

3. In view, however, of the position of Johore as a territory under His Majesty's protection, it is considered that the agreement should not be regarded as a treaty between His Majesty and the Head of a foreign State. Accordingly, no full power has been issued by His Majesty for its signature, and no provision has been made for ratification by His Majesty. Further, it is not contemplated that the agreement should be registered with the League of Nations under Article 18 of the Covenant.

I have, &c.
(For the Secretary of State),
LOVAT.

Governor-General His Excellency General Sir C. Fergusson, Bart.,
LL.D., G.C.M.G., K.C.B., D.S.O., M.V.O., &c.

Enclosure.

AGREEMENT made between His Excellency Sir Hugh Charles Clifford, M.C.S., Knight Grand Cross of the Most Distinguished Order of Saint Michael and Saint George, Knight Grand Cross of the Most Excellent Order of the British Empire, Governor and Commander-in-Chief of the Colony of the Straits Settlements, on behalf of His Britannic Majesty, and His Highness Ibrahim, Knight Grand Cross of the Most Distinguished Order of Saint Michael and Saint George, Knight Commander of the Most Excellent Order of the British Empire, bin Almarhom Sultan Abu Bakar, Sultan of the State and Territory of Johore.

Whereas by Article II of the Treaty of the 2nd day of August, 1824, made between the Honourable the English East India Company on the one side and Their Highnesses the Sultan and Tumungong of Johore on the other, Their said Highnesses did cede in full sovereignty and property to the said Company, their heirs and successors for ever, the Island of Singapore together with certain adjacent seas, straits, and islets:

And whereas His Britannic Majesty is the successor of the Honourable the English East India Company:

And whereas His Britannic Majesty, in token of the friendship which he bears towards His Highness Ibrahim bin Almarhom Sultan Abu Bakar, Sultan of the State and Territory of Johore, is desirous that certain of the said seas, straits, and islets shall be retroceded and shall again form part of the State and Territory of Johore:

Now, therefore, it is agreed and declared as follows:—

Article I.

The boundary between the territorial waters of the Settlement of Singapore and those of the State and Territory of Johore shall, except as hereafter specified in this article, be an imaginary line following the centre of the deep-water channel in Johore Strait, between the mainland of the State and Territory of Johore on the one side and the northern shores of the Islands of Singapore, Pulau Ubin, Pulau Tekong Kechil, and Pulau Tekong Besar on the other side. Where, if at all, the channel divides into two portions of equal depth running side by side, the boundary shall run midway between these two portions. At the western entrance of Johore Strait, the boundary, after passing through the centre of the deep-water channel eastward of Pulau Merambong, shall proceed seaward in the general direction of the axis of this channel produced until it intersects the three-mile limit drawn from the low-water mark of the south-coast of Pulau Merambong. At the eastern entrance of Johore Strait the boundary shall be held to pass through the centre of the deep-water channel between the mainland of Johore, westward of Johore Hill, and Pulau Tekong Besar, next through the centre of the deep-water channel between Johore Shoal and the mainland of Johore, southward of Johore Hill, and finally turning southward, to intersect the three-mile limit drawn from the low-water mark of the mainland of Johore in a position bearing 192° from Tanjong Sitapa.

The boundary as so defined is approximately delineated in red on the map annexed hereunto and forming part of this Agreement. Should, however, the map, owing to alterations in the channels, &c., appear at any time to conflict with the text of this Agreement, the text shall in all cases prevail.

Article II.

Subject to the provisions of Article I hereof, all those waters ceded by Their Highnesses the Sultan and Tumungong of Johore under treaty of the 2nd of August, 1824, which are within three nautical miles of the mainland of the State and Territory of Johore measured from low-water mark shall be deemed to be within the territorial waters of the State and Territory of Johore.

Article III.

All islets lying within the territorial waters of the State and Territory of Johore, as defined in Articles I and II hereof, which immediately prior to this Agreement formed part of His Britannic Majesty's dominions, are hereby ceded in full sovereignty and property to His Highness the Sultan of the State and Territory of Johore, his heirs and successors for ever.