

INTERNATIONAL COURT OF JUSTICE

**CASE CONCERNING SOVEREIGNTY OVER
PEDRA BRANCA/PULAU BATU PUTEH,
MIDDLE ROCKS AND SOUTH LEDGE**

MALAYSIA/SINGAPORE

MEMORIAL OF MALAYSIA

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ANNEX MM 1

**Convention between Great Britain and the Netherlands Relative
to the Dutch Colonies, London, 13 August 1814, 63**
Consolidated Treaty Series 322

ENGLISH / FRENCH TEXTS

In the Name of the Most Holy and Undivided Trinity.

THE United Provinces of The Netherlands, under the favour of Divine Providence, having been restored to their Independence, and having been placed by the loyalty of the Dutch People and the achievements of the Allied Powers, under the Government of the Illustrious

Au Nom de la Très-Sainte et Indivisible Trinité.

LES Provinces Unies des Pays Bas ayant été rendues, par la faveur de la Providence Divine, à leur Indépendance, et ayant été placées par la loyauté de la Nation Hollandaise et les Armes des Puissances Alliées sous le Gouvernement de l'illustre Maison

House of Orange; and His Britannic Majesty being desirous of entering into such arrangements with the Prince Sovereign of the United Netherlands, concerning the Colonies of the said United Netherlands, which have been conquered by His Majesty's Arms during the late War, as may conduce to the prosperity of the said State, and may afford a lasting testimony of His Majesty's friendship and attachment to the Family of Orange, and to the Dutch Nation; the said High Contracting Parties, equally animated by those sentiments of cordial good will and attachment to each other, have nominated for their Plenipotentiaries, namely:

His Majesty the King of the United Kingdom of Great Britain and Ireland, the Right Honourable Robert Stewart, Viscount Castlereagh, one of His said Majesty's Most Honourable Privy Council, a Member of Parliament, Colonel of the Londonderry Regiment of Militia, Knight of the Most Noble Order of the Garter, and his Principal Secretary of State for Foreign Affairs, &c.;

And His Royal Highness the Prince of Orange-Nassau, Prince Sovereign of the United Netherlands, His Excellency Henry Fagel, His Ambassador Extraordinary and Plenipotentiary at the Court of His Britannic Majesty:

Who, after having exchanged their Full Powers, found in good and due form, have agreed to the following Articles:

ART. I. His Britannic Majesty engages to restore to the Prince

d'Orange; et Sa Majesté Britannique désirant faire avec le Prince Souverain des Provinces Unies des Pays Bas, relativement aux Colonies des dites Provinces Unies, conquises durant la dernière guerre par les Armes de Sa Majesté, des arrangemens propres à avancer la prospérité du dit Etat, et en même tems à fournir une preuve durable de l'amitié et de l'attachement de Sa Majesté pour la Maison d'Orange et pour la Nation Hollandaise; les Hautes Parties Contractantes sus-mentionnées, également animées de ces sentimens réciproques de bienveillance cordiale et d'attachement mutuel l'une envers l'autre, ont nommé leurs Plénipotentiaires, savoir:

Sa Majesté le Roi du Royaume Uni de la Grande Bretagne et d'Irlande, le Très-Honorable Robert Stewart, Vicomte Castle-reagh, Conseiller de Sa dite Majesté en son Conseil Privé, Membre de son Parlement, Colonel du Régiment de Milice de Londonderry, Chevalier du Très-Noble Ordre de la Jarretière, et son Principal Secrétaire d'Etat pour les Affaires Etrangères, &c.;

Et Son Altesse Royale le Prince d'Orange, Prince Souverain des Provinces Unies des Pays Bas, le Sieur Henri Fagel, son Ambassadeur Extraordinaire et Plénipotentiaire à la Cour de Sa Majesté Britannique:

Lesquels, après avoir échangé leurs Pleins-pouvoirs, trouvés en bonne et due forme, sont convenus des Articles suivans:

ART. I. Sa Majesté Britannique s'engage à restituer au

Sovereign of the United Netherlands, within the term which shall be hereafter fixed, the Colonies, Factories, and Establishments which were possessed by Holland at the commencement of the late War, viz on the 1st of January 1803, in the Seas and on the Continent of America, Africa, and Asia; with the exception of the Cape of Good Hope and the Settlements of Demerara, Essequibo, and Berbice, of which Possessions the High Contracting Parties reserve to themselves the right to dispose by a Supplementary Convention, hereafter to be negotiated, according to their mutual interests, and especially with reference to the provisions contained in the VIIIth and IXth Articles of the Treaty of Peace, signed between His Britannic Majesty and His Most Christian Majesty, on the 30th of May, 1814.

II. His Britannic Majesty agrees to cede in full Sovereignty the Island of Banca, in the Eastern Seas, to the Prince Sovereign of The Netherlands, in exchange for the Settlement of Cochin and its Dependencies on the Coast of Malabar, which is to remain in full Sovereignty to His Britannic Majesty.

III. The Places and Forts in the Colonies and Settlements, which by virtue of the 2 preceding Articles are to be ceded and exchanged by the 2 High Contracting Parties, shall be given up in the state in which they may be at the moment of the signature of the present Convention.

IV. His Britannic Majesty

Prince Souverain des Provinces Unies des Pays Bas, dans le délai qui sera fixé ci-après, les Colonies, Comptoirs et Etablissements dont la Hollande étoit en possession au commencement de la dernière Guerre, c'est-à-dire, au 1er Janvier, 1803, dans les Mers et sur les Continents de l'Amérique, de l'Afrique et de l'Asie, à l'exception du Cap de Bonne Espérance, et des Etablissements de Démerara, Essequibo, et Berbice, desquelles Possessions les Hautes Parties Contractantes se réservent le droit de disposer par une Convention supplémentaire qui sera négociée ci-après, conformément aux intérêts mutuels des 2 Parties, et en particulier sous le rapport des stipulations contenues dans les Articles VI et IX du Traité de Paix, conclu entre Sa Majesté Britannique et Sa Majesté Très-Chrétienne, le 30 Mai, 1814.

II. Sa Majesté Britannique consent à céder en toute Souveraineté l'île de Banca, située dans les Mers Orientales, au Prince Souverain des Pays Bas, en échange de l'Etablissement de Cochin et de ses Dépendances sur la Côte de Malabar, lequel restera en toute Souveraineté à Sa Majesté Britannique.

III. Les Places et Forts dans les Colonies et Etablissements, lesquels doivent être cédés et échangés par les 2 Hautes Parties Contractantes, en vertu des 2 Articles précédens, seront remis dans l'état où ils se trouveront au moment de la signature de la présente Convention.

IV. Sa Majesté Britannique

guarantees to the Subjects of His Royal Highness the Prince Sovereign of the United Netherlands, the same facilities, privileges, and protection, with respect to Commerce and the security of their property and persons within the limits of the British Sovereignty on the Continent of India, as are now or shall be granted to the most favoured Nations.

His Royal Highness the Prince Sovereign, on his part, having nothing more at heart than the perpetual duration of Peace between the Crown of England and the United Netherlands, and wishing to do his utmost to avoid any thing which might affect their mutual good understanding, engages not to erect any Fortifications in the Establishments which are to be restored to him within the limits of the British Sovereignty upon the Continent of India, and only to place in those Establishments the number of Troops necessary for the maintenance of the Police.

V. Those Colonies, Factories and Establishments, which are to be ceded to His Royal Highness the Sovereign Prince of the United Netherlands by His Britannic Majesty, in the Seas or on the Continent of America, shall be given up within 3 months, and those which are beyond the Cape of Good Hope within the 6 months, which follow the Ratification of the present Convention.

VI. The High Contracting

s'engage à faire jouir les Sujets de Son Altesse Royale le Prince Souverain des Provinces Unies, relativement au Commerce et à la sûreté de leurs personnes et propriétés dans les limites de la Souveraineté Britannique sur le Continent des Indes, des mêmes facilités, privilèges et protection qui sont à présent ou seront accordés aux Nations les plus favorisées.

De son côté, Son Altesse Royale le Prince Souverain, n'ayant rien plus à cœur que la perpétuité de la Paix entre la Couronne d'Angleterre et les Provinces Unies des Pays Bas, et voulant contribuer autant qu'il est en elle à écarter dès-à-présent des rapports des 2 Peuples ce qui pourroit un jour altérer la bonne intelligence mutuelle, s'engage à ne faire aucun ouvrage de Fortification dans les Etablissements qui lui doivent être restitués, et qui sont situés dans les limites de la Souveraineté Britannique sur le Continent des Indes, et à ne mettre dans ces Etablissements que le nombre de Troupes nécessaires pour le maintien de la Police.

V. Ces Colonies, Comptoirs et Etablissements, qui doivent être cédés à Son Altesse Royale le Prince Souverain des Provinces Unies des Pays Bas par Sa Majesté Britannique, dans les Mers et sur le Continent de l'Amérique, seront remis dans les 3 mois, et ceux qui sont au-delà du Cap de Bonne Espérance dans les 6 mois, qui suivront la Ratification de la présente Convention.

VI. Les Hautes Parties Con-

Parties, desirous to bury in entire oblivion the dissensions which have agitated Europe, declare and promise, that no Individual, of whatever rank or condition he may be, in the Countries restored and ceded by the present Treaty, shall be prosecuted, disturbed, or molested in his person or property, under any pretext whatever, either on account of his conduct or political opinions, his attachment either to any of the Contracting Parties, or to any Government which has ceased to exist, or for any other reason, except for debts contracted towards Individuals, or acts posterior to the date of the present Treaty.

VII. The Native Inhabitants and Aliens, of whatever Nation or condition they may be, in those Countries which are to change Sovereigns, as well in virtue of the present Convention as of the subsequent arrangements to which it may give rise, shall be allowed a period of 6 years, reckoning from the exchange of the Ratifications, for the purpose of disposing of their property, if they think fit, whether it be acquired before or during the late War, and of retiring to whatever Country they may choose.

VIII. The Prince Sovereign of the United Netherlands, anxious to co-operate in the most effectual manner with His Majesty the King of the United Kingdom of Great Britain and Ireland, so as to bring about the total abolition of the Trade in Slaves on the Coast of Africa, and having spontaneously issued a De-

tractantes, voulant mettre et faire mettre dans un entier oubli les divisions qui ont agité l'Europe, déclarent et promettent que dans les Pays restitués et cédés par le présent Traité, aucun Individu, de quelque classe et condition qu'il soit, ne pourra être ni poursuivi, ni inquiété, ni troublé sous aucun prétexte, ou à cause de sa conduite ou opinion politique, ou de son attachement, soit à aucune des Parties Contractantes, soit à des Gouvernemens qui ont cessé d'exister, ou pour toute autre raison, si ce n'est pour des dettes contractées envers des Individus, ou pour des actes postérieurs au présent Traité.

VII. Dans tous les Pays qui doivent ou devront changer de Maîtres, tant en vertu de la présente Convention que des arrangemens qui pourront être faits en conséquence, il sera accordé, aux Habitans Naturels et Etrangers, de quelque Nation et condition qu'ils soient, un espace de 6 ans à compter de l'échange des Ratifications, pour disposer, s'ils le jugent convenable, de leurs propriétés acquises, soit avant soit depuis la dernière Guerre, et se retirer dans tel Pays qu'il leur plaira de choisir.

VIII. Le Prince Souverain des Provinces Unies des Pays Bas, animé d'un vif désir de co-opérer de la manière la plus efficace avec Sa Majesté le Roi du Royaume Uni de la Grande Bretagne et d'Irlande, à l'effet de parvenir à l'entière abolition de la Traite des Esclaves sur la côte de l'Afrique,

cree dated the 16th of June 1814, wherein it is enjoined, that no ships or vessels whatever, destined for the Trade in Slaves, be cleared out or equipped in any of the harbours or places of his Dominions, nor admitted to the Forts or Possessions on the Coast of Guinea, and that no Inhabitants of that Country shall be sold or exported as Slaves,—does moreover hereby engage to prohibit all his Subjects, in the most effectual manner and by the most solemn Laws, from taking any share whatsoever in such inhuman Traffic.

IX. The present Convention shall be ratified, and the Ratifications shall be duly exchanged at London, within 3 weeks from the date hereof, or sooner if possible.

In witness whereof, we, the undersigned Plenipotentiaries, in virtue of our respective Full Powers, have signed the present Convention, and have affixed thereto the Seals of our Arms.

Done at London, this 13th day of August, 1814.

(L.S.) CASTLEREAGH.

(L.S.) H. FAGEL.

ADDITIONAL ARTICLES.

I. IN order the better to provide for the Defence and Incorporation of the Belgic Provinces with Holland, and also to provide, in conformity to the IXth Article of the Treaty of Paris, a suitable compensation for the Rights ceded by His Swedish Majesty under the said Article, which compensation, it is understood, in the

et ayant de son propre mouvement publié un Décret en date du 15 Juin 1814, portant qu'aucun bâtiment ou navire quelconque destiné au Commerce des Esclaves, ne sera équipé ou ne sortira d'aucun des Ports ou places de Ses Etats, ou ne sera admis dans les Forts ou Possessions sur la Côte de Guinée, et qu'aucun Habitant de ces Contrées ne sera vendu ou exporté comme Esclave,—S'engage de plus par le présent Traité à défendre à tous ses Sujets de la manière la plus efficace, et par les Lois les plus formelles, de prendre aucune part quelconque à ce Trafic inhumain.

IX. La présente Convention sera ratifiée, et les Ratifications en seront dûment échangées à Londres, dans le délai de 3 semaines, ou plutôt si faire se peut.

En foi de quoi, nous Soussignés Plénipotentiaires, en vertu de nos Pleins-pouvoirs respectifs, avons signé la présente Convention, et y avons apposé le Sceau de nos Armes.

Fait à Londres, le 13 Aôut, 1814.

(L.S.) CASTLEREAGH.

(L.S.) H. FAGEL.

ARTICLES ADDITIONNELS.

I. AFIN de pourvoir d'autant mieux à la Défense et à la Reunion des Provinces Belghiques avec la Hollande, comme aussi afin d'assurer à Sa Majesté Suédoise, en conformité de l'Article IXème du Traité de Paris, une compensation convenable pour les Droits cédés par Elle, en vertu du dit Article, laquelle compensation

event of the above Reunion, Holland should be liable to furnish, in pursuance of the above stipulations; it is hereby agreed between the High Contracting Parties, that His Britannic Majesty shall take upon himself, and engage to defray the following charges:

1. The payment of £1,000,000 to Sweden, in satisfaction of the Claims aforesaid, and in pursuance of a Convention this day executed with His Swedish Majesty's Plenipotentiary to that effect, a Copy of which Convention is annexed to these Additional Articles.

2. The advance of £2,000,000, to be applied, in concert with the Prince Sovereign of The Netherlands, and in aid of an equal sum to be furnished by him, towards augmenting and improving the defences of the Low Countries.

3. To bear, equally with Holland, such further charges as may be agreed upon between the said High Contracting Parties and their Allies, towards the final and satisfactory settlement of the Low Countries in union with Holland, and under the dominion of the House of Orange, not exceeding, in the whole, the sum of £3,000,000, to be defrayed by Great Britain.

In consideration, and in satisfaction of the above engagements,

il est entendu que la Hollande sera tenue, après la dite Réunion, de fournir conformément aux dites stipulations; les Hautes Parties Contractantes sont convenues par le présent Article, que Sa Majesté Britannique prendra sur elle et s'engagera à défrayer les dépenses suivantes:

1. Le paiement de 1,000,000 de livres sterling à la Suède, pour satisfaire aux demandes susdites, et en conséquence d'une Convention conclue et signée à cet effet, ce jourd'hui, avec le Plénipotentiaire de Sa Majesté Suédoise, et de laquelle Convention une Copie est annexée aux présens Articles Additionnels.

2. Une somme de 2,000,000 de livres sterlings, destinée à être employée, de concert avec le Prince Souverain des Provinces Unies des Pays Bas, et en sus d'une somme égale à fournir par ce Prince, à augmenter et à fortifier la ligne de défense des Pays Bas.

3. A supporter, conjointement et en portion égale avec la Hollande, tels frais ultérieurs qui pourront être réglés et arrêtés d'un commun accord entre les dites Hautes Parties Contractantes et leurs Alliées, dans le but de consolider et d'établir finalement d'une manière satisfaisante l'union des Pays Bas avec la Hollande, sous la domination de la Maison d'Orange; la dite somme à fournir par la Grande Bretagne comme sa quote-part, ne devant pas excéder 3,000,000 de livres sterlings.

En considération des engagements ci-dessus mentionnés pris

as taken by His Britannic Majesty, the Prince Sovereign of The Netherlands agrees to cede in full Sovereignty to His Britannic Majesty, the Cape of Good Hope, and the Settlements of Demerara, Essequibo, and Berbice, upon the condition, nevertheless, that the Subjects of the said Sovereign Prince, being Proprietors in the said Colonies or Settlements, shall be at liberty (under such regulations as may hereafter be agreed upon in a Supplementary Convention) to carry on trade between the said Settlements and the Territories in Europe of the said Sovereign Prince.

It is also agreed between the 2 High Contracting Parties, that the Ships of every kind belonging to Holland, shall have permission to resort freely to the Cape of Good Hope for the purposes of refreshment and repairs, without being liable to other charges than such as British Subjects are required to pay.

II. The small District of Bernagore, situated close to Calcutta, being requisite to the due preservation of the peace and Police of that City, the Prince of Orange agrees to cede the said District to His Britannic Majesty, upon a payment of such sum annually to His Royal Highness as may be considered, by Commissioners to be appointed by the respective Governments, to be just and reasonable, with reference to the profits or revenue usually derived by the Dutch Government from the same.

par Sa Majesté Britannique, le Prince Souverain des Pays Bas consent à céder en toute Souveraineté à Sa Majesté Britannique, le Cap de Bonne Espérance, et les Etablissements de Demerara, Essequibo, et Berbice, à condition néanmoins que les Sujets de Sa dite Altesse Royale le Prince Souverain, étant Propriétaires dans les dites Colonies ou Etablissements, auront la faculté (sauf tels réglemens dont on conviendra ci-après par une Convention Supplémentaire) de naviguer et de trafiquer entre les dits Etablissements et les Territoires du dit Prince Souverain en Europe.

Les Hautes Parties Contractantes sont aussi convenues, que les Navires de toute espèce appartenant à la Hollande, seront admis librement au Cap de Bonne Espérance pour s'y procurer des rafraichissemens et les réparations dont ils pourroient avoir besoin, sans avoir pour cela d'autres droits à payer que ceux exigés de Sujets Anglais.

II. Le petit District de Bernagore, situé près de la Ville de Calcutta, étant nécessaire pour assurer la tranquillité et la Police de cette Ville, le Prince d'Orange consent à céder le dit District à Sa Majesté Britannique, contre le paiement annuel à Son Altesse Royale, de telle somme qui, au jugement de Commissaires à nommer de part et d'autre, sera trouvée juste et raisonnable, eu égard aux profits ou revenu ordinairement perçu par le Gouvernement Hollandois dans le District en question.

III. The present Additional Articles shall have the same force and validity as if they were inserted word for word in the Convention signed this day. They shall be ratified, and the Ratifications shall be exchanged at the same time and place.

In witness whereof, we, the Undersigned Plenipotentiaries, have signed and affixed to them the Seal of our Arms.

Done at London, this 13th day of August, 1814.

(L.S.) CASTLEREAGH.

(L.S.) H. FAGEL.

III. Les présens Articles Additionnels auront la même force et valeur que s'ils étoient insérés mot-à-mot dans la Convention signée aujourd'hui. Ils seront ratifiés, et les Ratifications en seront échangées en même tems et lieu.

En foi de quoi, nous, Soussignés Plénipotentiaires, les avons signés et y avons apposé le Sceau de nos Armes.

Fait à Londres, le 13ème d'Août, 1814.

(L.S.) CASTLEREAGH.

(L.S.) H. FAGEL.

ANNEX MM 2

**Agreement between the Honourable East India Company and
the Temenggong of Johore, 30 January 1819, 69 CTS 480
(English text)**

ENGLISH TEXT

SIR STAMFORD RAFFLES' AGREEMENT OF 30TH JANUARY, 1819.

Agreement made by the Dato Tumungung Sree Maharajah, Ruler of Singapore, who governs the country of Singapore and all the islands which are under the government of Singapore in his own name and in the name of Sree Sultan Hussein Mahummud Shah, Rajah of Johore with Sir Thomas Stamford Raffles, Lieutenant-Governor of Bencoolen and its dependencies on behalf of the Most Noble the Governor-General of Bengal.

On account of the long existing friendship and commercial relations between the English Company and the countries under the Authority of Singapore and Johore it is well to arrange these matters on a better footing never to be broken.

ARTICLE I.

The English Company can establish a factory (logi) situated at Singapore or other place in the Government of Singapore—Johore.

ARTICLE II.

On account of that the English Company agree to protect the Dato Tumungung Sree Maharajah.

ARTICLE III.

On account of the English Company having the ground on which to make a factory they will give each year to the Dato Tumungung Sree Maharajah three thousand dollars.

ARTICLE IV.

The Dato Tumungung agrees that as long as the English Company remain and afford protection according to this Agreement he will not enter into any relations with or let any other nation into his country other than the English.

