

CHRISTCHURCH'S CURIOUS COCCYX CASE  
of 1899: Dr Arthur De Renzi's surgery on Mrs  
Sarah Walmsley

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# CHRISTCHURCH'S CURIOUS COCCYX CASE of 1899: Dr Arthur De Renzi's surgery on Mrs Sarah Walmsley

Christchurch's coccyx case of 1899 became the talk of the town, and of the medical profession throughout New Zealand, as it revealed some aspects of surgical practice not normally made public, and seemed on the face of it a case of malpractice and unnecessary surgery without the patient's consent. Yet the outcome was a surprise, after witnesses on both sides had accused each other of telling lies. While it is often difficult for the historian to sift out the truth, it is not impossible in this case. This is also a sad tale of a serious falling-out between brothers.

Dr Arthur Castriot De Renzi (1864-1914) was Medical Superintendent of Christchurch Hospital in New Zealand from 1888 to 1892.<sup>1</sup> He then took up general practice in the city, and was later described as a meritorious doctor: 'very diligent and faithful to his numerous patients, working day and night'.<sup>2</sup> He had trained at King's College Hospital, London, and was registered in England on 27 May 1887. His reason for coming out to New Zealand is fairly obvious. His aunt Emma had married one of the leading citizens of colonial Christchurch, the civil engineer, estate agent and chairman of the 1862 Sanitary Commission Richard James Strachan Harman, who was also chairman of the Domain Board and the Lyttelton Harbour Board.<sup>3</sup> Dr De Renzi later married their daughter Frances Dora Harman, his cousin.

Arthur's elder brother Henry Carter Castriot De Renzi (1863-1905) trained at the Westminster Hospital in London, and came out to Christchurch in 1898.<sup>4</sup> His consulting rooms were above the chemist's shop of Mr Spencer Vincent, but he had ceased practice by May 1899.<sup>5</sup> He had only stayed on in Christchurch as he was a medical witness in several cases resulting from the Rakaia railway accident on 11 March 1899. There had been a falling out between the brothers, referred to in court as a 'row'. Henry then moved to Wellington.

Apart from his term as Medical Superintendent of Christchurch Hospital, Dr Arthur De Renzi was well-known in Christchurch for an episode in 1895 when he punched the chairman of the hospital board in the face during a meeting in Richard Harman's office, in front of witnesses. The chairman, Richard Dunn Thomas, a 57 year old solicitor with a heart condition, had been repeating unfounded rumours about Arthur De Renzi and when confronted with this accusation had refused to apologise. De Renzi lost his temper and punched Thomas in the face. After a very full hearing in the Magistrate's Court in December 1895, De Renzi was committed for trial in the Supreme Court, where in February 1896 he was convicted of a common assault and sentenced to one month in prison, but without hard labour. The judge said that his loss of income was the equivalent of a heavy fine.<sup>6</sup>

Arthur De Renzi served his sentence in the Lyttelton Gaol and resumed his practice, which included a large amount of surgery at private hospitals. Despite his criminal record, he was highly-regarded in Christchurch as a good surgeon and a dedicated general practitioner. The *NZ Police Gazette* described him as a man of medium height, 5ft 4½ins (1.63m) with sallow complexion, dark brown hair, light brown eyes, and a left leg with 'large scars'.<sup>7</sup>

In October 1897 he was consulted by Mrs Sarah Walmsley, a 50 year old woman who complained of persistent diffused pain in her lower abdomen and pelvic region. She had previously been attended by Drs Prins, Orchard, Diamond and Campbell, without relief. She also suffered from constipation, for which she treated herself with preparations bought from a pharmacist. De Renzi recommended removal of her ovaries, and successfully performed an ovariectomy on 16 December 1897. Mrs Walmsley returned to him the following May, complaining of swollen knees and ankles. De Renzi diagnosed an enlarged liver and 'derangement of the kidneys'. His course of treatment gave some relief, but she was back in September, complaining of pain over her lower back and difficulty in sitting down. De Renzi prescribed a tonic and sedatives for pain relief, but the patient preferred to use her own remedies for constipation. De Renzi described Mrs Walmsley as 'an exceedingly nervous woman, and given to exaggeration'.

De Renzi tried blistering the area of the coccyx and continued with the use of sedative suppositories until July 1898. He then suggested the use of Roentgen rays (X-rays in *The Press*), which confirmed the enlarged liver, but the beneficial effect he had heard about from other practitioners did not occur in this case. Mrs Walmsley now refused all palliative treatments, and De Renzi made a rectal examination which found great sensitivity and pain when he touched the coccyx. When he suggested removal of a small piece of bone, the patient became 'very excited and hysterical'. She agreed to be admitted to Mrs Thompson's Fitzroy Nursing Home, but for several days resisted the idea of surgery. At last, on 13 October she consented and De Renzi removed the lower part of her coccyx.

