

等 別：高等考試
類 科：民間之公證人
科 目：英文
考試時間：二小時

座號：_____

※注意：(一)不必抄題，作答時請將試題題號及答案依照順序寫在試卷上，於本試題上作答者，不予計分。
(二)禁止使用電子計算器。

一、文意字彙：請依據各句句意，選出一個最適當的答案，並將該答案前的英文字母 A, B, C 或 D 依題序寫在試卷上。(每小題 2 分，共 20 分)

- C 1. A scrivener is a professional who is employed to make written copies of _____ and manuscripts.
(A) advertisements (B) appointments (C) documents (D) compliments
- B 2. Before you sign any _____, you have to read it carefully in order to protect your own rights.
(A) comfort (B) contract (C) interest (D) inference
- A 3. The lawyer said that all the personal information of his client is kept _____ and is not revealed to anyone else.
(A) confidential (B) confirmed (C) influential (D) critical
- D 4. The pressure of public opinion finally caused the courts to _____ the unreasonable old rule and to enforce the new rule.
(A) command (B) assure (C) repeat (D) abandon
- B 5. Customers can often ask for a _____ within a week if they are not satisfied with their purchase.
(A) withdrawal (B) refund (C) restart (D) suspense
- D 6. The government promised to _____ the farmers for their loss in the typhoon.
(A) accomplish (B) maintain (C) entertain (D) compensate
- B 7. Last time Mr. Chen made a _____ on his insurance, the insurance company paid up very quickly.
(A) record (B) claim (C) scene (D) case
- C 8. Even after the _____ of tax at 30 per cent, the lottery winner still received a huge amount of money.
(A) reduction (B) induction (C) deduction (D) seduction
- A 9. John told the customs official that he had nothing to _____, and soon he passed through the 'green' channel.
(A) declare (B) persist (C) defend (D) demand
- B 10. All the domestic or international flights were _____ due to the bad weather.
(A) damaged (B) postponed (C) executed (D) anticipated

二、綜合測驗：請依據下列二篇文章的文意，在其後之各題中選出最適當的答案，並將該答案前的英文字母 A, B, C 或 D 依題序寫在試卷上。(每小題 2 分，共 40 分)

A.

Public law is the body of rules in which the government is directly involved. Public law 11 the relationships between individuals and the government. The part of public law most familiar 12 many people is criminal law, which is the body of rules 13 we are commanded to obey. The government may fine those who do not obey, send them to jail, or 14 execute them.

Private law, or 15 law, includes the rules that regulate the relationships among people. Private law includes many smaller groups of rules. Some examples are the rules 16 to contracts, personal injuries, and real estate.

Many people think only of criminal law when they hear the word law. 17, most lawyers and courts spend most of their time 18 with problems of private law. These private law problems include taxation, business affairs, the transfer of 19, and the collection of money for persons 20 through the fault of others.

(請接背面)

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- D 11. (A) violates (B) communicates (C) complicates (D) regulates
- B 12. (A) from (B) to (C) than (D) as
- C 13. (A) what (B) when (C) that (D) such
- A 14. (A) even (B) still (C) nearly (D) rarely
- A 15. (A) civil (B) criminal (C) international (D) constitutional
- C 16. (A) relate (B) have related (C) relating (D) been relating
- B 17. (A) Therefore (B) However (C) Finally (D) Totally
- D 18. (A) to deal (B) dealt (C) deals (D) dealing
- B 19. (A) population (B) property (C) privacy (D) prevalence
- C 20. (A) injury (B) injure (C) injured (D) injuries

B.

In a normal life, a person sleeps for about twenty-five years. But 21 do we sleep? The simple answer is: we don't know. We need 22 sleep when we are young. A baby sleeps for about ten hours each day. A 23 sleeps for eight and a half hours, and an adult for seven or eight hours. Older people, 24, need only five or six hours of sleep a day.