ARTICLE V.

Whenever the Sree Sultan, who is on his way, arrives here, all matters of this agreement will be settled, but the English Company can select a place to land their forces and all materials and hoist the English Company's flag. On this account we each of us put our hands and chops on this paper at the time it is written on the 4th day of Rabil Akhir in the year 1234.

Seal of the East India Company.

(Signed) T. S. RAFFLES.

Chop of the TUMUNGGUNG.

TREATY of FRIENDSHIP and ALLIANCE concluded between the Honourable SIR THOMAS STAMFORD RAFFLES, Lieutenant-Governor of Fort Marlborough and its dependencies, Agent to the Most Noble FRANCIS, MARQUIS OF HASTINGS, Governor-General of India, &c., &c., &c., for the HONOURABLE ENGLISH EAST INDIA COMPANY on the one part, and their HIGHNESSES SULTAN HUSSAIN MAHUMMED SHAH, Sultan of Johore, and DATOO TUMUNGONG SRI MAHARAJAH ABDUL-RAHMAN, Chief of Singapore and its dependencies, on the other part.

ARTICLE I.

The Preliminary Articles of Agreement entered into on the 30th of January, 1819, by the Honourable Sir Stamford Raffles, on the part of the English East India Company, and by Dattoo Tumungong Sri Maharajah Abdul Rahman, Chief of Singapore and its dependencies, for himself and for Sultan

ANNEX MM 3

**Treaty of Friendship and Alliance between Sir Stamford
Raffles and Sultan Hussain Mahummad Shah, Sultan of Johore
and Dato Temenggong Sri Maharajah Abdul-Rahman, 6
February 1819, 69 CTS 481**

ARTICLE II.

On account of that the English Company agree to protect the Dato Tumungung Sree Maharajah.

ARTICLE III.

On account of the English Company having the ground on which to make a factory they will give each year to the Dato Tumungung Sree Maharajah three thousand dollars.

ARTICLE IV.

The Dato Tumungung agrees that as long as the English Company remain and afford protection according to this Agreement he will not enter into any relations with or let any other nation into his country other than the English.

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Whenever the Sree Sultan, who is on his way, arrives here, all matters of this agreement will be settled, but the English Company can select a place to land their forces and all materials and hoist the English Company's flag. On this account we each of us put our hands and chops on this paper at the time it is written on the 4th day of Rabil Akhir in the year 1234.

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ARTICLE I.

The Preliminary Articles of Agreement entered into on the 30th of January, 1819, by the Honourable Sir Stamford Raffles, on the part of the English East India Company, and by Dattoo Tummungong Sri Maharajah Abdul Rahman, Chief of Singapore and its dependencies, for himself and for Sultan

Hussain Mahummed Shah, Sultan of Johore, are hereby entirely approved, ratified, and confirmed by His Highness the aforesaid Sultan Mahummed Shah.

ARTICLE II.

In furtherance of the objects contemplated in the said Preliminary Agreement, and in compensation of any and all the advantages which may be foregone now or hereafter by His Highness Sultan Hussain Mahummed Shah, Sultan of Johore, in consequence of the stipulations of this Treaty, the Honourable English East India Company agree and engage to pay to his aforesaid Highness the sum of Spanish Dollars five thousand annually, for, and during the time that the said Company may, by virtue of this Treaty, maintain a factory or factories on any part of His Highness' hereditary dominions, and the said Company further agree to afford their protection to His Highness aforesaid as long as he may continue to reside in the immediate vicinity of the places subject to their authority: It is however clearly explained to, and understood by His Highness, that the English Government, in entering into this Alliance, and in thus engaging to afford protection to His Highness, is to be considered in no way bound to interfere with the internal politics of his States, or engaged to assert or maintain the authority of His Highness by force of arms.

ARTICLE III.

His Highness Dato Tummungong Sri Maharajah Abdul Rahman, Chief of Singapore and its dependencies, having by Preliminary Articles of Agreement entered into on the 30th of January, 1819, granted his full permission to the Honourable English East India Company to establish a factory or factories at Singapore, or on any other part of His Highness' dominions, and the said Company having, in recompense and in return for the said grant, settled on His Highness the yearly sum of Spanish Dollars three thousand, and having received His Highness into their alliance and protection, all and every part of the said Preliminary Articles is hereby confirmed.

ARTICLE IV.

His Highness the Sultan Hussain Mahummed Shah, Sultan of Johore, and His Highness Dato Tummungong Sri Maharajah Abdul Rahman, Chief of Singapore, engage and agree to aid and assist the Honourable East India Company against all enemies that may assail the factory or factories of the said Company established, or to be established, in the dominions of their said Highnesses respectively.

ARTICLE V.

His Highness the Sultan Hussain Mahummed Shah, Sultan of Johore, and His Highness Dato Tummungong Sri

Maharajah Abdul Rahman, Chief of Singapore, agree, promise, and bind themselves, their heirs and successors, that for as long time as the Honourable the English East India Company shall continue to hold a factory or factories on any part of the dominions subject to the authority of their Highnesses aforesaid, and shall continue to afford to their Highnesses support and protection, they, their said Highnesses, will not enter into any Treaty with any other nation, and will not admit or consent to the settlement in any part of their dominions of any other power, European or American.

ARTICLE VI.

All persons belonging to the English factory or factories, or who shall hereafter desire to place themselves under the protection of its flag, shall be duly registered and considered as subject to the British authority.

ARTICLE VII.

The mode of administrating justice to the native population shall be subject to future discussion and arrangement between the contracting parties, as this will necessarily, in a great measure, depend on the laws and usages of the various tribes who may be expected to settle in the vicinity of the English factory.

ARTICLE VIII.

The Port of Singapore is to be considered under the immediate protection and subject to the regulations of the British authorities.

ARTICLE IX.

With regard to the Duties which it may hereafter be deemed necessary to levy on goods, merchandize, boats or vessels, His Highness Dattoo Tumungong Sri Maharajah Abdul Rahman is to be entitled to a moiety or full half of all the amount collected from native vessels.

The expenses of the port and of the collection of Duties is to be defrayed by the British Government.

Done and concluded at Singapore, this 6th day of February, in the year of Our Lord 1819, answering to the 19th day of the month Rabi-al-Ahkir and year of the Hejira 1234.

(Signed) T. S. RAFFLES,

*Agent to the Most Noble the
Governor-General for the States
of Rhio, Singapore and Johore.*

Hussain Mahummed Shah, Sultan of Johore, are hereby entirely approved, ratified, and confirmed by His Highness the aforesaid Sultan Mahummed Shah.

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His Highness the Sultan Hussain Mahummed Shah, Sultan of Johore, and His Highness Dattoo Tummungong Sri Maharajah Abdul Rahman, Chief of Singapore, engage and agree to aid and assist the Honourable East India Company against all enemies that may assail the factory or factories of the said Company established, or to be established, in the dominions of their said Highnesses respectively.

ARTICLE V.

His Highness the Sultan Hussain Mahummed Shah, Sultan of Johore, and His Highness Dattoo Tumungong Sri

Maharajah Abdul Rahman, Chief of Singapore, agree, promise, and bind themselves, their heirs and successors, that for as long time as the Honourable the English East India Company shall continue to hold a factory or factories on any part of the dominions subject to the authority of their Highnesses aforesaid, and shall continue to afford to their Highnesses support and protection, they, their said Highnesses, will not enter into any Treaty with any other nation, and will not admit or consent to the settlement in any part of their dominions of any other power, European or American.

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Done and concluded at Singapore, this 6th day of February, in the year of Our Lord 1819, answering to the 19th day of the month Rabi-al-Ahkir and year of the Hejira 1234.

(Signed) T. S. RAFFLES,

*Agent to the Most Noble the
Governor-General for the States
of Rhio, Singapore and Johore.*

ANNEX MM 4

**Arrangements Made for the Government of Singapore,
Singapore, 26 June 1819, 70 CTS 202**

ARRANGEMENTS MADE FOR THE GOVERNMENT OF SINGAPORE,
IN JUNE, 1819.

Be it known to all men, that we, the Sultan Hussain Mahomed Shah, Ungko Tumungong Abdool Rahman, Governor Raffles, and Major William Farquhar, have hereby entered into the following arrangements and regulations for the better guidance of the people of this Settlement, pointing out where all the different castes are severally to reside, with their families, and captains, or heads of their campongs.

ARTICLE I.

The boundaries of the lands under the control of the English are as follows: from Tanjong Malang on the west, to Tanjong Katang on the east, and on the land side, as far as the range of cannon shot, all round the factory. As many persons as reside within the aforesaid boundary, and not within the campongs of the Sultan and Tumungong, are all to be under the control of the Resident, and with respect to the gardens and plantations that now are, or may hereafter be, made, they are to be at the disposal of the Tumungong, as heretofore; but it is understood, that he will always acquaint the Resident of the same.

ARTICLE II.

It is directed that all the Chinese move over to the other side of the river, forming a campong from the site of the large bridge down the river, towards the mouth, and all Malays, people belonging to the Tumungong and others, are also to remove to the other side of the river, forming their campong from the site of the large bridge up the river towards the source.

ARTICLE III.

All cases which may occur, requiring Council in this Settlement, they shall, in the first instance, be conferred and deliberated upon by the three aforesaid, and when they shall have been decided upon, they shall be made known to the inhabitants, either by beat of gong or by proclamation.

ARTICLE IV.

Every Monday morning, at 10 o'clock, the Sultan, the Tumungong, and the Resident shall meet at the Rooma Bechara; but should either of the two former be incapable of attending, they may send a Deputy there.

ARTICLE V.

Every Captain, or head of a caste, and all Panghulus of campongs and villages, shall attend at the Rooma Bechara, and make a report or statement of such occurrences as may have taken place in the Settlement, and represent any grievance or complaint that they may have to bring before the Council for its consideration on each Monday.

ARTICLE VI.

If the Captains, or heads of castes, or the Panghulus of campongs, do not act justly towards their constituents, they are permitted to come and state their grievances themselves to the Resident at the Rooma Bechara, who is hereby authorized to examine and decide thereon.

ARTICLE VII.

No Duties or Customs can be exacted, or farms established in this Settlement without the consent of the Sultan, the Tumungong, and Major William Farquhar, and without the consent of these three nothing can be arranged.

In confirmation of the aforesaid Articles, we, the undersigned, have put our seals and signatures, at Singapore, the 2nd day of the month of Ramzan, 1234, answering to 26th June, 1819.

Seal of the SULTAN.

Seal of the TUMUNGONG.

[L.S.] (Signed) T. S. RAFFLES.

[L.S.] (Signed) W. FARQUHAR.

True translation.

(Signed) W. FARQUHAR,
Late Resident.

ANNEX MM 5

**Treaty between His Britannick Majesty and the King of the
Netherlands, Respecting Territory and Commerce in the East
Indies, London, 17 March 1824, 74 CTS 88**

ENGLISH/DUTCH TEXTS

*In the Name of the Most
Holy and Undivided Tri-
nity.*

HIS Majesty the King of the United Kingdom of Great Britain and Ireland, and His Majesty the King of the Netherlands, desiring to place upon a footing, mutually beneficial, Their respective Possessions and the Commerce of Their Subjects in the East Indies, so that the welfare and prosperity of both Nations may be promoted, in all time to come, without those differences and jealousies which have, in former times, interrupted the harmony which ought always to subsist between Them; and being anxious that all occasions of misunderstanding between Their respective Agents may be, as much as possible, prevented; and in order to determine certain questions which have occurred in the execution of the Convention made at London

*In den Naam der Allerhei-
ligste en Onverdeelbare
Drieenigheid.*

Zijne Majesteit de Koning van het Vereenigde Koninkrijk van Groot Britanje en Ierland, en Zijne Majesteit de Koning der Nederlanden, verlangende hunne respectieve bezittingen en den handel Hunner onderdanen in Oost Indië op eenen wederkeerig voordeeligen voet te brengen, zoo dat de welvaart en voo spoed der beide Natien voortaan ten allen tijde bevorderd kunnen worden zonder die oneenigheden en nijdver welke, in vroeger dagen, de goede verstandhouding gestoord hebben die steeds tusschen dezelve behoort te bestaan, en willende, zoo veel mogelyk, alle aanleiding tot misverstand tusschen Hunne respectieve Agenten vóórkomen, als mede, ten einde zekere punten van verschil te regelen welke zich hebben opgedaan by het ter,

on the 13th of August, 1814, in so far as it respects the Possessions of His Netherlands Majesty in the East, have nominated Their Plenipotentiaries, that is to say:—

His Majesty the King of the United Kingdom of Great Britain and Ireland, the Right Honorable George Canning, a Member of His said Majesty's Most Honorable Privy Council, a Member of Parliament, and His said Majesty's Principal Secretary of State for Foreign Affairs; and the Right Honorable Charles Watkin Williams Wynn, a Member of His said Majesty's Most Honorable Privy Council, a Member of Parliament, Lieutenant-Colonel Commandant of the Montgomeryshire Regiment of Yeomanry Cavalry, and President of His said Majesty's Board of Commissioners for the Affairs of India:

And His Majesty the King of the Netherlands, Baron Henry Fagel, Member of the Equestrian Corps of the Province of Holland, Counsellor of State, Knight Grand Cross of the Royal Order of the Belgic Lion, and of the Royal Guelphic Order, and Ambassador Extraordinary and

uitvoer leggen van de Conventie den 13 Augustus, 1814, te London gesloten, voor zoo ver dezelve betrekking heeft tot de bezittingen van Zyne Majesteit den Koning der Nederlanden in Oost Indië, hebben tot Gevolmagtigden benoemd, te weten:—

Zyne Majesteit de Koning van Groot Britanje, den Heer George Canning, Lid van Zyners Majesteits Geheimen Raad, en van het Parlement, mitsgaders Hoogstdezelfs eersten Secretaris van Staat voor de Buitenlandsche Zaken; en den Heer Charles Watkin Williams Wynn, Lid van Zyners Majesteits Geheimen Raad, en van het Parlement, Lieutenant-Kolonel Kommanderende het Regiment Vrywilligers te paard van het Graafschap Montgomery, mitsgaders President van het Kollegie van Kommissarissen voor de Indische Zaken:—

En Zyne Majesteit de Koning der Nederlanden, den Baron Hendrik Fagel, Lid der Ridderschap van de Provincie Holland, Staatsraad, Groot-Kruis der Koninglyke Orden van den Nederlandschen Leeuw, en der Guelfen, mitsgaders Hoogstdezelfs Extra-ordinaris Ambassadeur en

Plenipotentiary of His said Majesty to His Majesty the King of Great Britain; and Anton Reinhard Falck, Commander of the Royal Order of the Belgic Lion, and His said Majesty's Minister of the Department of Public Instruction, National Industry, and Colonies;—

Who, after having mutually communicated their Full Powers, found in good and due form, have agreed on the following Articles:

1. The High Contracting Parties engage to admit the Subjects of each other to trade with Their respective Possessions in the Eastern Archipelago, and on the Continent of India, and in Ceylon, upon the footing of the most favoured Nation; Their respective Subjects conforming themselves to the local Regulations of each Settlement.

2. The Subjects and Vessels of one Nation shall not pay, upon importation or exportation, at the Ports of the Other in the Eastern Seas, any duty at a rate beyond the double of that at which the Subjects and Vessels of the Nation to which the Port belongs, are charged.

The duties paid on exports

Plenipotentiaris aan het Hof van London; en den Heer Anton Reinhard Falck, Kommandeur der Koninglyke Orden van den Nederlandschen Leeuw, en Minister voor het Publicke onderwys, de Nationale Nÿverheid, en de Kolonien;—

De welke, na wederzydsche mededeeling van hunne volmagten, die in goeden en beoorlyken vorm bevonden zÿn, de volgende Artikelen hebben vastgesteld:

1. De Hooge Contracterende Partÿen verbinden zich om in hunne respectieve bezittingen in den Oosterschen Archipel, en op het vaste land van Indië, en op Ceylon, elkanders onderdanen ten handel toetelaten op den voet der meest begunstigde Natie; wel verstaande dat de wederzydsche onderdanen zich zullen gedragen overeenkomstig de plaatselyke verordeningen van elke bezitting.

2. De onderdanen en schepen van de eene Natie zullen, bÿ den in-en uitvoer in en van de havens der andere in de Oostersche Zeëen, geene regten betalen hooger dan ten bedrage van het dubbelde van die, waarmede de onderdanen en schepen der Natie aan welke de haven toebehoort, belast zÿn.

De regten voor den in-of

or imports at a British Port, on the Continent of India, or in Ceylon, on Dutch bottoms, shall be arranged so as, in no case, to be charged at more than double the amount of the duties paid by British Subjects, and on British bottoms.

In regard to any article upon which no duty is imposed, when imported or exported by the Subjects, or on the Vessels, of the Nation to which the Port belongs, the duty charged upon the Subjects or Vessels of the Other, shall, in no case, exceed six per cent.

3. The High Contracting Parties engage, that no Treaty hereafter made by Either, with any Native Power in the Eastern Seas, shall contain any Article tending, either expressly, or by the imposition of unequal duties, to exclude the Trade of the other Party from the Ports of such Native Power: and that if, in any Treaty now existing on either Part, any Article to that effect has been admitted, such Article shall be abrogated upon the conclusion of the present Treaty.

uitvoer, met Nederlandsche bodems, in eene Britsche haven, op het vaste land van Indië, of op Ceylon, betaald wordende zullen in dezer voege worden gewijzigd, dat deswege, in geen geval, meer berekend worde dan het dubbelde der regten door Britsche onderdanen, en voor Britsche bodems, te betalen.

Met betrekking tot die artikelen op welke geen regt gesteld is, wanneer zij worden in-of uitgevoerd door de onderdanen of in de schepen der Natie aan welke de haven toebehoort zullen de regten aan de onderdanen der andere opleggen, in geen geval, meer bedragen dan zes ten honderd.

3. De Hooge Contracterende Partijen beloven dat geen Tractaat, voortaan, door een derzelve met eenigen Staat in de Oostersche Zeëen te maken, eenig Artikel behelzen zal, strekkende, het zij regstreeks, het zij door oplegging, van ongelyke regten, om den koophandel der andere Partij van de havens van zoodanigen inlandschen Staat uitsluit, en dat, by aldien in eene der thans aan wêerskanten bestaande overeenkomsten, eenig Artikel met die bedoeling is opgenomen geworden zoodanig Artikel, by het sluiten des tegenwoordigen tractaats, buiten effect gesteld worden zal.

It is understood that, before the conclusion of the present Treaty, communication has been made by each of the Contracting Parties to the Other, of all Treaties or Engagements subsisting between Each of Them, respectively, and any Native Power in the Eastern Seas; and that the like communication shall be made of all such Treaties concluded by Them, respectively, hereafter.

4. Their Britannick and Netherlands Majesties engage to give strict Orders, as well to Their Civil and Military Authorities, as to Their Ships of War, to respect the freedom of Trade, established by Articles 1, 2, and 3; and, in no case, to impede a free communication of the Natives in the Eastern Archipelago, with the Ports of the Two Governments, respectively, or of the Subjects of the Two Governments with the Ports belonging to Native Powers.

5. Their Britannick and Netherlands Majesties, in like manner, engage to concur effectually in repressing Piracy in those Seas: They will not grant either asylum or protection to Vessels engaged in Piracy, and They will in no case permit the Ships or Mer-

Over en weder in verstaan dat, vóór het sluiten van dit Tractaat, door elke der Contracterende Partýen aan de andere mededeeling is gedaan van alle tractaten of verbindtenissen tusschen dezelve respectievelýk en eenige Inlandsche Regering in de Oostersche Zeëen bestaande, en dat gelyke mededeeling geschieden zal van al zoodanige verbindtenissen, in het vervolg, door dezelve respectievelýk antegaan.

4. Hunne Groot Britanische en Nederlandsche Majesteiten beloven stellige bevelen te geven, zoo wel aan hunne burgerlýke en militaire beambten, als aan hunne oorlogschepen, om de vryheid van handel, by Art. 1, 2, en 3, vastgesteld, te eerbiedigen en, in geen geval hinder toetebrengeen aan de gemeenschap der inbooriingen van den Oostersche Archipel met de havens der twee Gouvernementen respectievelýk, noch aan die der wederzýdsche onderdanen met de havens toebehorende aan inlandsche Regeringen.

5. Hunne Groot Britanische en Nederlandsche Majesteiten verbinden zich, in gelyker voege, om krachtdadig bytedragen tot het beteugelen der zeerovery in die Zeëen. Zy zullen geene schuilplaats of bescherming verleenen aan vaatuigen met welken Zeeroof

chandize captured by such Vessels to be introduced, deposited, or sold, in any of Their Possessions.

6. It is agreed that Orders shall be given by the two Governments to Their Officers and Agents in the East, not to form any new Settlement on any of the Islands in the Eastern Seas, without previous authority from their respective Governments in Europe.

7. The Molucca Islands, and especially Amboyna, Banda, Ternate, and their immediate Dependencies, are excepted, from the operation of the 1, 2, 3, and 4 Articles until the Netherlands Government shall think fit to abandon the Monopoly of Spices; but if the said Government shall, at any time previous to such abandonment of the monopoly, allow the Subjects of any Power, other than a Native Asiatic Power, to carry on any Commercial Intercourse with the said Islands, the Subjects of His Britannick Majesty shall be admitted to such Intercourse, upon a footing precisely similar.