This was the surgeon's version of events, but the Christchurch Supreme Court heard a very different story on 28 August 1899 when Mr Justice Denniston presided over a civil claim for £2,000 in damages brought by Sarah Walmsley. (In 2020 money this would be about \$387,000.) The statement of claim alleged that De Renzi had told Mrs Walmsley that she needed a small operation for piles in which no knife would be used, and that while she was under the anaesthetic he had cut off her coccyx and 'caused her great pain and did her great, lasting and unnecessary injury'. Even if the operation had not been done 'wantonly and maliciously', it had been done unnecessarily, unskilfully, and without the patient's consent.<sup>8</sup>

In her lengthy testimony Mrs Walmsley said that she had gone to Mrs Thompson's nursing home to be treated for her liver complaint, where she was treated with hot fomentations and 'strong medicine'. She insisted that she had never suffered from piles. She was surprised when an operation was suggested, but was reassured by De Renzi that no cutting would be involved. She claimed that he had said, 'No cutting at all, not a pin's scratch; it is a small pile high up in the passage, and must be removed with wire'. She said she had been fifteen hours without food, and if that was all he intended he might do it without ether. She admitted to being restless and 'too nervous to keep still'.

In the afternoon De Renzi had returned with his brother, Dr Henry De Renzi, and again she asked if there was to be any cutting, and was reassured

that there would be no cutting. She then consented to the ether and got onto the operating table. When she recovered consciousness she asked what had been done but Mrs Knight simply told her to go back to sleep. She 'spent the night in great pain' and next morning accused De Renzi of having deceived her. This continued for several days until he finally admitted having taken away part of her spine which was 'badly diseased'. She left the nursing home on 29 October, having to be carried to the waiting cab. De Renzi saw her on 31 October, when he instructed the nurse, Mrs Jane King, how to dress the wound.

Mrs Walmsley claimed that she could not now sit without discomfort, and had to take her meals kneeling or standing. Before the operation she had full control of her bodily functions, but had not since. She had seen De Renzi four times since the operation and had refused to pay his bill for £30 7s 6d, as he had 'done three times more than he ought'. When she told him she was now seeing Dr Fox, she claimed that De Renzi had told her 'she was an old fool to go to Dr Fox'. He had also told her not to go back to Mrs Thompson's, 'as she was no friend of his, but an enemy'.

While at the home Mrs Walmsley claimed she had heard Miss Knight the nurse say, 'Has he done 6d worth of good? No, but pounds worth of harm'. When Miss Knight was changing the bedclothes she said to Mrs Thompson, 'I would not stand in his shoes for all the thousands of pounds in the buildings round about'.

Under cross-examination Mrs Walmsley said she had paid De Renzi £30 in all. She insisted that she could sit comfortably before the operation, and had never told anyone she could not. She denied ever telling anyone that she wished she had seen Dr De Renzi earlier as he had done her more good than all the other doctors. She denied ever having said to Miss King that the operation would relieve the pain in her back, or that she was thankful for all he had done for her. She denied telling Mrs Bartrum that she was going to Fitzroy to have something done to her backbone.

She had told her pharmacist friend Spencer Vincent that she had been a week making up her mind to ask De Renzi to show her the piece of bone he had removed, and Vincent had told her that Miss Thompson had it. She

had since gone to Fitzroy and seen it. She had seen Dr Henry De Renzi in Vincent's rooms and had asked him if he could make the bill smaller, and he had said he would see his brother. Vincent had visited her at her house to ask how she was feeling: 'He said he thought she was quite right in bringing the action. No one was helping her in this action, and no one asked her to bring it. In the event of her losing the action, she knew of no one to assist her'. Her husband had borrowed some of the money to pay their lawyer, Mr Kippenberger. She thought that he had borrowed it from Spencer Vincent.

Mrs Christina Thompson, proprietor of the Fitzroy boarding house, testified that Mrs Walmsley had been brought to her house on 4 October. Dr Arthur De Renzi had said she was suffering from 'nervous debility', and it was so entered in the admission book. He had said that the patient was to be treated for piles, and had also given her medicine for her liver. There was no suggestion of any operation until De Renzi told Mrs Thompson that he was going to remove a pile. When the box of surgical instruments was handed across the table, the patient had said, 'What are you going to do with them, doctor; you're not going to do any cutting with me?' De Renzi had patted her on the shoulder and said 'No, dear, not a bit of cutting; not even a pin's scratch'. She repeated this when she was on the table. When the ether was administered, Dr Arthur De Renzi had flung the blankets over the patient's head, and Dr Henry De Renzi had said, 'Look out, don't smother her'. Arthur De Renzi had agreed, and said 'We don't want her death on our hands, do we, Mrs Thompson?' When he began sponging the patient's lower back, Mrs Thompson asked 'What are you going to do, doctor?' He then took the knife in his hand and said, 'Look out, Mrs Thompson, you may never see an operation like this again; I am going to cut her tail off'.

Mrs Thompson said that De Renzi had then cut along the spine with a knife and sawed the bone before wrenching it off with the lion forceps: 'The operation was done very quickly'. She then produced the bone from her pocket and showed the court. She had shown the bone to Drs Symes, Deamer, Diamond and Orchard. On the day following the operation Mrs Walmsley had said that she had been deceived. When she taxed Dr De

Renzi with this, he had replied,' No, dear, there was nothing done except what had to be done'.

Mrs Thompson said that Mrs Walmsley was 'very excited' and in excruciating pain. She had often had to call in Dr Henry De Renzi to help quieten her. Mrs Thompson added that Dr Arthur De Renzi had told her the bone was diseased and the nerves twisted.