Generally speaking, 25 are two kinds of sleep. When you first go to sleep, you go into a 26 sleep. Your temperature falls, your body relaxes, and you breathe 27. After about half an hour you go into the second kind of sleep. This is called rapid eye movement sleep (or REM sleep, 28), because your eyes move. Your body usually 29 about twenty minutes in REM sleep and then goes back into deep sleep for an hour. You dream in both deep and REM sleep, but in REM sleep you dream in pictures. If you 30 in REM sleep, you can usually remember your dream.

- C 21. (A) how (B) why (C) when (D) where
- B 22. (A) less (B) more (C) some (D) little
- C 23. (A) human (B) woman (C) teenager (D) senior citizen
- B 24. (A) too (B) therefore (C) however (D) for instance
- D 25. (A) here (B) they (C) these (D) there
- A 26. (A) deep (B) tense (C) heated (D) breathing
- A 27. (A) slowly (B) rapidly (C) bitterly (D) feverishly
- B 28. (A) in memory (B) for short (C) as an example (D) to that end
- D 29. (A) likes (B) wants (C) does (D) spends
- C 30. (A) stay out (B) take care (C) wake up (D) call off

三、英譯中：請將下列英文譯為中文。(每小題 10 分，共 20 分)

31. Even before men could write, the laws and customs of each community were passed down from one generation to the next by the older members of the group.
32. Individuals with HIV/AIDS in Taiwan suffer from many types of social discrimination and violation of their rights, such as in education, medical, public health, and work or personal privacy.

四、中譯英：請將下列中文譯為英文。(每小題 10 分，共 20 分)

33. 政治和社會的穩定與否，往往是決定國家經濟發展的重要因素之一。
34. 閣下有權查閱及要求更正由本公司持有有關閣下之個人資料。

31. 甚至在人類發明文字之前，每一個部落的法律和風俗，就由團體中年長的成員從一代傳給下一代。

32. 在臺灣帶有人類免疫不全病毒或愛滋病毒的人，遭受許多類型的社會歧視以及權利的侵犯，例如在教育、醫療、公共衛生、以及工作或個人隱私方面。

33. Whether the politics and the society are stable is often one of the important factors that determine the economic development of a country.

34. You have right to view and request the correction of any of your personal information held by our company.

《英文》

一、詞類應用：請按句意將下列各句中括弧內該字的正確詞類依序寫在試卷上(正確詞類如為動詞時，請注意該動詞的人稱與時態，如為名詞時，請注意該名詞的單複數)：(20 分)

例：John looked (trouble) to hear the news.

答案：troubled

1.(Office), I'm on a business trip; actually, I'm on vacation.

【擬答】Officially

2.The shirt was (spot) with grease.

【擬答】spotted

3.Drinking too much can be (injury) to you health.

【擬答】injurious

4.Peter felt that he never quite lived up to his father's (expect).

【擬答】expectation(或 expectations)

5.Thomas Jefferson drafted the (Declare) of Independence for the United States.

【擬答】Declaration

6.Mr. Chang is a very busy man and he has little time to (social).

【擬答】socialize

7.Proper (maintain) is necessary to keep a vehicle running.

【擬答】maintenance

8.I am sick of her (pretend) style of entertaining guests.

【擬答】pretentious

9.The automobile has (revolution) human life.

【擬答】revolutionized

10.Solar energy should be utilized more (effect).

【擬答】effectively

二、英譯中；請將下列各段英文譯為中文：(30 分)

1. The Legislative Yuan passed a bill recently [in 或 by]^{註1} which the ROC government will help keep local airlines running by shouldering extra liability burdens for a period of 30 days.

Taiwan's six local airlines were originally facing possible grounding after insurers around the world reduced their liability for third-party risk insurance to US\$50 million after the terrorist attacks in the U.S. on Sept.11.

Without the extra insurance, airports around the world could refuse to allow planes run by local carriers to land. Actually, the Cabinet recently put forward a bill whereby the government would guarantee all extra liability, ranging from between US\$200 million and US\$1.7 billion, for a period of 30 days starting from Sept.26.

