The Declaration of War, approved by Congress on June 18, 1812, authorized the President to "use the whole land and naval force of the United States against the British Empire." Compared to the British, our forces are minuscule. The United States Army has less than 10,000 men on the muster rolls, and many of our senior officers are aging veterans of the Revolution. The Navy only has 16 ships fit for service and none of them is a match for a British "first rate" battleship. Against 40,000 hardened veterans of the Napoleonic Wars and the largest battle fleet in the world, the prospects for success are dim. Fortunately, Britain’s attention is focused on defeating Napoleon in Europe, and that offers some breathing space to prepare for war.

In the interim, as in the Revolutionary War, the call to arms is sounded - private citizens enlist in the army, militia units are mustered, and ships begin fitting out as privateers. With a weak Navy, privateering is so critical to the war effort that it is outlined in a major clause of the declaration of war. The President is authorized to: "...issue to private armed vessels of the United States commissions or letters of marque and general reprisal against the vessels, goods, and effects of the government of the said United Kingdom of Great Britain and Ireland, and the subjects thereof."

A "letter of marque and reprisal" was a license which granted a private citizen the right to arm a vessel and seize any public or private British vessel, her cargo and crew as a 'prize of war.' The prize was sent to a friendly port to be condemned in an Admiralty Court. If the prize was ruled legal, the ship and cargo were sold at auction, and the proceeds went to the owners. This was a time-honored and legal method to support the war effort by combining patriotism and the pursuit of profit.

Privateering wasn’t a new idea in 1812. The "letter of marque and reprisal" had legal precedence going back to the Middle Ages, and it was recognized and practiced at one time or another by nearly every seafaring nation.

In fact, American privateers were very successful during the French and Indian War and the Revolutionary War - and that earlier experience would come in handy during the early summer of 1812.