

University v. Foy ^[1]

University v. Foy

by John V. Orth, 2006

University v. Foy, a case decided by the [North Carolina Supreme Court](#) ^[2] in 1805, was brought by the [University of North Carolina](#) ^[3] to protect property it had acquired pursuant to its statutory right to [escheats](#) ^[4]—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](#) ^[5], who controlled the [General Assembly](#) ^[6], and the university, described as a "hotbed of [Federalists](#) ^[7]." 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> ^[8] (accessed August 28, 2012).

Subjects:

[Court cases](#) ^[9]

Authors:

[Orth, John V.](#) ^[10]

Origin - location:

[University of North Carolina at Chapel Hill](#) ^[11]

From:

[Encyclopedia of North Carolina, University of North Carolina Press.](#) ^[12]

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