than say that he combined in his person the functions of labourer and capitalist, employer and employed, it is better to decline the anachronism of applying these terms to him at all. They are in artisan class; but they are not as yet a labour class; still less a "working class" in the modern sense.

2. It is a common but unjust error which attributes all the abuses of the early days of the factory system, and all the resistance to the removal of those abuses, to

“Capitalism” and the greed of the capitalist class. In the then condition of opinion, the inspectors found themselves bitterly opposed. The workers failed to recognize them as their friends. In the matter of the employments of children, masters and men combined to defeat them; the parents wanted the children's wages as keenly as the masters wanted the children's work.

英語 (土肥)

二問選擇

1. The Southern Railway did perhaps the greatest business. It carried bigger crowds than over to the boats for the continent and to the south coast resorts.
2. What gave him special pleasure was that the Japanese people gratified his wish to make extensive country trips and to observe the life of the people without formality or constraint.
3. It is obviously possible for a candidate to get more than half the electoral vote and yet less than half of the actual votes cast throughout the country. Mr. Wilson, for instance, has never in either of his terms

as President gone into the White House with a majority of his countrymen behind him.

商業政策は經濟學科第三學年に、銀行論は經濟學科第二學年に、倫理學は法學科第二學年に同じ。

商學科第三學年

工業簿記 (橋本)

- 一、賣上勘定の内容を勘定の形式により表示すべし。
- 二、工業簿記に特有なる決算表の一種を任意の内容により示す。

工業簿記 (橋本)

- 一、所謂一勘定制(製品及び仕掛物 a/c)、二勘定制(製造 a/c 及び製品 a/c) 及び三勘定制(製造 a/c 製品 a/c 及び賣上 a/c) による各勘定の借方、貸方及び差引残高が示す内容を比較表記せよ。
- 二、工業簿記の決算手續の主要項目を順序に列擧せよ。

會計學 (黒澤)

左記五題中三題を選擇すべし

- 一、自己資本の利子は原價を構成するか
- 二、貸借對照表方程式の本質
- 三、勘定分類の標準として損益方程式をさるゝことの當否
- 四、回歸性企業に於ける原價償却 (Depletion) に就て
- 五、甲乙丙合名會社第何期末貸借對照表次の如き場合に於て甲社員退社せんとす。持分其の他拂戻條件左の如し。
  - 一、甲持分資本金 金貳萬圓也
  - 二、當期利益金は甲乙丙三名へ出資額に比例して配當す。
  - 三、暖簾價格は過去營業年度の平均利益を壹萬圓普通利廻を五分と假定して算出す。

甲乙丙合名會社貸借對照表

諸資産 150,000	甲 資本金 20,000
	乙 資本金 30,000
	丙 資本金 50,000
	積立金 40,000
	當期利益金 10,000
150,000	150,000

甲社員退社後の乙丙合名會社貸借對照表を示すべし

會計學 (岡田)

一、企業原價の意義

商專三

- 二、時間の經過のみにより當然損失化する資産を列舉せよ
  - 三、生産中心點とは何ぞや
  - 四、秘密積立金の四種類を擧げよ
- 以上四題中二題に答ふべし

工場管理 (竹歲)

左の二問を説明せよ

- (一) 職工の移動率及移動速度。
- (二) 利益分配制の概念。

工場管理 (吉原)

- 一、職工教育に付説明すべし。
- 二、工業品規格統一問題に付説明すべし。

商法要論 (犬丸)

- 一、有價證券讓渡の方法を問ふ。
- 二、Aは受取人の氏名を手形面に記載せずして約束手形をBに對して振出しBは之をCに記名裏書讓渡しCは之をDに無記名裏書讓渡したり。Dは如何にせばA又はBに對し其手形金を請求し得るや。

商法要論 (中村)

五九

左の問題中二題を擇んで簡明に答へなせよ。

一、カルテルの法律上の性質を説明せよ。

二、保険委付と免責委付との差異を説明せよ。

三、手形上の権利義務の發生原因に關して説明せよ。

商業實務 (生出)

- 1. Show a specimen of an "export invoice."
- 2. Remark how to obtain a "bill of lading."

商業實務 (生出)

- 1. What are the principal terms relating to the prices of goods?
- 2. Explain how to ship goods for exportation.

商業事情 (長崎)

- 1. No statement is more common than that copartnership is all very well when it is practised by those who enjoy a large measure of shelter from competition. The success of copartnership is often traced to this circumstance. An impartial study of the facts, however, reveals no foundation for this belief. Some of the most notable achievements of copartnership undertakings

Have been made under the conditions of the fullest competition. The real reasons for their triumph may be summed up in three words: Leadership, education, thoroughness.

- 2. The fundamental cause of the spring panic is to be traced to the inflationist policy during and since the war. The Seiyukai was mainly responsible for that and rearmament had so long been put off that when the Kenseikai Ministry, urged by the necessity of the time, avowedly made it its policy it could not but bring a panic.

- 3. The great purpose of copartnership is to emphasize the identity of interest by removing the present extreme identification of separate economic interests with separate persons. All that copartnership claims is that full advantage shall be taken of those forms of consultation and co-operation between the responsible leaders and the rank and file as will serve to provide to the former the best basis for action in the common interest and to the latter a sense of confidence in the action taken.

商業事情 (續登)

1. In spite of the comparatively small number of industrial undertakings which practise copartnership, it has

been possible, throughout the history of the movement, to point to particular instances where its adoption has been a triumphant success. It is evidently desirable, therefore, to examine these instances with some care in order to discover the reasons for their success. It is possible that like causes will give like results if they can be generally applied.