8. His Netherlands Majesty

bedreven wordt, en zullen in geen geval, veroorloven dat schepen of goederen, door zulke vaartuigen buit gemaakt, in eenige van hunne bezittingen ingevoerd, bewaard, of verkocht worden.

6. Er is overeengekomen dat door beide Gouvernmenten aan Hunne Officieren en Agenten in Oost-Indië bevel zal worden gegeven om geen nieuw kantoor op een der Oostersche Eilanden opterigten, zonder voorafgaande magtiging van hunne respectieve Gouvernemen ten in Europa.

7. Van de toepassing der Artikelen 1, 2, 3, en 4, worden de Moluksche Eilanden, en speciaal Ambon, Banda, en Ternate, met derzelve onmiddelyke onderhoorigheden, uitgezonderd, tot tyd en wyle het Nederlandsch Gouvernement raadzaam oordeelen zal van den alleenhandel in Speceryen aftezien; maar zoo dit Gouvernement immer, vóór zoodanige afschaffing van den alleenhandel, aan de onderdanen van eenige Mogendheid, anders dan een inlandschen Aziatischen Staat, veroorlooven mogt eenig handelsverkeer met die Eilanden te onderhouden, zullen de onderdanen van Zyne Britsche Majesteit op een volstrekt gelijken voet tot zoodanig verkeer worden toegelaten.

8. Zyne Majesteit de Koning

cedes to His Britannick Majesty all His Establishments on the Continent of India; and renounces all privileges and exemptions enjoyed or claimed in virtue of those Establishments.

9. The Factory of Fort Marlborough, and all the English Possessions on the Island of Sumatra, are hereby ceded to His Netherlands Majesty; and His Britannick Majesty further engages that no British Settlement shall be formed on that Island, nor any Treaty concluded by British Authority, with any Native Prince, Chief, or State therein.

10. The Town and Fort of Malacca, and its Dependencies, are hereby ceded to His Britannick Majesty; and His Netherlands Majesty engages, for Himself and His Subjects, never to form any Establishment on any part of the Peninsula of Malacca, or to conclude any Treaty with any Native Prince, Chief, or State therein.

11. His Britannick Majesty withdraws the objections which have been made to the occupa-

der Nederlanden staat aan Zyne Groot Britannische Majesteit af, alle Zyne Etablissements op het vaste land van Indië, en ziet van alle voorregten en vrijstellingen af, welke, ter zake van deze etablissements, genoten, of gereclameerd geworden zyn.

9. De Factory van Fort Marlborough, en al de bezittingen van Groot Britanje op het Eiland Sumatra, worden by dezen afgestaan aan Zyne Majesteit den Koning der Nederlanden, en Zyne Groot Britannische Majesteit beloofd, dat op dat Eiland geen Britsch kantoor zal worden opgericht, noch eenig Trtaat onder Britsch gezag gesloten met eenigen der inlandsche vorsten, opperhoofden, of staten op hetzelfde gevestigd.

10. De stad en vesting van Malakka met derzelver onderhoorigheden worden by dezen afgestaan aan Zyne Groot Britannische Majesteit, en Zyne Majesteit de Koning der Nederlanden beloofd, voorzich en voor Zyne onderdanen, nimmer op eenig gedeelte van het Schiereiland van Malakka een kantoor te zullen oprigten, of Tractaten te zullen sluiten met eenigen der inlandsche vorsten of staten, op dat Schiereiland gevestigd.

11. Zyne Groot Britannische Majesteit ziet af van alle vertoogen tegen het be-

tion of the Island of Billiton and its Dependencies, by the Agents of the Netherlands Government.

12. His Netherlands Majesty withdraws the objections which have been made to the occupation of the Island of Singapore, by the Subjects of His Britannick Majesty.

His Britannick Majesty, however, engages, that no British Establishment shall be made on the Carimon Isles, or on the Islands of Battam, Bintang, Lingin, or on any of the other Islands south of the Straights of Singapore, nor any Treaty conclude by British Authority with the Chiefs of those Islands.

13. All the Colonies, Possessions, and Establishments which are ceded by the preceding Articles, shall be delivered up to the Officers of the respective Sovereigns on the 1st of March, 1825. The fortifications shall remain in the state in which they shall be at the period of the notification of this Treaty in India; but no claim shall be made, on either side, for ordnance, or stores of any description, either left or removed by the ceding Power, nor for any arrears of revenue, or any charge of administration whatever.

zetten van het Eiland Billiton en deszelfs onderhoorigheden door de Agenten van het Nederlandsch Gouvernement.

12. Zyne Majesteit de Koning der Nederlanden ziet af van alle verzoogen tegen het bezetten van het Eiland Sinkapoor door de onderdanen van Zyne Groot Britannische Majesteit.

Daarentegen belooft Zyne Groot Britannische Majesteit dat geen Britschkantoor zal worden opgerigt op de Carimonis Eilanden, of op de Eilanden Battam, Bintang, Lingin, of op eenig der anderen Eilanden liggende ten zuiden van Straat Sinkapoer, en dat met derzelver opporhoofden geene Tractaten onder Britsch gezag gesloten zullen worden.

13. Al de Kolonien, bezittingen, en etablissementen, die, by de vorenstaade Artikelen worden afgestaan, zullen aan de Officieren der respectieve Souvereinen overgegeven worden op den 1 Maart, 1825. De Vestingen zullen blyven in den toestand in welke zy zich zullen bevinden ten tyde van het bekend worden des tegenwoordigen Tractaats in Indië, doch geene vordering zal, noch aan de een noch aan de andere zyde, geschieden, ter zake, het zy van geschut of behoeften van eenigen aard, door de afstaande

14. All the inhabitants of the Territories hereby ceded, shall enjoy, for a period of Six Years from the date of the Ratification of the present Treaty, the liberty of disposing, as they please, of their property, and of transporting themselves, without let or hindrance, to any Country to which they may wish to remove.

15. The High Contracting Parties agree that none of the Territories or Establishments mentioned in Articles 8, 9, 10, 11, and 12, shall be, at any time, transferred to any other Power. In case of any of the said Possessions being abandoned by one of the present Contracting Parties, the right of occupation thereof shall immediately pass to the Other.

16. It is agreed that all accounts and reclamations, arising out of the restoration of Java, and other Possessions, to the Officers of His Netherlands Majesty in the East Indies,—as well those which were the subject of a Convention made at Java on the 24th of June, 1817, between the Commissioners of the Two

Mogendheid of achtergelaten of medegomen, het zÿ van achterstallige inkomsten, of van lasten van het bestuur, hoe ook genaamd.

14. Al de ingezetenen van de landen by dezen afgestaan, zullen, gedurende den tyd van zes jaren, te rekenen van de Ratificatie van het tegenwoordig Tractaat, de vryheid hebben om, naar welgevallen, over hun eigendom te beschikken, en zich, zonder hinder of belet, te begeven werwaarts zÿ zullen goedvinden.

15. De Hooge Contracterende Partÿen komen overeen, dat geen der landen of etablissementen by Artikelen 8, 9, 10, 11, en 12, vermeld, immer aan eenige andere Mogendheid zal mogen overgedragen worden. In geval dat eenige dier bezettingen door eene der thans Contracterende Partÿen verlaten wordt, zullen hare regten tot dezelve onmiddelyk op de andere Partÿ overgaan.

16. Er is overeengekomen dat alle rekeningen of vorderingen voortgesproten uit de teruggave van Java en andere etablissementen aan de Officieren van Zÿne Majesteit den Koning der Nederlanden in Oost-Indië, zoo wel die welke het onderwerp hebben uitgemaakt eener Conventie op Java, den 24 Juni 1817, tuss-

Nations, as all others, shall be finally and completely closed and satisfied, on the payment of the sum of £100,000, sterling money, to be made in London on the part of the Netherlands, before the expiration of the Year 1825.

17. The present Treaty shall be ratified, and the Ratifications exchanged at London, within Three Months from the date hereof, or sooner if possible.

In witness whereof, the respective Plenipotentiaries have signed the same, and affixed thereunto the Seals of their Arms.

Done at London, the 17th day of March, in the Year of our Lord 1824.

(L.S.) GEORGE CANNING.

(L.S.) CHARLES WATKIN

(L.S.) WILLIAMS WYNN.

chen de Kommissarissen der beide Natien gesloten, als alle andere hoe ook genaamd, finaal, en ten volle afgedaan zullen zyn, behoudens de betaling eener som van £100,000 sterling, van den kant der Nederlanden, te bewerkstelligen in London vóór het einde van het Jaar 1825.

17. Het tegenwoordige Tractaat zal worden geratificeerd, en de Ratificatien zullen worden uitgewisseld te London binnen drie maanden na dato dezes, of eerder indien mogelyk.

Ten oorkonden dezes hebben de respectieve Plenipotentiariissen deze getekend en met het zegel hunner wapenen bekrachtigd.

Aldus gedaan te London den 17 Maart, in het Jaar onzes Heeren 1824.

(L.S.) H. FAGEL.

(L.S.) A. R. FALCK.

Note addressed by the British Plenipotentiaries to the Plenipotentiaries of The Netherlands.

IN proceeding to the signature of the Treaty which has been agreed upon, the Plenipotentiaries of His Britannick Majesty have great satisfaction in recording their sense of the friendly and liberal spirit which has been evinced by Their Excellencies the Plenipotentiaries of His Netherlands Majesty; and their conviction that there is, on both sides, an equal disposition to carry into effect, with sincerity and good faith, the Stipulations of the Treaty, in the sense in which they have been negotiated

The differences which gave rise to the present discussion are such as it is difficult to adjust by formal Stipulation: consisting, in great part, of jealousies and suspicions, and arising out of the acts of subordinate Agents, they can only be removed by a frank declaration of intention, and a mutual understanding as to principles between the Governments themselves.

The disavowal of the proceedings whereby the execution of the Convention, of August 1814, was retarded, must have satisfied their Excellencies the Netherlands Plenipotentiaries, of the scrupulous regard with which England always fulfils Her engagements.

The British Plenipotentiaries record, with sincere pleasure, the solemn disavowal, on the part of the Netherlands Government, of any design to aim, either at political supremacy, or at commercial monopoly in the Eastern Archipelago. They willingly acknowledge the readiness with which the Netherlands Plenipotentiaries have entered into Stipulations, calculated to promote the most perfect freedom of Trade between the Subjects of the Two Crowns, and their respective Dependencies, in that part of the World.

The Undersigned are authorized to express the full concurrence of His Britannick Majesty, in the enlightened views of His Majesty the King of The Netherlands.

Aware of the difficulty of adapting, at once, to a long established system of monopoly, the principles of commercial policy which are now laid down, the Undersigned have been authorized to consent to the exception of the Molucca Islands from the general Stipulation for Freedom of Trade, contained in the Treaty. They trust, however, that as the necessity for this exception is occasioned solely by the difficulty of abrogating, at the present moment, the Monopoly of Spices, its operation will be strictly limited by that necessity.

The British Plenipotentiaries understand the term *Moluccas*, as applicable to that cluster of Islands which has Celebes to the Westward, New Guinea to the Eastward, and Timor to the Southward; but that these three Islands are not comprehended in the exception: nor would it have included Ceram, if the situation of that Island, in reference to the two principal Spice Isles, Amboyna and Banda, had not required a prohibition of intercourse with it, so long as the Monopoly of Spices shall be maintained.

The Territorial exchanges which have been thought expedient for avoiding a collision of interests, render it incumbent upon the Plenipotentiaries of His Britannick Majesty to make, and to require, some explanations with respect to the Dependents and Allies of England, in the Island from which She is about to withdraw.

A Treaty concluded in the Year 1819 by British Agents, with the King of Acheen, is incompatible with the 3rd Article of the present Treaty. The British Plenipotentiaries therefore, undertake that the Treaty with Acheen shall, as soon as possible be modified into a simple arrangement for the hospitable reception of British Vessels and Subjects in the Port of Acheen. But as some of the Provisions of that Treaty (which has been communicated to the Netherlands Plenipotentiaries) will be conducive to the general interests of Europeans established in the Eastern Seas, they trust that the Netherlands Government will take measures for securing the benefit of those Provisions. And they express their confidence, that no measures, hostile to the King of Acheen, will be adopted by the new Possessor of Fort Marlborough.

It is no less the duty of the British Plenipotentiaries to recommend to the friendly and paternal protection of the Netherlands Government, the interests of the Natives and Settlers, subject to the ancient Factory of England at Bencoolen.

This appeal is the more necessary, because, so lately as the Year 1818, Treaties were made with the Native Chiefs, by which their situation was much improved. The system of forced cultivation and delivery of Pepper was abolished; encouragement was given to the cultivation of Rice; the relations between the cultivating Classes and the Chiefs of the Districts were adjusted; the property in the soil was recognized in those Chiefs; and all interference in the detailed management of the Interior was withdrawn, by removing the European Residents from the Out-Stations, and substituting in their room Native Officers. All these measures were calculated greatly to promote the interests of the Native Inhabitants.

In recommending these interests to the care of the Netherlands Government, the Undersigned request the Plenipotentiaries of His Netherlands Majesty to assure their Government that a corresponding attention will be paid, on the part of the British Authorities, to the Inhabitants of Malacca, and the

other Netherlands Settlements which are transferred to Great Britain.

In conclusion, the Plenipotentiaries of His Britannick Majesty congratulate Their Excellencies the Netherlands Plenipotentiaries, upon the happy termination of their Conferences. They feel assured, that under the Arrangement which is now concluded, the commerce of both Nations will flourish, and that the two Allies will preserve inviolate, in Asia, no less than in Europe, the friendship which has, from old times, subsisted between Them. The disputes being now ended, which, during two Centuries, have occasionally produced irritation, there will henceforward be no rivalry between the English and the Dutch Nations in the East, except for the more effectual establishment of those principles of liberal policy which both have this day asserted in the face of the World.

The Undersigned request Their Excellencies the Plenipotentiaries of His Netherlands Majesty will accept the assurances of their distinguished consideration.

GEORGE CANNING.

CHARLES WATKIN WILLIAMS WYNN.

London, March 17, 1824.

Reply of the Netherlands Plenipotentiaries to the Note of the Plenipotentiaries of Great Britain.

(TRANSLATION.)

LES Soussignés, Plénipotentiaires de Sa Majesté le Roi des Pays-Bas, ont trouvé, dans la Note qui vient de leur être remise par Leurs Excellences Messieurs les Plénipotentiaires Britanniques, un résumé fidèle des communications qui avaient eu lieu à l'époque où des circonstances, indépendantes de la volonté des Négociateurs, amenèrent la suspension de leurs Conférences.

THE Undersigned, Plenipotentiaries of His Majesty the King of The Netherlands, have found in the Note which is just delivered to them by Their Excellencies the British Plenipotentiaries, a faithful recapitulation of the communications which had taken place at the time when circumstances, independent of the will of the Negotiators, caused a suspension of their Conferences.

Appelés à reprendre un travail dont l'achèvement a toujours été désiré de part et d'autre avec une égale sincérité, les Soussignés n'ont pas tardé à reconnaître dans leurs Collaborateurs, cet esprit d'équité et de conciliation, qui facilite l'arrangement des questions les plus compliquées, et auquel ils ne peuvent rendre hommage dans un moment plus opportun que celui qui va sanctionner, par la signature d'un Traité formel, les dispositions adoptées après le plus mûr examen, comme éminemment utiles pour le maintien de la bonne intelligence, même entre les Agens inférieurs des Puissances Contractantes.

Ce but essentiel, cette tendance principale du Traité, sont palpables pour tous ceux qui en lisent avec attention les différens Articles. Ce qui s'y trouve expressément stipulé, semble devoir suffire pour lever, d'un commun accord, toute incertitude qui pourrait se présenter par la suite. Cependant, comme Messieurs les Plénipotentiaires Britanniques ont cru devoir entrer dans quelques détails ultérieurs, les Soussignés, qui, de leur côté, sentent l'importance de ne rien donner au hasard, dans une matière aussi intéressante, ne font aucune difficulté de les

Summoned to resume a work, the completion of which has ever been desired with equal sincerity by both Parties, the Undersigned have not failed to recognize in their Co-labourers in this work, that spirit of equity and conciliation which facilitates the arrangement of the most complicated questions, and to which they cannot do justice at a time more fitting than that which is about to sanction, by the signature of a formal Treaty, the resolutions, adopted after a most strict examination, as eminently useful for the maintenance of a good understanding, even among the inferior Agents of the Contracting Powers.

This essential aim and principal tendency of the Treaty is evident to all who read its different Articles with attention. What is therein expressly stipulated ought to suffice for the removal, by common consent, of all uncertainty which might present itself in the sequel. However, as the British Plenipotentiaries have considered it necessary to enter into some further details, the Undersigned, who, on their part, are sensible of the importance of leaving nothing doubtful, in so important a matter, have no difficulty in

de relâcher, dans d'autres Ports que ceux dont la désignation a été officiellement communiquée aux Puissances Maritimes il y a quelques Années; sauf les cas de détresse pour lesquels il est superflu d'ajouter, qu'ils trouveront, dans tous les endroits où flotte le Pavillon des Pays-Bas, les services et les secours dus à l'humanité souffrante.

Si le Gouvernement de la Grande Bretagne pense qu'il y a un avantage réel pour lui à ce qu'en se dégageant, d'après les principes consacrés par le Traité qui va être signé, des liaisons que ses Agens formèrent, il y a quatre ou cinq Ans, dans le Royaume d'*Acheen*, il assure, par quelque stipulation nouvelle, l'accueil hospitalier des Sujets et Vaisseaux Britanniques dans les Ports de ce Royaume,—les Soussignés n'hésitent pas à déclarer que, de leur côté, ils n'y voyent aucun inconvénient; et ils croient pouvoir assurer, en même tems, que leur Gouvernement s'appliquera, sans délai, à régulariser ses rapports avec *Acheen*, de manière que cet Etat, sans rien perdre de son indépendance, offre au navigateur et au commerçant cette constante sécurité, qui semble ne pouvoir y être établie que par l'exercice modéré d'une

touching at any Ports but those whereof the description has been officially communicated to the Maritime Powers some Years back; except in cases of distress, in which it is superfluous to add, that they will find in all Places where the Flag of the Netherlands may be flying, those good offices and succours which are due to suffering humanity.

If the Government of Great Britain conceives it to be a real advantage, that, by disengaging itself, according to the principles sanctioned by the Treaty which is about to be signed, from the connections which were formed by its Agents, four or five Years ago, in the Kingdom of *Acheen*, it secures, by some new clause, the hospitable reception of British Vessels and Subjects in the Ports of that Kingdom, the Undersigned hesitate not to declare, that, on their part, they do not see any difficulty in it, and conceive that they may assert, at the same time, that their Government will apply itself, without delay, to regulate its relations with *Acheen*, in such a manner, that that State, without losing any thing of its independence, may offer both to the sailor and the merchant, that constant security which can only be established by the mode-

influence Européenne.

A l'appui des informations contenues dans la dernière Note de Messieurs les Plénipotentiaires Britanniques, au sujet de *Bencoolen*, Leurs Excellences ont communiqué aux Soussignés les deux Conventions respectivement signées le 23 Mai et le 4 Juillet de 1818, d'un côté par le Lieutenant-Gouverneur de cet Etablissement, et de l'autre par les Chefs de quelques Tribus voisines. On leur a aussi fait part d'une dépêche du Gouverneur-Général en Conseil, datée de *Fort William*, le 9 Mai, 1823, et d'après laquelle l'administration Britannique a aboli au Fort Marlborough le monopole du Poivre, encouragé la culture du Riz, et placé sur un pied stable et uniforme, les rapports des différentes classes de Natifs, tant entre elles, qu'avec leurs Chefs. Or, pour autant que les Soussignés ne se trompent point en supposant, que le but de ces arrangements a été d'assurer la prospérité agricole de la Colonie, et d'écarter les vexations qui résultent souvent du contact immédiat de la population indigène avec les Autorités subalternes d'une administration étrangère, ils éprouvent une grande satisfaction à dire, que loin d'avoir à redouter des

rate exercise of European influence.

In support of the information contained in the last Note of the British Plenipotentiaries, on the subject of *Bencoolen*, their Excellencies have communicated to the Undersigned the two Conventions respectively signed on the 23rd of May, and the 4th July, 1818, by the Lieutenant-Governor of that Establishment on the one side, and by the Chiefs of some neighbouring Tribes, on the other. They have likewise communicated a Despatch of the Governor-General in Council, dated *Fort William*, the 9th of May, 1823, and according to which the British Government has abolished at Fort Marlborough the monopoly of Pepper, encouraged the cultivation of Rice, and placed on a firm and uniform footing the relations of the different classes of Natives, as well among themselves, as with their Chiefs. But inasmuch as the Undersigned are not wrong in supposing that the object of these arrangements has been the security of the agricultural prosperity of the Colony, and the removal of the vexations which often result from the immediate contact of the Native Population with the subordinate

mesures rétroactives, les individus intéressés à l'ordre actuel des choses peuvent, au contraire, nourrir l'espoir, que le nouveau Gouvernement aura égard à leurs droits acquis, et à leur bien-être; et ce que les Soussignés aiment surtout à garantir, il fera observer les Articles des Conventions déjà mentionnées, sur la foi desquels les habitans de *Pasummah*, *Ulu Manna*, et d'autres Peuplades de l'intérieur ont reconnu l'autorité, ou accepté la protection de la Compagnie des Indes Britanniques, sauf toutefois la faculté d'y substituer, du plein gré des Parties intéressées, d'autres conditions analogues, si les circonstances venaient à rendre un changement nécessaire.