Under cross-examination, Mrs Thompson said she would never allow Arthur De Renzi to perform another operation at Fitzroy. Nothing had been said about cutting until the box of instruments was handed across the table. There was no battery in the room. Normally a battery would be needed to heat the wire to remove a pile. The instruments were not appropriate for an operation for piles. That was why she had asked the surgeon what he was going to do. She did not dare speak during an operation, and 'could not dictate to a medical man'. She said she would have been frightened to do so, 'for he would have used very bad language'. She had never heard another medical man use such bad language. She thought Dr Henry De Renzi was 'a bit frightened' of his more experienced younger brother.

There had been much talk and gossip about the operation in the weeks that followed. Mrs Thompson said she had spoken to 'a great many people' and had said 'what a barbarous operation it was'. She had told Mrs Walmsley that in her opinion the operation should never have been done. The night before the operation Mr Walmsley had asked what sort of operation was to be done and Mrs Thompson had referred him to Dr Arthur De Renzi, who told him it was only the removal of a small pile with the aid of a wire.

Mrs Thompson told the court that she knew of the dispute between the De Renzi brothers, and thought that Dr Henry De Renzi was in the right. She admitted that it was Arthur De Renzi who had first suggested she start a nursing home, and also admitted that she had given a Christmas present to Dr Arthur De Renzi two and a half months after the coccyx operation, as a present for his kindness in sending patients to Fitzroy when she first started the home.

However, before starting the home, she had been warned about dealing with Arthur De Renzi 'on the ground that he could not be straight if he tried'. Before the dispute between the brothers, Arthur had been sending his patients to the Strathmore Hospital, and Henry continued to send his patients to Fitzroy. (Strathmore was a private hospital in Ferry Road, designed for Dr Townend, which had the first aseptic operating theatre in Christchurch, lined with plate glass.) Mrs Thompson said she had plenty of other doctors to send her patients, and she was independent of both the De Renzis.

When re-examined by Mr Kippenberger, Mrs Thompson recalled that Henry De Renzi would not have been able to see what his brother was doing as he was fully occupied administering the ether. She had been visited by Arthur De Renzi's lawyer, Mr Russell, and she had told him that she intended to speak the truth about this affair. She had told him that she had nothing to do with settling the matter with Mrs Walmsley. According to her, Russell had remarked that 'if the case came before an intelligent jury they would all be liable to go over the hill for having stood by and witnessed such butchery'.

Jane Knight was one of the nurses at Fitzroy, and had previously nursed Mrs Walmsley when she was a patient at Mrs Edward's nursing home. Her testimony generally agreed with that of Mrs Thompson, her employer. She distinctly remembered Mrs Walmsley saying that there was to be no cutting, and Arthur De Renzi's answer that there would be none. Though she did not hear all that was said, Miss Knight heard De Renzi say something about Mrs Thompson not seeing such an operation again. After the operation Mrs Thompson had said she would keep the bone, and Miss Knight had said 'So would I, if I were you'. Mrs Thompson liked to keep such items as curios.<sup>9</sup>

Dr Henry De Renzi appeared as a witness for the plaintiff Walmsley. He had seen Mrs Walmsley at Fitzroy before the coccyx operation and had concluded that she was suffering from inflammation of the stomach and liver. She had complained of abdominal pain. He had previously seen her at his brother's house, when she was examined by the Roentgen rays. He could not tell the state of the liver from the rays, as he was not an expert in

Roentgen rays. Like Jane Knight, he distinctly remembered the exchange between Mrs Walmsley and his brother, when she asked if there was to be any cutting, and Arthur De Renzi had said, 'No, I am only going to use the wire'. From where he sat, he was unable to observe the operation, and had been busy with the anaesthetic for about three quarters of an hour. When the blanket was thrown forward, he had said 'Don't smother her'. He remembered hearing Mrs Thompson query the nature of the operation, and heard his brother say something about cutting the tail off. He did not remember any epithet or swear word.

After the operation the patient appeared to suffer a good deal, and 'frequently expressed dissatisfaction with the result'. In cross-examination, Henry De Renzi said that he would have stopped the ether if he had understood that the operation was being done against the patient's wish. If a patient in an hysterical condition said 'Don't go on', he would not persist.

Henry described the removal of the coccyx as a major operation: 'The bone lay near the surface, but was covered with muscle. The cut would be a quarter of an inch to get on the surface of the bone nearest the skin . . . The coccyx acted as a support to the lower end of the bowel, and its removal could lead to loss of expulsive and relaxing power'. The exhibit produced consisted of the lower portion of the sacrum as well as the coccyx. It was about an inch and a quarter in length.

Edward Walmsley, bootmaker of Sydenham, faithfully echoed his wife's testimony. He said she was in the habit of going to New Brighton and Sumner by tram, and had never complained of pain in the region of her coccyx, but only in the small of her back. She had entered the Fitzroy Home to be treated for liver and kidney trouble and for nervous debility. He had asked Dr Arthur De Renzi about the results of the Roentgen rays, and had been told that his wife's liver was 'very much enlarged'. He had spoken to Dr De Renzi before the operation, and said 'I hear there's talk of your putting my missus under a slight operation', and De Renzi had said yes. When Walmsley asked 'What is it?' De Renzi had said 'It's nothing, old boy'. Walmsley said he had asked if there was to be any cutting, and De Renzi had said no, he would use a wire, and she would be home again in a few days. After the operation he had asked what had been done, and De Renzi

had said he had taken away a part of her backbone. Walmsley then asked if this was necessary, and De Renzi had said he was obliged to do it, as the bone was badly diseased and the nerves twisted in all shapes. After the operation, Walmsley said, his wife had been very dissatisfied and unable to get about properly. She had continually complained of being unable to control her bowels. She had never had any trouble about sitting before this operation.