命題意旨	<p>難度指數^{註2}：***</p> <p>a.標準時事題。無論應考法律科目或者英文科，考生都必須隨時關心時事，切莫因為高點輔導課程結束後，沒有新發的講義資料，而讓自己的英文程度以及對於重大國際時事的知識，暫停在課程結束當時的高峰。</p> <p>b.測驗考生對於與時事相關之法律問題之英文表達能力。</p>
答題關鍵	<p>a.常用重要法律英文名詞(例如：責任、責任額、保險、保險人、擔保、法案)。</p> <p>b.在表達複雜概念之長句中，應如何活用分詞片語、分詞構句。</p>

^{註1} 此方括號內之文字係擬答作者添加。按：考題原文可能漏打 in 或 by 字。如果不加上 in 或 by，則該關係代名詞 which 在從屬子句中的功用及角色，就令人費解了。另一個可能性則係將 which 改成 that，但此 that 並非關係代名詞，而係從屬連接詞引導名詞子句作為 bill 之同位語，以修飾 bill。另外，此處之 by which 可以代之以 whereby，如同題第三段原文者是，其係正確。參見後揭註 3。

^{註2} 「難度指數」以一顆星(★極易)到五顆星(★★★★★極難)表示。

	c.副詞性介系詞片語與副詞性從屬子句之間的代換，以及相對應中文之表達方式。
擬答鑑示	參考：高點檢察事務官英文講義，高點民間公證人英文講義，及上課內容：「名詞章：專門名詞」、「動詞章：現在進行式，現在完成式，簡單過去式，被動語態，使役動詞與受詞補語，假設語氣 表示未來或現在不確定事實之假設法」、「關係詞章：複合關係代名詞」、「副詞章：副詞之用法」、「歷屆試題中譯英、英譯中擬答整編」。

【擬答】

立法院最近通過了一項法案，中華民國政府將藉擔負起額外之責任負擔額，為期三十日之方式，協助本地航空公司營運。

在九月十一日美國發生恐怖份子攻擊事件，全世界的保險公司(保險人)降低他們的第三人責任險到五千萬美金後，台灣的六家航空公司，原來正面對可能的停飛。

如果沒有額外的保險，全世界的機場可能會拒絕准許本地運送業者所經營的飛機降落。事實上，最近內閣已然提出一項法案，依據該法案^{註3} 政府將擔保所有額外之責任額，數額從兩億美金到十七億美金，期間三十日，並從九月二十六日開始。

2. The tools of progress, wielded against the toolmakers. And since Sept. 11, the realization that the global village has dark, unsavory alleys is producing an unnerving question. Have the very pathways that energized economies and drew millions together in an Information Age also made the Earth more vulnerable?

Globalization's role in the terror attacks is everywhere. Clues stretch from the mountain passes of Central Asia to apartments in Hamburg to remote Philippine islands to an Oklahoma flight school. Suspects hid in plain sight in Muslim communities around the Western world.

"More than ever, what we've realized with this event is how connected we really are. Whether we like it or not, we are globalized," says Lisbeth Claus, a globalization expert. "We are just too interdependent. The idea that we can only look to our own nation for economics, for information technology, that's gone," says another expert.

命題意旨	難度指數：* * * * a.標準時事題。 b.全球化的概念，以及其背後的哲學性觀察。 c.測驗考生對於與時事相關之法律問題之英文表達能力。 d.另參見前揭第二大題英譯中：第1題、命題意旨 a。
答題關鍵	a.現在進行式、現在完成式、簡單過去式與各種時間副詞或副詞片語搭配使用，所表現之不同語意。 b.強調用法之英文倒裝句之中文譯法。
擬答鑑示	參考：高點檢察事務官英文講義，高點民間公證人英文講義，及上課內容：「動詞章：現在進行式、現在完成式、簡單過去式、被動語態、使役動詞與受詞補語」、「關係詞章：複合關係代名詞」、「副詞章：副詞之用法」、「名詞章：專門名詞」、「歷屆試題中譯英、英譯中擬答整編」。