2. The spring panic automatically brought about the tendency towards the financial consolidation of our country. In itself it is a legitimate development of our capitalism. But conspiring with this development there has been a frenzied activity among our industrial interests towards credits. The object lesson of the panic and the necessity for self-protection irresistibly drove our business men to the cartal system, which has for its object the regulation of output in order to maintain paying prices on the basis of the present inflated capitalization.

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3. At no time has there been a more imperative need to discover a form of industrial organization that will conserve the good and overcome the bad features of what is commonly called the capitalist system.

商業英語 (三輪)

左を英語に譯せよ

一、拜啓弊店は諸汽船會社の代理店相勤め居候間有る貨物に對し特に低廉なる運賃を以て御要求に相應じ可申候。

二、今朝電話を以て御願申上置候品物運賃諸掛り御支拂の上東海道線急行便にて御發送被下度候。

左を日本文に譯せよ

1. I have the honor to inform you that I have just established myself in Tokyo as a Commission Merchant for American goods. My connections with American manufacturers of all varieties are both numerous and extensive. I hope to receive your inquiries when in the market.

2. We have the liberty of informing you that we have today provided Mr. Saburo Kato with a letter of credit for ¥2,000 on your house. Kindly take note of

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this, and honour our draft when presented.

商業英語 (生田)

Correct the following, and show your own new letter only.

Dear gentleman,

I give you here the order of 20 pieces Shirting for repeat order No. 564 Jan. I shall, however, pointing on you that my friends discovered No. 54 too much light of shade, so it must be corrected in this occasion. They also found deterioration about the quality on the before lot, and said they did not come quite to the standard. I consequently depend you such mistake does not happen this time and trust you will make your best to offer exactly what is wanted.

Thanking for your attention,

we are, your truly servant,

英語 (生田)

Answer to one of the following questions:—

1. What is the initiative cause of prosperity?
2. About cause and effect between credit and price changes.
3. Effects of Business Cycles upon Interest rates.

英語 (松澤)

1. Explain the organization of the capitalistic production.
2. Explain the meaning of the Differential Advantages in determining the earnings.

以上二題中一題選擇

英語 (松澤)

下文の大意を述べよ

A period of prosperity is no more a matter of course than a crisis. It has its beginning in some specific combination of circumstances. It takes its rise from some traceable favourable disturbance of the course of business. In such a period the potent fact which serves as incentive to the acceleration of business is a rise of prices. This rise of prices presently becomes general as prosperity progresses and becomes an habitual fact, but it takes its start from some specific initial disturbance of prices. That is to say, prices rise first in some one industry or line of industries.

By new inventions, as well as by extending the operations of the plants already employed, business men forthwith endeavor to take advantage of such a rise. The endeavor



to market an increased supply of the things for which there is an enlarged demand, brings on an increased demand and an advance of prices in those lines of industry from which the concerns that had the initial advantage drew their supplies. In part by actual increase of demand and in part through a lively anticipation of an advanced demand, aggressive business enterprise extends its ventures and pushes up its prices in remoter lines of industry. This transmission of the favourable disturbance of business (substantially a psychological phenomenon) follows very promptly under modern conditions, so that any differential advantage that accrues at the out-set to the particular line of industry upon which the initial disturbance falls is presently lost or greatly lessened. In the meantime extensive contracts for future performance are entered into in all directions, and this extensive implication of the various lines of industry serves, of itself, to maintain the prosperity for the time being.

英語 (訳本)

- (1) 下文の大意を述べ
  - (2) 且つ下線を施したる箇所を邦譯すべし
- The chief characteristics of the period of prosperity are as

櫻野 川

follows :

Prices begin to rise persistently and the prospects for profits rapidly improve ; pessimism on the part of business men turns into optimism ; extreme caution in making ventures worn-out and obsolete capital equipment and the venturing into new industries with new types of capital equipment become more common. The demand for raw materials and producers' goods grows much more rapidly than the demand for consumers goods. The prices of these goods, therefore, go up much faster than the prices of consumers' goods. New securities are placed upon the market to get the money with which to make the expansion. The greatest expansion of equipment and labour is in the industries which make producers, goods. Wages rise and full employment of labour is attained, while the money incomes of the labourers and all other classes increase. The result is an increased demand for consumers' goods followed by higher prices. Prosperity is on ; The movement become cumulative. The increase in the demand for and the prices of consumers' goods further increases the demand for and the prices of producers' goods. Producers' goods and raw materials than

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rise rapidly in price. There is a great expansion of all industries; a shortage of labour develops and wages rise rapidly, but not as rapidly as prices. New securities flood the market and the prices of the shares of stocks rise precipitously with the greater prospect of profits. Caution is thrown to the winds and speculation in land, securities and commodities becomes the order of the day. Prices of all classes of goods go skyward.

Bank loans and discounts and deposits increase rapidly and the reserves decrease. As the upward movement of prices and speculation continues, interest rates begin to rise rapidly. Bond prices fall, but prices of stocks continue high.

The volume of output reaches its maximum. Labour becomes less efficient and wages rise as fast or faster than prices. The cost of production increases faster than prices, and profits from production constantly become less. Railroad traffic become congested and stocks of all kinds of goods accumulate in the channels of trade. Speculation, however, continues to boost the prices of all kinds of goods. There is vigorous protest against high prices. The money market becomes strained, interest rates very high, and loans hard to get. Manufacturers curtail their expansion because

of smaller prospective profits. The demand for producers' goods, then for raw materials, and consumers' goods, declines. The period of prosperity is ended.