Cross-examined by Mr Russell, Walmsley denied having changed his story to Mr and Mrs Bartrum. Several people had told him that the operation was unnecessary. He had not started legal action at once because he took the doctor's word that the bone was diseased. He had borrowed £3 from Spencer Vincent to make up the legal expenses. They had been friends for years. He denied having told anyone that Vincent had promised not to hold him to account if the present case was lost. He denied having had any promises of assistance from anyone, or anyone acting on their behalf.

Annie Thompson, daughter of the proprietor of Fitzroy Home, corroborated her mother's evidence. She had made the entry about nervous debility when Mrs Walmsley was admitted. She had not heard Mrs Walmsley complain of pain when sitting down. Dr Arthur De Renzi had told her to destroy the piece of bone, but it was not destroyed. Miss Thompson distinctly remembered Mrs Walmsley telling the doctor twice that there was to be no cutting. She spoke in a normal voice and the words could be heard quite plainly. Until the operation started Miss Thompson thought the operation was for piles, and only noticed the saw when it was being used.

Elizabeth Odering had accompanied Mrs Walmsley when she visited Dr Arthur De Renzi's house for examination by the Roentgen rays. Dr Henry De Renzi was also present, and asked his brother what he could see. Arthur had said he could see her heart and lungs and internal organs, and that her liver was very large. After the examination Dr Arthur De Renzi had not said what was wrong with Mrs Walmsley. He did not examine her below the waist, and nothing was said about piles. Before the first operation Mrs Walmsley could not sit comfortably, and could not walk very well. She was now worse in the matter of sitting.

Sophia Froggat was a next door neighbour of the Walmsleys, and had previously been proprietor of a nursing home. She had never heard Mrs Walmsley complain of pain on sitting down, nor that she had any difficulty in sitting, before this operation. She had complained of pains in her back, from a bad liver. Now she complained of 'a good deal of pain' and difficulty in sitting. Mary McKay and Mary Goodfellow likewise testified that Mrs Walmsley had never complained about sitting on the tram, but ever since her operation had been unable to sit properly.

Now that the neighbours had given their testimony, the medical men had their turn. Dr Graham Campbell had examined Mrs Walmsley in October 1897 with Dr Diamond. In his opinion her 'whole nervous system' had broken down, and she felt pain in all parts of her body, especially in the back and right thigh. At the time Mrs Walmsley was anxious to have her whole womb removed, but Dr Campbell advised against this. He then shared his knowledge of coccydynia with the court. This was a condition of intense localised pain in the seat of the coccyx, making it impossible for a person so afflicted to sit down without pain. The disease was easily diagnosed, but the patient often failed to localise the pain correctly. Once diagnosed, he would treat with blistering and measures 'to brace up the whole nervous system'. Only when these measures failed would he remove the coccyx. As a rule this was done by disarticulation. The specimen produced had part of the sacral vertebrae cut through: 'He would say that too much had been removed'. According to Dr Alingham the coccyx might be removed with no bad results, but only if the cut ends of the muscles were afterwards stitched closely together. He could not tell if Mrs Walmsley's alleged difficulties were caused by divided nerves or by mental suggestion. If Dr De Renzi had made a rectal examination and found her coccyx tender to the touch, he would be justified in inferring coccydynia, and in removing the coccyx.

Dr William Diamond had attended Mrs Walmsley from July 1896 to October 1897, when illness had forced him to stop practising. He had seen her again last July, when she seemed in much the same condition as before. She had pain all over her pelvis, but he would not call it coccydynia as it might be in the coccyx today and somewhere else tomorrow. He had found

Mrs Walmsley's case 'a very troubling one, as she suffered from utter prostration of the nervous system'. He considered that she suffered from uterine inflammation, which caused pain all over her pelvis. He had performed a curettage, but the old pains had come on again. She had difficulty standing and sitting, and also in walking. He had performed the operation to remove the coccyx on another patient, to relieve pain, and the patient had experienced no further trouble.

Dr Orchard was the next medical witness, on 30 August.<sup>10</sup> In order to clarify his evidence, he had a skeleton brought into the court room. He generally agreed with what Dr Campbell had said about coccydynia. He had seen the bone produced and it appeared to be healthy. It was more than the coccyx and had a small part of the sacrum attached. The loss of control complained of by the patient might be accounted for by the cut muscles, or it might have been caused by hysteria. A person could not travel constantly on a tram with a serious case of coccydynia. Pointing to the skeleton, he noted that the coccyx on this example was abnormally long. If a patient's coccyx was abnormally long and not tucked in, she would have trouble in sitting. Prior to an operation the correct treatment would include suppositories, morphia and belladonna, and also the cautery.

Dr George Deamer, elder son of a long-serving Christchurch doctor, had examined Mrs Walmsley twice with Dr Diamond. He considered her nerves were 'broken down' and she suffered continual pain in the region of her coccyx. The bone produced did not appear to him to be too straight, and seemed a normal one. A small piece of sacrum appeared to have been removed by force. In his experience the operation to remove the coccyx was not usually followed by loss of control, but nerve damage was one of the risks with any operation. If palliative measures did not work, then removal of the coccyx was in order.