Quant aux dispositions équitables et bienveillantes du Gouvernement Britannique envers les habitans de *Malacca*, et des autres Etablissemens Hollandois cédés par le Traité, les Plénipotentiaires de Sa Majesté le Roi des Pays-Bas, en acceptent l'assurance avec une confiance illimitée; et ce même sentiment les porte à ne pas insister pour que

Authorities of a Foreign Government, they experience great satisfaction in saying, that, far from having cause to dread retroactive measures, the individuals interested in the existing order of things may, on the contrary, cherish the hope that the new Government will respect their acquired rights, and their welfare; and, what the Undersigned are above all things desirous to guarantee, that it will cause the Articles of the abovementioned Conventions to be observed, on the faith of which the Inhabitants of *Pasummah*, *Ulu Manna*, and the other Colonists in the interior, have recognized the authority, or accepted the protection, of the British East India Company; saving, however, the power of substituting, with the full consent of the Parties interested, other analogous conditions, if circumstances should render a change necessary.

With respect to the equitable and benign intentions of the British Government, towards the Inhabitants of *Malacca*, and the other Dutch Establishments ceded by the Treaty, the Plenipotentiaries of His Majesty the King of the Netherlands, accept the assurance thereof with unlimited confidence; and the same sentiment prevents them

les instructions et ordres qui seront adressés aux Autorités Anglaises dans l'Inde, relativement à la remise du *Fort Marlborough*, et de ses dépendances, soient conçus en des termes tellement clairs, précis, et positifs, qu'on n'y puisse trouver aucun motif d'incertitude, ni aucun prétexte de délai; car ils sont persuadés que Messieurs les Plénipotentiaires Britanniques, après avoir apporté tant de modération et de loyauté à l'accomplissement de leur tâche, sauront veiller à ce que le résultat des travaux communs ne soit pas compromis par égard pour des intérêts subordonnés, et des considérations secondaires. Ce résultat, Messieurs les Plénipotentiaires Britanniques l'ont décrit eux-mêmes dans leur dernière Note, et il ne reste aux Soussignés qu'à se féliciter d'y avoir concouru, et à joindre leurs vœux à ceux de Leurs Excellences, pour que les Agens respectifs dans les Possessions Asiatiques, se montrent toujours pénétrés du sentiment des devoirs, que deux Nations, amies et animées de vûes vraiment libérales, ont à remplir, tant l'une à l'égard de l'autre, que vis-à-vis des indigènes, que le cours des événemens ou les Traités ont placés sous leur influence.

from insisting, that the orders and instructions which shall be addressed to the English Authorities in India, relative to the surrender of *Fort Marlborough*, and its Dependencies, should be conceived in such clear, precise, and positive terms, that no cause of uncertainty, nor any pretext for delay, may be discovered in them: being persuaded that the British Plenipotentiaries, after having accomplished their labours with so much moderation and equity, will take care that the result of their common exertions be not compromised by any regard to subordinate interests, and secondary considerations. This result the British Plenipotentiaries themselves have described in their last Note, and it only remains for the Undersigned to congratulate themselves on having contributed thereto, and to unite their wishès with those of their Excellencies, that their respective Agents in their Asiatic Possessions, may ever show themselves sensible of the duties, which two Friendly Nations, animated with truly liberal views, have to fulfil, both with reference to each other, and also towards the Natives whom the course of events or Treaties have placed under their influence.

Les Soussignés saisissent avec empressement cette occasion de renouveler à Leurs Excellences Messieurs les Plénipotentiaires Britanniques l'assurance de leur considération la plus distinguée.

H. FAGEL.

A. R. FALCK.

Londres, le 17 Mars, 1824.

The Undersigned avail themselves of this opportunity of renewing to their Excellencies the British Plenipotentiaries, the assurance of their most distinguished consideration.

H. FAGEL.

A. R. FALCK.

London, March 17, 1824.

ANNEX MM 6

**Treaty of Friendship and Alliance between the Honourable
East India Company, and the Sultan and the Temenggong of
Johore, 2 August 1824, 74 CTS 380**

ENGLISH TEXT

A TREATY of FRIENDSHIP and ALLIANCE between the HONOURABLE THE ENGLISH EAST INDIA COMPANY on the one side, and their HIGHNESSES the SULTAN and TUMUNGONG of JOHORE on the other, concluded on the

Second day of August, One Thousand Eight Hundred and Twenty-four (1824), corresponding with the Sixth day of the month of Zulhaji, in the year of the Hejira One Thousand Two Hundred and Thirty-nine (1239), by the above Sultan of Johore, HIS HIGHNESS SULTAN HUSSAIN MAHOMED SHAH, and the above TUMUNGONG of JOHORE, HIS HIGHNESS DATU TUMUNGONG ABDUL RAHMAN SRI MAHARAJAH on their own behalf, and by JOHN CRAWFORD, ESQUIRE, British Resident of Singapore, vested with full powers thereto, by the Right Honourable WILLIAM PITT, LORD AMHERST, Governor-General of and for Fort William in Bengal, on behalf of the said HONOURABLE ENGLISH EAST INDIA COMPANY.

ARTICLE I.

Peace, friendship, and good understanding shall subsist for ever between the Honourable the English East India Company and their Highnesses the Sultan and Tumungong of Johore and their respective heirs and successors.

ARTICLE II.

Their Highnesses the Sultan Hussain Mahomed Shah and Datu Tumungong Abdul Rahman Sri Maharajah hereby cede in full sovereignty and property to the Honourable the English East India Company, their heirs and successors for ever, the Island of Singapore, situated in the Straits of Malacca, together with the adjacent seas, straits, and islets, to the extent of ten geographical miles, from the coast of the said main Island of Singapore.

ARTICLE III.

The Honourable the English East India Company hereby engages, in consideration of the cession specified in the last Article, to pay to His Highness the Sultan Hussain Mahomed Shah, the sum of Spanish Dollars thirty-three thousand two hundred (33,200), together with a stipend, during his natural life, of one thousand three hundred (1,300) Spanish Dollars per mensem, and to His Highness the Datu Tumungong Abdul Rahman Sri Maharajah, the sum of twenty-six thousand eight hundred (26,800) Spanish Dollars, with a monthly stipend of seven hundred (700) Spanish Dollars during his natural life.

ARTICLE IV.

His Highness the Sultan Hussain Mahomed Shah hereby acknowledges to have received from the Honourable the English East India Company, in fulfilment of the stipulations of the two last Articles, the sum of thirty-three thousand two hundred (33,200) Spanish Dollars, together with the first monthly instalment of the above-mentioned stipend, of Spanish Dollars one thousand three hundred (1,300), and His

Highness the Datu Tumungong Abdul Rahman Sri Maharajah also hereby acknowledges to have received from the Honourable the English East India Company, in fulfilment of the stipulations of the two last Articles, the sum of twenty-six thousand eight hundred Spanish Dollars (26,800), with one month's instalment of the above stipend of seven hundred Spanish Dollars.

ARTICLE V.

The Honourable the English East India Company engages to receive and treat their Highnesses the Sultan Hussain Mahomed Shah, and Datu Tumungong Abdul Rahman Sri Maharajah, with all the honours, respect, and courtesy belonging to their rank and station, whenever they may reside at, or visit the Island of Singapore.

ARTICLE VI.

The Honourable the English East India Company hereby engages in the event of their Highnesses the Sultan and Tumungong, their heirs or successors, preferring to reside permanently in any portion of their own States, and to remove for that purpose from Singapore, to pay unto them, that is to say, to His Highness the Sultan Hussain Mahomed Shah, his heir or successor, the sum of twenty thousand (20,000) Spanish Dollars, and to His Highness the Datu Tumungong Abdul Rahman Sri Maharajah, his heir or successor, the sum of fifteen thousand (15,000) Spanish Dollars.¹

ARTICLE VII.

Their Highnesses the Sultan Hussain Mahomed Shah and the Datu Tumungong Abdul Rahman Sri Maharajah, in consideration of the payment specified in the last Article, hereby relinquish for themselves, their heirs, and successors, to the Honourable the English East India Company, their heirs and successors for ever, all right and title to every description of immovable property, whether in lands, houses, gardens, orchards, or timber trees, of which their said Highnesses may be possessed within the Island of Singapore or its dependencies at the time they may think proper to withdraw from the said island for the purpose of permanently residing within their own States, but it is reciprocally and clearly understood that the provisions of this Article shall not extend to any description of property which may be held by any follower or retainer of their Highnesses beyond the precincts of the ground at present allotted for the actual residence of their said Highnesses.

ARTICLE VIII.

Their Highnesses the Sultan Hussain Mahomed Shah, and the Datu Tumungong Abdul Rahman Sri Maharajah hereby engage that, as long as they shall continue to reside within the Island of Singapore, or to draw their respective monthly stipends from the Honourable the English East India Company, as provided for in the present Treaty, they shall enter into no alliance and maintain no correspondence with any foreign power or potentate whatsoever, without the knowledge and consent of the said Honourable the English East India Company, their heirs and Successors.

ARTICLE IX.

The Honourable the English East India Company hereby engages, that, in the event of their Highnesses the Sultan Hussain Mahomed Shah, and the Datu Tumungong Abdul Rahman Sri Maharajah removing from the Island of Singapore, as contemplated in the 6th Article, and being distressed within their own territories on such removal, to afford them, either at Singapore or Prince of Wales' Island, a personal asylum and protection.

ARTICLE X.

The contracting parties hereby stipulate and agree, that neither party shall be bound to interfere in the internal concerns of the other's government, or in any political dissensions or wars which may arise within their respective territories, nor to support each other by force of arms against any third party whatever.

ARTICLE XI.

The contracting parties hereby engage to use every means within their power respectively, for the suppression of robbery and piracy within the Straits of Malacca, as well as the other narrow seas, straits, and rivers bordering upon, or within their respective territories, in as far as the same shall be connected with the dominions and immediate interests of their said Highnesses.

ARTICLE XII.

Their Highnesses the Sultan Hussain Mahomed Shah, and the Datu Tumungong Abdul Rahman Sri Maharajah hereby engage to maintain a free and unshackled trade everywhere within their dominions, and to admit the trade and traffic of the British nation into all the ports and harbours of the kingdom of Johore and its dependencies, on the terms of the most favoured nation.

ARTICLE XIII.

The Honourable the English East India Company hereby engages, as long as their Highnesses the Sultan Hussain

Mahomed Shah and the Datu Tumungong Abdul Rahman Sri Maharajah shall continue to reside on the Island of Singapore, not to permit any retainer or follower of their said Highnesses who shall desert from their actual service, to dwell or remain in the Island of Singapore or its dependencies. But it is hereby clearly understood, that all such retainers and followers shall be natural born subjects of such parts of their Highnesses' dominions only in which their authority is at present substantially established, and that their names, at the period of entering the service of their Highnesses, shall have been duly and voluntarily inscribed in a register, to be kept for that purpose by the chief local authority for the time being.

ARTICLE XIV.

It is hereby mutually stipulated for and agreed, that the conditions of all former Conventions, Treaties, or Agreements entered into between the Honourable the English East India Company and their Highnesses the Sultan and Tumungong of Johore, shall be considered as abrogated and annulled by the present Treaty, and they are hereby abrogated and annulled accordingly, always, however, with the exception of such prior conditions as have conferred on the Honourable the English East India Company any right or title to the occupation or possession of the Island of Singapore and its dependencies, as above-mentioned.

Done and concluded at Singapore, the day and year as above written.

(Signed) SULTAN HUSSAIN MAHOMED SHAH.

(Signed) J. CRAWFURD.

DATU TUMUNGONG ABDUL RAHMAN SRI MAHARAJAH.

(Signed) AMERST.

(Signed) EDWARD PAGET.

(Signed) F. FENDALL.

Ratified by the Right Honourable the Governor-General in Council, at Fort William in Bengal, this Nineteenth day of November, One Thousand Eight Hundred and Twenty-four.

(Signed) GEO. SWINTON,
Secretary to Government.

ANNEX MM 7

Treaty of Friendship and Alliance between His Highness Sultan Alli Iskander Shah bin Sultan Hussain Mohamed Shah and His Highness Datu Tumungong Daing Ibrahim bin Abdul Rahman Sri Maharajah, 10 March 1855: in W.G. Maxwell & W.S. Gibson (eds.), *Treaties and Engagements Affecting the Malay States and Borneo*, London: Jas Truscott & Son, 1924, p. 127

by the British Government in every respect as the successor of his late father, and entitled to all the property upon the ground granted to the late Sultan by the East India Company, situated at Campong Glam and more particularly adverted to in the 8th article of the Treaty entered into by the late Sultan with John Crawfurd Esquire as the Representative of the East India Company, on the 2nd day of August, 1824.

By order of the Hon'ble the Governor,

T. CHURCH,

Resident Councillor.

Singapore, 16th September, 1840.

JOHORE, 1855.

ARRANGEMENT BETWEEN SULTAN AND
TUMUNGONG.

TREATY of FRIENDSHIP and ALLIANCE between HIS HIGHNESS SULTAN ALLI ISKANDER SHAH BIN SULTAN HUSSAIN MAHOMED SHAH and HIS HIGHNESS DATU TUMUNGONG DAING IBRAHIM BIN ABDUL RAHMAN SRI MAHARAJAH, who are both equally desirous to compose and put a final end to the differences and disagreements which have heretofore subsisted between them relative to their respective claims on the Territory and Sovereignty of Johore, and to establish and maintain peace, friendship, and thoroughly amicable relations between them from henceforth in all times to come.

1ST.—His Highness the Sultan Alli Iskander Shah bin Sultan Hussain Mahomed Shah, for himself, his heirs and successors, does hereby cede in full sovereignty and absolute property to His Highness Datu Tumungong Daing Ibrahim Sri Maharajah bin Tumungong Abdul Rahman Sri Maharajah, his heirs and successors for ever, the whole of the territory of Johore within the Malayan Peninsula and its dependencies, with the exception of the Kassang territory hereinafter mentioned.

2ND.—In consideration of the cession contained in the foregoing Article, His Highness Datu Tumungong Daing Ibrahim Sri Maharajah bin Tumungong Abdul Rahman Sri Maharajah does hereby agree to pay immediately after the execution of these Articles to His Highness Sultan Alli Iskander Shah bin Sultan Hussain Shah, the sum of five thousand Spanish Dollars, and further engages that he the

said Datu Tumungong Daing Ibrahim Sri Maharajah, his heirs and successors, shall and will, from and after the 1st day of January, 1855, pay to his said Highness Sultan Ally Iskander Shah, his heirs and successors, the sum of five hundred Spanish Dollars per mensem.

3RD.—His Highness Datu Tumungong Daing Ibrahim Sri Maharajah hereby withdraws all claim whatsoever to the said territory of Kassang, consisting of the lands lying between the river of Kassang and the river of Muar, and of which the said river of Kassang forms the boundary on the northward and that of Muar on the southward; and being part of the ancient territory of Johore, and consents that His Highness Sultan Ally Iskander Shah, his heirs and successors, shall have and enjoy the same in full sovereignty and property for ever.

4TH.—His Highness Sultan Ally Iskander Shah for himself, his heirs and successors, hereby agrees that the said territory of Kassang shall not be alienated or disposed of to any party or power, without the same being in the first place offered to the East India Company and then to His Highness Datu Tumungong Daing Ibrahim Sri Maharajah, his heirs and successors, on such terms as His Highness the Sultan Ally Iskander Shah, his heirs or successors, may be desirous to cede it to any one other party or power willing to treat for the same.

5TH.—The subjects of each of the said contracting parties shall have full liberty to trade to, and pass in and out of, their respective territories, but shall be amenable for any crime or offence committed in the territory of either of the said contracting parties according to the law there in force, and each of the said contracting parties for himself, his heirs and successors, hereby solemnly engages to do no act calculated or having a tendency to promote or foment disturbances within the territory of the other of them, but in all respects truly and faithfully to adhere to and observe the Engagements hereby entered into by them respectively.

6TH.—The said contracting parties hereby agree that any difference or disagreement that may arise between them on matters falling within the foregoing Articles 4 and 5 shall be referred to the final decision of the British Government of India, with whose cognizance the said contracting parties have entered into this Treaty.

7TH.—Nothing contained herein shall be taken or construed to modify or affect the provisions of the Treaty concluded on the 2nd day of August, 1824, between the East India Company and their late Highnesses the Sultan and Tumungong of Johore.

This done and concluded at Singapore, the 10th day of March, in the year of Christ 1855.

TUMUNGONG'S Seal.

SULTAN'S Seal.

Executed before
(Signed) W. J. BUTTERWORTH,
*Governor, Prince of Wales' Island,
Singapore and Malacca.*

(Signed) T. CHURCH,
Resident Councillor.

JOHORE, 1862.

ARRANGEMENT AS TO TUMUNGONG'S PROPERTY IN THE ISLAND OF SINGAPORE.

TREATY entered into between the Hon'ble Colonel Orfeur Cavenagh, Governor of Prince of Wales' Island, Singapore and Malacca, by authority of the Right Honourable the Governor-General of India in Council of the one part, and His Highness Datoh Tumungong Aboobakar, Sri Maharajah, Sovereign Ruler of Johore, of the other part.

Whereas, by Article 6th of the Treaty of friendship and alliance between the Honourable the English East India Company on the one side, and their Highnesses the Sultan and Tumungong of Johore on the other, concluded on the second day of August, one thousand eight hundred and twenty-four, the said East India Company engaged, in the event of the said Tumungong preferring to reside permanently in any portion of his own States, and to remove for that purpose from Singapore, to pay to the said Tumungong, his heirs or successors, the sum of Fifteen Thousand Spanish Dollars (\$15,000) and by Article 7th of the said Treaty, the said Tumungong, in consideration of the said payment, did thereby relinquish for himself, his heirs and successors, to the Honourable the English East India Company, their heirs and successors, for ever, all right and title to every description of immovable property, whether in lands, houses, gardens, orchards, or timber trees, of which His Highness might be possessed within the Island of Singapore or its dependencies at the time he might think proper to withdraw from the said Island, for the purpose of permanently residing within his own states, and whereas it has been agreed that in consideration of His Highness Datoh Tumungong Aboobakar Sri Maharajah, for himself, his heirs and successors, renouncing

ANNEX MM 8

**Johore-Pahang, First Boundary and Friendship Treaty, 17
June 1862, in J. Allen, A.J. Stockwell and L.R. Wright (eds.),
*A Collection of Treaties and Other Documents Affecting the
States of Malaysia, 1761-1963*, New York: Oceana, 1981, vol.
I, p. 343**

PAHANG TREATY of 17 June, 1862

First Boundary and Friendship Treaty with Johore^{1*}

These are to certify that a Treaty of friendship, alliance and mutual support which is to endure for ever, has been entered into between His Highness Datoh Tumongong Abubakar Sri Maharajah Ibn Datoh Tumongong Daing Ibrahim Sri Maharajah, Sovereign of Johore of the one part, and His Highness Datoh Bandahara Tun Korais Sri Maharajah Ibn Rajah Bandahara Tun Tahir Sri Maharajah of Pahang of the other Part, both parties being in perfect accord and consenting to order to regulate the countries of Pehang and Johore, their boundaries, jurisdictions and governments to prevent disputes hereafter, to strengthen each other and to perpetuate the amity existing between them, it is agreed and declared as follows:

First. - There shall be perpetual peace and friendship between the parties to this Treaty and their descendants and the countries of Johore and Pahang.

Second. - Should the country of Johore or any of its dependencies be attacked by enemies at any time hereafter, either from without or within, His Highness Datoh Bandahara Tun Korais Sri Maharajah Ibn Rajah Bandahara Tun Tahir Sri Maharajah of Pahang and his successors shall, with all speed, and with whatever number of followers and materials of war he may be able to command, hasten to the assistance of His Highness Datoh Tumongong Abubakar Sri Maharaja Ibn Datoh Tumongong Daing Ibrahim Sri Maharajah of Johore and his successors, and shall continue to aid by all means in his power until such enemies shall have been overcome, expelled or suppressed.

Third. - In like manner should the country of Pahang or any of its dependencies be attacked at any time hereafter by enemies, either from without or within, His Highness Datoh Tumongong Abubakar Sri Maharajah Ibn Datoh Tumongong Daing Ibrahim Sri Maharajah of Johore and his successors, shall, with all speed and with whatever number of followers and materials of war he may be able to command, hasten to the assistance of His Highness Datoh Bandahara Tun Korais Sri Maharajah Ibn Rajah Bandahara Tun Tahir Sri Maharajah of Pahang and his successors and shall continue to aid him by all the means in his power until such enemies shall have been overcome, expelled or suppressed.