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### 大學豫科

#### 第一學年

##### 倫理 (中島)

- 一、品性(性格)と行爲との關係を記せ。
- 二、道徳上の他律とは何ぞ。

##### 國語 (増子)

- 一、左の語句を解釋し且つ各の漢字に讀假名を附けよ
  - イ、帶刀先生
  - ロ、生食のふ世一の馬

ハ、烏帽子子

ニ、一領の御著背長

ホ、揖取

二、左の句中の「大夫」には讀方及意義の異同ありや

修理大夫經盛の乙子大夫敦盛

三、左の句及び歌を解釋せよ

イ、よも後影をば見たらじ

ロ、宿にくもらぬ月屋

ハ、からころもきつつ馴れにし妻しあればはるばる來ぬる旅

をしぞ思ふ

國語 (飯田)

一、齋藤別當あざ笑つて、さき候へば、君は實盛を大矢とおぼしめされ候ふにこそ。わすか十三束をこそつかまつり候へ。實盛ほど射候ふものは、八箇國にはいくらも候。大矢と申す定ものもの、十五束に劣つて引くは候はず。弓の強さも、したたかなる者の五六人して張り候。かやうの精兵ごもが射候へば、鎧の二三領は、かけず射まほし候。大名と申す定もの、五百騎に劣つて持つは候はず。

二、たゞきよはにげの馬にぞ乗りてける上總しりがいかけてかひなし。

三、(イ)関。(ロ)上日のもの。(ハ)「男鹿なく」の山里」を詠

豫 一

じけむ嵯峨のあたりの秋の頃さこそはあはれにも覺えけめ。右三題解釋すべし。

漢文 (野田)

(一) 有攸不爲臣東征綏厥士女匪厥玄黃紹我周王見休臣附千大邑周

不由其道而往者與鑽穴隙之類也 (以上漢字交り文に改むべし)

(二) 攘其鄰之雞 蠅蚋蛄蟻之 三月無君則皇皇如也 不以泰乎 淪濟潔而注諸海 (以上解釋せよ)

(三) 陽貨欲見孔子而惡無禮大夫有賜於士不得受於其家則往拜其門陽貨欄其亡也而饋孔子蒸豚 (以上解釋)

英語 (篠窪)

1. Nothing is more difficult in this world than to read a book and then to express clearly and truly in a few lines exactly what the literary value of the book is
2. Great art works unconsciously without ever suspecting that it is great; and the larger the genius of a writer, the less chance there is of his ever knowing that he has genius.
3. The sacred books have been polished and repolished!

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and have been given the highest possible literary perfection of which the language in which they are written is capable.

4. The mythology is almost necessary for you; but the vast range of the subject might well deter most of you from attempting a thorough study of it.

5. The Greek myths, although eternally imperishable in their beauty, are not more intimately related to English literature than are the myths of the ancient English religion, the religion of the Northern races, which has left its echoes all through our forms of speech, even in the names of the days of the week.

6. He is next in importance only to Shakespeare.

英語 (名譽)

1. We were now thoroughly broken down; but the intense excitement of the time denied us repose. After an unquiet slumber of some three or four hours' duration, we arose, as if by preconcert, to make examination of our treasure.

2. At this stage of my reflections I endeavored to remember, and did remember, with entire distinctness, every

incident which occurred about the period in question.

3. When I considered all these particulars, I doubted not for a moment that heat had been the agent in bringing to light, upon the parchment, the skull which I saw designed upon it.

4. Legend, who saw that I was dying with impatience for a solution of this most extraordinary riddle, entered into a full detail of all the circumstances connected with it.

英語 (日武語)

1) This account—though only a piece of hearsay, and as such entitled to no absolute credit—tallied so well with the infrequency of his letters and their lack of warmth, that Phyllis did not doubt its truth for one moment; and from that hour she felt herself free to bestow her heart as she should choose.

2) Their bodies were here, but their hearts and minds were always far away in their dear fatherland, of which—brave men and stoical as they were in many ways—they would speak with tears in their eyes. One of the worst of the sufferers from this home-woe, as he called

it in his own tongue, was Matkins Tina, whose dreary  
musing nature felt the gloom of exile still more in-  
tensely from the fact that he had left a lonely mother  
at home with nobody to cheer her.

3) Reflexive Verb を如何なるものなりや、例文二つ  
をあけて之を説明せよ

4) 次の文章を和訳し、且 shall, will の用法を説明せよ  
(1) He shall pay for this.

(2) Shall he do so?

(3) They will be there now.

(4) Will he go?

(5) You will stay a little longer and dine with us.

英語 (断片)

1. It was quite certain that he had foreseen his fate, and  
that it had caused him the utmost horror. This, of  
course, fitted in well enough with the police theory, if  
the Colonel could have seen his wife making a  
murderous attack upon him. Nor was the fact of the  
wound being on the back of his head a fatal objection  
to this, as he might have turned to avoid the blow.

2. Another fact which had struck Major Murphy, and

three out of five of the other officers with whom I  
conversed, was the singular sort of depression which  
came upon him at times. As the Major expressed it,  
the smile had often been struck from his mouth, as if  
by some invisible hand, when he has been joining in  
the gaieties and chaff of the mess table.

3. a) He was unable, however, to make his way in, and  
the maids were too distracted with fear to be of any  
assistance to him.

b) He is not likely to come before long.

4. Phrases:

a) to be on bad terms with...; b) according to;

c) by no means; d) for days on end; e) to

fall out.

英語 (根本)

(1) As for the Highland chiefs that had been forfeited,  
it was a Common matter of talk how their tenants  
would shirk themselves to send them money, and their  
clansmen outface the soldiery to get it in, and run the  
gamble of our great navy to carry it across. All this  
I had, of course, heard tell of; and now I had a man

under my eyes whose life was forfeit on all these counts and upon one more, for he was not only a rebel and a smuggler of rents, but had taken service with King Louis of France.

