

## **University v. Foy** <sup>[1]</sup>

### ***University v. Foy***

by John V. Orth, 2006

*University v. Foy*, a case decided by the [North Carolina Supreme Court](#) <sup>[2]</sup> in 1805, was brought by the [University of North Carolina](#) <sup>[3]</sup> to protect property it had acquired pursuant to its statutory right to [escheats](#) <sup>[4]</sup>—property owned by a person who dies without a will or known heirs and which passes to the state. The political background of the case was a struggle between the [Anti-Federalists](#) <sup>[5]</sup>, who controlled the [General Assembly](#) <sup>[6]</sup>, and the university, described as a "hotbed of [Federalists](#) <sup>[7]</sup>." In an early exercise of judicial review, the state supreme court upheld the university's right to the property.

#### **Additional Resources:**

Knight, Edgar W. "North Carolina's 'Dartmouth College Case'." *The Journal of Higher Education* 19. No. 3. March 1948. p.116-122. <http://www.jstor.org/stable/1975970> <sup>[8]</sup> (accessed August 28, 2012).

#### **Subjects:**

[Court cases](#) <sup>[9]</sup>

#### **Authors:**

[Orth, John V.](#) <sup>[10]</sup>

#### **Origin - location:**

[University of North Carolina at Chapel Hill](#) <sup>[11]</sup>

#### **From:**

[Encyclopedia of North Carolina, University of North Carolina Press.](#) <sup>[12]</sup>

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#### **Links**

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