* For footnotes see p.346

Fourth. - Whereas doubts have been expressed by others as to the boundary between the two countries of Johore and Pahang, it is hereby declared that the River Indow has been heretofore and shall continue hereafter to be the boundary on the Mainland, and that the Island of Pulo Tioman and all Islands to the south of the latitude of its northern extremity are, and shall be, portions of the Territory of Johore, and all Islands to the north of that latitude are, and shall be, portions of the Territory of Pahang.

Fifth. - The subjects of each of the contracting parties shall be entitled to trade in the territory of the other, and to export and import merchandise upon the same terms and with the same privileges as the subjects of such territory, and neither party nor their respective successors will impose heavier taxes, imports, or duties, at any time hereafter, upon the subjects or goods of subjects of the other, than upon his or their own subjects or the goods of his or their own subjects.

Sixth. - The parties hereto agree that subjects of the British Government shall be entitled to trade in their respective territories upon the same terms and with the same privileges as the subjects of the said parties thereto.

Seventh. - The parties hereto agree and declare for themselves and their respective successors that should any dispute or difference arise between them or their successors at any time hereafter, either with regard to this Treaty or the matters contained in it, or with regard to any other matter or thing whatever, whether national, political, or private, the same shall be and is hereby referred to the friendly mediation and settlement of the British Government, whose award or decision shall be final and binding on both parties.

Eighth. - The parties hereto agree and engage each with the other and their successors that neither shall enter into any alliance or maintain any correspondence with any foreign power or potentates whatsoever without the knowledge and consent of the other and of the said British Government.

Done at Singapore this Nineteenth day of Dul-Hajee in the Mahomedan year One Thousand Two hundred and seventy-eight (corresponding with the Seventeenth day of June in the Christian Year One Thousand Eight hundred and sixty-two) in the presence of the Honourable Colonel Orfeur Cavenagh,
Governor of Prince of Wales' Island, Singapore and Malacca. ²

ANNEX MM 9

**Treaty between the Governor of Prince of Wales' Island,
Singapore and Malacca and H.H. Datoh Tumungong
Aboobakar, Sri Maharajah, Sovereign Ruler of Johore,
concerning the Tumungong's Property in the Island of
Singapore, 19 December 1862: in Maxwell & Gibson, p. 129**

This done and concluded at Singapore, the 10th day of March, in the year of Christ 1855.

TUMUNGONG'S Seal.

SULTAN'S Seal.

Executed before
(Signed) W. J. BUTTERWORTH,
*Governor, Prince of Wales' Island,
Singapore and Malacca.*

(Signed) T. CHURCH,
Resident Councillor.

JOHORE, 1862.

ARRANGEMENT AS TO TUMUNGONG'S PROPERTY IN THE ISLAND OF SINGAPORE.

TREATY entered into between the Hon'ble Colonel Orfeur Cavenagh, Governor of Prince of Wales' Island, Singapore and Malacca, by authority of the Right Honourable the Governor-General of India in Council of the one part, and His Highness Datoh Tumungong Aboobakar, Sri Maharajah, Sovereign Ruler of Johore, of the other part.

Whereas, by Article 6th of the Treaty of friendship and alliance between the Honourable the English East India Company on the one side, and their Highnesses the Sultan and Tumungong of Johore on the other, concluded on the second day of August, one thousand eight hundred and twenty-four, the said East India Company engaged, in the event of the said Tumungong preferring to reside permanently in any portion of his own States, and to remove for that purpose from Singapore, to pay to the said Tumungong, his heirs or successors, the sum of Fifteen Thousand Spanish Dollars (\$15,000) and by Article 7th of the said Treaty, the said Tumungong, in consideration of the said payment, did thereby relinquish for himself, his heirs and successors, to the Honourable the English East India Company, their heirs and successors; for ever, all right and title to every description of immovable property, whether in lands, houses, gardens, orchards, or timber trees, of which His Highness might be possessed within the Island of Singapore or its dependencies at the time he might think proper to withdraw from the said Island, for the purpose of permanently residing within his own states, and whereas it has been agreed that in consideration of His Highness Datoh Tumungong Aboobakar Sri Maharajah, for himself, his heirs and successors, renouncing

all right and claim to the payment of the aforesaid sum of fifteen thousand Spanish Dollars (\$15,000) and making over to the British Government certain portions of the lands of which he is now in possession at Telloh Blangah, in the Island of Singapore, as shown in the plan hereto annexed, comprising the belt of land from the public road to the sea, bounded on the West by the land occupied by the Patent Slip and Dock Company, and on the East by the land belonging to the Peninsular and Oriental Steam Navigation Company, and allowing the said Government to take earth from the side of the hill to the North of Telloh Blangah Road, for the purpose of raising the low ground so made over to the said Government, should the same be required for that purpose, and also making over to the said Government the right to a carriage road along the Eastern Boundary of the Peninsular and Oriental Steam Navigation Company's land from the public road to the sea, including the use of a suitable landing place, as also the pieces of land on Mount Faber occupied by the Flag-Staff, Barracks and Batteries, and a right of way to the same, the said British Government shall grant unto His Highness, his heirs, executors, administrators and assigns, a title in fee simple to the remainder of the lands at Telloh Blangah aforesaid in his possession, and that Articles 6th and 7th of the said Treaty shall in consequence be abrogated and annulled. Now it is hereby concluded and agreed by and between the parties to this Treaty:—

1st.—That His Highness Datu Tumungong Aboobakar Sri Maharajah, for himself, his heirs and successors, doth hereby for ever renounce, release, and make over unto the British Government all claim and demand whatsoever to the said sum of fifteen thousand Spanish Dollars.

2nd.—That it is mutually stipulated and agreed between the parties hereto that Articles 6th and 7th of the aforesaid Treaty, so far as they relate to any claims or rights between the British Government and His Highness Datu Tumungong Aboobakar Sri Maharajah, his heirs or successors, shall be considered as abrogated and annulled by this agreement, and they are hereby abrogated and annulled accordingly.

Done and concluded at Singapore, the nineteenth day of December, in the year of the Christian Era, one thousand eight hundred and sixty-two, corresponding with the twenty-eighth day of the month of Jamadi-al-Akhir, in the year of the Hejira, one thousand two hundred and seventy-nine.

(Signed) ORFEUR CAVENAGH, *Colonel,*
Governor of the Straits Settlements.

(Signed) UNKU TUMONGONG ABOOBAKAR.

ANNEX MM 10

Agreement on Certain Points Touching the Relations of Her Majesty's Government of the Straits Settlements with the Government of the Independent State of Johore, London, 11 December 1885, 167 CTS 82

ENGLISH TEXT

AGREEMENT on certain points touching the relations of Her Majesty's Government of the Straits Settlements with the Government of the Independent State of Johore, made between the Right Honourable Frederick Arthur Stanley, Her Majesty's Secretary of State for the Colonies, on behalf of the Queen of the United Kingdom of Great Britain and Ireland, Empress of India, and His Highness the Maharajah of Johore.

ART. I. The two Governments will at all times cordially co-operate in the settlement of a peaceful population in their respective neighbouring territories, and in the joint defence of those territories from external hostile attacks, and in the mutual surrender of persons accused or convicted of any crime or offence, under such conditions as may be arranged between the two Governments.

II. His Highness the Maharajah of Johore undertakes, if requested by the Government of the Straits Settlements, to co-operate in making arrangements for facilitating trade and transit communication overland through the State of Johore with the State of Pahang.

III. If the Government of the Straits Settlements shall at any

time desire to appoint a British Officer as Agent to live within the State of Johore, having functions similar to those of a Consular Officer, His Highness the Maharajah will be prepared to provide, free of cost, a suitable site within his territory, whereon a residence may be erected for occupation by such officer.

IV. Any coinage in the currency of the Straits Settlements, which may be required for the use of the Government of Johore, shall be supplied to it by the Government of the Straits Settlements, at rates not higher than those at which similar coinage is supplied to Governments of the Malay Protected States, and under the same limitations as to amount. His Highness the Maharajah on his part undertakes that the applications of his Government for subsidiary coinage shall be strictly limited by the legitimate requirements of the inhabitants of the State of Johore, and that the coinage so issued shall be subject to the same limitations as regards legal tender as are in force in the Straits Settlements.

V. The Governor of the Straits Settlements, in the spirit of former Treaties, will at all times to the utmost of his power take whatever steps may be necessary to protect the Government and territory of Johore from any external hostile attacks; and for these or for similar purposes Her Majesty's Officers shall at all times have free access to the waters of the State of Johore; and it is agreed that those waters extend to 3 miles from the shore of the State, or in any waters less than 6 miles in width, to an imaginary line midway between the shores of the two countries.

VI. The Maharajah of Johore, in the spirit of former Treaties, undertakes on his part that he will not without the knowledge and consent of Her Majesty's Government negotiate any Treaty, or enter into any engagement with any foreign State, or interfere in the politics or administration of any native State, or make any grant or concession to other than British subjects or British Companies or persons of the Chinese, Malay, or other Oriental race, or enter into any political correspondence with any foreign State.

It is further agreed that if occasion should arise for political correspondence between His Highness the Maharajah and any foreign State, such correspondence shall be conducted through Her Majesty's Government, to whom His Highness makes over the guidance and control of his foreign relations.

Whereas His Highness the Maharajah of Johore has made known to the Governor of the Straits Settlements that it is the desire of his Chiefs and people that he should assume the title of Sultan, it is further agreed that, in consideration of the loyal friendship and constant affection His Highness has shown to the Government of Her Majesty the Queen and Empress, and of the stipulations contained in this Memorandum, he and his heirs and

successors, lawfully succeeding according to Malay custom, shall in future be acknowledged as His Highness the Sultan of the State and territory of Johore, and shall be so addressed.

In witness whereof the said Right Honourable Frederick Arthur Stanley, and His said Highness the Maharajah of Johore, have signed this Agreement at the Colonial Office, London, the 11th day of December, 1885.

FREDERICK ARTHUR STANLEY.
ABUBAKAR [in Malay].

Witnessed by :
ROBERT G. W. HERBERT.
ABDUL RAHMAN.

ANNEX MM 11

**Agreement between his Britannic Majesty's Government and the
State of Johore making provision for the Appointment of a British
General Adviser at the Court of Johore, Singapore, 12 May 1914,
107 BFSP 519**

regulating the service of Victorian legal process in Victoria and the proof thereof.

And I certify that the cost of effecting such service, as duly certified by the Taxing Master of the Victorian Supreme Court, amounts to the sum of

Dated this day of , 19

Dated the 17th day of March, 1914.

(L.S.)

JOHN MADDEN, C.J.
THOS. A'BECKETT, J.
HENRY HODGES, J.
J. H. HOOD, J.
L. F. CUSSEN, J.

By the Court—

J. W. O'HALLORAN, *Prothonotary.*

AGREEMENT between Great Britain and Johore making provision for the Appointment of a British General Adviser at the Court of Johore.—Singapore, May 12, 1914.

WHEREAS it is considered desirable that Article III of the Agreement of the 11th December, 1885,* made by the Right Honourable Frederick Arthur Stanley, Her Majesty's Secretary of State for the Colonies, on behalf of Her Britannic Majesty's Government and His Highness the Maharajah of Johore, should be repealed and another Article substituted therefor:

Now it is hereby agreed by and between his Excellency Sir Arthur Henderson Young, K.C.M.G., Governor of the Colony of the Straits Settlements, on behalf of His Britannic Majesty's Government and His Highness the Sultan of the State and territory of Johore that the above Article be repealed and the following Article be substituted therefor:—

ART. III. The Sultan of the State and territory of Johore will receive and provide a suitable residence for a British officer to be called the General Adviser, who shall be accredited to his Court and live within the State and territory of Johore, and whose advice must be asked and acted upon on all matters affecting the general administration of the country, and on all questions other than those touching Malay religion and custom.

The cost of the General Adviser and his establishment shall be determined by the Government of the Straits Settlements, and be a charge on the revenues of Johore.

The collection and control of all revenues of the country shall be regulated under the advice of the General Adviser.

In witness whereof the said Sir Arthur Henderson Young

* Vol. LXXVI, pages 92.

and His said Highness the Sultan of the State and territory of Johore have signed this Agreement this 12th day of May, 1914.

IBRAHIM.

Signature of His Highness the Sultan of the State and territory of Johore witnessed by—

OMAR-BIN-AHMAD.	} (In Malay characters.)
AHMAD-BIN-MUHAMMAD KHALID.	
JAAFAR-BIN-HAJI MUHAMMAD.	
MUHAMMAD-BIN-MANRUB.	

ARTHUR YOUNG.

Signature of his Excellency Sir Arthur Henderson Young witnessed by—

R. J. WILKINSON.

AGREEMENT between Great Britain and the King and Chiefs of Savage Island.—Alofi, April 20, 1900.

ART. I. The King, Chiefs, and people of Savage Island agree to place themselves and their territory freely and unreservedly under the protection of Her Britannic Majesty from the date of the signature of the present Treaty.

II. The King, Chiefs, and people of Savage Island further understand and agree that all their relations of any sort whatever with foreign Powers shall be conducted under the sole advice and through the channel of Her Majesty's Government.

III. Her Britannic Majesty will at all times, to the utmost of her power, take whatever steps may be necessary to protect the Government and territory of Savage Island from any external hostile attacks; and for this or for similar purposes Her Britannic Majesty's officers shall at all times have free access to the waters and harbours of Savage Island.

IV. The King, Chiefs, and people of Savage Island agree that Her Majesty shall have and exercise jurisdiction for the hearing and settlement of all claims of a civil nature against British subjects or foreigners, and against British or foreign vessels, by whomsoever preferred, and for the trial and punishment of all offences and crimes of which British subjects and foreigners may be accused in Savage Island. All such cases, whether civil or criminal, shall be dealt with in accordance with the provisions of "The Pacific Order in Council, 1893,"* and of any amendment of the same so far as applicable. The authorities of Savage Island shall at all times, to the utmost of their power,

* Vol. LXXXV, page 1053.

ANNEX MM 12

**Straits Settlements and Johore Territorial Waters Agreement,
19 October 1927, in Allen, Stockwell & Wright, p. 114**

JOHORE TREATY of 19 October, 1927

Boundary Treaty with Singapore^{1*}

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,² 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 Article ii of the Treaty of the Second 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 retro-ceded 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,

For footnotes see p.116

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 3-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 3-mile limit drawn from the low water mark of the mainland of Johore in a position bearing 192 degrees 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, etc., 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 the 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 the 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.

Article iv

This Agreement shall remain without force or effect until it has received the approval of the British Parliament.

In witness whereof 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, 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 have set their respective seals and signatures.

Dated at Singapore this 19th day of October 1927.

Seal³ and
Signature of
HUGH CLIFFORD,
Governor of the
Straits Settlements

Seal and
Signature of
SULTAN IBRAHIM of
JOHORE (in *jawi* script)

Witnesses:

J.D. HALL
J. HUGGINS

Witnesses:

ABDULLAH BIN JAAFAR (in
jawi script)
Mentri Besar of Johore
Captain HAJI MOHAMMED
SAID BIN HAJI SULEIMAN,
Private Secretary to
the Sultan (in *jawi*
script)

FOOTNOTES

1. National Archives of Malaysia hold the original.
2. Johore always dealt with the Governor as Governor, not as High Commissioner for the Malay States.
3. Alone of the Governors, Clifford had himself made a seal with a lengthy *jawi* inscription of his title as well as the English one. There is some temptation to believe that this treaty was at least partly signed to give him a chance to use it.

ANNEX MM 13

**Agreement for the Establishment of the Federation of Malaya as
an Independent Sovereign Country within the Commonwealth,
Kuala Lumpur, 5 August 1957, 163 *British & Foreign State Papers***

46

(No. 2.)—*Her Majesty's Ambassador at Amman to the Prime Minister of Jordan*

Amman, 13th March, 1957.

Your Excellency,

I have the honour to acknowledge receipt of your Note of to-day's date which reads as follows:

[As in No. 1.]

In reply I have the honour to inform your Excellency that the foregoing proposals are acceptable to the Government of the United Kingdom and Northern Ireland who therefore agree with your suggestion that your Note together with the Annex thereto and the present reply shall be considered as the Notes to be exchanged mentioned in the Joint Declaration of the 13th February, 1957, shall constitute an Agreement between the two Governments in the terms of those proposals and the Annex and shall be the formal instrument terminating the 1948 Treaty, which shall enter into force on the day on which the Government of the Hashemite Kingdom of the Jordan shall notify the Government of the United Kingdom that the approval of the National Assembly of Jordan has been given to this Agreement.

Please accept, &c.

C. H. JOHNSTON.

AGREEMENT for the establishment of the Federation of Malaya as an independent sovereign country within the Commonwealth.—Kuala Lumpur, 5th August, 1957⁽¹⁾

WHEREAS by the Federation of Malaya Agreement, 1948⁽²⁾, provision was made for the establishment of a Federation of Malaya comprising the Malay States of Johore, Pahang, Negri Sembilan, Selangor, Kedah, Perlis, Kelantan, Trengganu and Perak, and the Settlements of Penang and Malacca:

And whereas the Federation of Malaya Agreement, 1948, has the force of law in the territories of the said Federation:

And whereas there now subsist between Her Majesty and each of Their Highnesses the Rulers of the said Malay States

⁽¹⁾ *Statutory Instruments*, 1957 (No. 1533), page 3.

⁽²⁾ Vol. 150, page 82.

(in the case of Negri Sembilan between Her Majesty and His Highness the Yang di-Pertuan Besar and the Ruling Chiefs) divers Agreements⁽³⁾ relating to the government of the several States of Their Highnesses :

And whereas it has been represented to Her Majesty and Their Highnesses and the Ruling Chiefs of Negri Sembilan that fresh arrangements should be made for the peace, order and good government of the territories within the said Federation ; and Her Majesty and Their Highnesses and the said Ruling Chiefs have agreed that the said Federation should become an independent country within the Commonwealth with the Constitution hereinafter provided for :

And whereas by the Federation of Malaya Independence Act, 1957⁽⁴⁾, the approval of the Parliament of the United Kingdom was given to the conclusion of such Agreement as is herein contained :

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

1. This Agreement may be cited as the Federation of Malaya Agreement, 1957.

2. In this Agreement, unless the context otherwise requires—

“ the existing Federation ” means the Federation of Malaya established by the Federation of Malaya Agreement, 1948 ;

“ Federal Ordinance ” means an Ordinance of the Legislature of the existing Federation ;

“ Their Highnesses the Rulers ” means the persons who are for the time being the Sultan of the State and Territory of Johore, the Sultan of the State of Pahang, the Yang di-Pertuan Besar of the State of Negri Sembilan, the Sultan of the State of Selangor, the Sultan of the State of Kedah, the Raja of the State of Perlis, the Sultan of the State of Kelantan, the Sultan of the State of Trengganu, and the Sultan of the State of Perak ;

“ the Malay States ” means the States of Johore, Pahang, Negri Sembilan, Selangor, Kedah, Perlis, Kelantan, Trengganu and Perak, and all dependencies, islands and places which, immediately before the 31st day of August, 1957, are administered as part thereof, and the territorial waters adjacent thereto ;

⁽³⁾ See Vol. 150, pages 55 to 82.

⁽⁴⁾ 5 & 6 Eliz. 2, Ch. 60.

“the Settlement of Penang” and “the Settlement of Malacca” include all islands and places which, immediately before the 31st day of August, 1957, are administered as part of those Settlements, and the territorial waters adjacent thereto ;

“the Settlements” means the Settlement of Penang and the Settlement of Malacca.

3. As from the 31st day of August, 1957, the Malay States and the Settlements shall be formed into a new Federation of States by the name of Persekutuan Tanah Melayu, or in English, the Federation of Malaya under the Federal Constitution set out in the First Schedule^(*) to this Agreement, and thereupon the said Settlements shall cease to form part of Her Majesty's dominions and Her Majesty shall cease to exercise any sovereignty over them, and all power and jurisdiction of Her Majesty or of the Parliament of the United Kingdom in or in respect of the Settlements or the Malay States or the Federation as a whole shall come to an end.

4. The Constitutions set out in the Second and Third Schedules^(*) to this Agreement shall be the Constitutions of Penang and Malacca respectively as States of the new Federation.

5. Subject to the provisions of the said Federal Constitution and to the Fourth Schedule^(*) to this Agreement, the Federation of Malaya Agreement, 1948, and all other agreements subsisting between Her Majesty and the other Parties to this Agreement or any of them immediately before the said 31st day of August shall be revoked as from that day, but nothing in this Clause shall affect any provision in any agreement by which provision any disposition of territory was made.

6. The foregoing provisions of this Agreement are conditional upon the approval of the said Federal Constitution by Federal Ordinance and by an Enactment of each of the Malay States.

7. This Agreement shall be expressed in both the English and the Malay languages ; but, for purposes of interpretation, regard shall be had only to the English version.

In witness whereof Sir Donald Charles MacGillivray, G.C.M.G., M.B.E., has hereunto set his hand and seal on

(*) Not reproduced here.

behalf of Her Majesty; and Their Highnesses the Rulers of the States of Pahang, Negri Sembilan, Selangor, Kedah, Perlis, Kelantan, Trengganu and Perak and the Ruling Chiefs of the State of Negri Sembilan and His Highness Tunku Ismail Ibni Sultan Ibrahim, D.K., S.P.M.J., S.P.M.K., K.B.E., C.M.G., the Regent of Johore, on behalf of His Highness the Sultan of the State and Territory of Johore, have hereunto set their hands and seals.