(2) He said this as if he had been Charlemagne, and commanded armies; and indeed, much as I admired his courage, I was always in danger of smiling at his vanity; in danger, I say, for had I not kept my countenance, I would be afraid to think what a quarrel might have followed.

(3) “Absolute Superlative” 絶対如何なるものか例をあげて説明せよ

體語 (スナハシム)

Rewrite the following giving a different word or words as may be necessary, so that the meaning and sense of the story remains the same.

At noon we arrived at Tokyo Station from our excursion to Atami. The day was wet, but we all felt very cheerful after a most pleasant time spent at the seaside. The fresh air had gone us all good and most of us were quite burnt by the sun after having bathed in the sea.

almost daily. The Hotel in which we stayed was decidedly comfortable, and the food they give us was very good. The rooms were all very clean and we should like to go there again if we have the opportunity

Example. It has been a fine day today.

There has been no rain today

it has been a glorious day today, etc etc.

體語 (風會)

Ein gelehrter Kamarienvogel gehörte einem französischen Ausgewanderten, der sein Vaterland Während des Bürgerkrieges verlassen hatte und in Deutschland die Kückkehr des Friedens erwartete. Er hatte den kleinen Vogel nur zum Zeitvertreib unterrichtet; als aber sein Geld auf die Neigung, entschloss er sich mit seinem schüler herumzu-reisen und ihn für Geld sehen zu lassen. So kam er auch nach Clare, melkte sich in einem Gasthofe an, wo eine Gesellschaft nach der Mahzeit dem Spiele einiger herumziehen den Musikanten zuhörte, und wurde da man schon viel von dem geschickten Vogel gehört hatte, freundlich angenommen.

(獨文和譯)

四格を支配する前置詞を列記せよ。(文法)

獨逸語 (國文)

1. Mein Vater hatte einen Kleinen Laden in B. Er war weder arm noch reich und einer von jenen Leuten, die nicht gern etwas wagen, aus Furcht, das Menige zu verlieren, das sie haben. Er erzog mich schlicht und brachte es bald so weit, dass ich ihm an die Hand gehen konnte. Gerade als ich 17 Jahre alt war und er eben die erste grössere Spekulation machte, Farb er, Wahrscheinlich aus Gram, 10,000 Gold Fücke dem Meere anvertraut zu haben.
2. Yerr und Gebieter, flüstrte er leise, wenn es nur nicht töricht für einen Gross'esier noch mehr aber für einen Storchen wäre, sich vor Gespenstere zu fürchten!

獨逸語 (橋本)

1. Es wäre doch recht schade, dass die Wünsche der Liebesleute so gar selten von der Art wären, dass Gott sie gewähren könnte.
2. Wenn Sie manchmal bei Thren Tausenden von Affären nicht wissen, ob so oder so, sollen Sie mich fragen;

Ich bin doch ein heller Kopf, da werde ich jedesmal einen guten Rat geben.

3. Während der Franzose meinte: die französische Armee sei die beste der Welt, sagte der Engländer: sein Land b'sitze zwar ein kleineres Heer, aber an Tüchtigkeit übertreffe es doch das französische bei weitem. Dann könne man die französische Flotte gar nicht der englischen vergleichen.

獨逸語 (英)

- (1) In Winkeln war man nicht so pünktlich wie Z. B. Berlin. Einmal, als der Zugführer zum Jahrmakkt ging und die Zeit vergasz, fuhr der Zug eine stunde zu spät ab, und kein Hahn kröhete danach.  
So kann es, dass Herr Schluff sich in dem schlättrig'n Orte recht wohl fühle.
- (2) a) Ja, wie du sagst, es soll heissen, dass sie (alle Jahreszeiten) alle reich an Freuden sind. Dass der liebe gott es viel besser als wir armen Menschen verstehen muss.
- b) Ich wollte mir ein Ei kochen; drei Minuten nach der Uhr sollte es im Wasser sein. Nun hatte ich

gerade eine Predigt im Kopfe und habe, in Gedanken,  
die Uhr ins Wasser gelegt.

g) So geschah es diesmal, dass nun neun Uhr er mit  
kehl und kegel im Ruderboot sass und steuerte.

- (3) 1. ソクラテスはその毒杯を仰いで死にました。
- ロ. 向ふの壁に地圖がかかってゐる。

- (4) 現在時稱の用法を説明せよ。

獨製語 (撰採)

- 1) 人稱代名詞の第一人称單數複數の變化を記せよ。
- 2) 附加語的に使用せられる物主代名詞 m<sup>in</sup> の男, 女, 中性單數複數の變化を記せよ。
- 3) 以下の前置詞は何格を支配するや。  
ans, durch, über, auf, wegen, für, nach, statt,  
bei, in, von, während.
- 4) 是ればあなたのヌラツキだ, 私のは何處にありま  
す。
- 5) そこに居るのは誰だ, 誰も居りません。
- 6) 古い繪は客間の壁にかかつて居ます, 新らしいのは書  
齋の壁にかかります。
- 7) Die Herren brauchen nur eine Treppe hinaufzusteigen,  
die Thür ist am Fusse derselben.

8) Wir können an anwesende und abwesende Personen  
oder Dinge danken. Sie denken jetzt an das, was ich  
sage; Wenn Sie an etwas anderes danken, können Sie  
mehreren Worten nicht folgen.