Dr William Henry Ovenden told the court that he had a special qualification in the diseases of women from the Royal College of Physicians, Dublin. He had made a special study of Roentgen rays, and had the latest apparatus. With the rays the outline of the liver could be detected even in a child or a thin person. His understanding of coccydynia was that it caused intense pain and difficulty sitting down. A person with this condition could

not easily ride on a tram. He thought more than a month was necessary for palliative measures, and would not remove the coccyx of a patient able to get about on tramcars. He identified the additional piece of bone on the specimen produced as sacrum.

Here Dr Ovenden produced another skeleton, as the coccyx on the first one had been abnormally long. He showed that the joints in the coccyx were movable. About a quarter of an inch of the exhibit was sacrum. He would class this a major operation. He had performed it only once in a career of thirty years. Dr Arthur De Renzi had administered the anaesthetic for him. There had been no subsequent complaint from the patient. He agreed with the treatment for coccydynia, as laid down in an American textbook of gynecology and others.

The case for the defence opened with the examination of Spencer Vincent, a pharmacist who had been Dr Henry De Renzi's prescribing chemist. He knew the Walmsleys well and had often visited their house. He had lent them £3 'as they were such good customers to him'. He had advised them as a friend with regard to this action, but had not agreed to pay their costs or to help them in any way.

Jane King, a nurse, had cared for Mrs Walmsley for seven weeks after her ovariectomy operation. She had nursed her again after she left Mrs Edwards's home, and thirdly after she left Fitzroy last year. She had known Mrs Walmsley for two years and the plaintiff had always complained about her back pain, and 'had never been in the habit of sitting down properly'. She also suffered from constipation. She had seen Mrs Walmsley just before she went into the Fitzroy Home, and distinctly remembered her saying that she had to undergo a small operation to relieve the pain in her back. Mr Walmsley had also called at Jane King's house the night before the operation and had said that his wife had to have a piece of her backbone removed: 'it was her nerves that were affected, and it was going to do her good'. Jane King saw Mrs Walmsley after the operation and was told that a piece of her backbone had been cut. Mrs Walmsley made no complaint about the doctors.

Over the next fortnight while nursing Mrs Walmsley at her home, the plaintiff had expressed dissatisfaction with the nursing home but said nothing about the operation or the doctors. Mrs Walmsley's bowel troubles were no greater after the operation than before. Mrs Walmsley had since walked to visit Jane King at her home and had not complained about her back. Until recently she had always spoken of Dr Arthur De Renzi with respect. But since then she had said that she believed her operation had been unnecessary and she was going to bring an action against the doctor for performing it. Jane King ended her testimony by saying that Dr De Renzi was no friend of hers, and he had not been at her house for the past two years.

Elizabeth Staples was another neighbour of Mrs Walmsley, and had known the couple for three years. When they first met, Mrs Walmsley said that she had been unwell for many years, and that although Dr Diamond was 'very kind and nice' he did not seem to understand her case. Mrs Walmsley had told Elizabeth Staples that she could not sit without pain, and had to kneel to eat her meals. That was three years ago. She had to sit carefully so that her backbone would not touch the chair. Elizabeth Staples said she had seen Mrs Walmsley a week before her last operation, when she said she was about to undergo a very serious operation and might not get over it.

However, since the operation, Elizabeth Staples had met Mrs Walmsley on the tram and thought her appearance 'very much improved'. She had no trouble getting up to the top of the tram carriage, and appeared to walk normally. Up to two months ago she was still walking 'all right'. Then she had told Elizabeth Staples that she was suing Dr De Renzi for doing more than he ought. When asked why she had changed doctors, Mrs Walmsley had said 'Because Dr Diamond would not undertake such a serious operation'. When she came to the Staples house to use the telephone, Mrs Walmsley had said that Dr Arthur De Renzi had taken an inch and a half off her backbone.

When told that her other neighbours the Bartrums were to give evidence, Mrs Walmsley had told Elizabeth Staples 'they should not be there unless they were going to tell lies'.

Alice Maud Bartrum deposed that she had lived next door to the Walmsleys for four years and they had been close friends. All that time Mrs Walmsley had complained of pain and feeling ill, and could not sit down much on account of the pain in the bottom of her back. She would lean on a table or sit sideways on a chair. The day before she went into the Fitzroy Home Mrs Walmsley had said she was going to have an operation on her backbone. Mr Walmsley was then sitting at her bedside. He said he was a ruined man, and could not afford the expense of so many operations. He had later told Mrs Bartrum that his wife was going to have a piece taken from her backbone.

On her return from Fitzroy, Mrs Walmsley had said that she had ten stitches and the doctor had taken away an inch and a half of her backbone. She complained of the hardness of her bed, and a lack of beef tea, but added that Dr Arthur De Renzi had performed 'a wonderful operation' which she believed would be the making of her. She could walk ever so much better now than she had before. Mrs Bartrum had seen Mrs Walmsley doing her own washing and last March had carried about with ease some tubs for making elderberry wine. She had done all her own housework after recovering from her operation.

