

Supply—Public Works

On the Fort Qu'Appelle Indian hospital the contract amount was \$336,264.79. The security deposit held was \$31,831.80. The balance unpaid to the contractor was—

Mr. Diefenbaker: What was the security deposit?

Mr. Fournier (Hull): It was \$31,831.80. The payments to the contractor that had not been made amounted to \$40,202.01. On that contract we have on hand, with the exception of the amounts we may have paid since, the sum of \$72,033.81.

On the Regina, Saskatchewan, unemployment building the contract was \$215,597. The security deposit was \$21,222. The amount still held by the department on that contract, and unpaid, is \$42,420.61, making a total of security deposit and amounts still held of \$63,642.61.

On the Fort Qu'Appelle public building the contract was for \$132,787.25. The security deposit was \$12,900. The amount held by the department on the balance of the contract was \$29,033.25, making a total amount of \$41,933.25.

On those three contracts that were not completed by the Lunam company we held a total of \$177,609.65. To complete those three jobs will cost \$174,051.43—

Mr. Diefenbaker: How much is owing to—

Mr. Fournier (Hull):—leaving a balance of about \$3,560. That is the situation in our department. The hon. gentleman says—

Mr. Diefenbaker: How much is owing to the contractor?

Mr. Fournier (Hull): Have you had your say? If so, would you just allow me to continue? Up to the date of this accident to Lunam we had never received a claim from anyone. After it was known that the man was in hospital and that he was not continuing on the job, we did receive some claims. I do not know their exact total, nor do I know whether they are justifiable claims. I do not know if they are claims that could be brought against Lunam himself, or could be proved in court. But what we undertook to do, with security which the hon. member says is not sufficient, was to complete those three buildings at the amount contracted for. Now, I suppose in Saskatchewan, as in Quebec, you must have some statutory liens.

Mr. Diefenbaker: You cannot put mechanics' liens against government property.

Mr. Fournier (Hull): Why?

Mr. Diefenbaker: Because you cannot.

Mr. Fournier (Hull): Can you not notify the department, as you would in connection with

an ordinary man making a contract, that this contractor owes you money? Is that not the ordinary way you would do it? As I say, up to the time of that accident there were no claims at all.

Mr. Diefenbaker: What is the total amount claimed since?

Mr. Fournier (Hull): I would not dare give the amount because they are not substantiated. We have no evidence as to what the claims are. Why did not some of those creditors put this man into bankruptcy? I am surprised that they did not even try to put the company into bankruptcy. I cannot put the man into bankruptcy. I have the amount necessary to complete the jobs.

I am protecting the government. The hon. member says, "You should be protecting everybody who is selling material to contractors". I wonder if under the statute I am administering that is one of the duties of the Department of Public Works. My duty is to see that we get value for the money we spend. We follow a system of calling for tenders. If you wish to find fault with the amounts I have given you, I suppose you can try, but I do not know how you can prove it.

Suppose there are claims against the man. Does the hon. gentleman know that he is insolvent? Does he know whether he has made a petition to go into bankruptcy? Does he know what his assets are? I do not need to do that; I have the money. How are you going to blame my officials or me? Once I have given a contract, once it is signed and I have the security deposit and the drawback, the buildings are completed and delivered to us. Where is the fault to be found with that? What fault can you place on my architects and officials because some claimant in that district did not put in a claim in proper time? That would not stand up in any court under the statute under which we operate. I do not know of all these projects myself and must rely on my officials, but I do defend what we have been doing.

Mr. Green: I think in his argument the minister has overlooked two important points. In the first place, he says in effect that if these people who supplied the materials and I suppose also those who worked for wages had wanted to protect themselves they should have notified the Department of Public Works. Let us follow that a little further. Suppose they had done so, and suppose the amount of the claims which had not been paid totalled \$100,000 and the minister had only \$5,000 left of these drawbacks on the projects which were not completed. He knows just as well as the rest of us that he would not pay anything to those creditors except perhaps the \$5,000. They would not have been any further