【擬答】

進步之工具，係對抗工具製造者而鑄成。而自從九月十一日，當地球村出現黑黯、令人厭惡的巷道的景象被體會之時，人們不禁問到一個令人喪膽的問題。是否促使經濟活絡，並且吸引數以百萬計的人們，在資訊時代中，聚集在一起的一條道路，也已然使得地球變得更为脆弱呢？

在恐怖者的攻擊行動中，全球化的角色，處處可見。線索從中亞的山區小道，延伸到漢堡的公寓，到菲律賓群島，直到奧克拉荷馬州的飛行學校。嫌犯躲藏在西方世界的穆斯林(回教徒)社區中。

全球化專家 Lisbeth Claus 說：「就這個事件中，我們所體會到的是我們真正有多麼 較諸以前更甚地 連在一起。無論我們喜歡與否，我們已然是全球化了。」另一位專家說：「我們是這麼地太過彼此依賴。認為我們只能關注自己國家的經濟，由之取得資訊科技的觀念，已然過去了。」

3. In its vast investigation of the terrorist attacks on Washington and New York, the U.S. Justice Department is making extraordinary use of its power to arrest and detain individuals, taking the unusual step of jailing hundreds of people without bond on minor traffic and immigration violations and arresting more than a dozen "material witnesses" not charged with any crime.

Law enforcement officials have exercised such authority before, but never on such a broad

^{註3} 按：複合關係副詞 whereby 係 by which 之併合寫法(contraction)，其中 which 係代表先行詞 bill，在關係子句中作為介系詞 by 之受詞，所形成之介系詞片語 by which 作為副詞片語使用，修飾關係子句中之主要動詞片語 would guarantee all extra liability，其文義為「政府『藉由』該法案」或「政府『依據』該法案」將能為擔保行為。而此係法治國原則之體現。即使是「授益行政處分」，也是受到法律保留原則的拘束。請參照考題原文相關部份之文字。另參見前揭註1。

scale, according to former prosecutors, immigration lawyers, and legal scholars. While some said the scope of the activity is not surprising in light of the enormity of the crime being investigated, others questioned whether those detained have had adequate access to lawyers or been unfairly denied bail.

命題意旨	難度指數：* * * * a.標準時事題。 b.測驗考生對於與時事相關之法律問題之英文表達能力。 c.另參見前揭第二大題、英譯中：第 1 題、命題意旨 a。
答題關鍵	a.常用重要法律英文名詞(例如：犯罪、偵查、律師、羈押、拘禁、保釋金、交保、檢察官、違犯、移民、移民法、證人)。 b.分詞構句之使用，以及翻譯成中文時，如何潤飾其轉折語。
擬答鑑示	高點檢察事務官英文講義，高點民間公證人英文講義，及上課內容：「動詞章：現在進行式，使役動詞與過去分詞作為受詞補語」、「連接詞章：『對照』或『對比』之連接詞之用法」、「歷屆試題中譯英、英譯中擬答整編」。

【擬答】

於其針對發生於華盛頓及紐約市之恐怖主義份子攻擊之大規模偵查(調查)中，美國司法部正大肆運用其權力，逮捕以及拘禁一些人士，並採取不尋常之步驟，將數以百計之人士以輕微交通違規及移民法之違犯之名義，羈押於監獄中，而不准保釋，同時逮捕超過十二個以上之重要證人，而其並未被控以任何罪名。

依據某些前任檢察官、移民法律師、以及法律學者(之說法)，執法官員之前曾經行使此種權力，但從未達如此廣泛之規模。雖則一些人宣稱若就正被偵查(調查)中之犯罪之巨大規模以觀，該活動所達之範圍並不令人驚訝，其他人則對那些被拘禁之人士是否有適當之途徑獲得律師之協助，或係被不公平地不准交保，表示疑問。

三、中譯英；請將下列各句中文譯為英文：(30 分)

1. 颱風正在接近的消息，使大家深感不安。

命題意旨	難度指數：* * a.標準時事題。 b.今年我國自由地區曾遭遇多次劇烈颱風，因之必需知悉此類事務，而能以英文表達。 c.另參見前揭第二大題、英譯中：第 1 題、命題意旨 a。
答題關鍵	a.使役動詞與過去分詞作為受詞補語之用法。 b.選字：「接近」 to approach, to come close, to come near 等。就本題文義而言，以 approach 最為適當。
擬答鑑示	參考：高點檢察事務官英文講義，高點民間公證人英文講義，及上課內容：「動詞章：現在進行式，使役動詞與過去分詞作為受詞補語」、「副詞章：副詞之用法」、「歷屆試題中譯英、英譯中擬答整編」。

【擬答】

The news that the typhoon is approaching makes everyone deeply worried.