When the case resumed on 31 August Frederick Motley Bartrum, a life insurance canvasser, confirmed his wife's testimony. He had noticed that Mrs Walmsley's condition was much improved after she returned home from Fitzroy. She had told him that she was better. She could walk more easily and carry things. Mr Walmsley had told them all about the operation, saying that her bone was too long and caused her pain, and a piece the length of his finger was taken off. Mrs Walmsley had complained about the Fitzroy Home, but spoke of Dr Arthur De Renzi 'in terms of highest praise'.

William Barrett, another pharmacist, said that Mrs Walmsley had twice visited his shop with prescriptions from Dr De Renzi. She had sat very uncomfortably on her chair, and said she had to undergo another operation because her back was the cause of all her trouble. She said that Dr De Renzi had advised her to go to either the Strathmore or Fitzroy home, and she preferred the latter. Barrett had next seen Mrs Walmsley on 9 or 10 November, and she said she was very bad, could neither stand, sit, walk nor

lie. In May she had again come into his shop and said she had told Arthur De Renzi not to call again, on account of the row he had had with his brother.

Cross-examined, Barrett insisted on the November date, even though Jane King had sworn that Mrs Walmsley was in bed for a fortnight following her operation. He was sure the prescription bore that date, but was now not sure that she had called in person. Barrett denied having had any conversation with De Renzi about a settlement of the case, but recalled hearing him say 'I am very busy; this case will cost me £1,000 to settle'. Barrett denied having told other people that Dr De Renzi had asked him to testify. He had said that if subpoenaed he would give no evidence but what was true, and Dr De Renzi said that was all he wanted.

Richard Brown Harris, storekeeper, deposed that he had been in court on Monday to hear the case, as he had known the Walmsleys for sixteen or eighteen years. In 1895 Mrs Walmsley had come into his house and when invited to sit down she had said, 'No, I can't Mr Harris, the pain is something dreadful'. He had seen Mrs Walmsley on the street a few weeks ago, walking faster and better than he had ever seen her walk before. When he heard her say in court that she never had a pain in her back before the operation, he knew that this was false.

Frank Staples, post office clerk, also deposed that Mrs Walmsley's condition had greatly improved since her operation. Caroline Bout had nursed Mrs Walmsley some years before and had been told that her back was very bad. Yet she had seen her since last year walking along Windmill Road as well as the witness had ever seen her walk. Margaret Dale gave similar testimony.

At this point Mrs Walmsley fainted, and had to be carried out of court.

She therefore missed Arthur De Renzi's testimony. He said Mrs Walmsley had first consulted him in October 1897, and had complained of pains in her sides and in her lower back, the region of the coccyx. She said she had been under the care of Dr Prins for many years, and more recently Drs Murdoch, Campbell and Diamond. De Renzi stressed that she was 'an

exceedingly nervous woman, and given to exaggeration'. He had diagnosed ovarian inflammation, and performed a successful ovariectomy on 16 December 1897. Later the patient had complained of constipation and pain over the coccyx, which made it painful to sit. She was 'very much annoyed' at still having these symptoms, and De Renzi had tried to reassure her that it was too soon after the operation to see much improvement. She would feel better when her general health improved. He prescribed a tonic and sedative treatment, and advised her to attend to her bowels. She preferred using her own medicine to treat her constipation.

Mrs Walmsley often upbraided Dr De Renzi for her pain, which was mostly in the coccyx region. She was sometimes better, sometimes worse. De Renzi blistered the coccyx area, and continued with suppositories until about July. He offered to cauterise the part, but she refused, saying she had had enough of that: when a former medical man had cauterised her internally, several women had to hold her down. Her general health became worse, and Dr De Renzi advised her to go to Mrs Edwards's home, as he did not think she was being properly fed at home. She went, but did not improve. He then placed her under Roentgen rays, as he had seen this treatment quoted favourably in Home medical works. Mrs Walmsley had previously expressed a desire to have the ray treatment. But there was no improvement, and she refused further blistering and suppositories. De Renzi gave her four stronger ones, but when he saw her next day she was 'crying bitterly, and complained of great pain in the region of the coccyx'. She said he had fallen into the same error as all the other doctors.

De Renzi said he then examined her per rectum as gently as he could, but she 'cried out loudly in pain'. When De Renzi examined her again, she cried with pain when he touched the coccyx. He concluded that this was the source of all her pain. She begged him to do something to relieve her, and he reassured her that only a very small piece of bone would need to be removed. De Renzi offered her a hypodermic injection of morphia, but she would not have it. She again asked if there was any danger in removing the coccyx, and De Renzi said no. She suggested that he would do nothing because her account had not been settled. De Renzi said this had nothing to do with it, and he would not charge for a new operation, as he regarded it as part of the previous operation which had not cured her.

According to Arthur De Renzi, Mrs Walmsley became 'very excited and hysterical'. De Renzi said if she could get Mrs King, who had nursed her before, he would treat her at her home, but she then agreed to go to Fitzroy. When he saw her there, she was in 'a very excitable, hysterical, nervous condition', and he did not think she was in a fit state to operate on. Her stomach and kidneys were still very much out of order. He continued to see her day to day, and finally on 13 October performed an operation to remove her coccyx, in the same manner as Professor Wood, Vice-President of the Royal College of Surgeons, had when Dr De Renzi had assisted him.