獨製文法 (撰採)

- 1) 動詞 loben の被動式過去完了直説法及接續法を記せよ、(單  
數複數共)
- 2) 再歸動詞 sich freuen の直説法現在完了單數複數を記せよ。
- 3) 以下の前置詞は何格を支配するや。  
binnen, um, entgegen, vor, ungeachtet, auf, ausser, kraft,  
durch, zwischen.
- 4) 非分離動詞とは如何なるものを云ふや。及び其一例を擧げ  
よ。
- 5) 我々は家へ歸つても宜しう御座いますか。
- 6) 何卒貴名の云ふた事をもう一度繰返して下さい。
- 7) 私は獨逸語を熱心に勉強すればする程六かしいと思ひま  
す。

歴史 (撰)

- 一' 葵裏向御法衣の中我國民全體に關係ある項目を説明せよ。
- 二' 次の名稱を説明し特に重要な點を記述せよ。



- 一、林家
- 二、御宣書百々條
- 三、ロシアアメリカ會社
- 四、葦山
- 五、プチャーチン

地理 (淺井)

- 一、歐羅巴におけるアシヤ人につき知る所を記せ。
- 二、次の三項中二項を選びて説明せよ。

- (イ) ネアンデルタール人
- (ロ) インドイラニツク
- (ハ) 頭蓋指數 Cephalic index

數學 (金澤、前田、功力、渡邊)

- 1 A, B が正の銳角にして,  $\sin A = \frac{8}{17}$ ,  $\cos B = \frac{4}{5}$  なるとき  $\cos(A+B)$  及び  $\sin(A-B)$  を求めよ
- 2 次の二つの等式を證明せよ

(i)  $\cos(A+B)\cos(A-B) = \cos^2 B - \sin^2 A$

(ii)  $\frac{\cos A - \cos^3 A}{\sin^3 A - \sin A} = \tan^2 A$

- 3 平行六面體の對角線は互に他を二等分することを證明せよ
- 4 三面角の一つの面角は他の二つの面角の和より小なることを證明せよ

第二學年

豫 二

倫理 (中島)

- 一、道德的評價の標準につき知る所を記せ。
- 二、行爲の動機と結果との關係を問ふ。

論理 (見尾)

- 一、次の論證の眞偽を検し、その偽なるものは理由を説明せよ。尙虚偽の名稱をも指摘せよ。
  - a 梅花開かざれば鶯鳴かす。今鶯鳴かす。故に梅花開かす。
  - b 君の家には盜賊が這入つたつて、戸締りがよければ盜賊は這入るものではない。
  - c 君の家は戸締りが悪いに相違ない。
  - d 人の尊崇せらるるは其の人格が高潔なるか若くは其の事業が社會の幸福又は進歩に貢献する所あるによる。彼は從來爲したる事業の功績によつて尊崇せらるるが故に、その人格は高潔なるものにあらず。

國語 (沼波)

一、木だちつくらせ給ひしなりは櫻の花は優なるに枝さしのこはくしくてもそのやうなごにくし梢ばかりを見るなむをかしきさて中門より外に植ゑさせ給へる何よりもいみじくおぼ

七一

しよりたりと人は感じ申しき。

二、女房三十人ばかり裳唐衣させてえもいはすさうぞきてする  
ならべてしつらひありさまよりはじめてめでたくしたててか  
しづき聞ゆる事がぎりなし。

三、旅の空夜半のけぶりとのぼりなばあまのもしほ火たくかこ  
や見む(以上解釋)

漢文 (寺内)

解釋すへし。

(一) 秦伯曰。晉國和乎。對曰。不和。小人恥失其君。而悼喪  
其親。不憚征繕以立圍也。曰。必報讎。寧事我狄。君子愛其  
君而知其罪。不憚征繕以待秦命。曰。必報德有死無。以此不  
和。

漢詩 (頼)

遊子吟

(解釋はり)

慈母手中線遊子身上衣  
臨行密密縫意恐遲遲歸  
難將寸草心報得三  
春暉

終南別業

(解釋はり)

中歲頗好道晚家南山陲  
興來每獨往勝事空自知  
行到水窮處坐看雲

起時偶然值林叟談笑無還期

英語 (日比野)

一、第三學問英文作文の題材たりし物語の梗概を英文に續れ。(但  
し長さは一頁以内なるべし)

英語 (廣井)

- 1, The death-groan is fearful; but how much more appalling is the spirit of murder which exerts it!
- 2, Robbery may throw into circulation the useless hoards of a miser. But we do not, therefore, canonize robbery.
- 3, The field of battle is a theatre, got up at immense cost, for the exhibition of crimes on a grand scale.

英語 (藤窪)

- 1. He had now not the least inclination for the meeting; nothing kept him from flight but a silly fear lest he should be thought manly; but this was so powerful that it kept head against all other motives; and although it could not decide him to advance, prevented him from definitely running away.
- 2. When at last he entered the room he was relieved to find it dark, and, to all appearance, untenanted. He

he w a long breath. Here he was, home again in safety, and this should be his last folly as certainly as it had been his first.

3. Raise yourself; good and ill are a chimera; there is nought in life except destiny, and however you may be circumstanced there is one at your side who will help you to the last.

4. It was my fortune, a good while ago, to do Colonel Geraldine, his Master of the Horse, one of those services, so common in my profession, which are never forgotten upon either side. I have no need to explain to you the nature of the obligation under which he was laid; suffice it to say that I knew him ready to serve me in any practicable manner.

英語 (区織)

a—1 Martin Luther the priest, horrified the greater half of Christendom by marrying a nun, yet was a submissive conformist in countless ways, living orderly as a husband and father, wearing what his bootmaker and tailor made for him, and dwelling in what the builder built for him, although he would have died rather than take

his Church from the Pope. And when he got a Church made by himself to his liking, generations of men calling themselves Lutherans took that Church from him just as unquestioningly as he took the fashion of his clothes from his tailor.

a—2 With ever so little of good fortune, with ever so little wisdom, beyond what was granted me, I might have blessed my manhood with calm, might have made for myself in later life a long retrospect of bowed peace.

b (文法)—1 Supply the proper tense of the verb enclosed in bracket:—  
He scarcely (taste) that water, when he began to feel sick.