2. 那位律師強烈地為他當事人辯護說，他是清白的。

命題意旨	難度指數：* * a.訴狀及答辯狀之翻譯之初步工作知識。基本法律英文：例如原告、被告、當事人、律師、辯護人 等。 b.當事人與辯護人(defense attorney, defense lawyer)舉辦記者會(press conference)時，可能會用到本題所考的概念，以及辭彙。
答題關鍵	a.避免將本題作成兩個簡單句，因為就說話的口氣而言，本題必須一鼓作氣，以分詞片語所引導的分詞構句，作為主要子句的主詞補語。以保持句子的簡潔。 b.雖然「清白的」係「無罪的」之同義詞，但作答本題時切莫畫蛇添足，自作聰明，而將「清白的(innocent)」翻譯作「無罪的(not guilty)」。
擬答鑑示	參考：高點檢察事務官英文講義，高點民間公證人英文講義，及上課內容：「動詞章：現在分詞之用法，分詞片語，分詞構句」、「名詞章：專門名詞」、「副詞章」、「歷屆試題中譯英、英譯中擬答整編」。

【擬答】

That lawyer forcefully defended his client, stating that he was innocent.

3. 全世界都應譴責恐怖主義者 911 那種野蠻的行為。

命題意旨	難度指數：* * a.標準的「時事題」。 b.在國際貿易的場合，國際間之戰爭，或其他可能導致當事人金錢上損失的事項，都有可能成為契約或協議書之一部份，雖然企業人士不會針對特定的事件有太多的情緒，但對於可能導致其損失之事項，會因之列入有關的法律文件中，作為公證人，必須能就這類事項，流暢地以必需之語文，作成相對的中文及英文文書。
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	c.另參見前揭第二大題、英譯中：第1題、命題意旨 a。
答題關鍵	a.以名詞片語轉作形容詞使用以修飾名詞之用法。 b.以過去式助動詞表示退讓語氣之句法。
擬答鑑示	參考：高點檢察事務官英文講義，高點民間公證人英文講義，及上課內容：「名詞章：專門名詞」、「形容詞章：「歷屆試題中譯英、英譯中擬答整編」。

【擬答】

The entire world should condemn the barbaric behavior of the terrorists in the September 11th attack(或 ... of the terrorist attack on September the 11th).

4. 在這場詭異的選舉中，即使不被看好的選舉人，也有當選的機會。

命題意旨	難度指數：*** a.標準的時事題。 b.民國九十年底將會有立委改選，以及省轄縣、市長之選舉，而今年適逢多種事件的重新洗牌，因之即令選舉亦是充滿了不確定性，而顯得相當詭譎莫測。 c.另參見前揭第二大題、英譯中：第1題、命題意旨 a。
答題關鍵	a.中文係以「不被看好的選舉人」表示，亦即其主體為「人」，而該主體係「也有當選的機會」，亦即必需以某種形容詞子句修飾該主體，而「不被看好的」一語可以用「其行情(或：前景)不被看好(whose prospect does not look promising)」表示，如此則必需使用「所有格關係代名詞」。 b.必需辨義：「機會」： chance 係指稱「純粹訴諸機率」的機會，事情成功與否，有如抓鬬般的情形；而 opportunity 則指稱「當事人得以成就某事」的機會。 c.必需辨義：「詭異的」： 如係指稱「似乎與玄學有關、與幽冥界通靈般地古里古怪的」則宜使用 weird；又 weird 有時亦可用以指稱「無厘頭」的那種古怪人物； 如係指稱「充滿陷阱、情況莫名、無以猜測結果的」則宜使用 treacherous(不可恃，虛偽的：例如 treacherous mind、treacherous situation)； 如係指稱「令人費解、稀奇古怪、光怪陸離的」則宜使用 bizarre(例如立法院被某些人批評為「光怪陸離的現象」則可以說成 bizarre situation，而「亂象」本身可以說成 chaotic situation)。
擬答鑑示	高點檢察事務官英文講義，高點民間公證人英文講義，及上課內容：「名詞章：專門名詞」、「形容詞章：以名詞片語作為形容詞之用法」、「關係詞章：先行詞係『人』之『所有格關係代名詞』」，「歷屆試題中譯英、英譯中擬答整編」。