He did not recall Mrs Walmsley questioning him about 'no cutting', but it was possible that he had said something about it being no more than a pin-scratch. If he said that, it was for the purpose of soothing her. Had anyone drawn his attention to the patient speaking to him he would have left his work and spoken to her. He always had the point of consent carefully settled before the anaesthetic commenced, and every doctor with whom he had worked could bear testimony to that. He made a long incision, about four inches, to give himself plenty of room and see what he was doing. He stripped the bone where he intended to divide. He then raised the tip of the coccyx with forceps, and, having seen where the sacrum joint was and defined the transverse processes, he divided the coccyx with the bone pliers. There was a little bleeding, which he stopped. He examined the remaining bone and was satisfied that it was a smooth edge. He brought the muscles together with deep sutures, and completed the operation by putting in the skin stitches.

He had not cut any nerves which could have affected the patient's bowels, and could swear 'most positively' that he never used the words attributed to him by Mrs Thompson. He had performed a great many operations in Christchurch, and performed this one as thoroughly and expeditiously as he could. He was quick about it as Mrs Walmsley had told him she was a bad ether subject. When the patient recovered from the operation she showed decided improvement, and said she was much better than she had been before the operation. She had called at his rooms on 22 May to pay an account, and he had had no complaint from Mrs Walmsley until 15 June when he received a letter claiming £2,000 in damages.

After the luncheon adjournment, Mr Kippenberger cross-examined Arthur De Renzi, who answered all of his questions directly and promptly. He twice stressed that Mrs Walmsley had been a difficult patient, 'an hysterical, neurotic woman, exceedingly hard to please'. He had first told her about the removal of the coccyx shortly after the Roentgen rays treatment. Once he had explained it, she would have no other remedy. She had given her fullest consent, but remained nervous about the operation. He had done his utmost to reassure and soothe her.

De Renzi specifically denied many of the assertions made by the prosecution witnesses. He said he had never told Mr Walmsley that the bone was diseased or that the nerves were all twisted up. He did not disarticulate the portion removed 'in order to save the transverse processes which afforded a firm hold to the fascia'. He had rounded off the remaining sacrum bone.

Finally, Dr William Henry Symes gave his testimony. He was a former naval surgeon, and was famous for having removed the bullet from HRH Prince Alfred, Queen Victoria's second son, after the assassination attempt on the Prince in Sydney in 1868. He had been a surgeon in Christchurch since 1871 and was highly regarded.<sup>11</sup>

He said he had had been called last week to examine Mrs Walmsley at the Fitzroy Home, and had difficulty doing so 'as there were so many people there . . . four doctors, four lawyers and two ladies'. Mrs Walmsley was 'very nervous' and at first refused to be examined. As soon as her skin was touched, she started and nearly threw herself off the table. The scar was quite healed. When her attention was diverted, she could bear firm pressure on the scar. She complained of pain running up her spine to her head, but when distracted her spine could be pressed without reaction. She complained of palpitations, sickness of the stomach and pains in her legs, but Symes did not think any of these could be attributed to the loss of her coccyx. He found that she responded to the touching tests for hysteria, and concluded that she was 'a confirmed hysteric and very susceptible to suggestion'. If it had been suggested to her that the operation had not been properly carried out, this would probably become a fixed idea.

After he had answered some further questions about the cutting of the bone, Dr Symes said he had observed several of Dr De Renzi's operations and thought him 'a good, neat and skilful operator'. That closed the case for the defence.

Addresses by the two learned counsel each took about an hour, and the court adjourned to 7.30 pm. On resuming, the judge allowed Mr Russell to read to the jury an extract from the legal textbook 'Taylor' pointing out that all imputation of a crime must be as clearly proved as it would be in a criminal court.

The judge finished summing up at 8.52 pm, and submitted the following counts to the jury:

1. Did the defendant perform the operation without the consent of the patient?
2. If not, was the operation a necessary one?
3. Was the operation properly done?
4. To what damages, if any, is the plaintiff entitled?

The jury came back at 10.20 pm to ask a question about count three. If the weight of professional evidence showed that a piece of the sacrum was attached to the removed coccyx, would that be proof of professional negligence? The judge said that Dr De Renzi's evidence showed that he did not intend to take off part of the sacrum. He could not rule that this was negligence per se. It was up to the jury to decide that point.

The jury retired again at 10.43 and returned at 11.10 pm with the following verdicts:

To question 1, 'No'. To question 2, 'Yes'. To question 3, 'Yes', by a majority of nine. Mr Russell then moved for judgement in favour of his client, which the judge granted, with costs and fees for second counsel for three extra days.

Dr De Renzi had been acquitted. Unusually for Christchurch, there was no editorial comment in either of the main daily newspapers, but a few days later Kippenberger filed notice of motion for a new trial, on the ground that the verdict was against the weight of the evidence.<sup>12</sup>

In October 1899 Dr Henry De Renzi announced in the newspapers that he was giving up his Christchurch practice on account of illness, and was moving to Wellington. He thanked all his friends and former patients for their expressions of sympathy.<sup>13</sup>

Then at the start of November the newspapers reported that Mrs Walmsley had instructed her solicitors not to proceed with the application for a new trial.<sup>14</sup>

Four months later, in March 1900, Dr Arthur De Renzi was appointed to command the medical unit of a division of the Fifth Contingent of New Zealand soldiers to fight against the Boers in the South African War.<sup>15</sup> After the end of the South African War, Dr De Renzi served in the British Army in India. He later returned to Christchurch, where he died in 1914 at the age of 49 from peritonitis after an operation for intestinal obstruction.<sup>16</sup>

With so much contradictory evidence, it is hard for the historian to sift the facts from the fiction, but the jury took only two hours to reach its majority decision. They heard and saw the witnesses, and must have decided that Mrs Walmsley was very far from being a reliable witness. They must also have noticed the similarity of responses from the prosecution witnesses, which raised the possibility that they had been schooled. On several points their testimony was flatly contradicted by that of the defence witnesses, who had nothing to gain from perjury.