—2 Supply the Ellipses in the following sentence:—  
Oranges are now almost as cheap in London as in Spain or Italy. (Three clauses.)

英語 (栗田)

- 1. “Hamlet” 中の主要人物七名の名を原語にて書け。
- 2. 次の二題を日本語に直せ
  - a) There's a divinity that shapes our ends, rough-hew them how we will.

b) That skull had a tongue in it, and could sing once.

j) What you do today is nothing to me.

This might be the pate of a politician, which this  
ass now o'er-reaches; or a courtier which could say,

2). Give 3 Synonyms for each of the following words,  
and 2 Antonyms

“Good morrow, sweet Iord. How dost thou, good  
lord?”

- a). Curious.
- b). Happiness.

3. 次の文の横線の文字だけを説明せよ

There's fennel for you and columnines; there's me for  
you, and here for me; there's a daisy. I would give you  
some violets, but they withered all when my father died.  
They say he made a good eml.

- c). Brave.
- d). Snake.
- e). Comfortable.
- f). Amazement.
- g). Amiable.
- h). Youthful.

和語 (カタカナ)

蘭語 (漢)

1). Give the meaning of the following idiomatic sentences,

[1] Ich weiss weiter nichts, als dass du und mein Vater

a). I have a brother at sea

in krieg verwickelt sind; und das Recht, glaub' ich,

b). He shouted at the top of his voice.

ist auf seinen meines Vaters. Das glaub' ich, König,

c). Keep on trying to learn English

und will es nun einmal glauben-----wenn du mir auch

d). You must wear a coat to keep out the cold.

das gegenheil unwiderspuechlich zeigen könntest.

e). The work is as good as done.

[2] Als ein wahrer unerfahner Knabe hast du geglaubt,

f). He was the King's right hand man.

dasz die Väter alle von einer art, alle von der weich-

g). The thief ran away for all he was worth.

hien, weibischen art deines Vaters sind.--- Sie sind

h). You must pay me within the month.

es nicht alle! Ich bin es nicht! Was liegt mir an

i). If the rain holds off we will play baseball today.

meinem Sohne? Und denkst du, dass er nicht eben-  
sowohl zum Besten seines Vaters sterben kann als du  
zum Besten des deinigen?

[3] 1. Gesehschaft 2. Schuld und Unschuld

3. Missdeutung 4. Schicksal

5. Verschwendung 6. Elysium

7. Wissensfreiheit 8. Bildung

9. Freizengerechtigkeit 10. Mauer

[4] Man hat das Furcheln des Vesuvus unterseht, sich  
die Entstehung seines Brandes zu erklären; warum  
sehenkt man einer moralischen Erscheinung weniger  
Aufmerksamkeit als einer physischen?

[5] Wer eine fremde Sprache gründlich erlernen will, der  
merke genau alle Sätze und Redewendungen, die sich  
nicht wörtlich übersetzen lassen. Er wolle ihnen Bau  
und vergleiche sie mit denjenigen seiner Muttersprache,  
die denselben Gedanken ausdrücken. Dadurch wird er  
alberne sprachfehler vermeiden und Mchtig sprechen  
lernen.

獨逸語 (中略)

1. Es war der glücklichste und der—letzts Geburtstag

終 11

seines Lebens, den er am 23. Sept, 1812, 21 Jahre  
alt, feierte. „Noch nie,“ schrieb er an die Eltern,  
„hat mich ein 23. September so glücklich gefunden.  
——Ich fordere den auf, der glücklicher zu sein  
sich rühmen kann“

2. „——jetzt, da alle Sterne meines Glückes in  
selbner Milde auf mich niederleuchten, jetzt ist es,  
bei Gott, ein würdiges Gefüll, das mich treibt, jetzt  
ist es die mächtige Überzeugung, dass kein Opfer zu  
gross sei für das höchste menschliche Gut, für seines  
Volkes Freiheit“

3. Vaterland, dir woll'n wir sterben,

Wie dein grosses Wort gebent;

Unsere Lieben mögen's erben,

Was wir mit dem Blut befreit.

Wachse du, Freiheit der deutschen Eichen,

Wachse empor über unsere Leichen.

獨文和譯 (横村)

1). Din Strahl, der auch viel daran gelegen, dass, sei  
es noch möglich, der Schmuck bald in die Gärten des  
rechtmässigen Eigentümers komme, meinte, dass man

中 14

dem Meister Sonnenring ja gleich sagen lassen könne, wir man keine Arbeit, sondern nur sein Urteil über Juwelen verlangen.

2) Wäre es ihm gelungen, mich in jener Nacht zu sprechen war weisz, welches sonderbare Ereignis, wohl dunkles Verhältnis der Dinge mir klar worden, von dem ich jetzt auch nur die leiseste Ahnung vergewiss in meiner Seele such?

3) Schon im Begriffe die Trazze sinabzusteigen, bis zu der der Präsident sin mit zerronnenisser Artigkeit begleitet hatte, kam ihr, selbst wusste sie nicht wie nie selbst-amner Gedanke.

和文獨譯 (横村)

- 1) 汝の物語が私に活潑に過去の時代を想起させた。
- 2) 私は私の主張を根據ある(有力なる)理由に依て證明する事を辭せず(敢てする)
- 3) 訴訟が私の父に大層かかつた。
- 4) 私は或る會社に生命保險を付けた。
- 5) 案の價が私に取ては高い。
- 6) より狭き仲間(範圍)では考がせまくなる。
- 7) 私にはどちらでもかまわぬ。

歴史 (堀)

- 1. William, the Silent.
- 2. Order of Jesus.
- 3. East India Companies.
- 4. Habbas Corpus Act.
- 5. Navigation Act.
- 6. Cardinal Mazarin.
- 7. Mercantile System.
- 8. Church of England.
- 9. Wallenstein.
- 10. Leyten.