Done the 5th day of August, 1957, corresponding to the 9th day of Muharram, 1377.

[Here follow the signatures.]

AGREEMENT between the United Kingdom and the Federation of Malaya on External Defence and Mutual Assistance.—Kuala Lumpur, 12th October, 1957⁽¹⁾

Whereas the Federation of Malaya is fully self-governing and independent within the Commonwealth;

And whereas the Government of the Federation of Malaya and the Government of the United Kingdom of Great Britain and Northern Ireland recognise that it is in their common interest to preserve peace and to provide for their mutual defence;

And whereas the Government of the Federation of Malaya has now assumed responsibility for the external defence of its territory;

Now therefore the Government of the Federation of Malaya and the Government of the United Kingdom of Great Britain and Northern Ireland have agreed as follows:

ARTICLE I

The Government of the United Kingdom undertake to afford to the Government of the Federation of Malaya such assistance as the Government of the Federation of Malaya may require for the external defence of its territory.

⁽¹⁾ Cmd. 263. The Australian and New Zealand Governments proposed to associate themselves with the terms of this Agreement in so far as they concern them by Exchanges of Letters with the Federation Government. For the arrangements for the employment of Overseas Commonwealth Forces in emergency operations in the Federation of Malaya after independence see Cmd. 264.

ANNEX MM 14

**Agreement between the United Kingdom, the Federation of
Malaya, North Borneo, Sarawak and Singapore Concerning the
Establishment of the Federation of Malaysia, London, 9 July
1963, 167 *British & Foreign State Papers* 49**

No. 10760

**UNITED KINGDOM OF GREAT BRITAIN
AND NORTHERN IRELAND
and
FEDERATION OF MALAYA,
NORTH BORNEO, SARAWAK
and SINGAPORE**

Agreement relating to Malaysia (with annexes, including the Constitutions of the States of Sabah, Sarawak and Singapore, the Malaysia Immigration Bill and the Agreement between the Governments of the Federation of Malaya and Singapore on common market and financial arrangements). Signed at London on 9 July 1963

**Agreement amending the above-mentioned Agreement.
Signed at Singapore on 28 August 1963**

Authentic texts of the Agreement: English and Malay.

Authentic text of the annexes: English.

Authentic text of the amending Agreement: English.

*Registered by the United Kingdom of Great Britain and Northern Ireland
on 21 September 1970.*

AGREEMENT¹ RELATING TO MALAYSIA

The United Kingdom of Great Britain and Northern Ireland, the Federation of Malaya, North Borneo, Sarawak and Singapore;

Desiring to conclude an agreement relating to Malaysia;

Agree as follows:

Article I

The Colonies of North Borneo and Sarawak and the State of Singapore shall be federated with the existing States of the Federation of Malaya as the States of Sabah, Sarawak and Singapore in accordance with the constitutional instruments annexed to this Agreement and the Federation shall thereafter be called "Malaysia".

Article II

The Government of the Federation of Malaya will take such steps as may be appropriate and available to them to secure the enactment by the Parliament of the Federation of Malaya of an Act in the form set out in Annex A to this Agreement and that it is brought into operation on 31st August 1963¹ (and the date on which the said Act is brought into operation is hereinafter referred to as "Malaysia Day").

Article III

The Government of the United Kingdom will submit to Her Britannic Majesty before Malaysia Day Orders in Council for the purpose of giving the force of law to the Constitutions of Sabah, Sarawak and Singapore as States of Malaysia which are set out in Annexes B, C and D to this Agreement.

Article IV

The Government of the United Kingdom will take such steps as may be appropriate and available to them to secure the enactment by the Parliament

¹ Came into force on 16 September 1963, in accordance with article II, as amended by the Agreement of 28 August 1963 (see page 241 of this volume).

of the United Kingdom of an Act providing for the relinquishment, as from Malaysia Day, of Her Britannic Majesty's sovereignty and jurisdiction in respect of North Borneo, Sarawak and Singapore so that the said sovereignty and jurisdiction shall on such relinquishment vest in accordance with this Agreement and the constitutional instruments annexed to this Agreement.

Article V

The Government of the Federation of Malaya will take such steps as may be appropriate and available to them to secure the enactment before Malaysia Day by the Parliament of the Federation of Malaya of an Act in the form set out in Annex E to this Agreement for the purpose of extending and adapting the Immigration Ordinance, 1959, of the Federation of Malaya to Malaysia and of making additional provision with respect to entry into the States of Sabah and Sarawak; and the other provisions of this Agreement shall be conditional upon the enactment of the said Act.

Article VI

The Agreement on External Defence and Mutual Assistance between the Government of the United Kingdom and the Government of the Federation of Malaya of 12th October, 1957,¹ and its annexes shall apply to all territories of Malaysia, and any reference in that Agreement to the Federation of Malaya shall be deemed to apply to Malaysia, subject to the proviso that the Government of Malaysia will afford to the Government of the United Kingdom the right to continue to maintain the bases and other facilities at present occupied by their Service authorities within the State of Singapore and will permit the Government of the United Kingdom to make such use of these bases and facilities as that Government may consider necessary for the purpose of assisting in the defence of Malaysia, and for Commonwealth defence and for the preservation of peace in South-East Asia. The application of the said Agreement shall be subject to the provisions of Annex F to this Agreement (relating primarily to Service lands in Singapore).

Article VII

(1) The Federation of Malaya agrees that Her Britannic Majesty may make before Malaysia Day Orders in Council in the form set out in Annex G to this Agreement for the purpose of making provision for the payment of compensation and retirement benefits to certain overseas officers serving,

¹ United Nations, *Treaty Series*, vol. 285, p. 59.

immediately before Malaysia Day, in the public service of the Colony of North Borneo or the Colony of Sarawak.

(2) On or as soon as practicable after Malaysia Day, Public Officers' Agreements in the forms set out in Annexes H and I of this Agreement shall be signed on behalf of the Government of the United Kingdom and the Government of Malaysia; and the Government of Malaysia shall obtain the concurrence of the Government of the State of Sabah, Sarawak or Singapore, as the case may require, to the signature of the Agreement by the Government of Malaysia so far as its terms may affect the responsibilities or interests of the Government of the State.

Article VIII

The Governments of the Federation of Malaya, North Borneo and Sarawak will take such legislative, executive or other action as may be required to implement the assurances, undertakings and recommendations contained in Chapter 3 of, and Annexes A and B to, the Report of the Inter-Governmental Committee signed on 27th February, 1963, in so far as they are not implemented by express provision of the Constitution of Malaysia.

Article IX

The provisions of Annex J to this Agreement relating to Common Market and financial arrangements shall constitute an Agreement between the Government of the Federation of Malaya and the Government of Singapore.

Article X

The Governments of the Federation of Malaya and of Singapore will take such legislative, executive or other action as may be required to implement the arrangements with respect to broadcasting and television set out in Annex K to this Agreement in so far as they are not implemented by express provision of the Constitution of Malaysia.

Article XI

This Agreement shall be signed in the English and Malay languages except that the Annexes shall be in the English language only. In case of doubt the English text of the Agreement shall prevail.

IN WITNESS WHEREOF the undersigned, being duly authorized thereto, have signed this Agreement.

DONE at London this Ninth day of July, 1963, in five copies of which one shall be deposited with each of the Parties.

For the United Kingdom:

HAROLD MACMILLAN
DUNCAN SANDYS
LANSDOWNE

For the Federation of Malaya:

T. A. RAHMAN
ABDUL RAZAK
TAN SIEW SIN
V. T. SAMBANTHAN
ONG YOHE LIN
S. A. LIM

For North Borneo:

DATU MUSTAPHA BIN DATU HARUN
D. A. STEPHENS
W. K. H. JONES
KHOO SIAK CHIEW
W. S. HOLLEY
G. S. SUNDANG

For Sarawak:

P. E. H. PIKE
T. JUGAH
ABANG HAJI MUSTAPHA
LING BENG SIEW
ABANG HAJI OPENG

For Singapore:

LEE KUAN YEW
GOH KENG SWEE

ANNEX MM 15

**Agreement Relating to the Separation of Singapore from Malaysia
as a Separate and Sovereign State of 7 August 1965 between the
Governments of Malaysia and Singapore, 563 *UNTS* 89**

No. 8206

**SINGAPORE
and
MALAYSIA**

**Agreement relating to the separation of Singapore from
Malaysia as an independent and sovereign State. Signed
at Kuala Lumpur, on 7 August 1965**

Official text: English.

Registered by Singapore on 1 June 1966.

**SINGAPOUR
et
MALAISIE**

**Accord relatif à la constitution de Singapour en tant qu'État
indépendant et souverain, détaché de la Malaisie. Signé
à Kuala-Lumpur, le 7 août 1965**

Texte officiel anglais.

Enregistré par Singapour le 1^{er} juin 1966.

No. 8206. AN AGREEMENT¹ RELATING TO THE SEPARATION OF SINGAPORE FROM MALAYSIA AS AN INDEPENDENT AND SOVEREIGN STATE. SIGNED AT KUALA LUMPUR, ON 7 AUGUST 1965

An Agreement dated the 7th day of August, 1965, and made between the Government of Malaysia of the one part and the Government of Singapore of the other part.

Whereas Malaysia was established on the 16th day of September, 1963, by a federation of the existing states of the Federation of Malaya and the States of Sabah, Sarawak and Singapore into one independent and sovereign nation ;

And whereas it has been agreed by the parties hereto that fresh arrangements should be made for the order and good government of the territories comprised in Malaysia by the separation of Singapore from Malaysia upon which Singapore shall become an independent and sovereign state and nation separate from and independent of Malaysia and so recognised by the Government of Malaysia ;

Now therefore it is agreed and declared as follows :

Article I

This Agreement may be cited as the Independence of Singapore Agreement, 1965.

Article II

Singapore shall cease to be a State of Malaysia on the 9th day of August, 1965, (hereinafter referred to as "Singapore Day") and shall become an independent and sovereign state separate from and independent of Malaysia and recognised as such by the Government of Malaysia ; and the Government of Malaysia will proclaim and enact the constitutional instruments annexed to this Agreement in the manner hereinafter appearing.

Article III

The Government of Malaysia will declare by way of proclamation in the form set out in Annex A to this Agreement that Singapore is an independent and sovereign

¹ Came into force on 9 August 1965, the date of independence of Singapore, by signature.

state separate from and independent of Malaysia and recognised as such by the Government of Malaysia.

Article IV

The Government of Malaysia will take such steps as may be appropriate and available to them to secure the enactment by the Parliament of Malaysia of an Act in the form set out in Annex B to this Agreement and will ensure that it is made operative as from Singapore Day, providing for the relinquishment of sovereignty and jurisdiction of the Government of Malaysia in respect of Singapore so that the said sovereignty and jurisdiction shall on such relinquishment vest in the Government of Singapore in accordance with this Agreement and the constitutional instruments annexed.

Article V

The parties hereto will enter into a treaty on external defence and mutual assistance providing that :

- (1) the parties hereto will establish a joint defence council for purposes of external defence and mutual assistance ;
- (2) the Government of Malaysia will afford to the Government of Singapore such assistance as may be considered reasonable and adequate for external defence, and in consideration thereof, the Government of Singapore will contribute from its own armed forces such units thereof as may be considered reasonable and adequate for such defence ;
- (3) the Government of Singapore will afford to the Government of Malaysia the right to continue to maintain the bases and other facilities used by its military forces within Singapore and will permit the Government of Malaysia to make such use of these bases and facilities as the Government of Malaysia may consider necessary for the purpose of external defence ;
- (4) each party will undertake not to enter into any treaty or agreement with a foreign country which may be detrimental to the independence and defence of the territory of the other party.

Article VI

The parties hereto will on and after Singapore Day co-operate in economic affairs for their mutual benefit and interest and for this purpose may set up such joint committees or councils as may from time to time be agreed upon.

Article VII

The provisions of Annex J and K of the Agreement relating to Malaysia dated the 9th day of July, 1963 are hereby expressly rescinded as from the date of this Agreement.

Article VIII

With regard to any agreement entered into between the Government of Singapore and any other country or corporate body which has been guaranteed by the Government of Malaysia, the Government of Singapore hereby undertakes to negotiate with such country or corporate body to enter into a fresh agreement releasing the Government of Malaysia of its liabilities and obligations under the said guarantee, and the Government of Singapore hereby undertakes to indemnify the Government of Malaysia fully for any liabilities, obligations or damage which it may suffer as a result of the said guarantee.

IN WITNESS WHEREOF, the undersigned, being duly authorised thereto, have signed this Agreement.

DONE this 7th day of August, 1965, in two copies of which one shall be deposited with each of the Parties.

For the Government of Malaysia :

Y. T. M. TUNKU ABDUL RAHMAN PUTRA AL-HAJ, K.O.M.
Prime Minister

TUN ABDUL RAZAK BIN DATO HUSSEIN, S.M.N.
Deputy Prime Minister

DATO (Dr.) ISMAIL BIN DATO ABDUL RAHMAN, P.M.N.
Minister of Home Affairs

TAN SIEW SIN, J.P.
Minister of Finance

DATO V.T. SAMBANTHAN, P.M.N.
Minister of Works, Post and Telecommunications

For the Government of Singapore :

LEE KUAN YEW
Prime Minister

TOH CHIN CHYE
Deputy Prime Minister

GOH KENG SWEE
Minister for Finance

E. W. BARKER
Minister for Law

S. RAJARATNAM
Minister for Culture

INCHE OTHMAN WOK
Minister for Social Affairs

ONG PANG BOON
Minister for Education

YONG NYUK LIN
Minister for Health

LIM KIM SAN
Minister for National Development

JEK YUEN THONG
Minister for Labour

A N N E X "A"

PROCLAMATION ON SINGAPORE

In the name of God, the Compassionate, the Merciful. Praise be to God, the Lord of the Universe, and may the benediction and peace of God be upon Our Leader Muhammad and upon all His Relations and Friends.

WHEREAS Malaysia was established on the 16th day of September, 1963, by a federation of the existing states of the Federation of Malaya and the States of Sabah, Sarawak and Singapore into one independent and sovereign nation ;

AND WHEREAS by an Agreement made on the 7th day of August in the year one thousand nine hundred and sixty-five between the Government of Malaysia of the one part and the Government of Singapore of the other part it was agreed that Singapore should cease to be a state of Malaysia and should thereupon become an independent and sovereign state and nation separate from and independent of Malaysia ;

AND WHEREAS it was also agreed by the parties to the said Agreement that, upon the separation of Singapore from Malaysia, the Government of Malaysia shall relinquish its sovereignty and jurisdiction in respect of Singapore so that the said sovereignty and jurisdiction shall on such relinquishment vest in the Government of Singapore ;

Now in the name of God the Compassionate, the Merciful, I, Tunku Abdul Rahman Putra Al-Haj Ibni Almarhum Sultan Abdul Hamid Halim Shah, Prime Minister of Malaysia, with the concurrence and approval of His Majesty the Yang di-Pertuan Agong of Malaysia, do hereby declare and proclaim that, as from the 9th day of August in the year one thousand nine hundred and sixty-five, Singapore shall cease to be a State of Malaysia and shall forever be an independent and sovereign state and nation separate from and independent of Malaysia, and that the Government of Malaysia recognises the present Government of Singapore as an independent and sovereign government of Singapore and will always work in friendship and co-operation with it.

Y. T. M. TUNKU ABDUL RAHMAN PUTRA AL-HAJ, K.O.M.

ANNEX "B"

A BILL INTITULED "AN ACT TO AMEND THE CONSTITUTION OF MALAYSIA AND THE MALAYSIA ACT"

Be it enacted by the Duli Yang Maha Mulia Seri Paduka Baginda Yang di-Pertuan Agong with the advice and consent of the Dewan Negara and Dewan Ra'ayat in Parliament assembled, and by the authority of the same, as follows :

Short title

1. This Act may be cited as the Constitution and Malaysia (Singapore Amendment) Act, 1965.

Provision for Singapore to leave Malaysia

2. Parliament may by this Act allow Singapore to leave Malaysia and become an independent and sovereign state and nation separate from and independent of Malaysia.

Separation of Singapore from Malaysia, independence, sovereignty and recognition

3. Singapore shall cease to be a State of Malaysia on the 9th day of August, 1965, (hereinafter called "Singapore Day") and shall thereupon become an independent and sovereign state and nation separate from and independent of Malaysia and recognised as such by the Government of Malaysia ; and accordingly the Constitution of Malaysia and the Malaysia Act shall thereupon cease to have effect in Singapore except as hereinafter provided.

Retention of Singapore's executive and legislative powers

4. The Government of Singapore shall on and after Singapore Day retain its executive authority and legislative powers to make laws with respect to those matters provided for in the Constitution.

Transfer of executive and legislative powers of Parliament

5. The executive authority and legislative powers of the Parliament of Malaysia to make laws for any of its constituent States with respect to any of the matters enumerated in the Constitution shall on Singapore Day cease to extend to Singapore and shall be transferred so as to vest in the Government of Singapore.

Transfer of sovereignty and jurisdiction, etc.

6. The Yang di-Pertuan Agong shall on Singapore Day cease to be the Supreme Head of Singapore and his sovereignty and jurisdiction, and power and authority, executive or otherwise in respect of Singapore shall be relinquished and shall vest in the Yang di-Pertuan Negara, the Head of State of Singapore.

Continuation and effect of present laws

7. All present laws in force in Singapore immediately before Singapore Day shall continue to have effect according to their tenor and shall be construed as if this Act had not been passed in respect of Singapore subject however to amendment or repeal by the Legislature of Singapore.

Temporary provision as to jurisdiction and procedure of Singapore Courts

8. Until other provision is made by the Legislature of Singapore, the jurisdiction, original or appellate, and the practice and procedure of the High Court and the subordinate Courts of Singapore shall be the same as that exercised and followed immediately before Singapore Day, and appeals from the High Court shall continue to lie to the Federal Court of Appeal of Malaysia and then to the Privy Council in like manner.

Transfer of property and succession to rights, liabilities and obligations

9. All property, movable and immovable, and rights, liabilities and obligations which before Malaysia Day belonged to or were the responsibility of the Government of Singapore and which on that day or after became the property of or the responsibility of the Government of Malaysia shall on Singapore Day revert to and vest in or devolve upon and become once again the property of or the responsibility of Singapore.

Transfer of Singapore officers

10. (a) All persons, including members of the Armed Forces, the Police Force, the Courts and the Judiciary, and all others who immediately before Malaysia Day were officers employed by the Government of Singapore and who on that day or after became officers employed by the Government of Malaysia shall on Singapore Day become once again officers employed by the Government of Singapore.

(b) All persons who between Malaysia Day and Singapore Day were engaged by the Government of Malaysia for employment in those departments which were departments of the State of Singapore before Malaysia Day shall on Singapore Day become forthwith officers employed by the Government of Singapore.

Singapore Senators and members of Parliament

11. The two Senators and fifteen Members of Parliament from Singapore shall on Singapore Day cease to be members of the Senate and the House of Representatives respectively.

Singapore citizenship

12. A citizen of Singapore shall on Singapore Day cease to be a citizen of Malaysia.

International agreements, etc., relating to Singapore

13. Any treaty, agreement or convention entered into before Singapore Day between the Yang di-Pertuan Agong or the Government of Malaysia and another country or countries, including those deemed to be so by Article 169 of the Constitution of Malaysia shall in so far as such instruments have application to Singapore, be deemed to be a treaty, agreement or convention between Singapore and that country or countries, and any decision taken by an international organisation and accepted before Singapore Day by the Government of Malaysia shall in so far as that decision has application to Singapore be deemed to be a decision of an international organisation of which Singapore is a member.

In particular as regards the Agreement on External Defence and Mutual Assistance between the Government of the United Kingdom and the Government of the Federation of Malaya of 12th October, 1957,¹ and its annexes which were applied to all territories of Malaysia by Article VI of the Agreement Relating to Malaysia of 9th July, 1963, subject to the provision of Annex F thereto (relating primarily to Service lands in Singapore), the Government of Singapore will on and after Singapore Day afford to the Government of the United Kingdom the right to continue to maintain the bases and other facilities occupied by their Service authorities within Singapore and will permit the Government of the United Kingdom to make such use of these bases and facilities as that Government may consider necessary for the purposes of assisting in the defence of Singapore and Malaysia and for Commonwealth defence and for the preservation of peace in South-East Asia.

Mutual government guarantees of water agreements

14. The Government of Singapore shall guarantee that the Public Utilities Board of Singapore shall on and after Singapore Day abide by the terms and conditions of the Water Agreements dated 1st September, 1961, and 29th September, 1962, entered into between the City Council of Singapore and the Government of the State of Johore.

The Government of Malaysia shall guarantee that the Government of the State of Johore will on and after Singapore Day also abide by the terms and conditions of the said two Water Agreements.

¹ United Nations, *Treaty Series*, Vol. 285, p. 59.

