§ 3808. Forfeiture of amount of penalty where suit is neglected. Where any penalty for the benefit of a school district, or of the schools of any school district, town, supervisory district or county, shall be incurred, and the officer, whose duty it is by law to sue for the same, shall wilfully and unreasonably refuse or neglect to sue for the same, such officer shall forfeit the amount of such penalty to the same use, and it shall be the duty of his successor in office to sue for the same.