

Smuggling was a common thing on the Niagara River and the list of goods was many: tea, gun powder, nails, whisky, salt, coal oil etc. When the lake froze over it afforded a convenient route for the smugglers to cross over the ice from Buffalo to unfrequented places on the Canadian shore.

The Fort itself was just a ruin, and the village surrounding it had all but been deserted, except for a few squatters homes, and those of the smugglers. The remainder of the villagers had moved down river to the sight of Fort Erie Mills renamed Waterloo after the war in 1816.

In 1835 Kerby forwarded a letter to Francis Smith containing the information against W.I. Olcott an inkeeper residing in Fort Erie. Olcott was also a constable and a notorious smuggler. "and many's the night I have spent looking for him. The tea I have discovered would have exceeded fifty pounds in value."