ANNEX MM 16

**Indonesia-Malaysia: Agreement between the Government of the
Republic of Indonesia and the Government of Malaysia Relating to
the Delimitation of the Continental Shelves between the Two
Countries, 27 October 1969**

**INDONESIA-MALAYSIA: AGREEMENT BETWEEN THE
GOVERNMENT OF THE REPUBLIC OF INDONESIA AND THE
GOVERNMENT OF MALAYSIA RELATING TO THE
DELIMITATION OF THE CONTINENTAL SHELVES
BETWEEN THE TWO COUNTRIES**

Signed at Kuala Lumpur on 27 October 1969; came into force on 7 November 1969.

The Government of the Republic of Indonesia and the Government of Malaysia

Desiring to strengthen the existing historical bonds of friendship between the two Countries, and

Desiring to establish the boundaries of the continental shelves between the two countries,

Have agreed as follows:-

Article I

1. The boundaries of the Indonesian and the Malaysian continental shelves in the straits of Malacca and the South China Sea are the straight lines connecting the points specified in column 1 below whose co-ordinates are specified opposite those points in columns 2 and 3 below:

A. *In the Straits of Malacca*

(1) <i>Point</i>	(2) <i>Longitude E</i>	(3) <i>Latitude N</i>
1	98° 17'.5	05° 27'.0
2	98° 41'.5	04° 55'.7
3	99° 43'.6	03° 59'.6
4	99° 55'.0	03° 47'.4
5	101° 12'.1	02° 41'.5
6	101° 46'.5	02° 15'.4
7	102° 13'.4	01° 55'.2
8	102° 35'.0	01° 41'.2
9	103° 03'.9	01° 19'.5
10	103° 22'.8	01° 15'.0

B. *In the South China Sea (Western Side Off the East Coast of West Malaysia)*

(1) <i>Point</i>	(2) <i>Longitude E</i>	(3) <i>Latitude N</i>
11	104° 29'.5	01° 23'.9
12	104° 53'.0	01° 38'.0
13	105° 05'.2	01° 54'.4
14	105° 01'.2	02° 22'.5
15	104° 51'.5	02° 55'.2
16	104° 46'.5	03° 50'.1
17	104° 51'.9	04° 03'.0
18	105° 28'.8	05° 04'.7
19	105° 47'.1	05° 40'.6
20	105° 49'.2	06° 05'.8

C. *In the South China Sea (Eastern Side off the Coast of Sarawak)*

(1) Point	(2) Longitude E	(3) Latitude N
21	109° 38'.8	02° 05'.0
22	109° 54'.5	03° 00'.0
23	110° 02'.0	04° 40'.0
24	109° 59'.0	05° 31'.2
25	109° 38'.6	06° 18'.2

2. The co-ordinates of the points specified in paragraph 1 are geographical co-ordinates and the straight lines connecting them are indicated on the chart attached as Annexure 'A' to this Agreement.

3. The actual location of the abovementioned points at sea shall be determined by a method to be mutually agreed upon by the competent authorities of the two Governments.

4. For the purposes of paragraph 3 "competent authorities" in relation to the Republic of Indonesia means the Direktur, Direktorat Hidrografi Angkatan Laut, Republik Indonesia and includes any person authorised by him, and in relation to Malaysia the Pengarah, Pemetaan Negara, Malaysia and includes any person authorised by him.

Article II

Each Government hereby undertakes to ensure that all the necessary steps shall be taken at the domestic level to comply with the terms of this Agreement.

Article III

This Agreement shall not in any way affect any future agreement which may be entered into between the two Governments relating to the delimitation of the territorial sea boundaries between the two Countries.

Article IV

If any single geological petroleum or natural gas structure extends across the straight lines referred to in article I and the part of such structure which is situated on one side of the said lines is exploitable, wholly or in part, from the other side of the said lines, the two Governments will seek to reach agreement as to the manner in which the structure shall be most effectively exploited.

Article V

Any dispute between the two Governments arising out of the interpretation or implementation of this Agreement shall be settled peacefully by consultation or negotiation.

Article VI

This Agreement shall be ratified in accordance with the constitutional requirements of the two Countries.

Article VII

This Agreement shall enter into force on the date of the exchange of the Instruments of Ratification.

In witness whereof the undersigned, being duly authorised thereto by their respective Governments, have signed this Agreement.

Done in duplicate at Kuala Lumpur the 27th day of October, 1969, in the Indonesian, Malaysian and English languages. In the extent of any conflict between the texts, the English text shall prevail.

[Chart and map attached to the Agreement are omitted]

ANNEX MM 17

**Treaty between Malaysia and the Republic of Indonesia Relating
to the Delimitation of the Territorial Seas of the Two Countries in
the Straits of Malacca, 17 March 1970**



TREATY BETWEEN MALAYSIA AND THE REPUBLIC OF
INDONESIA RELATING TO THE DELIMITATION OF
THE TERRITORIAL SEAS OF THE TWO COUNTRIES
IN THE STRAITS OF MALACCA

MALAYSIA AND THE REPUBLIC OF INDONESIA,

NOTING that the coasts of the two Countries are opposite to each other in the Straits of Malacca and that the breadth of the territorial seas of each Country is twelve nautical miles,

DESIRING to strengthen the existing historical bonds of friendship between the two Countries,

AND DESIRING to establish the boundaries of the territorial seas of the two Countries in the narrow part of the Straits of Malacca bounded -

(a) in the North by the line joining Tanjong Rhu Latitude 02° 51'.1 N Longitude 101° 16'.9 E to Point 1 Latitude 02° 51'.6 N Longitude 101° 00'.2 E and to Pulau Batu Mandi Latitude 02° 52'.2 N Longitude 100° 41'.0 E; and

(b) in the South by the line joining Tanjong Piai Latitude 01° 16'.2 N Longitude 103° 30'.5 E to Point 8 Latitude 01° 15'.0 N Longitude 103° 22'.8 E to Pulau Iju Ketjil Latitude 01° 11'.2 N Longitude 103° 21'.0 E and to Tandjung Kedabu Latitude 01° 05'.9 N Longitude 102° 58'.5 E,

HAVE AGREED AS FOLLOWS :

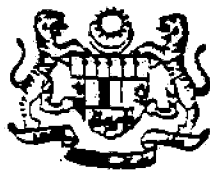
Article 1.

(1) The boundary line of the Malaysian and the Indonesian territorial seas in the Straits of Malacca in the area described in the preamble shall subject to paragraph (2) be a median line measured from their respective baselines within the said area.

(2) (a) Except as provided in sub-paragraph (b), the co-ordinates of the Points of the said boundary line are as follows :

Point 1.	101°	00'.2 E	02°	51'.6 N
Point 2.	101°	12'.1 E	02°	41'.5 N
Point 3.	101°	46'.5 E	02°	15'.4 N
Point 4.	102°	13'.4 E	01°	55'.2 N
Point 5.	102°	35'.0 E	01°	41'.2 N
Point 6.	103°	02'.1 E	01°	19'.1 N
Point 7.	103°	03'.9 E	01°	19'.5 N
Point 8.	103°	22'.8 E	01°	15'.0 N

(b) Point.....



- 2 -

- (b) Point 6 does not apply to Malaysia.
- (3) The co-ordinates of the Points specified in paragraph (2) are geographical co-ordinates and the boundary line connecting them is indicated on the chart attached as Annexure "A" to this Treaty.
- (4) The actual location of the abovementioned Points at sea shall be determined by a method to be mutually agreed upon by the competent authorities of the two Parties.
- (5) For the purposes of paragraph (4) "competent authorities" in relation to Malaysia means the Pengarah, Pemetaan Negara, Malaysia and includes any person authorised by him and in relation to the Republic of Indonesia the Direktur Hidrografi Angkatan Laut, Republik Indonesia and includes any person authorised by him.

Article II

Each Party hereby undertakes to ensure that all the necessary steps shall be taken at the domestic level to comply with the terms of this Treaty.

Article III

Any dispute between the two Parties arising out of the interpretation or implementation of this Treaty shall be settled peacefully by consultation or negotiation.

Article IV

This Treaty shall be ratified in accordance with the constitutional requirements of the two Countries.

Article V

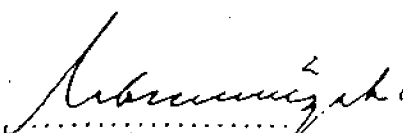
This Treaty shall enter into force on the date of the exchange of the Instruments of Ratification.

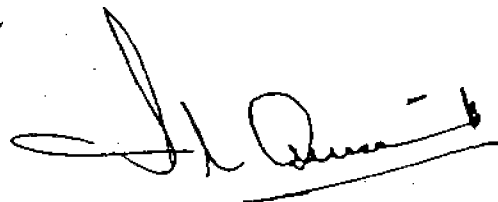
DONE IN DUPLICATE AT Kuala Lumpur the
seventeenth day of March, 1970, in the Malaysian, Indonesian and English languages.

In the event of any conflict between the texts, the English text shall prevail.

FOR MALAYSIA

FOR THE REPUBLIC OF INDONESIA


.....
Tun Haji Abdul Razak bin
Dato' Hussein


.....
Adam Malik

ANNEX MM 18

**Agreement Stipulating the Territorial Sea Boundary Lines between
Indonesia and the Republic of Singapore in the Strait of Singapore,
25 May 1973: in "Territorial Sea Boundary: Indonesia-Singapore"
(Department of State, Limits in the Seas, No. 60, 1974)**

The Governments of the Republic of Indonesia and the Republic of Singapore signed a territorial sea boundary agreement on May 25, 1973. Indonesia ratified the agreement on December 3, 1973; Singapore ratified the agreement on August 29, 1974. Neither country is a party to the 1958 Geneva Convention on the Territorial Sea and Contiguous Zone.

The "Agreement Stipulating the Territorial Sea Boundary Lines Between Indonesia and the Republic of Singapore in the Strait of Singapore" specified that:

Article I

1. The boundary line of the territorial seas of the Republic of Indonesia and the Republic of Singapore in the Strait of Singapore shall be a line, consisting of straight lines drawn between points, the co-ordinates of which are as follows:

<u>Points</u>	<u>Latitude North</u>	<u>Longitude East</u>
1	1°10'46".0	103°40'14".6
2	1°07'49".3	103°44'26".5
3	1°10'17".2	103°48'18".0
4	1°11'45".5	103°51'35".4
5	1°12'26".1	103°52'50".7
6	1°16'10".2	104°02'00".0

2. The co-ordinates of the points specified in paragraph 1 are geographical co-ordinates and the boundary line connecting them is indicated on the chart attached as Annexure "A" to this Treaty.
3. The actual location of the above mentioned points at sea shall be determined by a method to be mutually agreed upon by the competent authorities of the two countries.
4. For the purpose of paragraph 3, "Competent authorities in relation to the Republic of Indonesia means the Ketua Badan Koordinasi Survey dan Pemetaan Nasional (Chief of the Coordination Body for National Survey and Mapping) and in relation to the Republic of Singapore means any persons so authorized by the Government of the Republic of Singapore.

Article II

Any disputes between the two countries arising out of the interpretation or implementation of this Treaty shall be settled peacefully by consultation or negotiation.

Article III

This Treaty shall be ratified in accordance with the constitutional requirements of the two countries.

Article IV

This Treaty shall enter into force on the date of the exchange of the Instruments of Ratification.

DONE IN DUPLICATE AT Jakarta the twenty-fifth day of May one thousand nine hundred and seventy three in the Indonesia and English languages. In the event of any conflict between the texts, the English text shall prevail.

Analysis

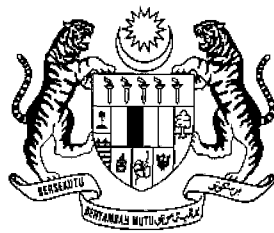
The analysis of the Indonesia-Singapore territorial sea boundary has been based upon a plotting of the coordinates on DMAHC Chart N.O. 71242, 17th ed., August 1963, revised October 21, 1970.

Indonesia claims a 12-nautical-mile territorial sea dating from 1957. Singapore's 3-nautical-mile territorial sea claim dates from 1957. Singapore's 3-nautical-mile territorial sea claim dates from 1878, when the British proclaimed a 3-nautical-mile limit for itself and its possessions.

The territorial sea boundary extends for a distance of 24.55 nautical miles. The average distance between the turning points is 4.91 nautical miles; the minimum is 1.35 nautical miles; the maximum is 9.85 nautical miles. The water depths along the territorial sea boundary range from 12 to 25 fathoms, with an average depth of 17.83 fathoms.

ANNEX MM 19

**Agreement between the Government of Malaysia and the
Government of the Republic of Singapore to Delimit Precisely the
Territorial Waters Boundary in Accordance with the Straits
Settlements and Johore Territorial Waters Agreement 1927,
7 August 1995**



INSTRUMENT OF RATIFICATION

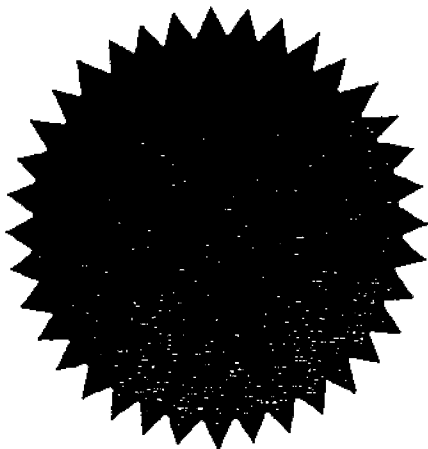
WHEREAS, an Agreement between the Government of Malaysia and the Government of the Republic of Singapore to Delimit Precisely the Territorial Waters Boundary in Accordance with the Straits Settlements and Johore Territorial Waters Agreement 1927 was signed at Singapore on the 7th day of August, in the year on One Thousand, Nine Hundred and Ninety-Five;

AND WHEREAS, the Government of Malaysia in accordance with Article 6 of the Agreement has decided to ratify the said Agreement;

NOW THEREFORE, the Government of Malaysia, having considered the said Agreement, does hereby confirm and ratify the same and undertake faithfully to perform and carry out all the stipulations therein contained;

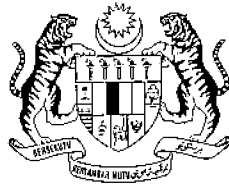
IN WITNESS WHEREOF, this Instrument of Ratification is signed and sealed by the Minister of Foreign Affairs, Malaysia.

DONE at Singapore this 7th day of August in the year One Thousand, Nine Hundred and Ninety-Five.



A handwritten signature in black ink, appearing to read 'Datuk Abdullah H. Ahmad Badawi'.

(DATUK ~~ABDULLAH H.~~ AHMAD BADAWI)
Minister of Foreign Affairs,
Malaysia.



AGREEMENT BETWEEN
THE GOVERNMENT OF MALAYSIA
AND THE GOVERNMENT
OF THE REPUBLIC OF SINGAPORE
TO DELIMIT PRECISELY THE TERRITORIAL
WATERS BOUNDARY IN ACCORDANCE
WITH THE STRAITS SETTLEMENT AND JOHORE
TERRITORIAL WATERS AGREEMENT 1927

WHEREAS by the Straits Settlements and Johore Territorial Waters Agreement dated 19 October 1927, hereinafter referred to as "the 1927 Agreement", made between His Excellency Sir Hugh Charles Clifford, Governor and Commander-in-Chief of the Colony of the Straits Settlements, on behalf of His Britannic Majesty and His Highness Ibrahim bin Almarhum Sultan Abu Bakar, Sultan of the State and Territory of Johore, the boundary between the territorial waters of the Settlement of Singapore and the State and Territory of Johore was agreed upon;

AND WHEREAS the State and Territory of Johore has been succeeded to by Malaysia and is a State within Malaysia and the Settlement of Singapore has been succeeded to by the Republic of Singapore;

AND WHEREAS the Government of Malaysia and the Government of the Republic of Singapore, hereinafter referred to as "the Contracting Parties", recognising the need to delimit precisely the territorial waters boundary in accordance with the 1927 Agreement, agreed to conduct a joint hydrographic survey based on the Memorandum of Procedure relating to the said survey as agreed upon on 29 January, 1980;

AND WHEREAS UPON the successful completion of the joint hydrographic survey on 12 May 1982 and the adoption of its report by the Contracting Parties on 16 April 1985, the Contracting Parties are desirous of entering into an agreement to delimit precisely the territorial waters boundary between Malaysia and the Republic of Singapore in the areas described in Article I of the 1927 Agreement;

NOW, therefore it is agreed and declared as follows:

ARTICLE 1

The Boundary

1. The territorial waters boundary between Malaysia and the Republic of Singapore in the areas described in Article I of the 1927 Agreement is defined by straight lines joining the points, the geographical coordinates of which are specified in Annex I.
2. The latitude and longitude of the geographical coordinates specified in Annex I have been determined on the Revised Kertau

Datum, Everest Spheroid (Malaya), Malaysian Rectified Skew Orthomorphic Projection (Projection Tables published by Directorate of Military Survey, Ministry of Defence, United Kingdom - March 1965). Chart Datums used are as described in the Joint Hydrographic Survey Fair Sheets 1980/1982 listed in Annex II.

3. As an illustration, the territorial waters boundary referred to in paragraph (1) is shown in red on the map attached hereto as Annex III.

4. Where the actual location of the points specified by the geographical coordinates in Annex I or any other points along the boundary is required to be determined, it shall be determined jointly by the competent authorities of the Contracting Parties.

5. For the purpose of paragraph 4 of this Article the term "competent authorities", in relation to Malaysia shall mean the Director General of Survey and Mapping, Malaysia and any person authorised by him, and in relation to the Republic of Singapore shall mean the Head of the Mapping Unit, Ministry of Defence, Singapore and any person authorised by him.

ARTICLE 2

Finality of Boundary

There shall be no alteration to the territorial waters boundary as defined in Article 1.

ARTICLE 3
Settlement of Disputes

Any dispute between the Contracting Parties arising out of the interpretation or implementation of this Agreement shall be settled by consultation or negotiation.

ARTICLE 4
Relationship With 1927 Agreement

In the event of any inconsistency between Article 1 of this Agreement and Article I of the 1927 Agreement, Article 1 of this Agreement shall prevail.

ARTICLE 5
Ratification

This Agreement shall be subject to ratification by the Contracting Parties.

ARTICLE 6
Entry into Force

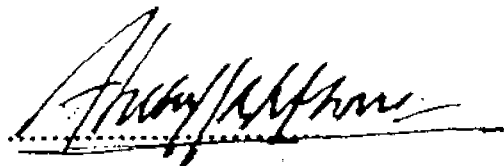
This Agreement shall enter into force on the date of exchange of the instruments of ratification by the Contracting Parties.

IN WITNESS WHEREOF the undersigned, being duly authorised thereto by their respective Government, have signed this Agreement.

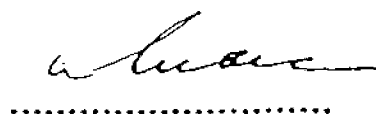
DONE at Singapore on this seventh day of August one thousand nine hundred and ninety-five in four original texts, two each in Malay and English languages, all texts being equally authentic. In case of any divergency, the English text shall prevail.

