purpose of the Rule on Evidence: It is designed to enable the inquiry to proceed with least waste of time and effort, and at the same time guard against
prejudice and arbitrariness.

Law of Evidence – Consists of those rules, statutory and judicial, which regulate the acceptance or rejection of the information to a
legal tribunal which will justify a conclusion or judgment upon the matter in issue before it.

It furnishes matter of fact: 1. It prescribes the manner of presenting evidenc
e2. It fixes the qualification and the privileges of witnesses and the mode of examining them. It determines which are logically and in their nature
evidential, what classes of things shall not be received
Evidence – anything that makes evident or clear to the mind, or such things collectively; any
ground or reason for knowledge or certitude in knowledge; proof whether from immediate knowledge or from thought, authority or testimony; a fact or body of facts on
which a proof, belief or judgment is based; that which shows or indicates.

In law, the matter to be proved is the contention of the litigant as to the issue, and it is
most fundamental rule that evidence offered must correspond with the allegations and be confined to the point in issue.

Scope of Law on Evidence
1. Prescribes the manner of presenting evidence
2. Fixes the qualification and privilege of witnesses and mode of examining them
3. Determines among the
probative matters things which are logically and in their nature evidential, and what classes of things shall not be received.

RULE 128 Section 1.
Evidence defined – Evidence is the means, sanctioned by these rules, of ascertaining in a judicial proceeding the truth respecting a matter of
fact. Component Elements: 1. Evidence as a means of ascertainment – Evidence may refer to the evidentiary fact or the manner
of bringing this fact forward before the tribunal, or both.

Wigmore’s definition:
any knowable fact or group of facts, not a legal or logical principle, considered
d with a view to its being offered before a legal tribunal for the purpose of producing a conviction, positive or negative, on the part of the tribunal,
as to the truth of a proposition not of law or of logic, on which the determination of the tribunal is to be asked.

2. Sanctioned by these rules
means allowed under these rules or not excluded by these rules.

3. In a judicial proceeding

contemplates a judicial conflict.
4. The truth respecting a matter of fact — refers to an issue of fact and is both substantive and procedural. The manner of proving these facts
or acts is procedural and is governed by the rules on evidence.

Evidence Argumentation

The process of presentation or
demonstration of the jural relation between the parties can be accomplished only by the use of a number of facts, the final logical result being the establishment
of the total fact. The invocation by counsel of ordinary rules of logic and rhetoric in the combination of assumed facts.
m ProbasUltimate fact to be established, the PROPOSITION of which evidence may be offered is given by the rules of substantive law and pleadings Mater
ial evidencing the proposition. It is the evidential fact or the fact by which factumprobandum is established. It becomes the fact in issue only if by substantively signifies a relation
between facts. The difference