The testimony of the storekeeper Richard Brown Harris, that he knew Mrs Walmsley had lied in her evidence on the Monday, must have damaged her credibility, perhaps fatally. She said that the pharmacist Spencer Vincent had said she was quite right to be bringing the action, yet in the next breath she said no one had asked her to bring it, and no one was helping her. Vincent later testified that he had given money to Mr Walmsley for their

legal costs. Mrs Christina Thompson of the Fitzroy Home had been telling everyone she met that it was the most barbarous operation she had ever witnessed. Here was ample encouragement for the wife of a poor bootmaker to be persuaded to claim damages of £2,000. Such a sum was a fabulous fortune for working class folk living in Sydenham. Easy money, if successful.

It looks as if someone suggested to Mrs Walmsley to say that she had been expecting an operation for piles and had received instead an operation for which she had not given her consent. Dazzled by the prospect of sudden wealth, she was happy to deny that she had ever suffered symptoms of coccydynia, forgetting that piles had never been mentioned by De Renzi, except to say that she had none, and that her neighbours could all testify to her back trouble before this operation.

Her story was easily disproved, and the court was left in no doubt that she was an excitable, nervous and hysterical woman, prone to exaggeration, and therefore highly susceptible to manipulation. Was it Mrs Thompson, backed by the pharmacist Vincent, who saw an opportunity to get back at a doctor they both disliked? Or did they hope to get a share of the proceeds?

However, we should not be too quick to assign guilt on such limited evidence and at such a distance in time. *Nil nisi bonum* and all that.

It seems possible that De Renzi had led Mrs Walmsley to believe he was going to remove a small pile just to overcome her nervousness about having an operation. Once she was under the ether he could proceed with the operation she needed, and for which she had previously given her consent. Mrs Thompson, however, had spotted the deception, and was indignant about it. Perhaps she then saw an opportunity for revenge on Arthur De Renzi for having taken all his surgical cases to Strathmore, instead of supporting her Fitzroy Home. She and Spencer Vincent were clearly on the side of Henry De Renzi in the brothers' dispute.

Sarah Walmsley died in 1916 at the age of 68, from cancer and heart failure, so she had survived her coccyx operation by 17 years.<sup>17</sup> Her husband Edward died in 1925 at the age of 74.

The tragedy about which we have no evidence beyond a few hints during the trial is the breach between the De Renzi brothers. What had caused their row, and a major falling-out? Their careers in Christchurch, hitherto successful, both came to an abrupt end. It seems likely that Arthur's marriage also ended, as his wife could not accompany him to South Africa. She died in 1908, possibly while he was still in India. They had had two daughters, Dora and Frances, in 1890 and 1891, who never married and lived into their eighties. (Their son Annesley George Castriot De Renzi had died in infancy in 1893.) Arthur had another son in 1904 by Jane Vera McDowell, also named George Castriot De Renzi, who died in 1940. This suggests that his first marriage had ended by 1904.

Henry did not stay long in Wellington, but returned to England, where he died in 1905, aged only 42. Both brothers had died well before their time.

The De Renzi family was a large one, as was the Harman family, but the scandal of a court case and a brothers' rift must have cast long shadows down the years.

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## ENDNOTES

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<sup>1</sup> Rex Wright-St Clair, *Historia nunc vivat: Medical Practitioners in New Zealand, 1840-1930* (2003), p. 114.

<sup>2</sup> David Macmillan, *By-ways of History and Medicine* (Christchurch, 1946), p. 372, remarks by Dr Walter Fox.

<sup>3</sup> Canterbury Museum, Macdonald Dictionary of Canterbury Biographies, H.178.

<sup>4</sup> Wright-St Clair, p.115.

<sup>5</sup> *Star*, 30 November 1899, p.3.

<sup>6</sup> *Lyttelton Times*, 26 December 1895, p.3; 19 February 1896, p.5; 20 February 1896, p.4.

<sup>7</sup> *NZ Police Gazette*, 1 April 1896.

<sup>8</sup> *Lyttelton Times*, 29 August 1899, p.3.

<sup>9</sup> *Lyttelton Times*, 30 August 1899, p.3.

<sup>10</sup> *Lyttelton Times*, 31 August 1899, p.3.

<sup>11</sup> Wright St-Clair, p. 364.

<sup>12</sup> *Lyttelton Times*, 6 September 1899, p.5.

<sup>13</sup> *Lyttelton Times*, 10 October 1899, p.1.

<sup>14</sup> *Lyttelton Times*, 1 November 1899, p.5.

<sup>15</sup> *Lyttelton Times*, 19 March 1900, p.5.

<sup>16</sup> Wright St-Clair, p. 114.

<sup>17</sup> NZ Deaths Register, 1916/7982.