FOR THE GOVERNMENT
OF MALAYSIA

FOR THE GOVERNMENT
OF THE REPUBLIC OF
SINGAPORE



DATUK ABDULLAH
AHMAD BADAWI
MINISTER OF
FOREIGN AFFAIRS



PROFESSOR
S. JAYAKUMAR
MINISTER FOR
FOREIGN AFFAIRS

GEOGRAPHICAL COORDINATES1. East of Johor Causeway

<u>Designating Points</u>	<u>Latitude</u>	<u>Longitude</u>
	<u>North</u>	<u>East</u>
	° ' "	° ' "
E1	01 27 10.0	103 46 16.0
E2	01 27 54.5	103 47 25.7
E3	01 28 35.4	103 48 13.2
E4	01 28 42.5	103 48 45.6
E5	01 28 36.1	103 49 19.8
E6	01 28 22.8	103 50 03.0
E7	01 27 58.2	103 51 07.2
E8	01 27 46.6	103 51 31.2
E9	01 27 31.9	103 51 53.9
E10	01 27 23.5	103 52 05.4
E11	01 26 56.3	103 52 30.1
E12	01 26 06.5	103 53 10.1
E13	01 25 40.6	103 53 52.3
E14	01 25 39.1	103 54 45.9
E15	01 25 36.0	103 55 00.6
E16	01 25 41.7	103 55 24.0
E17	01 25 49.5	103 56 00.3
E18	01 25 49.7	103 56 15.7
E19	01 25 40.2	103 56 33.1
E20	01 25 31.3	103 57 09.1
E21	01 25 27.9	103 57 27.2
E22	01 25 29.1	103 57 38.4

Designating Points	..Latitude	Longitude
	... North	East
	° \ "	° \ "
E23	01 25 19.8	103 58 00.5
E24	01 25 19.0	103 58 20.7
E25	01 25 27.9	103 58 47.7
E26	01 25 27.4	103 59 00.9
E27	01 25 29.7	103 59 10.2
E28	01 25 29.2	103 59 20.5
E29	01 25 30.0	103 59 34.5
E30	01 25 25.3	103 59 42.9
E31	01 25 14.2	104 00 10.3
E32	01 26 20.9	104 01 23.9
E33	01 26 38.0	104 02 27.0
E34	01 26 23.5	104 03 26.9
E35	01 26 04.7	104 04 16.3
E36	01 25 51.3	104 04 35.3
E37	01 25 03.3	104 05 18.5
E38	01 24 55.8	104 05 22.6
E39	01 24 44.8	104 05 26.7
E40	01 24 21.4	104 05 33.6
E41	01 23 59.3	104 05 34.9
E42	01 23 39.3	104 05 32.9
E43	01 23 04.9	104 05 22.4
E44	01 22 07.5	104 05 00.9
E45	01 21 27.0	104 04 47.0
E46	01 20 48.0	104 05 07.0
E47	01 17 21.3	104 07 34.0

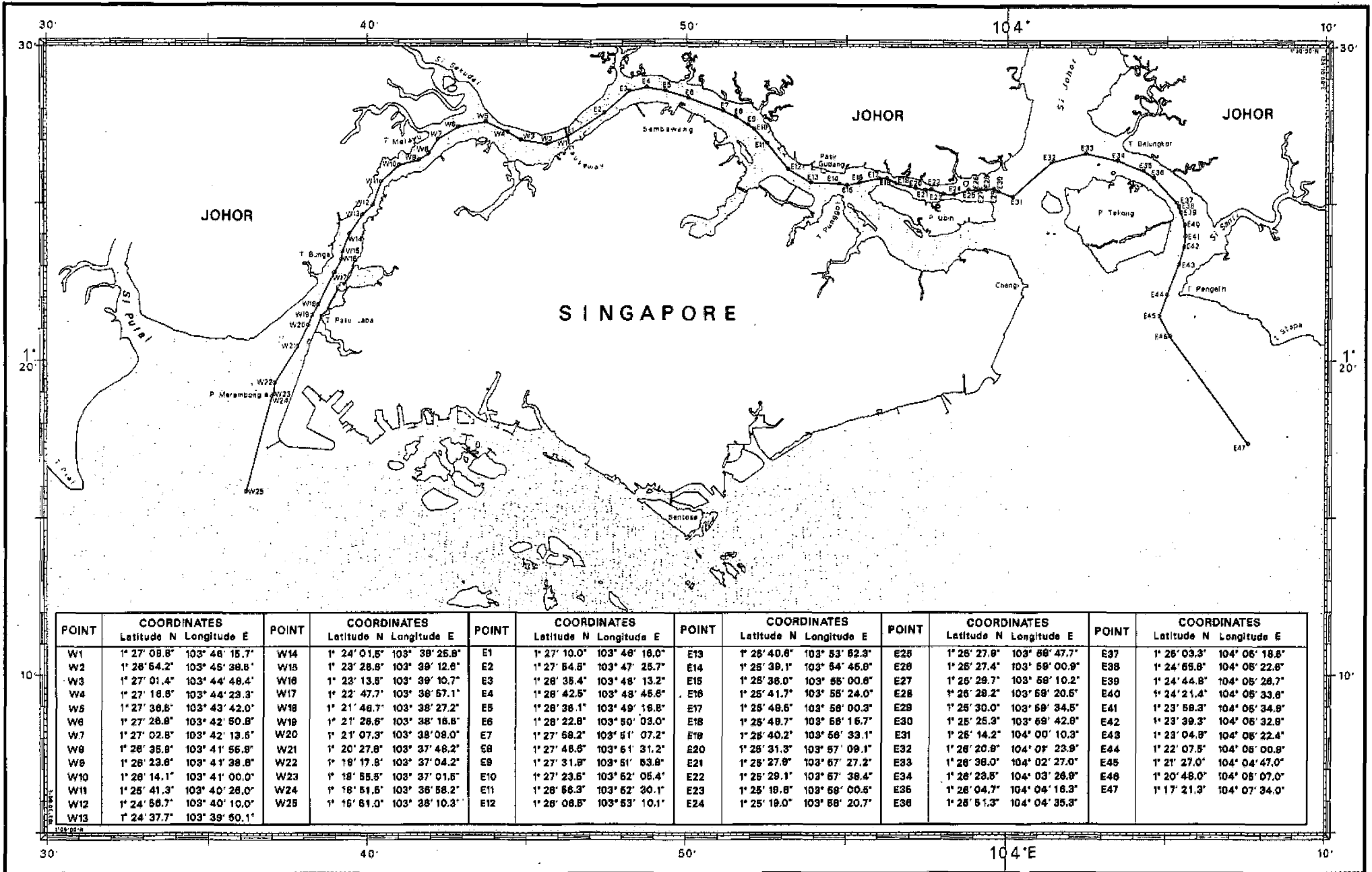
2. West of Johor Causeway

<u>Designating Points</u>	<u>..Latitude</u>	<u>Longitude</u>
	<u>... North</u>	<u>East</u>
	° ' "	° ' "
W1	01 27 09.8	103 46 15.7
W2	01 26 54.2	103 45 38.5
W3	01 27 01.4	103 44 48.4
W4	01 27 16.6	103 44 23.3
W5	01 27 36.5	103 43 42.0
W6	01 27 26.9	103 42 50.8
W7	01 27 02.8	103 42 13.5
W8	01 26 35.9	103 41 55.9
W9	01 26 23.6	103 41 38.6
W10	01 26 14.1	103 41 00.0
W11	01 25 41.3	103 40 26.0
W12	01 24 56.7	103 40 10.0
W13	01 24 37.7	103 39 50.1
W14	01 24 01.5	103 39 25.8
W15	01 23 28.6	103 39 12.6
W16	01 23 13.5	103 39 10.7
W17	01 22 47.7	103 38 57.1
W18	01 21 46.7	103 38 27.2
W19	01 21 26.6	103 38 15.5
W20	01 21 07.3	103 38 08.0
W21	01 20 27.8	103 37 48.2
W22	01 19 17.8	103 37 04.2
W23	01 18 55.5	103 37 01.5
W24	01 18 51.5	103 36 58.2
W25	01 15 51.0	103 36 10.3

JOINT HYDROGRAPHIC SURVEY FAIR SHEETS, 1980/1982

Sheet 1 of 21	(JS/5/IIa - 1)
Sheet 2 of 21	(JS/5/IIa - 2)
Sheet 3 of 21	(JS/5/IIb - 1)
Sheet 4 of 21	(JS/5/IIb - 2)
Sheet 5 of 21	(JS/5/IIa)
Sheet 6 of 21	(JS/5/IIb)
Sheet 7 of 21	(JS/5/IIIa - 1)
Sheet 8 of 21	(JS/5/IIIa - 2)
Sheet 9 of 21	(JS/5/IIIb - 1)
Sheet 10 of 21	(JS/5/IIIb - 2)
Sheet 11 of 21	(JS/5/IVa)
Sheet 12 of 21	(JS/5/IVb - 1)
Sheet 13 of 21	(JS/5/IVb - 2)
Sheet 14 of 21	(JS/5/Va - 1)
Sheet 15 of 21	(JS/5/Va - 2)
Sheet 16 of 21	(JS/5/Vb - 1)
Sheet 17 of 21	(JS/5/Vb - 2)
Sheet 18 of 21	(JS/5/VIa - 1)
Sheet 19 of 21	(JS/5/VIa - 2)
Sheet 20 of 21	(JS/5/VIb - 1)
Sheet 21 of 21	(JS/5/VIb - 2)

TERRITORIAL WATERS BOUNDARY BETWEEN MALAYSIA AND THE REPUBLIC OF SINGAPORE AS DEFINED IN ARTICLE 1



ANNEX MM 20

Malaysia-Singapore, Special Agreement, 6 February 2003

**SPECIAL AGREEMENT FOR SUBMISSION
TO THE INTERNATIONAL COURT OF JUSTICE
OF THE DISPUTE BETWEEN MALAYSIA AND SINGAPORE
CONCERNING SOVEREIGNTY OVER
PEDRA BRANCA/PULAU BATU PUTEH,
MIDDLE ROCKS AND SOUTH LEDGE**

The Government of Malaysia and the Government of the Republic of Singapore (hereinafter referred to as "the Parties");

Considering that a dispute has arisen between them regarding sovereignty over Pedra Branca/Pulau Batu Puteh, Middle Rocks and South Ledge;

Desiring that this dispute should be settled by the International Court of Justice (hereinafter referred to as "the Court");

Have agreed as follows:

**Article 1
Submission of Dispute**

The Parties agree to submit the dispute to the Court under the terms of Article 36(1) of its Statute.

**Article 2
Subject of the Litigation**

The Court is requested to determine whether sovereignty over:-

- (a) Pedra Branca/Pulau Batu Puteh;
- (b) Middle Rocks;
- (c) South Ledge,

belongs to Malaysia or the Republic of Singapore.

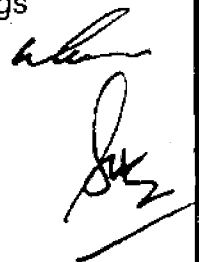


Article 3
Order of Names

For the purposes of this Special Agreement the order of the use of the names Pedra Branca/Pulau Batu Puteh or vice versa shall not be treated as having any relevance to the question of sovereignty to be determined by the Court.

Article 4
Procedure

1. The proceedings shall consist of written pleadings and oral hearings.
2. Without prejudice to any question as to the burden of proof, the Parties agree, having regard to Article 46 of the Rules of Court, that the written proceedings should consist of:
 - (a) a Memorial presented by each of the Parties not later than 8 months after the notification of this Special Agreement to the Registry of the International Court of Justice;
 - (b) a Counter-Memorial presented by each of the Parties not later than 10 months after the date on which each has received the certified copy of the Memorial of the other Party;
 - (c) a Reply presented by each of the Parties not later than 10 months after the date on which each has received the certified copy of the Counter-Memorial of the other Party;
 - (d) a Rejoinder, if the Parties so agree or if the Court decides ex officio or at the request of one of the Parties that this part of the proceedings is necessary, and the Court authorises or prescribes the presentation of a Rejoinder.
3. The above-mentioned parts of the written proceedings and their annexes presented to the Registrar will not be transmitted to the other Party until the Registrar has received the part of the proceedings corresponding to the said Party.

Handwritten signatures in black ink, appearing to be initials or names, located in the bottom right corner of the page.

4. The question of the order of speaking at the oral hearings shall be decided by mutual agreement between the Parties but in all cases the order of speaking adopted shall be without prejudice to any question of the burden of proof.

Article 5
Applicable Law

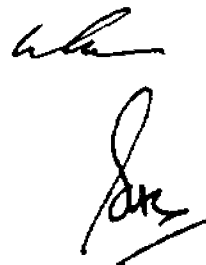
The principles and rules of international law applicable to the dispute shall be those recognised in the provisions of Article 38, paragraph 1, of the Statute of the International Court of Justice.

Article 6
Judgment of the Court

The Parties agree to accept the Judgment of the Court given pursuant to this Special Agreement as final and binding upon them.

Article 7
Entry into Force

1. This Special Agreement shall enter into force upon the exchange of instruments of ratification on a date to be determined through diplomatic channels.
2. This Special Agreement shall be registered with the Secretariat of the United Nations pursuant to Article 102 of the United Nations Charter, jointly or by either of the Parties.



**Article 8
Notification**

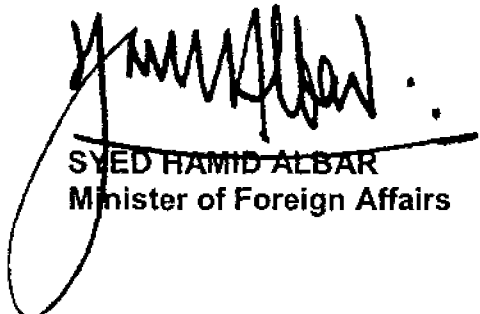
In accordance with Article 40 of the Statute of the Court, this Special Agreement shall be notified to the Registrar of the Court by a joint letter from the Parties as soon as possible after it has entered into force.

In witness whereof the undersigned, being duly authorised thereto by their respective Governments, have signed the present Special Agreement.

Done in triplicate at Putrajaya on the 6th day of February 2003.

For the Government of Malaysia

**For the Government of the
Republic of Singapore**



SYED HAMID ALBAR
Minister of Foreign Affairs



S JAYAKUMAR
Minister for Foreign Affairs

CERTIFIED TRUE COPY

**PROCES-VERBAL OF THE EXCHANGE OF
INSTRUMENTS OF RATIFICATION**

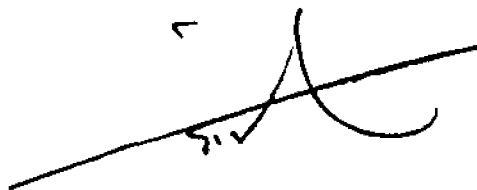
The undersigned have met today for the purpose of exchanging the Instruments of Ratification of the Special Agreement for Submission to the International Court of Justice of the Dispute between Malaysia and Singapore Concerning Sovereignty over Pedra Branca/Pulau Batu Puteh, Middle Rocks and South Ledge signed at Putrajaya on the Sixth of February 2003.

These Instruments, having been examined and found to be in due form, have been exchanged today.

IN WITNESS WHEREOF, the undersigned have signed the present Proces-Verbal.

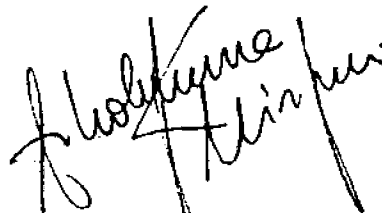
DONE at Putrajaya, this Ninth day of May, in the year Two Thousand Three, in duplicate.

FOR THE GOVERNMENT OF
MALAYSIA



(DATO' ABD. AZIZ MOHAMMED)
Deputy Secretary General I
Ministry of Foreign Affairs
Malaysia

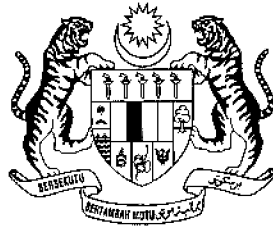
FOR THE GOVERNMENT OF
THE REPUBLIC OF SINGAPORE



(ASHOK KUMAR MIRPURI)
Singapore High Commissioner to
Malaysia



CERTIFIED TRUE COPY



INSTRUMENT OF RATIFICATION

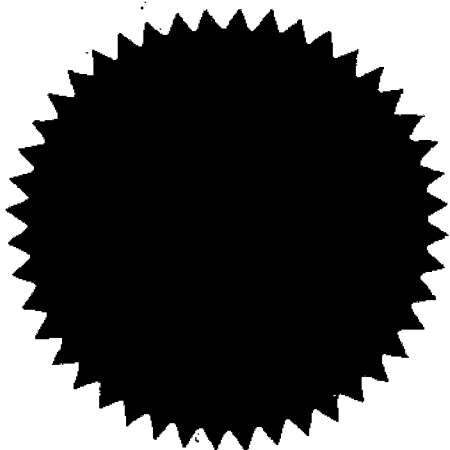
WHEREAS, The Special Agreement for Submission to the International Court of Justice of the Dispute between Malaysia and Singapore Concerning Sovereignty over Pedra Branca/Pulau Batu Puteh, Middle Rocks and South Ledge was signed at Putrajaya on the Sixth of February, in the year Two Thousand and Three;

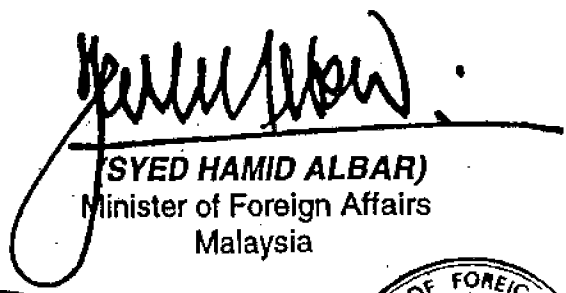
AND WHEREAS, The Government of Malaysia in accordance with Article 7 of the Agreement has decided to ratify the said Agreement;

NOW THEREFORE, The Government of Malaysia, having considered the said Agreement, hereby confirms and ratifies the same and undertakes faithfully to perform and carry out all the stipulations therein contained.

IN WITNESS THEREOF, this Instrument of Ratification is signed and sealed by the Minister of Foreign Affairs, Malaysia.

DONE at Putrajaya this Seventh day of May, in the year Two Thousand Three.




SYED HAMID ALBAR)
Minister of Foreign Affairs
Malaysia



CERTIFIED TRUE COPY



INSTRUMENT OF RATIFICATION OF SINGAPORE

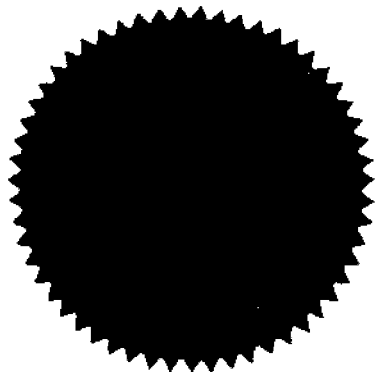
WHEREAS the Special Agreement for Submission to the International Court of Justice of the Dispute between Malaysia and Singapore concerning Sovereignty over Pedra Branca/Pulau Batu Puteh, Middle Rocks and South Ledge ("the Special Agreement") was signed by the Minister of Foreign Affairs of Malaysia and the Minister for Foreign Affairs of the Republic of Singapore in Kuala Lumpur, Malaysia on 6 February 2003;


WHEREAS the Special Agreement in accordance with Article 7, paragraph 1, enters into force upon the exchange of instruments of ratification;

NOW THEREFORE, the Government of Singapore, having considered the Special Agreement, hereby ratifies the same and undertakes faithfully to perform and carry out all the stipulations contained therein.

IN WITNESS WHEREOF, I hereby sign and seal this Instrument of Ratification.

Done at Singapore this 15th day of February, 2003.




S JAYAKUMAR
Minister for Foreign Affairs
of the Republic of Singapore



**JOINT NOTIFICATION TO THE REGISTRAR OF
THE INTERNATIONAL COURT OF JUSTICE
OF THE DISPUTE BETWEEN
MALAYSIA AND SINGAPORE CONCERNING
SOVEREIGNTY OVER PEDRA BRANCA/PULAU BATU PUTEH,
MIDDLE ROCKS AND SOUTH LEDGE**

24 July, 2003

On behalf of the Government of Malaysia and the Government of the Republic of Singapore, we have the honour to inform you that Malaysia and Singapore on 14 April 1998 have agreed on the text of the Special Agreement for Submission to the International Court of Justice of the Dispute between Malaysia and Singapore Concerning Sovereignty over Pedra Branca/Pulau Batu Puteh, Middle Rocks and South Ledge. In accordance with Article 40, paragraph 1, of the Statute of the International Court of Justice, the Government of Malaysia and the Government of the Republic of Singapore are pleased to jointly transmit to you the following:

- (a) a Signed Original of the Special Agreement for Submission to the International Court of Justice of the Dispute between Malaysia and Singapore Concerning Sovereignty over Pedra Branca/Pulau Batu Puteh, Middle Rocks and South Ledge, signed at Putrajaya on 6 February 2003; and
- (b) a Certified True Copy of the Procès-Verbal of the Exchange of Instruments of Ratification between Malaysia and Singapore signed at Putrajaya on 9 May 2003.

2. The aforesaid Special Agreement entered into force, pursuant to its Article 7, paragraph 1, on the date of exchange of instruments of ratification, i.e on 9 May, 2003.

3. In accordance with Article 35 of the Rules of the Court, both the Government of Malaysia and the Government of the Republic of Singapore hereby notify the Court of their intention to exercise the power conferred by Article 31 of the Statute of the Court to choose a judge ad hoc in these proceedings.

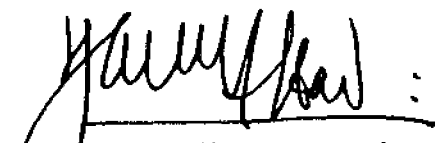
4. We further have the honour to inform you, in accordance with Article 40 of the Rules of the Court, that:


1. H.E Tan Sri Ahmad Fuzi Haji Abdul Razak, Secretary General of the Ministry of Foreign Affairs, Malaysia and H.E. Dato' Noor Farida Ariffin, Ambassador Extraordinary and Plenipotentiary of Malaysia to the Kingdom of the Netherlands, have been appointed as Agent and Co-Agent respectively for Malaysia for the purpose of the present case and their address for service at the seat of the Court shall be the Embassy of Malaysia to the Kingdom of the Netherlands, Rustenburgweg 2, 2517 KE The Hague.

2. H.E. Tommy Koh, Ambassador-at-Large of the Republic of Singapore and H.E. A Selverajah, Ambassador Extraordinary and Plenipotentiary of the Republic of Singapore to the Kingdom of the Netherlands have been appointed as Agent and Co-Agent respectively for the Republic of Singapore for the purpose of the present case and their address for service at the seat of the Court shall be the Embassy of the Republic of Singapore to the Kingdom of the Netherlands, 198 Avenue Franklin Roosevelt, 1050 Brussels, Belgium.

Signed

Signed


(**SYED HAMID ALBAR**)
Minister of Foreign Affairs
Malaysia
Putrajaya


(**S JAYAKUMAR**)
Minister for Foreign Affairs
The Republic of Singapore
Singapore

Mr. Philippe Couvreur
Registrar of the International Court of Justice
The Hague