東洋史 (中村)

(一) 帖木兒王朝の興亡を略述せんし。  
 (二) 「朝鮮の役」より我日本の受けたる文化事物につきて略説せん。

數辭 (梁華 金華)

- 1. 微分商さは何か
- 2. e は如何なる數なるか
- 3. 次の各式の  $\frac{dy}{x}$  を求めよ

(i)  $y = (x^2 - x + 1)^2$

(ii)  $y = \frac{x^2 + x + 1}{x + 1}$

(iii)  $y = -4\sin 3x$

自然科学 (立田)

- 一、原形質の性質を述べよ。
- 二、左の術語を簡単に説明せよ。  
diffusion (滲透)  
coagulation (凝結)  
adsorption (吸着)

第三學年

倫理 (中島)

- 一、意志の自由に關する所見を述べよ。
- 二、善と欲望との關係を問ふ。

國語 (飯田)

一、「遠方人に物申す」とひさりこち給ふな。御隨身つい居て、かの白く咲けるななむ夕顔を申し侍る。花の名は入めきて

豫 三

かうあやしき垣根になむ咲き侍りける」と申す。

二、「惜しげなき身なれど、捨て難く思ひ給へたゆたひしかど、思む事のしるしに蘇りてなむ、かく渡りおはしますを見給へ侍りぬれば、今なむ阿彌陀佛の御光も、心ぎよく待たれ侍るべき」など聞えて、弱げに泣く。

三、「イ）、いでこの葛城の神こそ、さかしうし置きたれ。

(ロ)、「あなかま」と手かくものから。  
(ハ)、螢よりけにほのかにあはれなり。

漢文 (莊子)(寺内)

解釋すべし。

(一) 夫隨其成心而師之。誰獨且無師乎。奚必知代而心自取者有之。愚者與有焉。未成乎心而有是非。是今日適越而昔至也。是以無有爲有。無有爲有。雖有神禹。且不能知。

(二) 鷦鷯巢於深林。不過一枝。偃鼠飲河。不過滿腹。歸休乎君。予無所用天下爲。庖人雖不治庖。尸祝不越樽俎而代之矣。

英語 (廣井)

1. The Pope eared little about the monk and his doctrines; wished, however, to have done with the noise of him: in a space of some three years, having

七七

tried various softer methods, he thought good to end it by force.

- II. (1) A short argument, five. (2) concourse
- (3) dissuasion (4) persuasion (5) flock
- (6) indugences (7) notoriety (8) futility

英語 (阿久津)

次の文を邦語に訳せ

I. The advantage of such a construction of the right is that it enables us to treat it from the point of view of the personal relations between the members of a society, which are at bottom the only relations the law can regulate.

II. Every single legal rule may be thought of as one of the bulwarks or boundaries erected by society in order that its members shall not collide with each other in their actions.

III. It is often difficult to say whether the rule precedes the rights and duties involved in the relation, or vice versa. From the historical point of view, the latter alternative seems the more probable.

IV. The case lends itself quite as well to the construc-

tion already adopted by us.

英語 (新島)

I. Whatever defects of hardness and acidity his original treatment and the lapses of years might have developed in his wife, his sense of a realized idea, of a re-established self-satisfaction, was always thrown into the scale on her side, and outweighed all objections.

II. Our evil actions do not remain isolated in the past, waiting only to be reversed: like locomotive plants they spread and re-root, till to destroy the original stem has no material effect in killing them.

III. a) It was only when he hinted at moral reasons for their union that she was ever shaken.  
b) 'Perhaps the less said about that the better, in fairness to me?'

和文英辞 (高橋)

十二題の内七題だけ英譯すべし但し第五と第十は必ず譯出すべし。

- (1) 角を曲がつて貳軒目
- (2) 火に當らして下さい



- (3) 彼は奥の部屋に消えて行って仕舞た  
 (4) 今回の選挙は普選最初の総選挙であつた  
 (5) 今年の元日の地震は大正十三年一月十五日以来の強震であつた  
 (6) あの本は非常に面白くもあり有益でもある  
 (7) 五年間も音信がありません  
 (8) 警利のみが目的ではない  
 (9) 雨が降っても雪が降っても行きませう  
 (10) 僕が促る前に落ちて毀れてしまつた  
 (11) 真中から左に曲げて右の端を少し丸めて置きたまへ  
 (12) 之は大切な事だから決して忘れてはいけない
- 鑑別 (マホニエ)
- 1). Give the meaning of the following idiomatic sentences.  
 a). He is celebrated for his learning.  
 b). He is set upon going to America this year.  
 c). The ship held on her course.  
 d). I took you for your brother when I met you in the street.  
 e). He bolts his foot.  
 f). Take your time over writing this paper.  
 g). He is a very close-fisted man.

鑑 川

- b). If you work too hard you will get knocked up.  
 i). He passed away quite peacefully.  
 j). I came upon him quite by chance in Tokyo.
- 2). Give 3 Antonyms for each of the following.  
 a). Comfortable  
 b). Honest  
 c). Abscond  
 d). Neat  
 e). Victory.  
 f). Active.
- 3). What do the following words mean  
 a). good-natured  
 b). (flaw)  
 c). Youthful.
- 鑑別 (中野)
1. Dieses System ward derart mit ihm eint, dass er in dem unerschütterlichen Glauben an seine abschliessende und erschöpfende Wahrheit lebte. Alles Zweifel, alles Einschüchtern auf relative und hypothetische Geltung lag ihm ungläubig ferne. Er spricht so, als ob ihm niemals auch nur vorübergehend der Gedanken aufgehört

中 野

wäre, dass er sich auf irrigem Wege behinden könnte.  
 2) Das wären Fragen für sich : zu untersuchen, ob und in wie weit Schopenhauer, indem er sein begreifendes, affektvolles Ich zur Geltung bracht, damit die Grenzen des Stüchlichen überschritten habe.