【擬答】

In this bizarre election, even the candidate whose prospect does not look promising could have the chance of being elected.

5. 他辛苦工作賺錢以致沒時間花錢，實在是無法魚與熊掌兼得。

命題意旨	難度指數：*** 中文與英文格言或諺語的對應翻譯，以及在搭配現實生活事件中之合併應用。
答題關鍵	a.中文與英文格言或諺語的對應翻譯。例如本題「無法魚與熊掌兼得」可以取「one cannot serve both God and Mammon (at the same time) ^{註4} 」(一個人無法(同時)侍奉上帝和財神)的說法。意思是說：如果一個人一心追求上帝的道，則不可能又同時要追求俗世的財富 亦即「魚與熊掌不可兼得」之意。 b.中文之靈活句法，常常含有隱藏的轉折語，在翻譯成英文時必須先要將之還原。
擬答鑑示	參考：高點檢察事務官英文講義，高點民間公證人英文講義，及上課內容：「動詞章：現在完成進行式」、「副詞章：含有副詞之慣用片語 so ... that ...」，「歷屆試題中譯英、英譯中擬答整編」。

【擬答】

He has always been working so hard to make money that he never had any time to spend it, in that he was like one who simply could not serve both God and Mammon^{註5} (at the same time).

四、閱讀測驗：閱讀下列各段英文之後，請在下列各題中選出最適當的答案，並將該答案前的英文字母 A, B, C, 或 D 依據寫在試卷上：(20 分)

The foundation of the government of the United States is the Constitution, (1) almost two hundred years ago. The Constitution divides power (2) the legislative, judicial and executive branches of government.

^{註4} 括號內的文字可以省略不用。

^{註5} mammon 《名詞》財富；Mammon 《名詞》財神(字頭大寫字母)。

Each division is almost independent____(3)____ the others. This is usually called the system of checks and____(4)____. Each division has some power to act as brake____(5)____ the other divisions. The head of the executive branch is the President. The head of the legislative branch is Congress. The head of the judicial branch is the Supreme Court.

The President is elected by the people for a four-year____(6)____. He may be reelected and____(7)____ eight years altogether, but no longer than____(8)____. (A famous President, Franklin Roosevelt, was elected four times but since then Congress has passed a law making anything longer than two terms illegal.) The president appoints Cabinet officers to help him____(9)____ his executive functions. These men must be approved by the Senate. The Cabinet takes care of such national businesses____(10)____ defense, foreign relations, money, etc.

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|--------------------------|--------------|------------|--------------------------|
| (C) 1. (A)drew up | (B)set | (C)written | (D)founded |
| (B) 2. (A)in | (B)into | (C)among | (D)between |
| (B) 3. (A)on | (B)of | (C)to | (D)at |
| (B) 4. (A)power | (B)balances | (C)bills | (D)controls |
| (A) 5. (A)on | (B)by | (C)at | (D)in |
| (A) 6. (A)term | (B)period | (C)span | (D)semester |
| (D) 7. (A)service | (B)work | (C)hold | (D)serves |
| (D) 8. (A)he was elected | (B)4 years | (C)this | (D)that |
| (B) 9. (A)carry on | (B)carry out | (C)fulfill | (D)putting into practice |
| (A) 10. (A)as | (B)like | (C)as to | (D)that |