3. Nichtsdestoweniger wird man Rudolf Lehmann Recht geben müssen, wenn er sagt, dass bei dem weltabgewandten Philosophen die Züchtigkeit, mit der er unter uns niedrigen Schwierigkeiten seinen Besitz behauptete, und die Geschicklichkeit, mit der er ihn verwehrte, etwas Überraschendes hat.

獨訳語 (譯本)

1) Es ist mit der Ferne, wie mit der Zukunft! Ein grosses dümmendes Ganzes ruht vor unserer Seele; unsere Empfindung verschwimmt darin, wie unser Auge, und wir sehnen uns, unser ganzes Wesen hinzugeben, uns mit aller Wärme eines einzigen, grossen Inriefelien Gefühls ausfüllen zu lassen.  
 2) Kaum dass er sich blicken liess und ehe er noch selbst eine Umschau genommen, schritt er ihm wild erregter Aufschrei entgegen.

3) Das sicherste Mittel, ein freundliches Verhältnis zu hegen und zu pflegen, finde ich darin, dass man sich wechselseitig mittelte, was man tut. Dann die Menschen treffen vielmehr zusammen in dem, was sie tun, als in dem, was sie danken.

和文獨譯 (譯本)

1) 私は私の良き友達で學生仲間のNが既に先達以來伯林に定住し大なる機械工場の或る處で地位を占めておる事を偶然聞いた。  
 2) 彼は今彼の懐中時計の助で大層上手に卵を煮る事を企てた。  
 3) さて、いくら拂うのですか？彼は問ふて而して收税吏が要求した小錢を面倒そうに風にひるがへる外套の下から取り出した。  
 4) 私は又もや昨日のように争論し而して益烈しく反對を唱へる不幸の目に立到つた、お前さんは笑ふのかえ、併しそれは恰も此土地では氣候の勢かのようにである。  
 5) かほぞ小聲に此事を彼女が云ふたなれど、それでもそれを他國人は聞いていたように見えた。

英法原論 (譯本)

Translate the followings and explain,

1. Negligence in its legal sense is not a state of the party's mind at all. It is simply the failure to act as prudent and careful men act in the like case. Negligence is the want of due care; and due care is such care as a reasonable and prudent man would use in the same circumstances. Now the amount of care which a person uses can only be inferred from his actions; the law has no instrument for looking into a man's mind.
2. Estoppel is where a person has intentionally—or in some cases by negligence—induced another to believe in the existence of a fact, and the belief thus aroused has been acted on. In such cases the person causing the belief is not allowed to deny the existence of the fact to the other's damages.

獨逸法學通論 (柴田)

1. 左の原文を邦譯すべし

Die praktische Ausnutzung des Gerechtigkeitsstaats (Naturrechts) führt immer stärker in blasse gedankliche Spekulationen hinein. Demgegenüber wird sich, wie-

demum mit Notwendigkeit, das Verlangen nach festen Texten, d. h. nach positiver Satzung regeln. Es wäre demnach ein grosser Irrtum, als könne die positive Satzung unbelehrt werden.

2. 左の和文を獨譯すべし

法律は其時代に於ける文化現象である、換言すれば現實の法律は神の作りたるものでもなく又自然に生れたものでもなく寧ろ人間の作品である

法學通論 (天野)

法學部志望者

- 一、權利と義務との定義を掲げて其兩者の間に存する關係を明かにすべし
- 二、公法私法の區別に關する學說を列擧して之を論評せよ
- 三、自然的法則の外に規範的法則なるものが果して認めらるべきや
- 四、左の語の意義を問ふ

- |             |             |
|-------------|-------------|
| (1) 固有法、繼受法 | (2) 對世權、對人權 |
| (3) 原權、救濟權  | (4) 強行法、任意法 |
| (5) 普通法、特別法 |             |

右の内三題選擇

經濟學部及商學部志望者

一、権利の觀念を明かにし反射權が權利にあらざる所以を説くべし

二、公權私權の區別を明かにし其各の種類を組織的に分類表示せ。

三、法律は最廣義の法の内に在りて如何なる地位を占むるものなりや。

四、左の語の意義を問ふ

- (1) 實體法、手續法、
- (2) 權利能力、行為能力、
- (3) 主たる權利、從たる權利、
- (4) 君主國、共和國、
- (5) 權力、權能

### 經濟通論 (長崎)

現代經濟組織の特質を畧述せよ。

### 商業通論 (和田)

一、爲替手形と小切手の異同

二、Firm offer をなすには投機的分子を伴ふと云ふ、理由を詳論せよ。

三、左の意義を問ふ。

- (A) f. o. b.                      (H) Counter offer
- (B) allowance                    (I) Debit Note

### 哲學 (小林)

一、カント批判哲學の起れる理由

二、ライプニッツの人生觀

三、歐洲近世文明の特色

四、デカルトの物心觀

右の内二題選擇のこと

### 自然科學 (立田)

一、地質學上の各年代に出現せし主なる生物を擧げよ。

二、動物と植物との差を個條書きに列記せよ。

三、囊胚時代 (blastula stage) とは如何なるものか簡単に説明せよ。

### 文學史 (増子)

一、精靈能の特質を述べよ

二、國學四大人の名を擧げ其中二人の著書を記せ

### 簿記 (橋本)

一、評價勘定を説明し且つ其著名なる二三の項目を列擧せよ。

二、繰延勘定と損益勘定との關係如何